

# EXPORT CONTROL (MILK AND MILK PRODUCTS) ORDERS 2005

## Understanding

### SCHEDULE 1 - REGISTRATION

#### THE PURPOSE OF THIS INFORMATION SHEET

The objective of this information sheet on schedule 1 is to provide an update on the new legislative requirements effecting dairy manufacturers and exporters.

This guide will also (where applicable) advise on any changes or additions to similar requirements of the old Export Control (Processed Food) Orders, and any transitional timeframes in complying.

#### THE OBJECTIVE OF SCHEDULE 1

Schedule one provides the mechanism for the requirements of Divisions II and III of Part 3, of the Export Control (Milk and Milk Products) Orders 2005 and detail's the requirements of plans and specifications, of premises that are required to be submitted when applying to be registered as an export dairy establishment, also the requirements of plans and specifications necessary for alterations and additions. Schedule 1 also outlines the requirements for approval to prepare processed food in an unregistered establishment.

**NOTE:** These requirements are in addition to those requirements necessary for Registration in the Export Control (Prescribed Goods General) Orders.

#### WHAT'S NEW IN THIS SCHEDULE?

The major changes in this schedule of the new legislation are;  
Clearer explanations and greater flexibility compared to the existing orders.

As example, the old orders specifically requested "scale maps of 1:500" where the new schedule (in part) now requests, "the site plans must include the scale used in the plan" and there are many examples of this "flexibility" throughout the new orders.

#### WHAT DOES A CURRENTLY REGISTERED ESTABLISHMENT NEED TO DO TO COMPLY WITH SCHEDULE 1?

If you are currently registered with AQIS as an Establishment approved for the preparation of processed dairy food for export and continue to prepare processed food in that registered establishment without alterations, then Schedule 1 does not impose any additional requirements.

The new schedule 1 of the Export Control (Milk and Milk Products) Orders 2005 only affects new registrations and alterations and additions to existing establishments.

**NOTE:** This schedule may not impact your current arrangements however there may be other requirements in the new legislation that must be met by currently registered establishments

## BECOMING REGISTERED AS AN APPROVED ESTABLISHMENT

Should you wish to become a registered establishment for the manufacture of dairy products for export purposes, you must apply directly to the relevant State Regulatory Authority.

Who you contact depends on the state or territory in which the applicable establishment is located, this should be your 1<sup>st</sup> point of contact.

Each of these Regulatory Authorities will be able to provide you the relevant information that's needed to be in place and approved by AQIS for the specific dairy commodity to be exported. These requirements will cover such things as hygiene, HACCP tables, process flow charts, keeping records, plans, transfer documentation, and approved arrangements etc, which are all requirements in the Export Control (Milk and Milk Products) Orders 2005.

Your relevant State Regulatory Authority will be able to provide information that covers both export and domestic requirements

## GETTING AN APPROVED ARRANGEMENT

An approved arrangement is a documented program, which has been approved by AQIS/State Regulatory Authority and provides procedures and controls for the production and export of dairy products, which are deemed to be fit for human consumption.

An approved arrangement will be granted after a successful verification audit (both desk and on site) conducted by AQIS or the relevant regulatory authority.

The approval is granted based on the establishment meeting specific requirements, such as;

- Documented controls and procedures that ensure the requirements of the Export Control (Milk and Milk Products) Orders 2005 are fully complied with.
- Adherence to Good Manufacturing Practices.
- Company verification and validation systems are in place.
- Evidence that the establishment complies with the applicable importing country requirements.
- Detailed HACCP plans based on CODEX, that identify potential and significant hazards and demonstrate appropriate monitoring and controls steps.
- Plans showing specifications of the establishment and equipment used in operations, Site Plans, Locality Maps, water supply, Stormwater & drainage

Full details for the requirements of an “approved arrangement” are provided in Schedule 2 of the Export Control (Milk and Milk Products) Orders 2005.

## FURTHER INFORMATION

A copy of the Export Control (Milk and Milk Products) Orders 2005, legislation can be found at <http://www.comlaw.gov.au/>

For information on food standards and HACCP principles the Food Standards Code web address is [http://www.foodstandards.gov.au/foodstandardscode/index.cfm#\\_FSCchapter1](http://www.foodstandards.gov.au/foodstandardscode/index.cfm#_FSCchapter1)

**FURTHER INFORMATION CONTINUED.....**

**State Dairy Authority Contacts are;**

<b>State/Region</b>	<b>Authority</b>	<b>Contact Number</b>
Victoria	Dairy Food Safety Victoria	03 9810-5900
New South Wales	NSW Food Authority	02 9741 4777
Queensland	Safe Food Queensland	07 3253 9800
Tasmania	Tasmanian Dairy Industry Authority	03 6421-7638
Western Australia	Western Australian Dept. of Health	08 9388 4958
South Australia	Dairy Authority of South Australia	08 8223-2277
Northern Territory	Dairy Program Officer AQIS	08 8305 9700
ACT	NSW Food Authority	02 9741 4777

For any further information please feel free to contact the Dairy Review Unit during business hours on the numbers listed below

**Dairy Review Unit Contacts are;**

<b>Name</b>	<b>Contact Number</b>	<b>Email</b>
Shayne Daniels	03 8318-6763	<a href="mailto:shayne.daniels@aqis.gov.au">shayne.daniels@aqis.gov.au</a>
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**FREQUENTLY ASKED QUESTIONS**

**WHAT IS A REGISTERED EXPORT ESTABLISHMENT?**

A premise (including a fishing vessel) where prescribed goods are prepared for export and includes, processing, inspecting, chilling, freezing, holding, producing, packing, treating, handling, loading or storing.

**WHAT IS A DAIRY PRODUCT?**

The following milk products derived from milk (other than colostrum) obtained from an animal of the bovine species:

- (i) Flavoured milk and modified milk;
- (ii) Cream and thickened cream;
- (iii) Butter, butter concentrate, buttermilk, concentrated buttermilk, dairy blend, ghee (clarified butter) and anhydrous milk fat (butter oil);
- (iv) Casein, caseinate and cheese;
- (v) Whey, whey cream and concentrated whey cream;
- (vi) Cultured milk and yoghurt;
- (vii) Butter milk powder, lactose powder, milk sugar, powdered milk, skim milk powder, whey powder, milk protein powder, condensed milk, milk minerals and other milk concentrates;
- (viii) Dips containing yoghurt, cream cheese or other dairy base;
- (ix) Any other like milk product a major component of which is milk.

## **FREQUENTLY ASKED QUESTIONS CONTINUED.....**

### **WHAT IS A PRESCRIBED GOOD?**

An edible Processed food product defined by the Export Control Act 1982 as a prescribed good which includes commodity groups meat, game, poultry, rabbit, fish, dairy, fresh fruit and vegetables, plant and plant products, grains, dried fruit and eggs that are to be exported as food.

### **WHEN DOES A PREMISE NEED TO BE REGISTERED WITH AQIS?**

When a premise, including a fishing vessel, intends processing, inspecting, chilling, freezing, holding, producing, packing, treating, handling, loading or storing prescribed goods for export.

### **DO I NEED A PERMIT TO EXPORT?**

If you are exporting a prescribed dairy product and the weight exceeds 10kg or more than 10 litres by volume (unless required by the importing country) or if it is not being exported to New Zealand under export certification you need an export permit prior to export.

### **HOW DO I KNOW IF AN ESTABLISHMENT IS REGISTERED WITH AQIS?**

You should ask the company for their AQIS registration number and whether they are registered for the product being exported. If the establishment is a store then you should ask them if they have AQIS registration to store or manufacture dairy commodities.

Please note that a Quarantine Approved Premises is not an AQIS export registered establishment unless it has undergone the separate export registration process for the particular operations required.

You should also verify information by contacting the AQIS Dairy Export Program.

### **CAN PROCESSED FOOD FOR EXPORT BE MANUFACTURED ANYWHERE?**

Processed food for export as food must be prepared at an establishment that is registered with AQIS, in respect to the specific operation for the preparation of the food undertaken.

### **ONCE I AM APPROVED DO I NEED ANYTHING ELSE PRIOR TO EXPORTING MY PRODUCT?**

Yes you must obtain an export permit prior to exporting prescribed goods

### **How Do I get an Export Permit?**

You get an export permit by submitting a Request for Permit to AQIS via EXDOC or manually using an AQIS form called an EX 28 or an EX222

### **WHAT IF I DON'T HAVE EXDOC CAN I STILL GET A PERMIT AND HEALTH CERTIFICATE?**

Manual export permits and certificates are still being provided but the Dairy Industry has requested that EXDOC be mandated from 1 July 2005

However Contingency arrangements necessitate that manual arrangements may be required

### **WHAT HAPPENS IF I DON'T GET AN EXPORT PERMIT PRIOR TO THE DATE OF DEPARTURE?**

If you fail to obtain an export permit prior to the date of departure then you are in breach of export legislation and details of the incident will be referred to the AQIS Compliance Program. In most cases you will be required to return the product back to Australia or have it destroyed.

AQIS may also apply sanctions against the exporter; these may involve prohibition from exporting, mandatory load-out inspections and or removal of AQIS approval to validate your own export permits (where approved to do so).

*FREQUENTLY ASKED QUESTIONS CONTINUED.....*

**ARE THERE EXCEPTIONS WHERE YOU DON'T NEED A PERMIT TO EXPORT DAIRY PRODUCTS**

Shipments under 10kg or 10 litres (per consignment) are not considered to be a prescribed good (unless it is an importing country requirement). Products to New Zealand or ships stores are also not considered to be a prescribed good and therefore have no export requirements.

**HOW DO I MEET IMPORTING COUNTRY REQUIREMENTS?**

The Dairy Review Unit provides a list of importing country requirements. This list provides information on the importing requirements of all countries

The DRU Newsletters also provide information on importing country requirements. It is always best to check with your buyer to clarify specific requirements of the country you intend to export to.

**WILL I HAVE TO PAY FOR MY ESTABLISHMENT TO BE APPROVED WITH AQIS?**

Yes, all approvals attract a fee.

For up to date charges please visit our website at [www.aqis.gov.au/dairy](http://www.aqis.gov.au/dairy) and navigate to, Quarantine & Export Services, fees and charges for Dairy Exports. Or use the link <http://www.affa.gov.au/content/output.cfm?ObjectID=D2C48F86-BA1A-11A1-A2200060A1B01807>

It should be noted that the State Regulatory Authorities perform the audits of premises on behalf of AQIS and these also incur charges. Contact the relevant authority for their charging guidelines.