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Ministry for Primary Industries
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DairyNZ feedback on the Proposed Amendments to ACVM (Exemptions and Prohibited Substances) Regulations 2011

DairyNZ appreciates the opportunity to contribute to the review of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 (ACVM).

DairyNZ is the industry-good organisation representing all New Zealand dairy farmers. We help farmers build profitable, sustainable, and resilient farm businesses through science, research, advocacy, and extension. Our purpose is to progress a positive future for New Zealand dairy farming.

The ACVM Regulations directly affects our work, particularly in our research and evaluation of mitigation technologies aimed at reducing agricultural greenhouse gas emissions.

FEEDBACK

General comments

Methane inhibitors are a promising tool in the primary sector's efforts to reduce agricultural greenhouse gas emissions and contribute to New Zealand's climate targets. It is essential that these products are regulated in a way that is both robust and enabling – supporting on-farm adoption while safeguarding food safety, trade and animal welfare.

DairyNZ supports the overall intent and direction of the proposed changes to the ACVM Regulations, particularly efforts to streamline the regulatory pathway for products like inhibitors, which do not always fit neatly within existing categories. We believe the proposed changes generally improve clarity, reduce regulatory burden and cost for applicants, and ensure that regulatory oversight is proportionate to risk, without compromising human health, animal welfare or market access.

However, we are concerned that the proposed changes do not yet fully achieve these objectives. To strengthen the amendments, we recommend that MPI convene a technical advisory group comprising independent regulatory advisors, industry representatives, and science and trade specialists to assist with refining and finalising the amendments.

Specific comments

Inhibitor exemption category (Amendments to Schedule 2: Agricultural compounds exempt from registration – new compounds to be added)

DairyNZ acknowledges the intent behind creating an exemption pathway for low-risk inhibitors. However, like others such as Fonterra and DCANZ, we are concerned that the current drafting of this exemption category may create confusion and unintended consequences.

The criteria for exemption are not sufficiently clear and may inadvertently increase regulatory burden. For example, a product that is currently sold as an oral nutritional compound or probiotic (without methane inhibitory claims) may now be subject to additional requirements simply because it has the potential to reduce emissions. This could result in products being reclassified if they were to include an environmental inhibition claim on their label.

Additionally, the proposed requirement for inhibitor products to comply with international pharmacopoeia monographs may not be possible for some product types, e.g. probiotics, fermentation products. While we agree that standards are important, alternative verification mechanisms should be explored.

A technical working group of the type recommended on page 1 could assist with improving and strengthening the proposed exemption pathway. We are aware that hybrid proposals have been put forward by Fonterra and DCANZ and encourage consideration of these along with input from other regulatory experts.

Verification of product claims (Amendments to Regulation 7: Fitness for Purpose)

DairyNZ supports the proposal that exempt products must “perform as claimed”. However, to ensure this requirement is meaningful and enforceable, a robust verification process is needed. Further thought should be given to the responsibilities and accountabilities of the persons responsible for exempt products and how these claims can be verified.

Markers, paints and dyes (Amendments to Schedule 2, Entry 14)

Like Fonterra and DCANZ, we support the proposal to exempt these substances. However, we disagree with the reference to udders in the proposed new condition. Marking udders is an established practice in the dairy sector to indicate animals or quarters whose milk must be withheld from supply to processors. We submit that the use of such markers does not constitute a significant risk to food safety or animal welfare. The proposed new condition should be amended to “must not be used on the teats and udders of lactating animals”.

SUBMISSION ENDS

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