



Australian Government

Australian Quarantine and Inspection Service

TRACEABILITY

**A Guideline to Compliance with the
Export Control (Fish & Fish Products) Orders
2005**

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Background

The *Export Control (Fish & Fish Products) Orders 2005* (the Orders) together with the *Export Control (Prescribed Goods General) Order 2005* (the PGGOs) and the *Export Control Act 1982* (the Act) provide conditions and restrictions on the export of fish and fish products.

Prior to the 1st of October 2005, fish and fish products for export were regulated under the *Export Control (Dairy, Eggs and Fish) Orders 2005* – these Orders have now been separated into the *Export Control (Fish & Fish Products) Orders 2005*, the *Export Control (Egg & Egg Products) Orders 2005* and the *Export Control (Dairy & Dairy Products) Orders 2005*.

Objectives

The objectives of the Orders are to facilitate trade based on effective food safety and suitability procedures and accurate descriptions of product. Audit provisions are required to substantiate the adequacy of these procedures. On this basis, certification is provided as required by importing countries, thereby facilitating trade.

This guideline specifically addresses the requirements of registered establishments to meet objective 3.1 (d) of the objectives of the Orders.

Export Control (Fish & Fish Products) Orders 2005 – subclause 3.1 of Order 3

3. Objectives of these Orders

3.1 The objectives of these Orders are to facilitate trade by ensuring the following:

d) that fish and fish products for export as food are accurately identified and there can be effective traceability and recall if required.

Traceability

The purpose of this guideline is to explain the concept of traceability and outline what systems need to be in place in order to comply with the Orders. This document aims to answer the following questions:

- What is traceability?
- Why are traceability systems required?
- Who is required to have traceability systems in place?
- What type of information is required?

1.0 Introduction

Upon reading this guideline, registered establishments and those responsible for raising export documentation should be aware of their roles and responsibilities in implementing and managing effective traceability systems. This guideline outlines what information should flow between each sector of industry in the supply chain using the following four specific examples:

1. Live fish sourced from an unregistered vessel (see Appendix I).
2. Tuna freezer vessels that export directly from the vessel (see Appendix II).
3. Fish and fish products where the cold store conducts a final product inspection (see Appendix III).
4. Fish and fish products where the registered establishment conducts the final inspection and the cold store merely stores (see Appendix IV).

One or more of these examples may reflect the way you operate in which case you will need the documentation listed in that example to comply with the Orders.

2.0 What is traceability?

Traceability can be defined as the ability to identify the origin of food inputs, through all stages of production, processing and distribution.

A food input is any material that is a constituent of a fish and fish product (including raw materials) or is added or used during the processing of the fish and fish products. An input may include, but is not limited to, fish and fish products, food additives (e.g. Meta {Sodium metabisulphite}), stock feeds, bait, other ingredients, water, ice and packaging.

Traceability systems are record keeping procedures that show the path of a particular input from supplier(s) through processing, to customers. The amount of information recorded varies depending on the product, its processing and transportation in the through chain leading to export.

Traceability relies on the “one up – one down” approach where establishments and people raising documentation in relation to food for export, have a system in place enabling them to identify who they receive product from and what they receive, and who they supply product to and what they supply.

The basic characteristics of traceability systems are:

- Identification of units/batches of all inputs (Product traceability information)
- Lot identification of processed product (Production records and lot or batch labelling)
- Information on when and where they are moved and/or transformed (Documentation e.g. Transfer Certificate and Declarations of Compliance)
- A system linking this data (Approved Arrangement which reconciles product to documentation)

Traceability systems function as a tool for communication, making information available along the supply chain. The key to an effective traceability system is good communication and management between successive “links” (one-up, one-down) along the supply chain. A lack of management between these links results in a break in the information chain and a subsequent loss of traceability.

3.0 Why are traceability systems required?

The use of traceability systems will achieve several outcomes:

- Meet the requirements of Australian legislation, specifically the *Export Control (Fish & Fish Products) Orders 2005* (subclause 1.1 of Schedule 8);
- Allow registered establishments to meet importing country requirements; and
- Provide assurances that the fish and fish products have been handled appropriately to maintain food safety and traceability in order to be eligible for export.

4.0 Who is required to have traceability systems in place?

All registered establishments involved in the preparation¹ of fish and fish products must have a system for tracing, identifying and if necessary, recalling product at the Establishment (subclause 1.1 of Schedule 8).

The entire traceability system is intended to cover back to where product is sourced from through to when it is exported from Australia, although individual establishments will only be responsible for traceability one step forward and one step backwards.

The requirement for traceability systems also extends to those that are responsible for raising export documentation, which is discussed in the Export Documentation guideline.

Diagram 1 on the following page illustrates the supply chain and the flow of information.

5.0 What must be documented in the Approved Arrangement?

The Approved Arrangement must document the controls used to ensure that the requirements of Schedules 8 and 9 of the Orders are complied with.

This may be documented in the form of a procedure describing how product traceability and recall will be controlled. Product traceability procedures are typically verified through regular scheduling of “mock recalls” a verification activity which confirms that the procedure is working by tracing a product from the point of export back to the point of receipt.

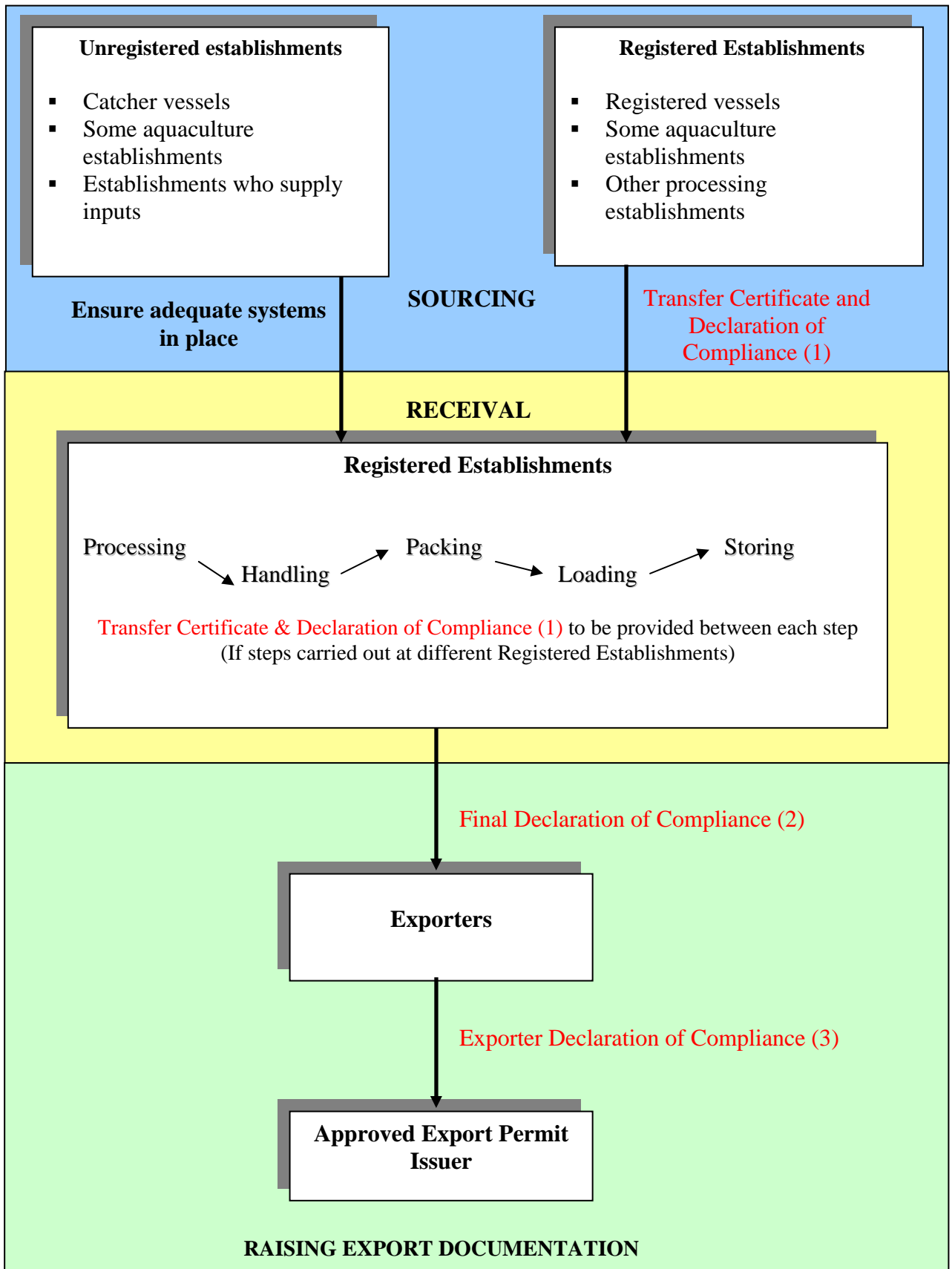
The Approved Arrangement must provide details of persons responsible for the control of, signing of and the raising of Export documentation. This may be described in a separate procedure for the control of Export documentation.

Control of the sourcing of fish and fish products from unregistered establishments and any ingredients that may be added to the product during processing are typically addressed during the development of the HACCP Plan. Procedures for ensuring the safety and suitability of raw materials must be documented.

¹ Preparation: in relation to processed food includes the following:

- (a) the slaughter or killing of animals and the dressing of carcasses;
- (b) the processing, packing or storage;
- (c) the treatment of prescribed goods;
- (d) The handling or loading of prescribed goods.

Diagram 1. Illustrates the flow of information between each sector of the supply chain to comply with the *Export Control (Fish & Fish Products) Orders 2005*.



6.0 What type of information is required?

6.1 Sourcing provisions

Export Control (Fish & Fish Products) 2005 – subclause 4.1 of Schedule 8

Schedule 8 Identification, tracing systems, integrity and transfer

Sourcing fish and fish products

4.1 Fish and fish products for export as food and their ingredients must be sourced only from a supplier with traceability systems in place to ensure that the fish and fish products and ingredients can be identified, traced and if necessary, recalled.

6.2 Sourcing inputs from an unregistered establishment

When a registered establishment sources food and ingredients from an unregistered establishment, the unregistered establishment is not required by the Orders to provide a Declaration of Compliance on despatch.

The registered establishment receiving the goods must ensure that the food and ingredients are only sourced from an establishment with disease management controls in place and effective measures to ensure that the food and ingredients are fit for human consumption.

It is the responsibility of the receiving establishment to ensure that these requirements are met. This will require the receiving establishment to have controls and procedures in place that will ensure compliance with this requirement.

Registered establishments may elect to implement procedures such as conducting their own inspection of the establishment from which they source their food and ingredients, conducting receipt inspections of the goods when they come in and keeping accurate records of their inspections in order to demonstrate compliance.

Product testing of incoming product will also assist in verifying that product receipt procedures are effective – for example: a registered establishment may check fish temperatures when product is received by the establishment and additionally test tuna received from catcher vessels for acceptable levels of histamine – in order to verify that product temperatures are being effectively maintained aboard the vessel.

(See Orders 10 and 11 for when fish and fish products are unsafe or unsuitable, Schedule 7 Clause 7 covering the requirement for ingredients to comply with the Food Standards Code and subclause 6.1 of Schedule 5 covering sourcing of fish from unregistered establishments.)

6.3 Receiving inputs from a Registered Establishment

This section applies to registered establishments that supply fish and fish products or other food inputs for processing to other registered establishments and the registered establishments that receive these goods.

Registered establishments that supply goods for processing includes, but is not limited to: vessels that freeze fish on board and registered aquaculture establishments. Registered establishments that receive goods for processing include processors, cold stores, freight forwarders and live fish packing establishments.

6.4 Keeping records to ensure traceability

Subclause 4.1 of Schedule 8 requires that any food input received by a registered establishment to be used in the processing of fish and fish products for export, must be sourced from a supplier with traceability systems in place.

This means that Establishments are required to keep records of all food inputs supplied to them to ensure effective trace-back to a single input, as follows:

Export Control (Fish & Fish Products) 2005 – subclauses 5.1 – 5.2 of Schedule 8

Production Records

- 5.1** A record must be made of all information necessary to ensure:
- (a) trace-back to the individual lot of fish and fish products prepared at an establishment; and
 - (b) trace-back to the supplier of the ingredients used in each lot of the fish and fish products and the date of supply of the ingredients.

Note For requirements relating to verification records and for requirements to keep documents see subclause 3.7 and clause 5 of Schedule 2. See further order 81.

- 5.2** For the purposes of complying with subclause 5.1(a) and without limiting the generality of subclause 5.1, for each lot of fish and fish products prepared at an establishment a record must be made of:
- (a) the description of the fish and fish products; and
 - (b) the quantity of fish and fish products in the lot; and
 - (c) the lot identity of the fish and fish products; and
 - (d) the date of preparation of the fish and fish products; and
 - (e) for fish and fish products harvested by the establishment—the date and location of harvest.

7.0 Documenting the movement of goods between registered establishments

An effective traceability system documenting the movement of goods between registered establishments consists of the following information:

1. Transfer Certificate
2. Declaration of Compliance
3. Product Traceability Information

When receiving goods from a registered establishment, you must ensure that the appropriate information on despatch and a Declaration of Compliance is also received.

Further details of the requirements for each form of information is supplied in the following section.

Subclause 13.1 of Schedule 8 states that if a registered establishment receives fish and fish products without the information required, or if the information is inaccurate or incomplete, the establishment must hold the food under secure conditions, treat the food as ineligible for export as food for human consumption and notify an authorized officer as soon as practicable. The product will be required to be held under conditions of security and not exported unless an AQIS authorized officer gives written approval for the food to be dealt with further.

1. Transfer of Fish and Fish Products (Transfer Certificate)

Registered establishments are required to provide information on despatch in the form of a Transfer Certificate when providing food or ingredients to another AQIS registered, receiving establishment (subclause 7.1 of Schedule 8) for each and every consignment.

Appendix V contains an example of a Transfer Certificate, which would comply with the requirements of the Orders. You may wish to look at this first to understand all the information that is required.

Export Control (Fish & Fish Products) 2005 – Part 3 of Schedule 8

Transfer of fish and fish products

Clause 7 The information to be provided on despatch

7.1 For each consignment of fish and fish products for export as food despatched from an establishment engaged in the preparation of fish and fish products the following information must be given to the consignee:

- (a) the name, address and registration number of the despatching establishment;
- (b) a full description of the fish and fish products that is sufficient to identify them;
- (c) an indication of the temperature controls under which the fish and fish products must, under these Orders, be transported;
- (d) the quantity of the fish and fish products in the consignment and the number and description of packages (if any) in which the fish and fish products are packed;
- (e) if the fish and fish products are prepared in order to meet the importing country requirements of one or more identified countries- the name of those countries;
- (f) the name and address and registration number (if any) of the establishment to which the fish and fish products are despatched;
- (g) a declaration stating that:**
 - (i) the conditions and restrictions specified in orders 40 to 50 of these orders; and**
 - (ii) the importing country requirements identified in the approved arrangement;****that apply to and in relation to the fish and fish products while they are at the establishment are complied with;**
- (h) a declaration stating that all the information given to the consignee for the purposes of complying with this clause is true and complete.**

Information must be given in writing at the time of dispatch

Subclause 12.1 of Schedule 8 requires that the information must be given to the consignee in writing at the time of despatch e.g. fax or email, or must physically accompany the food during transport. The Orders do not require the information to be in any particular form, however, see Appendix V for an example of a Transfer Certificate.

Additional requirements for live shellfish

Subclause 8.1 of Schedule 8 provides additional requirements for live shellfish. Exports of live shellfish must also include the name of the harvester, the name of the harvesting area and lease number and the date of harvest.

Additional requirements for unlabelled canned & unwrapped bulk-loaded food.

Subclause 9.1 of Schedule 8 provides for additional requirements for unlabelled canned food and unwrapped bulk-loaded food. The registered establishment who prepares unlabelled canned food and unwrapped bulk loaded food must provide the consignee with any additional information that is required to comply with clause 4 of Schedule 7 with respect to the Trade Description (see AQIS guideline - Trade Description for more information).

2. Declaration of Compliance

In addition to the information provided on despatch, registered establishments must also provide a Declaration of Compliance, which can be included on the Transfer Certificate or on a separate document, which must cross-reference the Transfer Certificate.

Declarations must only be made by the occupier of a registered despatching establishment or a person who is designated in the despatching establishment's Approved Arrangement as a person who may make such declarations on behalf of the occupier (subclause 11.2 of Schedule 8). Only a person who has direct knowledge of how the goods have been handled should make such a declaration.

There are three types of Declaration of Compliance:

- Type 1. Through-chain Declaration of Compliance
- Type 2. Final Declaration of Compliance
- Type 3. Exporter Declaration of Compliance

See Diagram 1 and the examples provided at Appendix I, II, III and IV for when to use each type of declaration.

Type 1 . Through-chain Declaration of Compliance

Paragraphs 7.1 (g) and (h) of Schedule 8 requires a Declaration of Compliance to be provided to the consignee on despatch of fish and fish products to a registered establishment.

Essentially, the Declaration of Compliance is a statement confirming that: to the point of despatch from your premises the following, in relation to the food, have been complied with:

- The conditions and restrictions specified in Orders 40 – 50 of the *Export Control (Fish & Fish Products) Orders 2005*; and
- The importing country requirements identified in the Approved Arrangement.

The Declaration of Compliance must include a statement indicating that all the information provided to the consignee is true and complete. The Declaration must be signed and dated by the maker of the declaration.

Refer to clause 11 of Schedule 8 for other requirements for Declarations including who may make such declarations.

The following is an example of a Through-chain Declaration of Compliance.

Example: Through-chain Declaration of Compliance

I hereby declare that:

The conditions and restrictions specified in Orders 40 to 50 of the *Export Control (Fish & Fish Products) Orders 2005*; and the importing country requirements identified in the Approved Arrangement; that apply to and in relation to the fish and fish products while at the establishment are complied with and there is a sound basis for making this declaration;

and that all the information provided on the Transfer Certificate No. _____ is true and complete.

Signed

____/____/____
Date

Printed Name

Establishment Name & Registration No.

Type 2. Final Declaration of Compliance

A Final Declaration of Compliance that applies to the food must be provided to the exporter by the Establishment at which the fish and fish products was last prepared (other than merely stored, handled or loaded) (subclause 3.1 of Schedule 9).

The Final Declaration of Compliance must identify the food, indicate that it complies with the appropriate conditions and restrictions (see Part 4 of the Orders), state that the information is true and correct and be signed and dated.

This declaration must only be made by the occupier of the registered establishment at which the fish and fish products concerned are last prepared (other than merely stored, handled or loaded) or a person who is designated in the establishment's Approved Arrangement as a person who may make such declarations on behalf of the occupier (subclause 5.1 of Schedule 9). Only a person who has direct knowledge of how the goods have been handled should make such a declaration.

Refer to Schedule 9 clauses 3, 5, 6 and 7 for other requirements for declarations. The following provides an example of a Final Declaration of Compliance.

Example: Final Declaration of Compliance

I hereby declare that:

In relation to the fish and fish products described below, as were last prepared by this establishment, comply with the conditions and restrictions and specified in Orders 40 – 50 of the *Export Control (Fish & Fish Products) Orders 2005* and the importing country requirements identified in the Approved Arrangement and that all the information provided is true and complete.

Description of the food

Signed

_____/_____/_____
Date

Printed Name

Establishment Name & Registration No.

Type 3. Exporter Declaration of Compliance

An application for an export permit must contain a Declaration that the exporter is in possession of a Final Declaration (subclause 3.1 of Schedule 9). Refer to the AQIS guideline - Export Documentation for more information on Exporter Declarations.

3. Product Traceability Information

Establishments that are involved in the packing of fish and fish products for export must also apply information to the **outer** before the container leaves the Establishment at which it is packed so that the product can be identified (subclause 6.1 of Schedule 8). The information to be applied to the container is listed below:

Export Control (Fish & Fish Products) 2005 – subclause 6.1 of Schedule 8

Schedule 8 Identification, tracing systems, integrity and transfer

Identification of fish and fish products

6.1 The following information must be applied to the outer container of fish and fish products for export as food before the container leaves the establishment at which the outer container is packed:

- (a) a description of the fish and fish products;
- (b) the registration number of the establishment at which the outer container is packed;
- (c) the quantity of the fish and fish products in the container;
- (d) the lot identity of the fish and fish products;
- (e) the country of origin of the fish and fish products.

Note: The above information must be consistent with the information provided on the Transfer Certificate.

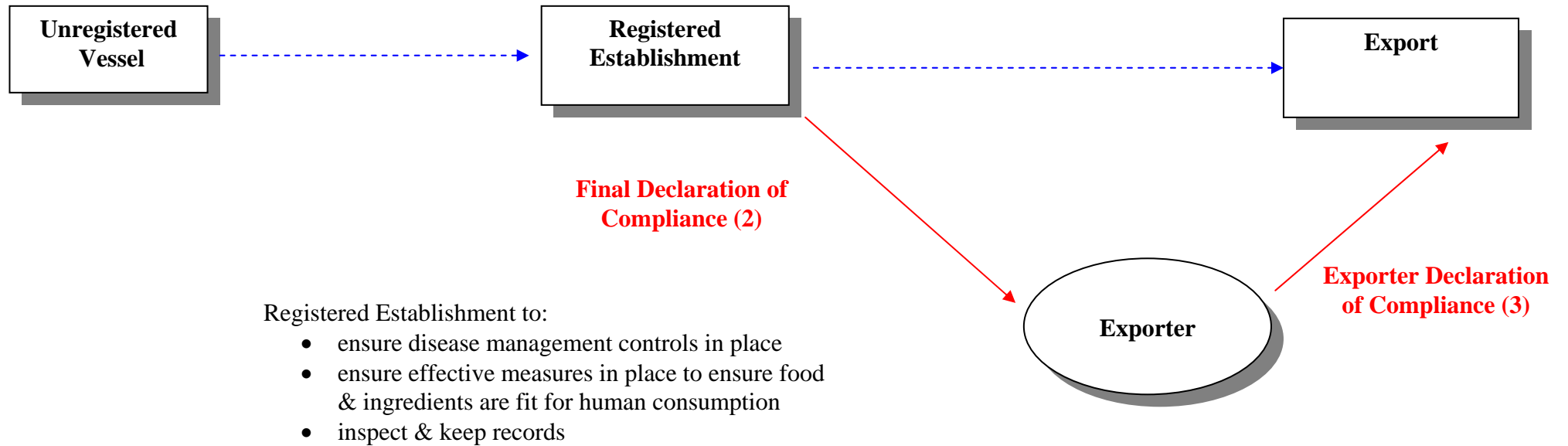
This information is in addition to the Trade Description that is required under subclause 1.1 of Schedule 7, which is applied to the **inner** containers (refer to AQIS guideline -Trade Description for more information).

8.0 Record keeping requirements

Any record made under the Orders must be accurate, legible, auditable, dated in English and signed by the person creating the record (refer to Order 81).

There is also a requirement that documents be kept for a minimum period of 3 years after the day the document is made or comes into a person's possession (refer to Order 58).

APPENDIX I - Example: Live fish from an unregistered establishment



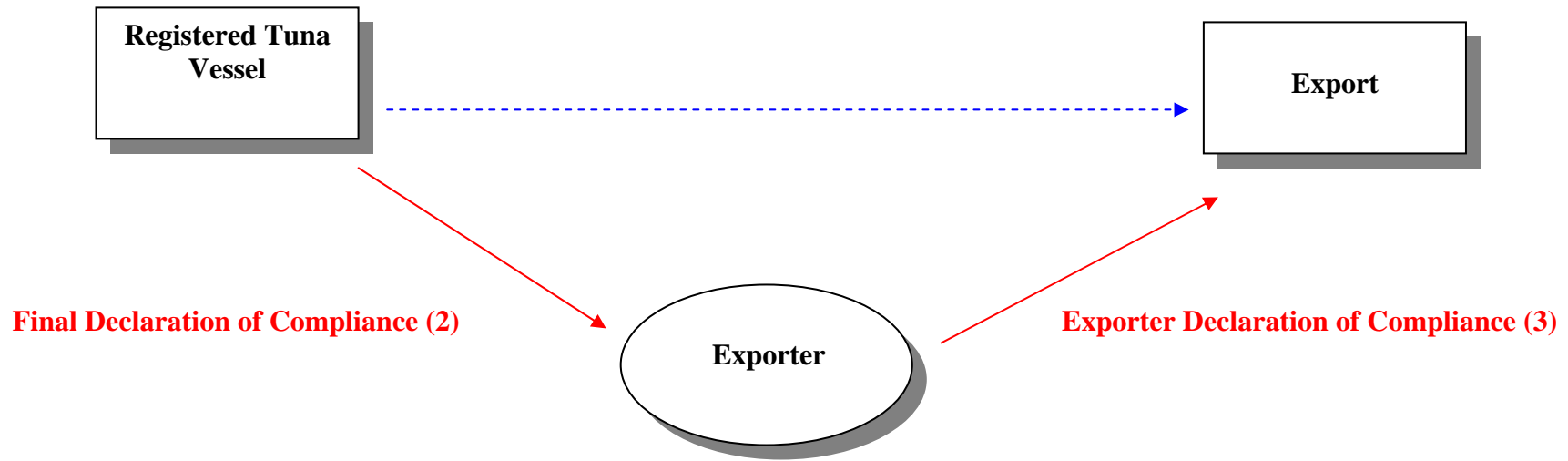
Key:

---> Product Flow

—> Documentation Flow

Note: There is no movement of goods between registered establishments; therefore there is no requirement for a Transfer Certificate or Through-chain Declaration of Compliance.

APPENDIX II - Example: Tuna freezer vessel that exports from the vessel



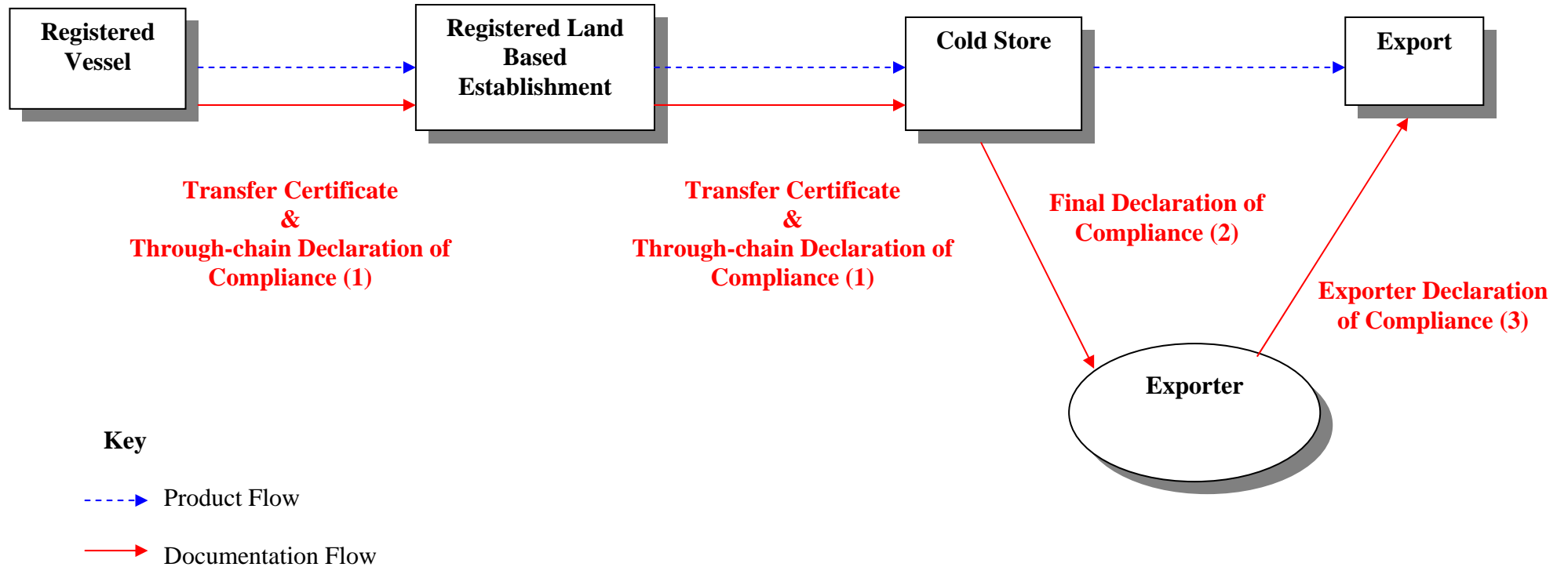
Key:

---> Product Flow

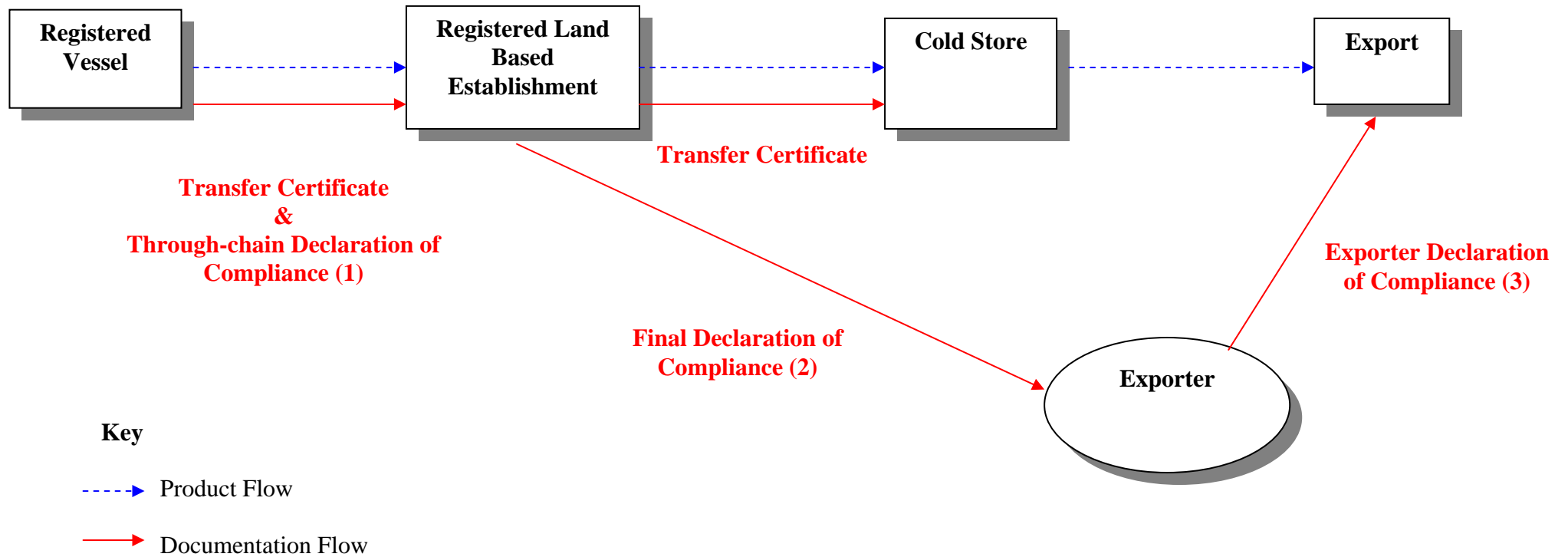
—> Documentation Flow

Note: There is no movement of goods between registered establishments; therefore there is no requirement for a Transfer Certificate or Through-chain Declaration of Compliance.

APPENDIX III - Example: Fish and fish products where the cold store conducts a final product inspection



APPENDIX IV - Example: Fish and fish products where the Registered Establishment conducts the final inspection and the cold store merely stores.



APPENDIX V - Example Transfer Certificate

Despatching Establishment		Receiving Establishment		
Name & Address:		Name & Address:		
Reg. Est. No.:		Reg. Est. No.:		
Date of Departure:		Estimated date of arrival:		
Product Information				
Description of fish including name / species, preservation method and cut type	Marks, serial, lot or no's, processing dates	Kinds of packages	No. of packages	Weight (including units of weight)
Transportation				
Name of Transport Company:				
Temperature required during transportation:				
Seal No's (If used):				
Importing country requirements				
Is this product processed to meet importing country requirements?			Yes	No
If yes, list the applicable countries:				
Declaration of Compliance – Through chain				
I hereby declare that:				
<p>The conditions and restrictions specified in Orders 40 to 50 of the <i>Export Control (Fish & Fish Products) Orders 2005</i>; and the importing country requirements identified in the Approved Arrangement; that apply to and in relation to the fish and fish products while at the establishment are complied with and there is a sound basis for making this declaration; and that all the information provided on this Transfer Certificate is true and complete.</p>				
Signed:		Printed Name:		Date: