

**Fonterra Co-operative Group Ltd Submission on
Department of Health and Human Services US Food and Drug
Administration “Public Health Security and Bioterrorism
Preparedness and Response Act of 2002”**

**Docket No 02N-0276
Registration of Food Facilities Section 305**

4 April 2003

Fonterra Co-operative Group Ltd

Fonterra Co-operative Group Ltd is a leading multinational dairy company, co-operatively owned by 13,000 New Zealand supplier shareholders. Exporting 95 percent of our shareholders’ production, Fonterra is the world’s largest exporter of dairy products, responsible for a third of international dairy trade across open borders.

Fonterra’s global supply chain stretches from our shareholders’ farms in New Zealand to customers and consumers in 140 countries. Collecting more than 13 billion litres of milk a year, we manufacture and market over 1.8 million tonnes of product annually, making us the world’s leader in large scale milk procurement, processing and management, with some of the world’s best known dairy brands.

Submission

1 General

- 1.1 Thank you for the opportunity to make comment.
- 1.2 This submission will be supported by a further submission from our Fonterra Regional Operating Company NZMP (USA).
- 1.3 Fonterra understands and supports the initiatives of the Government of the USA in establishing controls to protect the US food supply against the threat of bioterrorism.
- 1.4 However, Fonterra is concerned that the many counter measures being developed by the US Government to protect against bioterrorism, such as the Container Security Initiative, seems to be introducing a level of duplication which can only increase costs to both exporters and their US agents and customers.

- 1.5 The voluntary Customs Trade Partnership Against Terrorism and Container Security also introduces the possibility of further duplication.
- 1.6 Fonterra operates under a strict regulatory programme controlled by the New Zealand Food Safety Authority (NZFSA). NZFSA is an integrated agency accountable for all legislation relating to food production, processing, sale and trade under the following Government Acts:
- The Food Act 1981
 - The Dairy Industry Act 1952
 - The Animal Products Act 1999
 - The Agricultural Compounds and Veterinary Medicines Act 1997.
- 1.7 The regulatory programme covers the total supply chain from farm production, milk collection, product manufacture, laboratory testing, product storage through to final container loading and transport. Final product certification is only provided on the evidence that all parts of the supply chain have complied with the stated regulatory standards. This programme allows for complete traceability throughout the supply chain and would fulfil this requirement under the Bioterrorism Act.
- 1.8 All manufacturing factories, testing laboratories and product storage facilities are registered by NZFSA with unique numeric identifiers and approved to manufacture specific products. To ensure ongoing compliance NZFSA officials and NZFSA approved independent third party auditors subject each to regular audits. In addition, foreign government regulatory authorities such as USFDA and customers carry out further audits. Ongoing registration and the subsequent approval to manufacture dairy products for export is dependent upon the successful outcome of the audits and subsequent acceptance of any corrective actions.
- 1.9 Fonterra believes that the outcomes of the US Bioterrorism Act can be met under the existing NZFSA regulatory programme as described. The existing list of export registered establishments maintained by the NZFSA which can be supplied electronically on a regular basis would be sufficient to meet this Registration of Food Facilities section of the Act.

If there are any queries relating to this submission, please contact Mike Willing, Compliance Manager, Fonterra Ingredients, on +64 4 471 8951 or email mike.willing@fonterra.com.

Yours sincerely

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