



NON-TARIFF MEASURES

The EU-New Zealand Free Trade Agreement ('FTA') contains chapters on **Sanitary and Phytosanitary** (SPS) issues and **Technical Barriers to Trade** (TBT) that aim to facilitate trade and market access while safeguarding the levels of protection they each deem appropriate. Both chapters add to existing international agreements, including the EU-New Zealand Sanitary Agreement and the EU-New Zealand Mutual Recognition Agreement.



SPS Chapter

- Streamlines procedures for plant products on the exchange between EU-New Zealand on regulated pests & pest free areas
- Promotes equivalence of SPS measures
- Cooperation on anti-microbial resistance
- Imports are not prohibited or prevented where SPS measure is under review
- Reaffirms the Precautionary Principle

TBT Chapter

- In the areas where the EU accepts self-declaration conformity assessment and New Zealand does not, New Zealand will accept certificates and test reports from EU-based CABs
- Promotes cooperation in market surveillance and in the development of international standards
- Streamlines administrative requirements for marking and labelling
- Encourages impact assessments and consultations for measures having a potentially significant trade effect

Both chapters promote transparency and encourage the use of international standards, in addition to promoting cooperation between the EU and New Zealand, to further eliminate unnecessary barriers to trade.

Technical Barriers to Trade

The TBT chapter of the EU-New Zealand FTA builds upon the WTO Technical Barriers to Trade Agreement. It deals with technical regulations, standards and conformity assessment procedures, and aims to ensure that these do not create unnecessary obstacles to trade.

Technical Regulations are documents which lay down product characteristics or their related processes and production methods, with which compliance is mandatory. Whereas, Standards are documents approved by a recognised body such as rules, guidelines or characteristics with which conformity is voluntary. **Conformity** is the procedure used to determine whether a particular product, process or production method fulfils the requirements of a technical regulation or standard.

Marking, labelling and product safety requirements are types of technical regulations. Thanks to the FTA, a number of considerations streamlining administrative burdens must be observed when marking or labelling is mandatory. This includes endeavouring to accept non-permanent or detachable labels or stickers, only requiring relevant information or that which indicates conformity with requirements, and permitting the inclusion of internationally accepted stamps and information in other languages.

New Zealand also agreed to accept the origin mark “Made in the EU” on product labels.

The EU and New Zealand also promote **good regulatory practice**. This includes publishing online major regulatory measures that the EU and New Zealand reasonably expect to adopt within the year, undertaking public consultations on them where possible, and endeavouring to carry out impact assessments. Stronger commitments have been made where the measure may have a significant effect on trade.

The EU and New Zealand have also built on existing **conformity assessment** commitments under the EU-New Zealand Mutual Recognition Agreement. In the areas in which the EU accepts Supplier’s Declaration of Conformity (SDoC) i.e. self-declaration and New Zealand does not, New Zealand must accept certificates and/or test reports issued by EU-based conformity assessment bodies.

Preference is given to the use of international standards.

Information on New Zealand’s “Standards and Conformance” system can be found [here](#).

EU-based businesses can use the European Commission’s [Access2Conformity](#) tool to check the approved EU Conformity Assessment Bodies who may test and certify their products for the New Zealand market. The information on the Access2Markets database and associated tools including Access2Conformity is copyright protected and access is limited to users logging on the portal from the EU territory. However, European companies’ offices outside of the EU can request access by filling in the following [contact form](#).

In accordance with the Motor Vehicles Annex ([Annex 9-B](#)), New Zealand will accept EU type approvals for **motor vehicles, equipment and parts**. In addition, both sides agreed to not prevent or restrict access to its market based on new technologies or features that are not yet regulated, unless there is a risk to human health, safety, the environment or transport infrastructure. In this case, the side taking action must notify the other of the reasons and grounds for the action.

SPS Requirements in New Zealand

New Zealand’s SPS system is regulated through a unitary set of legislation, comprehensively covering various aspects of SPS measures, including biosecurity, animal products, food products, and [agricultural compounds, including veterinary medicines](#) (ACVM). The system allows for the use of automated electronic systems for issuing export certificates.



Biosecurity

New Zealand has strict biosecurity rules that apply equally to imported and domestically produced food, animal and plant products. Products have to comply with the agreed [Import Health Standard](#) and origin in order to be imported into New Zealand. If an IHS has not been developed and agreed for an animal or plant product, it cannot be imported into New Zealand. Detailed requirements for importing food can be found [here](#).

Food Safety

Food categories carrying a high risk must meet food safety clearance requirements before they can enter New Zealand. These are additional to biosecurity or other customs requirements. Imports from certain countries, including the EU, are permitted provided they meet the requirements for that food category. This could include an official certificate from a competent authority. Details on the required certificates and clearances can be found [here](#).

To avoid delays to imports of agricultural products to New Zealand, it is important to:

- ✓ Register as a food importer with the Ministry for Primary Industries (MPI) or use an MPI-registered food importer.
- ✓ Verify that the product from that origin can be imported into New Zealand.
- ✓ Use the Customs Client Code that is linked with the MPI Food Importer registration.
- ✓ Correctly declare the intended use of the imported food.

The EU-New Zealand FTA also has dedicated chapters on **Sustainable Food Systems** and **Animal Welfare**, which address a number of aspects that may impact or benefit EU businesses. Refer to the leaflet on “Agriculture” for more information.



Refer to the EU SME Guide for more information on the benefits of the EU-New Zealand FTA and guidance on doing business in New Zealand.