Exporting non-prescribed goods: determining a non-prescribed good
The Australian Government Department of Agriculture and Water Resources has created this set of guidelines to assist those wishing to export non-prescribed goods.

This guideline sets out what constitutes a non-prescribed good and gives guidance on how to determine if a particular product is a prescribed or non-prescribed good for the purpose of export.

Background

This guideline provides information and instructions for Australian businesses wanting to determine if their good is deemed to be non-prescribed under export legislation. Exporters will need to read this guideline in conjunction with other guidelines in this series to understand and meet the requirements for export.

Non-prescribed goods

Legislative overview

The Export Control Act 1982 defines prescribed goods. Any goods not defined as prescribed under the Act are deemed to be non-prescribed goods.

Examples of prescribed goods are:
- milk and dairy products for human consumption
- live animals
- fish and fish products for human consumption
- plants and plant products
- eggs and egg products for human consumption
- meat and meat products for human consumption (including raw meat destined for animal food)
- grains
- organic produce
- fresh fruit and vegetables.

Prescribed goods are further controlled by subordinate legislation, called Export Control Orders, which sit under the Export Control Act 1982. A separate Export Control Order exists for each type of prescribed good (for example, the Export Control (Meat and Meat Products) Orders 2005). These specific commodity orders set out the exact specifications to be used when determining if a particular product should be deemed as a prescribed good under each commodity type.

Under each of the commodity-specific orders, detailed clauses are used to assess whether products which are very similar to prescribed goods are deemed to be non-prescribed goods. These legal clauses are outlined in the Commodity-specific details section of this guideline.

Commodity-specific details

Milk and milk products

Milk and milk products destined for human consumption are prescribed.

Cheesecake, colostrum, ice cream and other products for human consumption where dairy is not the major ingredient (weight or volume); products where dairy is a major ingredient but is not described or represented as being a milk product, such as custard, other non-bovine (cow) milk products (sheep, goat, buffalo and camel); and milk and milk products for animal food are considered non-prescribed goods.

Fish and fish products

Fish and fish products destined for human consumption are prescribed. Fish includes aquatic vertebrates and aquatic invertebrates but excludes mammals and birds.

Shells, seaweeds, products where fish is an ingredient but not the major part (weight or volume) of the product such as bakery products containing fish oils, fish oil capsules, fish and fish products for animal food, and products where fish is an ingredient but is not described or represented as being a fish product are considered non-prescribed goods.

Plants and plant products

Plants and plant products including nuts, fodder, straw, timber products, nursery stock, tissue cultures, cotton and other grains and seeds where an importing country National Plant Protection Organisation requires a phytosanitary certificate or any other official certificate are prescribed.

All other plant and processed plant products are non-prescribed goods.

Eggs and egg products

Egg and egg products destined for human consumption are prescribed. Egg includes the contents of an egg removed from its shell and in liquid, frozen or dried form.

Mayonnaise, pavlova, eggs and egg products that are not from the species Gallus gallus (chickens) such as emu eggs and duck eggs, and egg and egg products for animal food are considered non-prescribed goods.

Meat and meat products

Meat and meat products destined for human consumption, including raw meat destined for animal food, are prescribed.

Tallow, gelatine and gelatine products, processed pet food, soup, soup powder, soup concentrate and meat extracts, collagen products, and products for human consumption containing less than 5 per cent mass of meat are non-prescribed goods.

Grains

Grains including any seed or barley, canola, chickpeas, dried field peas, faba beans, lentils, lupins, mung beans, oats, sorghum, soybeans, whole vetch and wheat are prescribed.

Other grains and processed foods with grain and/or seed as an ingredient are non-prescribed goods.
Organic produce
All food, cosmetics, fibre, or any other product that is described and/or labelled as organic, bio-dynamic, ecological or by any other word of similar indication is a prescribed good.

No non-prescribed goods are associated with organic produce.

Fresh fruit and vegetables
All fresh fruit and vegetables, including mushrooms and sprouts, are prescribed.

No non-prescribed goods are associated with fresh fruit and vegetables.

Other non-prescribed goods
Other goods that are not necessarily similar to any of the prescribed goods are considered as non-prescribed for the purpose of export. These include:

- animal by-products
  - wool
  - feathers
  - goat hair
  - skins, hides and pelts
  - leather
  - trophies (such as those made of animal skins, hides and feathers)
  - inedible blood and blood products, such as serum and antiserum
  - rendered meats
  - some processed pet food
  - rendered fats and oils (of plant or animal origin)
  - shells (such as abalone, scallop and trochus)
  - rendered fish products
  - gelatine and gelatine products
  - deer antler velvet
  - hard antlers
  - animal placenta and placenta products
  - bones
  - collagen
- processed foods
  - all processed foods and grocery items that do not fall within the specifications of a prescribed good
  - ice cream
  - some imported foodstuffs
- honey and apiary products
  - honey
  - honeycomb
  - beeswax
  - honeybee collected pollen
  - propolis
  - royal jelly
  - bee venom
  - water
  - cosmetics and cosmetic materials
  - processed animal manure
  - fertilisers (derived from plant or animal materials)
  - snake venom
  - technical products (such as for laboratory use)
  - nutritional supplements (for human and animal intake)
  - pet food (excluding meat destined for pet food), stock feed and stock feed ingredients.

Non-prescribed goods handled by other agencies

Animal vaccine and veterinary medicine
Any certification request for animal vaccine and veterinary medicine should be referred to the Australian Pesticides and Veterinary Medicines Authority (APVMA). APVMA issues export certification for registered and un-registered vaccine and veterinary medicines.
Human vaccine and human therapeutics
Human vaccine and therapeutic products requiring certification should be referred to the Therapeutic Goods Administration (TGA), in the first instance. The TGA can issue export certification for a product that is registered, listed, included or exempt from the Australian Register of Therapeutic Goods.

Australian wine
Certification requests for wine exports should be referred to Wine Australia in the first instance.

Non-prescribed goods requiring a certificate of origin
The Australian Chamber of Commerce and Industry is authorised by the Australian Government to issue Certificates of Origin for Australian business, both for ordinary trade and for Australia’s free trade agreements.

Goods not captured under export legislation
Some product types are not captured under export legislation. These include products that are not of animal or plant origin, and that are not considered as a food. The department can only provide certification for these goods in certain situations.

Contact the Non-Prescribed Goods Programme for further information.

Seeking a decision for a particular good
Ascertaining whether the product you wish to export is a non-prescribed good is not always simple. In instances where it is unclear, contact the department’s nearest regional office.

In instances where a product has not been exported from Australia before, or where a more thorough assessment is required to determine whether the product is a non-prescribed good, contact the Non-Prescribed Goods Programme for a conclusive assessment. The programme’s contact details are at the end of this guideline.

Useful links
Australian Food and Grocery Council
afgc.org.au

Australian Hide Skin and Leather Exporters Association Ltd
ahslea.com.au

Australian Renderers Association Inc
ausrenderers.com.au

Pet Food Industry Association of Australia Inc
pfiaa.com.au

Australian Honey Bee Industry Council
honeybee.org.au

Export Documentation system (EXDOC)
agriculture.gov.au/biosecurity/export/exdoc

Export legislation
agriculture.gov.au/biosecurity/quarantine/legislation

Non-prescribed goods fees and charges

Manual of Importing Country Requirements (MCoR)
agriculture.gov.au/micor

Contact
Non-Prescribed Goods Programme
Residues and Food Branch
Exports Division
Phone: 1800 900 090
GPO Box 858, Canberra ACT 2601
Email: NPGexports@agriculture.gov.au