12 June 2026

Consultation
Ruminant Protein Regulations
Ministry for Primary Industries
PO Box 2526 Wellington 6011

BSP@mpi.govt.nz

Subject: Reviewing the Biosecurity (Ruminant Protein) Regulations 1999 - Consultation document.

Information

Submission from the Bioenergy Association

Contact person: - Brian Cox, Executive Officer
Brian.cox@bioenergy.org.nz
0274 771048

This submission may be publicly released.

Thank you for the opportunity to submit on the Biosecurity (Ruminant Protein) Regulations 1999

About Bioenergy Association of New Zealand

The **Bioenergy Association of New Zealand (BANZ)** inter alia is the industry body promoting the sustainable production and deployment of gaseous biofuels and their co-products in New Zealand. As New Zealand faces a sharp decline in domestic fossil gas production, BANZ has focused its efforts to transition commercial, industrial, and government gas users to renewable biofuels, in this case biogas and biomethane. Through initiatives like the NZ Integrated Bioenergy Programme, BANZ aims to replace fossil gas with local, low-emission alternatives, setting a target to produce 20 petajoules (PJ) of biogas annually by 2050. BANZ also proposes that the digestate from biogas production be a replacement fertiliser for imported or synthetic fertiliser.

The Bioenergy Association represents a significant portion of owners of biofueled heat plant, gaseous biofuel producers and suppliers, organics-to-energy investors and their consultants, gaseous biofuels users, biofertiliser producers and users, researchers and equipment/appliance suppliers across New Zealand. It has members who have an interest in policies relating to:

- the recycling of biomass and organic residues and use of agriculture break crops for the production of energy and chemicals;
- production of biomethane to replace natural gas/LPG and biofertilizer to replace synthetic fertilisers, and
- wise use of our renewable natural biomass resources for the betterment of communities via bioenergy and biofuels.

The Association has a Gaseous Biofuels Interest Group whose members manage the Association's specific technical matters relating to the production and use of gaseous biofuels

and their co-products, specifically with regard to standards and best practice. The Interest Group advocates for bioenergy and biofuels, develops strategic and technical information, and disseminates this information to interested parties, including those considering investment. This submission has been prepared under the oversight of the Gaseous Biofuels Interest Group.

Summary

The opportunity realised through anaerobic digestion (AD) of organic material directly impacts the primary sector. Processing organic material to produce biogas also yields a nutrient-rich co-product known as digestate, which is a valuable biofertiliser for agricultural land. However, because AD feedstocks can include food scraps, catering waste, and primary processing residues, digestate can pose a cross-contamination risk if it introduces prohibited animal matter to pasture. To ensure that this does not happen the Bioenergy Association has established a scheme for the Accreditation of Producers of Digestate Biofertiliser. This scheme is based on criteria set out in the Bioenergy Association's Guidelines for the Production of Digestate Biofertiliser - DBPAS05. The scheme provides a framework for the current review of the Biosecurity (Ruminant Protein) Regulations 1999. The criteria are commended to the Ministry as they are based on extensive research which the Association has just completed, overseen by a Steering Group of sector experts, including staff of MPI.

BANZs' position on the review of the Biosecurity (Ruminant Protein) Regs as it relates to digestate biofertiliser can be outlined around three pillars;

1. Prions ae not a valid reason to restrict AD digestate of organic material in NZ
2. AD with pasteurisation is demonstrably the most protective processing pathway for organic waste.
3. Prohibiting land application would cause significant unintended harm unless similar criteria is adopted in regulations.

Our reasoning is detailed comprehensively in our response to the questions in Section 6E Accidental Exposure: Fertiliser and Waste.

Consultation Questions

A. World Organisation on Animal Health risk status

1. Do you produce any products containing ruminant proteins for export, or are you an exporter of that type of product?

2. Which countries do you export to?

3. What proportion or percentage of your business would that represent in comparison with your products for the domestic market?

BANZ members do not directly produce or export ruminant protein products. However, the AD industry's commercial viability is intrinsically linked to New Zealand's primary sector export reputation. BANZ has a strong interest in ensuring the revised Regulations maintain that status through proportionate, evidence-based risk management.

4. What are your views on these objectives (*of the consultation and review of regulations)*?
    - Reduce trade risks by aligning with international standards on TSE risk management.
    - Manage the risk of TSEs on animal and human health.
    - Ensure that any regulatory measures are appropriate and proportionate, and consistent with our international trade obligations.
    - The Regulations are simple, clear and fit for purpose.

BANZ broadly supports the four objectives of the review. We note in particular that the objective requiring regulatory measures to be "appropriate and proportionate" should be interpreted as requiring evidence-based risk assessment rather than precautionary exclusion of well-managed waste streams. The current status quo — where land application of organic material is technically regulated but practically unenforceable — does not serves the four objectives well. The review is an opportunity to establish a clear, workable framework that manages biosecurity risk.

B. Issues and Options

Objectives

5. Do you agree with the issues that we have identified? Are there any others that we have not identified that are within the scope of the review?

6. Are you aware of other issues with the Regulations? If so, what is the issue, and how is it causing problems?

BANZ agrees with the issues identified. We note that Issue 6 (Fertiliser and Waste) is the most significant issue for our industry and is addressed in detail in our response to Questions 26–30. We would add one issue not explicitly identified in the discussion document: the current Regulations provide no clear definition of how processed organic waste streams are distinguished from raw waste or from feed, creating regulatory uncertainty for operators and potentially exposing compliant facilities to unintended liability.

BANZ proposes that MPI address this by introducing a defined category of "processed organic waste" in the Regulations, distinct from both "feed" and "fertiliser" as currently defined. This category would capture materials such as AD digestate and certified compost that are derived from organic waste streams but are not produced for the purpose of animal nutrition. The key distinguishing criteria should be:

- The material is produced through a validated treatment process (such as anaerobic digestion with pasteurisation, or certified composting) that renders it safe for land application;
- The material is not intended or labelled for direct animal consumption; and
- The producer holds accreditation under a recognised scheme such as BANZ DBPAS05 or NZS 4454:2005.

Operators producing material that meets this definition should be explicitly excluded from the definition of "operator" under the Regulations and therefore not required to hold an RPCP. Instead, their biosecurity obligations should be defined through the land application conditions framework proposed in our response to Question 30.

7. How would the options impact you, your business, or your industry? Please provide evidence in support if you can.

8. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

9. What are your views on the criteria?

BANZ's views on how the options would impact our industry are set out in our responses to Questions 26–30.

On **efficiency** — BANZ strongly supports the principle that regulatory measures should not be disproportionate to the risk they are managing. The costs imposed on industry to comply with any new conditions must be commensurate with the actual biosecurity benefit achieved. Where a processing standard already demonstrably eliminates or adequately manages a risk — as is the case for DBPAS05-accredited digestate — imposing additional requirements beyond that standard would add compliance cost for no meaningful biosecurity gain. MPI should satisfy itself that any conditions proposed under Option E3 pass a basic cost-benefit test before they are prescribed.

On **equity** — obligations imposed fairly and proportionately is particularly important for the AD sector, which currently operates to a higher voluntary standard than many comparable organic waste streams that face no equivalent scrutiny. Any conditions imposed on accredited digestate producers should be benchmarked against what is required of other organic fertiliser producers, not held to a higher standard by default.

C. Cross Contamination

A. Cross contamination of animal feed

10 What are your views on the concept of a graduated scheme like the one described in Option A2?

11 Are the elements of the light-touch Ruminant Protein Control Plan (RPCP) correctly identified for that option?

12. If you do not already hold a RPCP, what programme/system do you use to manage your ruminant protein risk and do you do any auditing?

13. How would the options impact you, your business, or your industry?

14. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

Not relevant to BANZ and its members.

B. Dedicated equipment

15. How do you currently separate feed lines? What method do you use to separate the different feeds during production?

16. How would the options impact you, your business or your industry?

17. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

Not relevant to BANZ and its members or the proposed framework described in our submission.

C. Storage and transportation.

18. If you transport products that may contain ruminant proteins, what system or process do you currently use to manage contamination risks?

19. Is there sufficient information available at present to help you understand how to meet your obligations under the Regulations?

20. How would the options impact you, your business, or your industry?

21. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

Not relevant to BANZ and its members.

D. Suspect cases entering the food chain.

22. Have you experienced a suspect case of a TSE which was then sampled?

23. What protocols do you or your business follow for the remainder of the carcass in the case of a suspect TSE case?

24. How would the options impact you, your business, or your industry?

25. Please tell us about any alternative options that you think MPI should consider to achieve the objectives

Questions 22–25 relate to suspect TSE cases and carcass protocols. BANZ members are organic waste processors, not livestock operators or renderers, and do not have direct experience of TSE suspect cases. We have no specific submission on Options D1–D3 beyond noting that Option D3 (regulatory change) appears the most effective mechanism for ensuring compliance with WOAH requirements.

D. Accidental Exposure

E. Fertiliser and Waste

Fertiliser and waste are grouped together in the Regulations because both can contain ruminant protein and both may be applied to land where ruminants graze. The current framework under Regulation 17A permits wastewater irrigation subject to basic screening requirements but provides no equivalent pathway for solid or liquid digestate, and no clear criteria distinguishing between high-risk and low-risk organic materials.

BANZ's position is that this gap should be resolved through a risk-proportionate framework that explicitly permits land application of AD digestate meeting defined processing standards. Our detailed response is set out in Questions 26–30 below. In summary:

- Prions — the primary biosecurity concern driving this review — are exotic to New Zealand and absent from local feedstock streams. Professor Roger Morris CNZM, a leading New Zealand veterinary epidemiologist commissioned by BANZ, has concluded that no specific operational measures against prions are required for NZ AD facilities (Morris, 2025).
- AD digestate processed to DBPAS05 standard presents a lower and better-documented biosecurity risk than many organic fertilisers currently applied to land without equivalent controls.
- A blanket prohibition on land application would be disproportionate, environmentally counterproductive, and economically damaging to the AD sector and to the farmers who rely on digestate as a nutrient source.

26. Do you, your business, or your industry apply fertilisers or waste which contains ruminant proteins to land? If so, how do you currently reduce risk around accidental exposure?

The Bioenergy Association of New Zealand (BANZ) represents the anaerobic digestion (AD) industry. This sector encompasses on-farm systems, small-scale operations, and large regional facilities that process source-separated organic waste. These feedstocks may include municipal kerbside food scrap collections, commercial processing waste from food manufacturers, and spoiled post-consumer food from supermarkets. Because these waste streams may contain raw or cooked meat products, they present a potential source of ruminant protein that cannot be effectively screened out. Excluding animal-derived material from AD feedstock would be operationally impractical and would undermine the environmental, social, and economic benefits of the AD system without any corresponding biosecurity gain. Through the AD process, organic material is mechanically macerated and pumped into digester tanks, where it is held for a defined period under mesophilic or thermophilic temperatures. The liquid digestate—the primary co-product of AD—is then pasteurised at 70°C for one hour before being transferred to storage for distribution. When managed to this standard, the final digestate is a nutrient-rich biofertiliser rather than a waste product, and it is highly suitable for application to pasture, cropping, and horticultural land. This best practice has been globally accepted and safe guarded by specific digestate biofertiliser certification schemes.

To mitigate the risk of accidental animal exposure, BANZ has established robust risk-reduction measures through the following mechanisms:

* **The BANZ Digestate Biofertiliser Accreditation Scheme (DBPAS05)** *attached*: AD facilities can become Accredited Producers of Biofertiliser by complying with these guidelines, which include specific controls to manage Transmissible Spongiform Encephalopathies (TSEs) and prions. Under these rules, feedstock criteria strictly prohibit the acceptance of high-risk materials, such as brain matter or Specified Risk Material (SRM) from abattoirs and meat processors.

* **Operational and End-User Controls**: The guidelines mandate a pasteurisation step (70°C for one hour) to ensure pathogens are destroyed. Furthermore, final product labelling must include a clear warning regarding the potential presence of ruminant protein, state that the product must not be fed directly to animals, and recommend a minimum 21-day withholding period between

land application and grazing. The safety conditions that MPI might typically impose—such as validated pathogen destruction, defined processing standards, and strict monitoring—are already fundamentally embedded within these BANZ guidelines.

* **Epidemiological Risk Assessment**: To verify these safety margins, BANZ commissioned a formal research project led by Professor Roger Morris (*attached)*, a leading New Zealand veterinary epidemiologist. His independent report investigated the biosecurity risks of applying digestate biofertiliser to land. Crucially, the report concluded that because prions are exotic to New Zealand and absent from local feedstock streams, specific operational measures against prions are not required.

Of most importance to MPI, the Morris report recommended following changes to DBPAS05;

a) Differentiate hygienisation requirements by digestor types – psychrophilic/mesophilic/thermophilic, consistent with the performance hierarchy established by Morris; and

b) transition the microbiological monitoring protocol from the PAS110 trio (E. coli, Salmonella, Campylobacter) to the EU 2019/1009 protocol (Salmonella spp. + Enterococcus spp.), which is lower cost, more informative, and internationally aligned with mandatory reporting of all results including failures to BANZ; and

c) add clostridial vaccination as a recommended or required condition of biofertiliser use, as the most practical farm-level control for the residual spore-former risk that cannot be eliminated by any treatment.

The proposed changes are currently being incorporated in the DBPAS.

27. What kinds of fertilisers or waste containing ruminant protein, if any, should be allowed or prohibited? Why?

The beneficial re-use of organic waste material is a critical tool for reducing New Zealand's reliance on landfills, lowering municipal methane emissions, and driving the transition toward a circular economy. Furthermore, utilising organic co-products reduces our dependence on imported synthetic fertilisers, which are subject to supply chain vulnerabilities, and high price volatility. Further to that, AD allows harvesting of the latent energy from these organic materials in form of renewable gas that can further substitute fossil derived fuels and advance New Zealand on transition to circular bioeconomy.

To achieve these environmental and economic goals, fertilisers, biofertilisers, and anaerobic digestate produced from source-separated organic waste containing ruminant protein should be allowed to be applied to land, subject to strict processing standards. However, a clear distinction must be made regarding feedstock safety. To protect New Zealand's disease-free biosecurity status, any organic material containing Specified Risk Material (SRM)—such as brains, spinal cords, or high-risk tissues from abattoirs and meat processors—should be strictly prohibited from entering the biofertiliser production stream.

BANZ explicitly supports the 'allow some with conditions' sub-option under Option E3. A tiered approach — distinguishing between accredited, processed materials and raw or minimally processed organic waste — best reflects the actual risk gradient and is consistent with how comparable biosecurity frameworks operate internationally. The detailed tiered framework BANZ proposes is set out in our response to Question 30.

28. What conditions should be imposed for fertiliser use or waste discharge? Why do you think those conditions would be suitable?

Land application of anaerobic digestate must prioritise the protection of New Zealand's multi-billion dollar agricultural export markets and ensure zero risks to domestic animal health. To safely achieve this while satisfying the objectives of the Biosecurity Regulations, BANZ proposes that all digestate and Anaerobic Digestion (AD) producers must meet the strict criteria established in the BANZ Digestate Biofertiliser Accreditation Scheme (DBPAS05). The core conditions that should be imposed under the regulations include:

- Feedstock Acceptance Restrictions: Absolute prohibition of Specified Risk Material (SRM) and high-risk processing waste at the gate to prevent hazardous prions or tissue from entering the system.
- Mandatory Thermal Pasteurisation where feedstock contain ruminant protein: Enforcement of a validated thermal treatment step—specifically maintaining a minimum temperature of 70°C for at least one continuous hour—to guarantee the destruction of biological pathogens.
- Strict Monitoring Standards: Routine, auditable testing and operational logging of batch temperatures, retention times, and final composition quality to ensure continuous regulatory compliance.
- A 21-Day Mandatory Withholding Period: A required operational gap between the field application of the biofertiliser and the introduction of grazing ruminant livestock to completely eliminate any residual risk of accidental contact or ingestion.
- Mandatory reporting of microbiological monitoring results to BANZ: All accredited producers must report monitoring results — including failures — to BANZ as the scheme administrator, ensuring continuous oversight and enabling detection of systemic process failures across the industry.

These conditions are highly suitable because they provide a multi-layered system that addresses biosecurity risks at every stage—from raw material sourcing through processing to final field application.

Furthermore, these mechanisms are already comprehensively operational and built directly into the industry-validated DBPAS05 guidelines. MPI does not need to design these conditions from scratch. The most efficient regulatory outcome would be for MPI to formally recognise DBPAS05 accreditation as the compliance mechanism under the revised Regulations, with BANZ maintaining the accreditation scheme and reporting to MPI on certified operators.

29. How would the options impact you, your business, or your industry?

- E1 - Status quo
    - BANZ found the Reg17A to be low on detail as to what is acceptable to be spread to land (no float material, screened etc). To overcome this, and to give confidence of digestate quality to customers and regulators BANZ have built the DBPAS05 guidelines framework based on the UK PAS110 digestate standard.
- E2 – Prohibit the use of fertilisers and/or waste containing ruminant protein

- BANZ strongly opposes Option E2. A blanket prohibition on land application of digestate would be disproportionate to the actual biosecurity risk, is not supported by the epidemiological evidence, and would produce significant unintended harms.

  Digestate is a critical revenue stream for AD operators. A land application ban would make many existing and planned facilities economically unviable, directly undermining New Zealand's transition to sustainable waste management and renewable gas.

  A ban would deprive farmers of valuable nutrient-rich biofertiliser to assist them to offset the use of synthetic fertilisers

  More organic waste to landfill means more methane emissions, undermining NZ climate commitments and it removes the economic incentive for developing the very circular economy infrastructure that helps NZ manage organic waste sustainably.

- E3 – Permit the use of all or some fertilisers and/or waste containing ruminant protein.
  - Allow all fertilisers or waste containing ruminant protein to be used with suitable conditions; or
  - Allow some fertilisers or waste containing ruminant protein to be used with suitable conditions.

The biosecurity risk MPI is trying to manage with the fertiliser/waste regulation is real for raw or poorly processed organic matter, but not for properly processed AD digestate. The conditions attached to E3 should distinguish between waste types based on evidence of actual prion risk, not treat all organic matter the same.

AD digestate that meets the DBPAS05 Guidelines is actually a *lower* risk than many other organic fertilisers currently permitted. This supports the "allow some with conditions" sub-option and strongly positions digestate as the permitted category.

BANZ is prepared to work with MPI to define the conditions framework for E3 and to provide information on existing DBPAS05 requirements to assist MPI in drafting appropriate regulatory language.

30. Please tell us about any alternative options that you think MPI should consider to achieve the objectives

MPI should consider establishing a formally recognised tiered framework for fertilisers and waste containing ruminant protein, replacing the current binary approach of permit or prohibit. The existing regulatory position treats all organic materials as a single class, even though the actual biosecurity risk varies enormously depending on feedstock composition and the processing pathway applied. A tiered framework would reflect that risk gradient, satisfy MPI's own stated criterion of proportionality, and provide the regulatory clarity that industry currently lacks.

BANZ proposes the following structure:

- **Tier 1 – Prohibited: Waste streams containing Specified Risk Material (SRM)** — including brain, spinal cord, and other high-risk tissues from abattoirs and meat processors — should be prohibited from land application entirely. The biosecurity risk

associated with these materials is inherently unmanageable at any practical processing cost, and no conditions could adequately mitigate it.

- **Tier 2a – Permitted with defined conditions: accredited AD digestate**: Digestate produced under an audited accreditation scheme meeting or equivalent to BANZ DBPAS05 should be recognised as a defined permitted category. The conditions required to make land application safe are already embedded in DBPAS05 and operationally proven across existing NZ facilities. MPI should formally recognise DBPAS05 accreditation as the compliance mechanism, rather than requiring each AD operator to demonstrate compliance independently against undefined criteria. This approach leverages existing industry governance infrastructure and imposes no additional audit burden on MPI.

- **Tier 2b – Permitted with defined conditions: other certified animal-derived organic materials**: Other waste streams where ruminant protein content may be present and significant — including composted municipal green waste containing food waste, raw blood and bone, and rendered materials — should be permitted subject to compliance with an appropriate certified standard. For composted materials, NZS 4454:2005 (Composts, Soil Conditioners and Mulches) provides an existing reference point, though BANZ notes this standard does not specifically address prion or ruminant protein risk. MPI should consider whether NZS 4454:2005 certification is sufficient for biosecurity purposes, or whether additional conditions are required for materials derived from mixed organic streams containing animal matter.

BANZ notes that these materials are currently applied to land with fewer documented controls than those proposed for DBPAS05-accredited digestate. MPI's own analysis acknowledges the status quo for these materials is difficult to monitor or enforce. Any conditions imposed on Tier 2a digestate should therefore be proportionate to the actual risk — and not more restrictive than those applied to comparable organic materials in Tier 2b that currently operate without equivalent oversight.

- **Tier 3 – Permitted with light-touch guidance:** Materials where ruminant protein risk is very low or negligible — such as source-verified plant-only compost and non-ruminant manure — should be permitted with MPI guidance rather than prescribed conditions. BANZ encourages MPI to develop this guidance as part of the current review.

This tiered approach is consistent with how comparable biosecurity frameworks operate internationally. The EU Animal By-Products Regulation uses precisely this model: Category 3 materials may be applied to land only after approved treatment, with AD combined with validated pasteurisation as an explicitly recognised pathway. Adopting a similar structure in New Zealand would align with international best practice, satisfy WOAH's requirement for proportionate and evidence-based risk management, and future-proof the Regulations against likely changes in international standards — one of MPI's own stated review objectives.

A risk-proportionate tiered framework of this kind is not novel in New Zealand regulation. The Food Act 2014 — administered by MPI — uses precisely this approach, classifying food businesses into three tiers based on risk and applying compliance requirements proportionate to the level of risk in each tier. Industry-managed programmes that achieve the Act's purpose are explicitly recognised as compliance mechanisms, reducing the burden on both industry and the regulator. BANZ proposes that MPI adopt the same logic here: DBPAS05-accredited digestate sits in the lower-risk tier, and the accreditation scheme is already the functional equivalent of a Food Control Plan for the AD industry

E Legislative Stewardship

31. Are you, your business, or your industry experiencing any of the issues raised in this section?

32. How would the options impact you, your business, or your industry?

33. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

BANZ's primary legislative stewardship concern is the regulatory ambiguity around processed organic waste streams, addressed in our responses to Questions 5, 6, and 34–36. Beyond that, we note that several provisions in the current Regulations were drafted at a time when the AD industry did not exist in New Zealand at commercial scale. The review is an opportunity to ensure the Regulations are fit for purpose for a modern, diversified organic waste processing sector.

On the options generally, BANZ supports MPI's preference for clarifying definitions in the Regulations (Option F3) and producing guidance where regulatory change is not warranted. We note that guidance alone is insufficient where genuine ambiguity exists about whether an obligation applies — in those cases, regulatory clarity is preferable.

F - Definitions

34. Is the definition of 'feed' clear to you? Why or why not?

The definition is broadly clear. BANZ suggests further improvement explicitly qualifying 'feed' as material produced or supplied for the purpose of direct animal consumption. This would make clear that processed organic waste such as AD digestate — which is intended for soil application, not animal ingestion — falls outside the definition regardless of whether it contains ruminant protein. This distinction is important for regulatory certainty for AD operators."

35. Is the definition of 'operator' clear to you? Why or why not?

Yes, as it relates to the definition of feed above, a manufacturer or business that produces feed. BANZ notes that AD facilities processing organic waste for energy and biofertiliser production are not manufacturers of feed and should be explicitly outside the definition of 'operator.' This should be confirmed in guidance or, preferably, in the revised regulatory definition.

36. How would the options impact you, your business, or your industry?

The option to provide clarity in the regulations makes it clear that AD facilities are not considered suppliers of 'feed' or 'operators' and thus not subject to having a RPCP. Clarifying the definitions would have a direct positive impact on the AD industry by resolving current regulatory uncertainty and provide instead the certainty needed to support investment and growth in the sector. BANZ supports Option F3 for this reason.

37. Please tell us about any alternative options that you think MPI should consider to achieve the objectives

BANZ proposes that MPI consider introducing a defined category of 'processed organic waste' in the Regulations, as described in our response to Questions 5 and 6. This would provide a clear positive definition for materials such as AD digestate and certified compost, explicitly distinguishing them from 'feed' and removing any ambiguity about whether RPCP obligations apply. This is preferable to relying solely on exclusions from existing definitions, which can create residual uncertainty.

G – Minimising Duplication

38. How much time do you or your business spend on the administrative maintenance of your RMP and RPCP, if you hold them?

39. How could we align RMP and RPCP requirements to reduce regulatory burden? 40. Are there any risks to this approach?

41. How would the options impact you, your business, or your industry?

42. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

BANZ members do not currently hold RPCPs and therefore have no direct experience of duplication between RMP and RPCP requirements. We have no specific submission on this issue beyond noting that reducing regulatory duplication is consistent with the efficiency objective we support.

H – Prescriptive requirements

43. Are current labelling requirements working well enough for your business or industry? Why or why not?

44. Would an outcomes-based approach give you more flexibility or would it make requirements less clear? Why have you given that answer?

45. How would the options impact you, your business, or your industry?

46. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

BANZ supports an outcomes-based approach to labelling requirements. The current DBPAS05 guidelines already mandate that digestate biofertiliser labels include: a statement that the product may contain ruminant protein; a clear warning that it must not be fed directly to animals; and a recommended minimum 21-day withholding period before grazing. These requirements achieve the biosecurity outcome MPI is seeking without prescribing exact label wording, and could serve as a reference model for any revised labelling framework under Option H2.

I – Clarifying who the regulations apply to

47. Do you find regulation 17 unclear regarding who and where it applies to?

Yes. Reg 17 is under the heading 'Duties of operators and other persons' which implies that the following clauses apply to anyone that handles ruminant protein, regardless of whether they produce feed for animals or are processing organic waste for conversion to fertiliser. However, on reading the clauses, the wording relates specifically to feed material.

48. What part of the regulation have you found to be confusing (if any), and what does it appear to mean to you?

The heading before Reg 17 says Duties of operators and other persons and the Reg 17 heading is Vigilance by affected persons. Which implies it must be followed by anyone that handles ruminant protein. But the context is specific to feed manufacturers, not processors of organic

waste. This can cause confusion for organic waste processors who produce compost or digestate biofertiliser for the purpose of providing nutrients to soils.

49. How would the options impact you, your business, or your industry?

By providing more detailed guidance and clarity on who Reg 17 applies to would avoid confusion as to who the regs apply to. BANZ supports Option I2 — guidance — as the most efficient resolution, provided the guidance explicitly addresses processed organic waste streams.

50. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

If guidance under Option I2 does not adequately resolve the ambiguity for organic waste processors, BANZ would support Option I3 — redrafting Regulation 17 to explicitly clarify its scope. Any redraft should confirm that the regulation applies to persons handling ruminant protein in the context of feed production, and does not apply to operators processing organic waste for energy recovery and biofertiliser production under an accredited scheme.

J – No provision to surrender registration

51. Have you had an issue with being able to surrender your RPCP?

52. If so, how did you deal with the issue?

53. How would the options impact you, your business, or your industry?

54. Please tell us about any alternative options that you think MPI should consider to achieve the objectives.

BANZ members do not hold RPCPs and therefore have no direct experience of this issue. We have no specific submission on Options J1 or J2, though we note that the ability to surrender registration when it is no longer required is consistent with the efficiency and proportionality principles we support.

K – Definition of screened

55. Do you have a different interpretation of the word 'screen' from what is explained above? If so, what is it?

The interpretation by BANZ is that wastewater or liquid biofertiliser must have the solids removed to the extent that it would easily pass through an irrigation spray nozzle. Which implies that large – medium solids must be removed to meet this requirement.

BANZ interprets 'screened' in Regulation 17A as requiring removal of solids to a particle size suitable for spray irrigation infrastructure, consistent with the existing plain meaning of the term.

However, BANZ notes that Regulation 17A was drafted specifically for wastewater from animal product businesses and was not intended to govern AD digestate. Liquid digestate is a fundamentally different product — it is produced through a defined, validated treatment process and managed under an accredited scheme with microbiological monitoring requirements. BANZ does not consider Regulation 17A an appropriate regulatory home for liquid digestate, and does not support extending its scope to cover AD outputs. The appropriate framework for liquid

digestate land application is the tiered conditions framework proposed in our response to Question 30

F Minor or technical amendments

56. Do you support the minor or technical amendments proposed in this paper? If not, why not?

57. Are there other minor or technical amendments that you think MPI should consider? What issue would such an amendment resolve?

BANZ supports the removal of references to the Meat Act 1981 from Regulation 17A. Beyond this technical amendment, BANZ encourages MPI to clarify in the revised Regulations that Regulation 17A applies specifically to wastewater from animal product businesses and does not govern the land application of AD digestate. Any attempt to bring liquid digestate within Regulation 17A's scope would be inappropriate, as it would subject a well-controlled, accredited product to a regulatory framework designed for a materially different waste stream with different risk characteristics. The land application of AD digestate — whether liquid or solid — should be governed exclusively by the conditions framework established under Option E3, with DBPAS05 accreditation as the recognised compliance mechanism.

Brian Cox
Executive Officer
Bioenergy Association