Ministry for Primary Industries
Manatū Ahu Matua

Submission template

Managing high pathogenicity avian influenza (HPAI) H5N1 in poultry

Once you have completed this form, email it to biosecuritypartnerships.policy@mpi.govt.nz.

While we prefer email, you can also post your submission to:

Consultation: HPAI Regulations
Ministry for Primary Industries
PO Box 2526
Wellington 6011

Please send us your submission no later than 11:59pm on Sunday, 02 November 2025

Anyone may make a submission, either as an individual or on behalf of an organisation.

This submission template has been prepared by the Ministry for Primary Industries (MPI) to help you prepare your submission on managing HPAI H5N1 in poultry. Questions below are taken from the discussion document. You do not need to answer all the questions if you do not want to.

Submissions are public information

Any submission you make becomes public information. Anyone can ask for copies of all submissions under the Official Information Act 1982. The Official Information Act says we must make the information available unless there is a good reason for withholding it. You can find those grounds in sections 6 and 9 of the Official Information Act.

Tell us if you think there are grounds to withhold specific information in your submission. Reasons might include that it is commercially sensitive or personal information. Any decision MPI makes to withhold information can, however, be reviewed by the Ombudsman, who may require the information be released.

Submitter details

Name of submitter or contact person	Joanne Thomas
Organisation (if applicable)	PIANZ & EPF
I am not submitting on behalf of an organisation	☐ *Tick if applicable*
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Submitter details, continued

Which of the following best describes you or your organisation? Pick as many options that apply.

- ☐ Commercial poultry operator
- ☐ Semi-commercial operator
- ☐ Non-commercial poultry owner
- ☐ Breeder, including heritage breeders
- ☒ Poultry industry representative body
- ☐ Government Industry Agreement partner
- ☐ Māori organisation / hapū / iwi
- ☐ Local or regional government
- ☐ Business unrelated to poultry
- ☐ Community Organisation
- ☐ Research or university entity
- ☐ Other (please specify):
  Click or tap here to enter text.

Which of the following product sectors apply to you or your organisation? Pick as many options that apply.

- ☒ Egg producer
- ☒ Poultry meat producer (chicken)
- ☒ Poultry meat producer (turkey, duck)
- ☒ Poultry breeder (breeding, day-old chicks, hatching eggs)
- ☒ Exporter
- ☐ Other (please specify):
  Click or tap here to enter text.

Are you happy for MPI to contact you if we have questions about your submission?

☒ Yes ☐ No

How would you like MPI to treat your submission? *Please tick the relevant boxes.*

- ☒ I do **not** wish my name or other personal information to be included in any information about submissions that MPI may publish.
- ☐ I do **not** want my submission or a summary of my submission to be placed on the MPI website (www.mpi.govt.nz)

Consultation questions

Please refer to the full consultation document for more information about each question. Questions are numbered the same as in the discussion document, but here they have been split into parts. This will make it easier for MPI to analyse submissions efficiently.

You do not have to answer all the questions if you do not want to.

Regulations

Discussion document page 10

1. Would you support creating regulations to manage HPAI H5N1 in poultry?

☒ Yes ☐ No

Why / why not? If not, what do you think would be a more effective way to manage HPAI H5N1 in poultry, and why would it be better?

The poultry industry welcomes the opportunity to provide feedback on the proposed regulations for managing High Pathogenicity Avian Influenza (HPAI) H5N1 in New Zealand. We acknowledge the seriousness of the threat posed by HPAI and support the Government's proactive approach to preparedness and long-term management. The proposed regulatory framework aligns with our shared goals of protecting bird welfare, food security and supply, trade access, and public confidence.

We are broadly supportive of the direction of the proposed regulations and the outcomes-based approach. However, we emphasise the need for greater clarity around roles and responsibilities, particularly in relation to the proposed industry-led response. It is essential that expectations are clearly defined: what does "industry-led" mean in practice, what authority will industry have, and how will responsibilities be shared or transitioned from MPI? Without legislative backing or a formal governance structure, the industry-led model risks being symbolic rather than functional. We seek a shared understanding of how leadership, decision-making, and accountability will be operationalised.

2. Would you support creating regulations to manage HPAI H5N1 in poultry?

☒ Yes ☐ No

If you think semi-commercial operators should develop avian biosecurity control programmes as well, what benefits would this requirement have?

We support the registration of all poultry operators, including non-commercial and semi-commercial. This would improve traceability and outbreak response capability. However, clarity is needed on how groups such as chicken fanciers, duck hunters, and heritage breeders will be included, given their potential role in disease spread.

Proposal 1: Commercial poultry operators must develop an avian biosecurity control programme

Discussion document page 12

3. Would you support regulations requiring operators to develop a programme that identifies the risks and specifies how those risks will be managed?

☒ Yes ☐ No

Why / why not?

Many operators already have verified biosecurity programmes in place, and all commercial poultry businesses operate under RMPs. In addition, industry-developed plans such as the Biosecurity Plan and Response Plan are already in use or under development. Any new legislation, particularly the proposed Avian Biosecurity Control Programme (ABCP), should align with and recognise these existing programmes to avoid duplication and ensure continuity. While we acknowledge that these regulations fall under the Biosecurity Act and RMPs under the Animal Products Act, we seek clarity on whether the proposed ABCP could be designed as a “clip-on” to existing RMPs, streamlining compliance and reducing duplication.

Proposal 2: All poultry owners must meet appropriate biosecurity standards

Discussion document page 12 & 13

4. Would you support regulations setting standards for on-farm biosecurity activity, and prescribing a method or methods for meeting those standards?

☐ Yes ☒ No

Why / why not?

We caution against overly prescriptive methods that contradict the outcomes-based philosophy and may stifle innovation.

5. Would you support requiring non-commercial poultry owners to meet some requirements in regulations, such as methods for disposing of dead birds?

☒ Yes ☐ No

Why / why not?

As noted above, we support the registration of all poultry operators, including non-commercial and semi-commercial. This would improve traceability and outbreak response capability. However, clarity is needed on how groups such as chicken fanciers, duck hunters, and heritage breeders will be included, given their potential role in disease spread.

Are there certain requirements you think that non-commercial poultry owners should meet? If so, what are they, and why are they important to meet?

See above.

Proposal 3: Commercial poultry operators must keep appropriate records and provide information to MPI when required

Discussion document page 14

6. Would you support having the same or similar record-keeping requirements for avian biosecurity control programmes as for Risk Management Plans (RMP) under the Animal Products Regulations?

Please select an option

☒ Yes ☐ No

Why / why not?

While the core requirements should remain consistent, it is important to build in flexibility to accommodate operational differences across poultry sectors and to future-proof the framework as roles and responsibilities continue to evolve.

7. Are there any record-keeping requirements that you think should be different than the ones proposed? If so, what requirements should be different, and why?

Please select an option

☐ Yes ☒ No

Why / why not?

Please type your submission below

Click or tap here to enter text.

Proposal 4: Avian biosecurity control programmes must be audited

Discussion document page 16 & 17

8. Would you support developing a scaled approach to auditing based on risk?

Please select an option

☒ Yes ☐ No

Why / why not?

It is an industry expectation that the proposed regulations will build on existing audit frameworks, not duplicate them. The export audit framework for meat poultry and the New Zealand Egg Quality Assurance (NZEQA) framework verified by QCONZ for the egg industry are well-established, risk-based systems tailored to the operational realities of poultry production. These frameworks already provide robust verification mechanisms and are embedded in industry practice. Introducing parallel or additional audit systems would create unnecessary complexity and impose avoidable costs on operators. Formal recognition of these existing systems as the primary means of compliance verification is essential to ensure consistency, reduce administrative burden, and maintain confidence in the regulatory framework.

We support the principle of cost recovery for auditing, provided it is risk-based and proportionate. However, we urge MPI to consider the financial impact on small operators and explore options for phased or subsidised implementation, particularly for egg producers. For broiler farms, we recommend a sampling approach rather than requiring every individual farm to be audited on each occasion, given that all broiler farms are managed under the supervision of just four processors. This would reduce unnecessary duplication and cost while maintaining effective oversight. The estimated $23.6 million cost outlined in the Regulatory Impact Statement (RIS) within the consultation package, is low-confidence and likely underrepresents the true sector-wide burden. Any cost model must be transparent and equitable.

9. Do you think there are other categories of risk that should be included in the auditing framework? What categories are they, and why should they be included?

-

Proposal 5: Regulations provide for appropriate offences and penalties

Discussion document page 17

10. Would you support MPI's proposed approach to offences, penalties and defences?

☒ Yes ☐ No

Why / why not?

We view the proposed regulations not as punitive, but as a framework that encourages responsible action. The emphasis on good biosecurity practice, early reporting, and continuous improvement is welcome.

11. Are there any issues that you think MPI should consider about offences, penalties, and defences that we have not considered? What are they, and why are they important?

We recommend that MPI adopt a VADE model (Voluntary, Assisted, Directed, Enforced) for compliance to avoid punitive first responses and support operators in meeting standards.

Implementation and next steps

Discussion document page 19

12. Would the proposals in this paper affect your business?

Please select an option

☒ Yes ☐ No

How would the proposals affect you, and what additional costs could you face?

The proposed regulations will inevitably introduce additional compliance costs, particularly for smaller farms. These may include system and infra-structure upgrades, staff training, and audit fees. We urge MPI to consider phased or subsidised implementation options to mitigate financial impacts and support equitable adoption across the industry.

13. What, if anything, do you think MPI could do to reduce these impacts while still achieving the objectives we have set?

As noted throughout this submission:

- There is a need for greater clarity around roles and responsibilities, particularly in relation to the proposed industry-led response.
- Any new legislation, particularly the proposed Avian Biosecurity Control Programme (ABCP), should align with and recognise existing programmes to avoid duplication and ensure continuity.
- We caution against overly prescriptive methods that contradict the outcomes-based philosophy and may stifle innovation.
- It is an industry expectation that the proposed regulations will build on existing audit frameworks, not duplicate them.

- We urge MPI to consider the financial impact on small operators and explore options for phased or subsidised implementation.

Other matters

Discussion document page 19

14. Is there anything else, not covered in the Discussion Document, that you would like to bring to MPI's attention? Please provide evidence for your comments where appropriate.

We are committed to working closely with MPI to ensure the regulations are practical, achievable, and tailored to the realities of poultry operations across New Zealand. This includes ensuring that standards are scalable for both small and large operators, and that implementation timelines are realistic. We also highlight the importance of clearly defining key terms such as "poultry," "biosecurity control programme," and operator categories (commercial, semi-commercial, non-commercial) in a way that aligns with existing legislation, including the Animal Products Act (APA) threshold for requiring an Risk Management Programme (RMP).

We believe these regulations represent a positive step. Clear standards and transparent processes will help reassure the public that the industry is taking responsible action to manage disease risk, particularly given the potential impact on native wildlife, food security, and trade. We urge MPI to provide certainty as soon as possible regarding the final regulatory settings and implementation roadmap. Certainty is essential for operators to make informed decisions, invest in infrastructure, and train staff. Delays or ambiguity could hinder preparedness and increase risk.

Finally, we note that long-term management structures such as a National Pest or Pathway Management Plan (NPMP) have been ruled out due to time constraints. This makes clarity around the transition period and interim arrangements critical. The RIS proposes a 12-month transition period, but lacks detail on how readiness will be assessed, what support will be provided, and how responsibilities will shift from MPI to industry. These details are essential to ensure a smooth and effective implementation.

Exposure Draft

Discussion document page 26

15. Would you organisation like to receive an exposure draft of regulations for comment?

Please select an option

☒ Yes ☐ No