

Category	Businesses Affected*	Requirements	New / Existing Business	New Premises	Sale and Purchase
High Risk Food Business	E.g. Businesses which make and sell food (restaurants, cafes, takeaways, catering, aged care-homes, hospitals, prisons and school canteens)	<p>Must have a Food Control Plan (FCP).</p> <p>An FCP is a written plan for food safety. It sets out what steps a business needs to take to keep food safe. Businesses commonly elect to use a template FCP provided by the Ministry of Primary Industries (“MPI”) or they can elect or are required to create a custom plan from scratch, that is verified by MPI.</p> <p>Each year, your business is required to register your FCP with your Local Authority (Local Council) or MPI.</p> <p>Regular check/verification from a Verifier*, that your FCP is being correctly followed.</p> <p>For a more specific measure of your businesses application visit: http://www.mpi.govt.nz/food-safety/food-act-2014/where-do-i-fit/</p>	<p>If you are starting a new high-risk food business you must have your FCP in place before commencing business.</p> <p>If you have an existing business MPI’s “Transition Timetable” (see link below), outlines a timeline for when you need to start applying and transitioning to an FCP.</p> <p>Transition Timetable: https://www.mpi.govt.nz/food-safety/food-act-2014/transition-timetable/</p>	<p>FCP’s are transferable if you have changed your business premises and there is an existing FCP for that business.</p> <p>However, you must confirm and seek approval of your FCP (as it pertains to your new premises) from the authority who had previously registered your FCP, prior to commencing operations in the new premises.</p>	<p>An existing FCP is transferable to the new owner when a food business is sold.</p> <p>Before the purchaser can operate the business, the FCP must be confirmed (acknowledgement of new owner) and approved by the authority who registered the existing FCP.</p>
Moderate to Low Risk Business	E.g. Food Retail Businesses (supermarkets, grocers, corner dairies) Or, Food Importers and Exporters (including online food suppliers)	<p>No requirement for a written plan, but must follow a National Programme (“NP”). Each business is categorised into one of these sub-categories:</p> <ul style="list-style-type: none"> • NP 1 (Low-risk) e.g. businesses which transport food, or ‘make’ honey, sell hot drinks, pre-packaged food, or grow fruit or vegetables; • NP 2 (Moderate-risk) e.g. early childhood education services, or bakes bread, or makes confectionary, crisps or snacks; or • NP 3 (High-risk) e.g. makes alcoholic or non alcoholic drinks and sells food (but does not make it) or processes herbs and spices. <p>The type of food safety processes you will be required to follow and adhere to under an NP will depend on which category you</p>	<p>If you are starting a new business that needs to follow an NP you must:</p> <ol style="list-style-type: none"> 1. Determine what NP category you will be (1, 2 or 3). 2. Follow good food safety practices and record what you are doing and processes you use in preparation for a verification agent to question you on this and view your processes first hand. 3. Contact a Verifier to confirm if they can do your verification post registration. Once you have chosen a Verifier you need to record this detail in your registration application. 	<p>An NP is non-transferable when/if you change your food business premises.</p> <p>In order to function your food business legally from a new premises you must:</p> <ol style="list-style-type: none"> 1. obtain a letter from a Verifier verifying your food business complies with the relevant NP and is following the correct food safety practices required of the business. 2. register your food business with your local Territorial Authority (Local Councils) before commencing operations. 	<p>An NP is non-transferable when/if you sell buy a food business.</p> <p>To continue to run the existing food business under the existing circumstances, you will have to follow the two step process explained in the previous column prior to commencing business.</p> <p>If you purchase a food business and materially change the purpose and processes of the business, you must start a new NP application, specific to your food business.</p>

		<p>are.</p> <p>An NP is not a written plan like an FCP. It is a set of rules which requires a business to be registered with a Local Authority or MPI, meet food safety standards, keep specific records and have periodic checks by a Verifier.</p> <p>Businesses under a NP which have good food safety steps and are following them will have a Verifier visit them as follows:</p> <ul style="list-style-type: none"> • NP 1 – at the start and if a problem arises; • NP 2 – at least once every 3 years; • NP 3 – at least once every two years. 	<p>4. Register your food business with your Local Council or MPI.</p> <p>5. Have a Verifier visit your business within a month of being registered (if you are a new business), or within a year (if you are an existing business) to have it checked.</p> <p>Refer: MPI's Transition Timetable for information on when you must register under the new Act.</p>		
Lower Risk Business	<p>E.g. Accommodation Businesses who provide paid accommodation to guests, and who only provide to pre-packaged snacks; or breakfast. or, Very small-scale food catering and service activities in people's homes or in places where verification or enforcement activities may not be possible because of the infrequency of the catering (See Schedule 3 of the Food Act 2014)</p>	<p>Are exempt from the requirement to have a FCP or to follow a NP. However, these businesses must ensure their food is safe and suitable to eat.</p> <p>'Safe' means it won't make people sick.</p> <p>'Suitable' means it meets compositional labelling and identification requirements and is in the right conditions for its intended use.</p>	<p>When beginning to operate your food business you do not need to register or complete a food plan of any sort.</p> <p>However, a Verifier may check your food business from time to time. Their role is to see if your food is safe and suitable, whilst also checking that it lies within the correct risk category.</p>	<p>As a lower risk food business, a change of premises will have no effect on the way you operate and does not require any further documentation to show the change.</p>	<p>Similarly to a change of premises, without an NP or FCP in place for lower risk businesses, upon a sale and purchase of a food business there are no further requirements on the parties. The incoming owner must carry on the food safety practices of the previous owner.</p>

Food Importers

Any business wanting to bring food into New Zealand (e.g a New Zealander wanting to import food into New Zealand, a person in another country wanting to import food into New Zealand, an New Zealand import broker or agent importing food into New Zealand) must register to import food into New Zealand or use a registered agent and must renew the registration each year. Details of food importers will be published on a public register. Existing Food Importers must register between 1 July 2016 and 30 June 2017.

The examples of "Businesses Affected" in each category are guides and broad examples. Each business is different and may vary from the examples depending on other impacting factors.

* Verifiers are verification agencies who work alongside your Local Councils and MPI to ensure a food business is following an NP or FCP. To find out the verification agencies in your district visit <https://mpi.maps.arcgis.com/apps/webappviewer/index.html?id=7871123ed84d4a84876b980516da7e41>.