



Imported Food Notice 02/13

Producer must be declared for all imported foods

Issued: 20 May 2013

Purpose

The purpose of this notice is to advise Customs brokers and importers to prepare for a change in the information that must be declared when lodging Full Import Declarations (FIDs) in the Australian Customs and Border Protection Integrated Cargo System (ICS) for consignments of imported food.

To advise that DAFF will assist the importing industry to phase in a requirement for the overseas producer to be declared for all imported food that is lodged in a FID.

Scope

This notice applies to the following:

- All FIDs lodged in the ICS from **20 May 2013** for consignments of imported food
- All importers that provide Customs brokers with information about imported food
- All Customs brokers and importers that are lodging FIDs in the ICS for imported food

Background

The overseas producer of an imported food must currently be declared for two categories of imported foods – “risk” category foods and foods that are subject to a Holding Order. When a Customs broker or importer lodges one of these foods in a FID, the ICS advises that the producer must be declared.

Declaring the producer of imported food

20 May 2013 - New requirement will commence

From 20 May 2013, Customs brokers and importers should start declaring the producer for all imported food lodged in a FID, regardless of the food category.

20 May 2013 to September 2013 – DAFF will monitor FIDs to assess compliance

DAFF will review ICS data to identify FIDs with imported food that do not have the producer declared. The Customs broker or importer that lodged these FIDs will be contacted by DAFF and provided with the information on the requirement to declare the producer.

1 October 2013 – Requirement to declare the producer will be mandatory

From **1 October 2013**, each line of imported food in a FID must include the producer. The ICS will return an error for each FID that does not have a producer declared for each line of imported food.

Benefits

Declaring the producer for all imported food in a FID will deliver the following benefits:

- Reduce the amount of your imported food incorrectly referred to DAFF
- Reduce the time required for DAFF to assess your supporting documentation
- Reduce the time required for DAFF officers to inspect and sample your imported food

- **Attachment 1 – General information on the new requirement**
- **Attachment 2 – Questions and Answers for Customs brokers and importers**

T +61 2 6272 3933	18 Marcus Clarke Street	GPO Box 858	daff.gov.au
F +61 2 6272 5161	Canberra City ACT 2601	Canberra ACT 2601	ABN 24 113 085 695

- **Attachment 3 – Next steps and checklists for Customs brokers and importers**
- **Attachment 4 – Guidance on how to determine the producer of an imported food**

Attachment 1: General information on the new requirement

Why is DAFF introducing the new requirement?

To reduce the number of FIDs incorrectly referred to the [Imported Food Inspection Scheme](#) (IFIS). A review of DAFF records has found that many lines of imported food are incorrectly referred to the IFIS and DAFF officers must still assess these incorrectly referred FIDs before releasing the consignment. DAFF has investigated how this can be improved and has established that the amount of incorrectly referred FIDs will reduce if the producer is declared for all imported food.

What is the scope of the new requirement?

The new requirement will be applied to imported foods lodged in FIDs only and will not be applied to other formats of import declarations such as a Self-Assessed Clearance (SAC).

What are the benefits of the new requirement?

Declaring the producer for all imported food will deliver benefits for Customs brokers and importers in several stages of the import process:

Improved profiling and referral of FIDs

Customs brokers and importers will benefit from a more targeted profiling and referral process in the ICS for consignments of imported food, particularly for goods subject to a [Holding Order](#). DAFF expects a reduction in the amount of FIDs that are incorrectly referred, which will expedite DAFF IFIS border clearance processes.

Reduced time for FID and documentation assessment

Less time will be required for DAFF officers to compare the information lodged in the FID with the supporting documentation for the consignment. Customs brokers and importers will receive Food Control Certificates quicker and can deal with foods that are not required to be inspected or analysed.

Reduced time for inspection and sampling

DAFF authorised officers will have more information about the goods prior to inspection and this will reduce the time required for physical inspection and collection of samples for analysis.

How will the new requirement be implemented in the ICS?

Step 1 – 20 May 2013

DAFF issues Imported Food Notice 02/13 advising Customs brokers and importers to be aware of a new requirement to declare the producer for all imported food, but the requirement will not be mandatory in the ICS.

Step 2 – 20 May 2013 – September 2013

DAFF conducts regular reviews of FID data to identify Customs brokers or importers that are not declaring the producer for all imported food declared in a FID. These Customs brokers will be contacted by DAFF and provided with information on the new requirement.

Step 3 – September 2013

DAFF issues an Imported Food Notice to advise Customs brokers and importers that from 1 October 2013 the ICS will return an error message for FIDs that do not have a producer declared for each line of imported food.

Step 4 – 1 October 2013

The new requirement will be applied to all tariff codes used to declare imported foods. The ICS will return an error message for FIDs that do not have a producer declared for each line of imported food.

Attachment 2: Questions and Answers for Customs brokers and importers

Will this increase the amount of FIDs that are referred to the Imported Food Inspection Scheme for inspection, or inspection and analysis?

No. Imported foods will continue to be referred to the [Imported Food Inspection Scheme](#) at the rates specified in the *Imported Food Control Regulations 1993*. These rates of referral are 100% of risk foods, 100% of foods subject to a [Holding Order](#) and 5% of surveillance foods.

How will DAFF assist industry through the implementation phase?

DAFF will conduct weekly reviews of FID data to identify Customs brokers or importers that are not aware of the requirement to declare the producer for imported food. These Customs brokers will be contacted by DAFF and provided with information on the new requirement.

This approach will ensure that Customs brokers and importers are aware of the new requirement before it is implemented in the ICS on 1 October 2013.

I lodge my FIDs using 3rd-party software, will I need a software upgrade?

No. The profile changes will be communicated to your 3rd-party software via the regular EDI reference file update process. Contact your 3rd-party software provider if you are unsure of where to declare the producer in a FID.

I lodge my FIDs using Customs Interactive, does the change affect me?

Yes. Organisations who use Customs Interactive (the web-based component of the ICS), or who use the services of a bureau will also need to declare the producer for all imported food. Contact Customs if you are unsure where to declare the producer when lodging a FID in Customs Interactive.

What happens if I lodge a FID using Customs Interactive after 1 October 2013 with no producer?

Customs Interactive will send a message to advise that producer details are required.

What happens if I lodge a FID using 3rd-party software after 1 October 2013 with no producer?

The FID will be rejected by the ICS and all information in the FID will need to be lodged again.

What happens if I declare the incorrect producer in a FID?

The FID may be incorrectly referred to DAFF and will need to be assessed before the goods can be released. For risk category foods, the DAFF system will not apply the correct rate of inspection and the importer's goods may be subject to unnecessary inspection and analytical testing of samples.

What happens if the producer in a FID is different to the producer on the labelling?

If a DAFF officer is conducting an inspection and identifies that the producer declared in the FID is different to the producer on the labelling of the food, the DAFF officer will complete the inspection and advise the importer or agent that the producer needs to be declared correctly in future FIDs.

Attachment 3: Next steps and checklist for importers and Customs brokers

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What do I need to do as an importer from 20 May 2013?

Importers should contact their overseas suppliers and ensure that the producer is clearly identified on the commercial documentation for each type of imported food in a consignment.

Importers are responsible for providing the Customs broker with sufficient information to accurately declare the producer of the food being imported.

Importers should provide details of the producers they source imported food from and request their Customs broker to ensure these producers are registered in the ICS.

Checklist for importers

- ✓ Provide your overseas suppliers with a copy of this Imported Food Notice
- ✓ Ensure that the producer is clearly identified on the commercial documentation
- ✓ Provide your Customs broker with details of the producers of the foods you import
- ✓ Ensure that your Customs broker registers your producers in the ICS
- ✓ [Subscribe to receive e-mail updates from the Imported Food Program](#)

What do I need to do as a Customs broker from 20 May 2013?

Commence declaring the producer for all imported food that is declared in a FID.

Customs brokers should ensure that importers provide sufficient information to accurately declare the producer of all imported food.

Customs brokers should request their clients to provide details of the producers they source imported food from and ensure these producers are registered in the ICS.

Checklist for Customs brokers

- ✓ Provide your clients that import food with a copy of this Imported Food Notice
- ✓ Request your clients to provide details of the producers of the foods they import
- ✓ Check to ensure that all of your client's producers are registered in the ICS
- ✓ Complete the [Application to Add a Producer in the ICS](#) form to register producers
- ✓ [Subscribe to receive e-mail updates from the Imported Food Program](#)

What if my producer is not registered in the ICS?

Complete the [Application to Add a Producer in the ICS](#) form and send to DAFF for processing.

Attachment 4: Guidance on how to determine the producer of a food

What does the term 'producer' mean?

For the purposes of lodging a FID for imported food, the producer of an imported food is the commercial or individual's premises or area in the country of origin where the goods were grown, caught, manufactured or processed. The producer may also be referred to as the manufacturer, processor, packer or establishment.

How do I determine the producer of the food?

Generally, the producer will conduct the final processing or packaging of the food and their name and contact details will appear on the final bulk or retail packaging.

Is the producer the same as the exporter/supplier?

The producer of the food MAY be the same as the exporter/supplier. However, the producer is NOT a third party premises where finished food products are consolidated for export, such as a warehouse or freight forwarder.

Do I need to declare the producer of each ingredient in a processed food?

No. Where a food consists of ingredients from multiple sources, the producer that should be declared is the commercial or individual's premises that completed the processing of the finished food product.

How do I apply the principles above to different types of imported food?

Meat, seafood, seaweed, fruit, vegetables, eggs, nuts, seeds and coconut

Raw/unprocessed meat, seafood, seaweed, fruit, vegetables, eggs, nuts, seeds and coconut

The producer is the commercial or individual's premises where the goods are packed into the final bulk or retail packaging.

Example

Raw/unprocessed meat, seafood, seaweed, fruit, vegetables, eggs, nuts, seeds or coconut is packed into the final bulk or retail packaging at Premises A. Premises A should be declared as the producer and the name and contact details for Premises A should appear on the final bulk or retail packaging.

Processed meat, seafood, seaweed, fruit, vegetables, eggs, nuts, seeds and coconut products

The producer is the commercial or individual's premises where the goods were processed into the finished product and packed into the final bulk or retail packaging.

Example

Raw/unprocessed meat, seafood, seaweed, fruit, vegetables, eggs, nuts, seeds or coconut is sourced from Premises A and sent to Premises B for processing into finished products. Premises B should be declared as the producer and the name and contact details for Premises B should appear on the final bulk or retail packaging.

Cheese, curd, coffee, tea, herbs, spices, rice, cereals, flour, malt, sugar, cocoa, salt, oils etc

The producer is the premises where the goods receive the final processing and are packed into the final bulk or retail packaging. The name and contact details for the producer should appear on the final bulk or retail packaging.

Processed foods and beverages including chocolate, confectionery, honey and alcohol

A processed food or beverage may consist of ingredients from multiple sources. The producer is the commercial or individual's premises where the goods were processed into a finished product and packed into the final bulk or retail packaging.

Example

Ingredients for a processed food or beverage are sourced from Premises A, Premises B and Premises C for processing into finished products by Premises D. Premises D should be declared as the producer and the name and contact details for Premises D should appear on the final bulk or retail packaging.

Gift hampers that contain multiple foods from multiple producers

The producer is the premises where the goods are packed into the final bulk or retail packaging.

Foods that are not specified above

The producer is the commercial or individual's premises where the goods were processed into a finished product and packed into the final bulk or retail packaging.

DAFF Imported Food contact details

Central East (NSW and ACT)	(02) 8334 7475	nswimpfood@daff.gov.au
North East / Northern (Qld and NT)	(07) 3246 8757	qldfood@daff.gov.au
South East (Vic and Tas)	(03) 8318 6923	vicimpfood@daff.gov.au
South West (WA and SA)	(08) 9334 1532	waimpfood@daff.gov.au
Central office (Canberra)	(02) 6272 5488	foodimp@daff.gov.au