



**DEER INDUSTRY  
NEW ZEALAND**

**4 April 2003**

**Docket Management Branch (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane,  
rm.1061,  
Rockville,  
MD 20852  
UNITED STATES OF AMERICA**

**SUBMISSION: DOCKET NO. 02N-0276 REGISTRATION OF FOOD FACILITIES**

**1. Introduction:**

Deer Industry New Zealand is the operating name for the New Zealand Game Industry Board established by the Game Industry Board Regulations 1985 under the Primary Products Marketing Act 1953.

Deer Industry New Zealand's function is to promote and assist with the orderly development of the New Zealand deer industry. It represents the interests of all sectors of the farmed deer industry including approximately 6,400 deer farmers as well as the venison and velvet processing and exporting sectors.

The United States of America (USA) is an important market for our industry. Approximately 1057 tonnes of venison was exported to the USA in 2002 (calendar year). About half of this total was chilled and half was frozen product. Most venison is transported by sea; a small amount is carried by air.

The New Zealand producers / exporters sell to importers who are domiciled in the USA. However, each New Zealand exporter can have two or more importing customers in the USA. Almost all New Zealand venison is on-sold by the USA based importers into the restaurant market.

All New Zealand venison is processed under the supervision of the New Zealand Food Safety Authority (NZFSA). Product for the USA market is processed in accordance with USA market access requirements and is certified by the New Zealand Ministry of Agriculture and Forestry (MAF).

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[www.deernz.org](http://www.deernz.org)

[www.nzvenison.com](http://www.nzvenison.com)

[www.velvet.org.nz](http://www.velvet.org.nz)

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## **2. Executive Summary of Submission:**

- We understand the present heightened need for security against bio-terrorism.
- All companies processing venison for export to the USA are already licensed under the existing market access requirements.
- We are concerned that there seems to be no recognition of the existing licence requirement and the fact that at least some of the information required by the new regulations could already be available to the FDA.
- We ask that there be commitment from the agencies concerned to work towards greater recognition of equivalence and the elimination of duplication.
- There are likely to be either confidentiality / commercial sensitivity issues and / or additional costs associated with formally appointing a US agent.
- Venison can already be readily tracked back to the supplier through the Importer.
- We support the submissions of the New Zealand Government made through the New Zealand embassy in Washington.

## **3. Submission:**

As noted in our Introduction, all companies processing venison for export to the USA are already licensed under existing market access requirements. Whilst we understand the present heightened need for security against bio-terrorism, we are concerned that there seems to be no recognition of existing requirements and the information and assurances that they provide. We believe that at least some of the information required by the new regulations could already be available to the FDA.

We ask that there be commitment from the agencies concerned to work towards greater recognition of equivalence, the elimination of duplication, greater harmonisation of their respective requirements and where appropriate, information sharing.

Under the new regulations New Zealand exporters will be required to identify a US domiciled agent. As noted above, New Zealand exporters can have two or more importing customers in the USA. For reasons of confidentiality and commercial sensitivity it may not be possible to appoint one of these as the agent. There are likely to be cost implications associated with recognising a third party as the nominated US agent.

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Given the existing high level of supervision and certification that is already required for venison exported to the USA, we find it difficult to understand why a formal US agent is considered necessary. The product can already be readily tracked back to the supplier through the importer.

**4. Conclusion:**

In conclusion, we wish to confirm our support for the submissions that we understand the New Zealand Government has made through the New Zealand embassy in Washington.

Yours faithfully

A handwritten signature in black ink, appearing to read "John Moynihan". The signature is fluid and cursive, with the first letter of each name being significantly larger and more decorative.

**John Moynihan - Contractor to Deer Industry New Zealand.**