

Food (Tutin in Honey) Standard 2010

This food standard is issued pursuant to section 11C of the Food Act 1981 and relates to tutin in honey.

Issued at Wellington this 29th day of November 2010.

(signed)

Hon Kate Wilkinson
Minister for Food Safety

Certified in order for signature

(signed)

Solicitor

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1 Title

This food standard is the Food (Tutin in Honey) Standard 2010.

2 Commencement

This standard comes into force on 1 January 2011.

3 Application

This standard applies to all honey that is produced or harvested or packed after 1 January 2011.

4 Purpose

The purpose of this standard is to provide for a number of options for demonstrating compliance with the maximum level.

5 Interpretation

- (1) In this standard, unless the context otherwise requires—

batch means a lot of homogeneous product (usually, but not necessarily, the contents of one tank)

box section comb honey means comb honey sold in the same frame in which it was produced in the beehive

bulk container means a container that is capable of holding more than 200kg of honey

MAF means the department of State known as the Ministry of Agriculture and Forestry

maximum level means the maximum levels set for tutin in honey and comb honey in standard 1.4.1 of the Australia New Zealand Food Standards Code

tutin is a defined chemical compound (CAS No 2571-22-4) that causes toxicity in honey that results from honey bees gathering honeydew exudates from passion vine hoppers that have been feeding on the sap of tutu

tutu means *Coriaria arborea*.

- (2) Words used but not defined in this standard have the same meaning as words defined in the Food Act 1981.

Part 1**Options for demonstrating compliance****6 Who must demonstrate compliance**

- (1) This Part applies to—

- (a) the last person to pack honey that is intended for sale for human consumption in a package that comes into immediate contact with the honey; and
- (b) any person who is exporting honey (other than a person who is exporting the honey to a country in relation to which a lower maximum level has been specified in a overseas market access requirement issued under section 60 of the Animal Products Act 1999).

- (2) A person must undertake at least one of the options contained in any of clauses 8 to 12, but undertaking an option contained in any of clauses 8 to 12 does not abrogate the possibility of a prosecution under the Food Act 1981.

7 Beekeeper Requirements

- (1) A beekeeper who supplies honey to a person described in clause 6(1)(a) or (b) must—
 - (a) maintain the records necessary to enable the person that he or she is supplying to demonstrate compliance with this standard; and
 - (b) provide a written statement when requested to do so in accordance with clauses 9 to 12.
- (2) Where the beekeeper is also the person described in clause 6(1)(a) or (b) equivalent records must be kept to demonstrate compliance with this standard.

8 Option one: Holding test results

- (1) Option one is for the person to hold test results of samples taken and tested in accordance with the relevant requirements described in Part 2 of this Standard demonstrating that the maximum level has not been exceeded.
- (2) A person must not sell honey for human consumption or export until the person has received the results of the analysis samples taken and tested in accordance with subclause (1).
- (3) The results must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.
- (4) This option is not available for production of box section comb honey.

9 Option two: Holding harvest records that demonstrate low risk harvest date

- (1) Option two is for the person to request and hold a written statement from the beekeeper supplying honey that confirms that the beekeeper holds records that demonstrate that the honey has been taken from honey supers placed onto hives after 1 July and before 31 December of any year.
- (2) The records must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

10 Option three: Holding records that demonstrate absence of tutu

- (1) Option three is for the person to request and hold a written statement from the beekeeper supplying the honey that confirms that the beekeeper holds records that—
 - (a) identify the geographical location of all of the hives from which the honey has been harvested (either on a topographical map at the standard scale of 1:50,000 or by global positioning system); and
 - (b) demonstrate that tutu is not significantly present within the predictable range of bee foraging from those geographical locations.
- (2) The statement must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

11 Option four: Holding records that demonstrate low risk location

- (1) Option four is for the person to request and hold a written statement from the beekeeper supplying honey that confirms that the beekeeper has records that –
 - (a) identify the geographical location of all of the hives from which the honey has been harvested (either on a topographical map at the standard scale of 1:50,000 or by global positioning system); and
 - (b) confirm that each of those locations is in a low risk area.
- (2) A **low risk area** is the South Island below latitude 42 degrees South including all offshore islands below latitude 42 degrees South.
- (3) The statement must be kept for four years from the date on which the honey is packed for sale for human consumption or exported.

12 Option five: Holding records that demonstrate low risk in areas by targeted testing of honey

- (1) Option five is for the person to request and hold a written statement from the beekeeper supplying honey that confirms that the beekeeper has records that—
 - (a) specify the location of all apiaries from which the honey is harvested for sale for human consumption or export; and
 - (b) confirm that **targeted honey samples** have been tested for the presence of tutin each year for three consecutive years; and
 - (c) confirm that ten percent of apiary sites each year, after the three year period specified in subclause (b), have been tested for the presence of tutin; and
 - (d) no individual result has ever exceeded 0.1mg/kg for honey; and
 - (e) no individual result has ever exceeded 0.01mg/kg for comb honey.
- (2) For the purposes of subclause 1(b) **targeted honey samples** means a representative sample of honey from an apiary or apiaries with a common foraging area—
 - (a) from the last harvest of each season; and
 - (b) harvested between 1 January and 30 June of that year.
- (3) The records must be kept for four years from the date on which honey is packed for sale for human consumption or exported.
- (4) This option is not available for box section comb honey.

Part 2

Sampling and testing

13 Application of this Part

This Part applies to persons involved in sampling and testing of honey as part of complying with option one and option five (see clauses 8 and 12).

14 Requirements relating to sampling and testing honey (other than comb honey) to comply with Option One and Option five

- (1) For honey (other than comb honey), a representative sample must be taken from each batch of honey before it is put into containers for sale for human consumption or export.
- (2) A representative sample for the purposes of subclause (1) may be taken when filling a bulk container before the honey is mixed into a homogenous batch or by core sampling honey from a drum.
- (3) The sample must be submitted for testing to a laboratory that is—
 - (a) accredited to ISO 17025; and
 - (b) using a validated tutin testing method.

- (4) The laboratory may combine samples from multiple batches for analysis if—
 - (a) asked to do so by the person seeking the test; and
 - (b) doing so will not compromise the test result.

15 Requirements relating to sampling and testing of cut comb honey to comply with Option One and Option Five

- (1) Cut comb honey may only be tested for compliance with option one or option five if it is representative of the harvest date and apiary from which it was taken.
- (2) All the drip and leftover comb from a comb honey harvest from a single apiary site must be homogenised and sub-sampled.
- (3) Cut comb honey will only comply with the maximum level for comb honey if the individual samples contain less than 0.01mg/kg tutin.
- (4) Cut comb honey samples may not be composited for analysis.
- (5) The sample must be submitted for testing to a laboratory that is—
 - (a) accredited to ISO 17025; and
 - (b) using a validated tutin testing method.

16 Reporting of results of testing

- (1) A person who has submitted samples to a laboratory for analysis for tutin in order to comply with this standard must provide the following information to MAF—
 - (a) the name and address of the beekeeper; and
 - (b) the 1:50,000 map series sheet number identifying the location of the apiary or apiaries from which the sample of honey came from; and
 - (c) the quantity of honey the sample relates to; and
 - (d) whether the sample is from an individual apiary site or multiple apiaries; and
 - (e) whether the honey is comb honey or extracted honey and;
 - (f) the batch or lot number of the honey; and
 - (g) the laboratory undertaking the test; and
 - (h) the tutin test result for each sample.
- (2) A person who has submitted samples to a laboratory for analysis for tutin, must as soon as practicable, ensure that the results from the sample submitted for testing are submitted to MAF.
- (3) A person submitting samples to a laboratory for analysis for tutin may authorise the laboratory to submit the sample information and results to MAF on their behalf.

Part 3

Management of honey that exceeds the maximum level

17 Application of this Part

This Part applies to persons who have received results of testing that indicate that honey has exceeded the maximum level when tested for compliance with option one and option five (see clauses 8 and 12).

18 Honey (Other than Comb Honey)

- (1) Where honey is found to exceed the maximum level it must be disposed of by—
 - (a) diluting the honey with uncontaminated honey and homogenising and testing the honey to prove compliance with the maximum level prior to packing and retail sale; or
 - (b) feeding the honey back to bees when honey supers are not present on hives; or
 - (c) disposing of the honey in a way approved, in writing, by the Director-General.
- (2) Any honey diluted in accordance with subclause (1)(a) of this clause must be subsequently tested before sale in compliance with Part 2 of this standard.
- (3) Where honey is fed back to bees in accordance with subclause (1)(b) of this clause, any subsequent comb honey crops harvested from those hives may only be produced as cut comb.
- (4) Subsequent comb honey crops that have been fed back to the bees in accordance with subclause (1)(b) of this clause must be tested to prove compliance with the maximum level prior to packing and retail sale in accordance with Part 2 of this Standard.
- (5) Records of disposal of contaminated honey must be kept for four years from the date on which the honey is disposed of.

19 Comb Honey

- (1) Where comb honey (either cut comb or box section comb) is found to exceed the maximum level, the comb honey may be disposed of by —
 - (a) extracting, homogenising, and testing the honey to prove compliance with the maximum level prior to packing and retail sale in accordance with Part 2 of this Standard; or
 - (b) feeding the comb honey back to bees when honey supers are not present on hives.
 - (c) disposing of the comb honey in a way approved, in writing, by the Director-General.
- (2) Any honey diluted in accordance with subclause (1)(a) of this clause must be subsequently tested before sale in compliance with Part 2 of this standard.
- (3) Where comb honey is fed back to bees in accordance with subclause (1)(b) of this clause, any subsequent comb honey crops harvested from those hives may only be produced as cut comb.
- (4) Subsequent comb honey crops that have been fed back to the bees in accordance with subclause (1)(b) of this clause must be tested to prove compliance with the maximum level prior to packing and retail sale in accordance with Part 2 of this Standard.
- (5) Records of disposal of contaminated comb honey must be kept for four years from the date on which the comb honey is disposed of.

**Part 4
Review****20 Review**

The Director-General must commence a review of this Standard by 1 July 2012.

Part 5 Revocation

21 Revocation

This standard revokes the Food (Tutin in Honey) Standard 2008 issued on 16 December 2008.

Explanatory Note

This note is for explanatory purposes only.

This standard provides a number of options for demonstrating compliance with the maximum level for tutin in honey.

The maximum level for tutin in honey and comb honey is set in standard 1.4.1 of the Australia New Zealand Food Standards Code.

The Ministry of Agriculture and Forestry (New Zealand Food Safety) has developed a compliance guide that provides information on the matters that may need to be considered in complying with this standard.

Issued under section 11C of the Food Act 1981.

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This standard is administered by the Ministry of Agriculture and Forestry (New Zealand Food Safety).
