



NOTIFICATION

<p>1. Notifying Member: AUSTRALIA If applicable, name of local government involved:</p>
<p>2. Agency responsible: Australian Government Department of Agriculture and Water Resources</p>
<p>3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): All imported foods</p>
<p>4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:</p>
<p>5. Title of the notified document: Remaking of the Imported Food Control Order; Exposure Draft of the Imported Food Control Order 2019; Exposure Draft of the Imported Food Control Order 2019 Explanatory Notes. Language(s): English. Number of pages: 2, 9, 2</p>
<p>6. Description of content: The Department of Agriculture and Water Resources (the department) is remaking the Imported Food Control Order (the Order). Food imported to Australia for commercial purposes is regulated by law. These laws include:</p> <ul style="list-style-type: none"> - <i>Imported Food Control Act 1992</i> (http://www.agriculture.gov.au/import/goods/food/reform) - Imported Food Control Regulations 1993 (http://www.agriculture.gov.au/import/goods/food/imported-food-control-regulations) - Imported Food Control Order 2001 (http://www.agriculture.gov.au/import/goods/food/review-imported-food-control-order) <p>The Imported Food Control Order 2001 will 'sunset' on 1 October 2019. This means it will be automatically repealed and cease to be law. To remain law, the department will now remake the Order.</p> <p>The department has reviewed the Order and determined it is still required to:</p> <ul style="list-style-type: none"> - support the operation of the Imported Food Inspection Scheme (the Scheme); - enable the Scheme to verify risk foods imported into Australia; - comply with the Australia New Zealand Food Standards Code. <p>Purpose of the Order The current Imported Food Order supports the operation of the Scheme. It:</p> <ul style="list-style-type: none"> - enables the Minister for Agriculture and Water Resources to identify and classify imported food as risk food or compliance agreement food;

- enables the Minister for Agriculture and Water Resources to identify risk food that must be covered by a recognised foreign government certificate;
- supports our obligations under the Trans-Tasman Mutual Recognition Arrangement (TTMRA).

Identify and classify foods

Classification of foods as risk foods or compliance agreement food:

- allows us to set arrangements for the inspection or inspection and analysis of imported foods subject to the Scheme;
- supports importers who enter into a voluntary Food Import Compliance Agreement (FICA) (<http://agriculture.gov.au/import/goods/food/inspection-compliance/food-import-compliance-agreements-fica>). Foods subject to a FICA are exempt from inspection and analysis.

Mandatory foreign government certification

The Order identifies risk foods products that must be covered by a recognised foreign government certificate. This is a government-to-government certification arrangement with the national competent authority of the country exporting food to Australia providing assurance that the food has been produced safely.

Obligations under the TTMRA

Under the Order, we can identify New Zealand products that require or do not require inspection or inspection and analysis under the Scheme.

- Schedule 1: Most risk foods identified are exempt from the Scheme when imported from New Zealand.
- Schedule 2: Identifies foods from New Zealand that require inspection or inspection and analysis.

7. Objective and rationale: food safety, animal health, plant protection, protect humans from animal/plant pest or disease, protect territory from other damage from pests.

8. Is there a relevant international standard? If so, identify the standard:

Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):

- CAC/GL 20-1995 Principles for Food Import and Export Inspection and Certification
- CAC/GL 47-2003 Guidelines for Food Import Control Systems

World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):

International Plant Protection Convention (e.g. ISPM number):

None

Does this proposed regulation conform to the relevant international standard?

Yes No

If no, describe, whenever possible, how and why it deviates from the international standard:

9. Other relevant documents and language(s) in which these are available:

For further information on the Order changes please visit:

<http://www.agriculture.gov.au/import/goods/food/review-imported-food-control-order>

or contact the Australian SPS Notification Point at sps.contact@agriculture.gov.au.

Please note another SPS notification on the Imported Food Control Regulations was provided in January 2019 (G/SPS/N/AUS/466).

10. Proposed date of adoption (dd/mm/yy): To be determined.

Proposed date of publication (dd/mm/yy): To be determined.

11. Proposed date of entry into force: [] Six months from date of publication, and/or (dd/mm/yy): Before October 2019.

[X] Trade facilitating measure: The remake of the Order will continue to facilitate trade.

12. Final date for comments: [] Sixty days from the date of circulation of the notification and/or (dd/mm/yy): Consultation will be for a period of 45 days to meet Australian legislative timeframes. Final comments to be received by 17 March 2019.

Agency or authority designated to handle comments: [X] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

The Australian SPS Notification Authority
GPO Box 858
Canberra ACT 2601
Australia
Fax: +(61 2) 6272 3678
E-mail: sps.contact@agriculture.gov.au

13. Text(s) available from: [X] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:

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