



Code of Practice - Guidelines for companies seeking approval to manufacture official marks, official marking devices for use in eligible export registered establishments

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Section 1: Background information

1. PURPOSE

The purpose of this document is to outline the requirements for companies wishing to manufacture official marks and official marking devices for use at export registered establishments. The relevant legislation has been included, along with a set of guidelines to help companies prepare the required Code of Practice (COP).

2. OVERVIEW

To preserve our favourable access to a range of overseas meat export markets, it is essential that Australian meat export industries maintain high standards in both meat safety and integrity. High meat safety standards ensure meat is fit for its use (such as human consumption) while meat integrity ensures the product is accurately described. One way these standards are maintained is through the use of official marks. Official marks are part of the Australian Government's assurance to international trading partners that the product marked has fulfilled all requirements for safety and integrity. It is therefore essential for the integrity of the official marking system that strict controls are applied to their manufacture, transport, storage and use.

The Department of Agriculture, Fisheries and Forestry (the department) is responsible for controlling the official marking system. The departments' responsibility is to first approve establishments wishing to utilise official marks and marking devices, as well as approve establishment orders for their manufacture. The department also approves companies to manufacture official marks and marking devices. These companies may apply for approval to manufacture by submitting an EX91 form and Code of Practice to the department. Please see section 5 for where to find this form and the steps involved in gaining approval.

3. LEGISLATION

The legal authority for the department to apply administrative controls originates from the *Export Control Act 2020* and subordinate legislation. The extract as it relates to meat and meat products can be found in the Export Control (Meat and Meat Products) Rules 2021:

8-24 Persons who may manufacture or supply official marks for meat or meat products

A person may manufacture or supply a kind of official mark for meat or meat products only if:

- (a) the person is an authorised officer; or
- (b) the manufacture or supply of the official mark by the person is:
 - (i) covered by an approved arrangement; or
 - (ii) in accordance with a direction given by an authorised officer; or

- (c) the Secretary has given the person a written approval to manufacture or supply the official mark in relation to specified meat or meat products, and the manufacture or supply is in accordance with that approval.

As stipulated in the legislation above, a person must not manufacture an official mark or marking device unless the Secretary has given the person approval in writing to do so.

The relevant legislation detailing the types of official marks and conditions surrounding their manufacture, possession, security, storage, records and handling, is Chapter 8 Part 3 – Official marks in the *Export Control Act 2020* and relevant Export Control Rules 2021. Appendix A provides further details for other meat and meat products, such as poultry, wild game and Rabbit and Ratite.

4. DEFINITION OF OFFICIAL MARKS, OFFICIAL MARKING DEVICES

An **official mark** is any mark declared to be an official mark for the purposes of the *Export Control Act 2020*. Official Marks may include stamps, seals, and labels if the design is prescribed by the legislation.

An **official marking device** is a device that is capable of being used to apply an official mark as prescribed in the *Export Control Act 2020*.

For the purpose of these guidelines: bolt seals and tamper-indicative metal strap seals are not included as these items are controlled and must be procured through an official procurement process.

5. APPLYING TO BECOME A MANUFACTURER OF OFFICIAL MARKS, OFFICIAL MARKING DEVICES

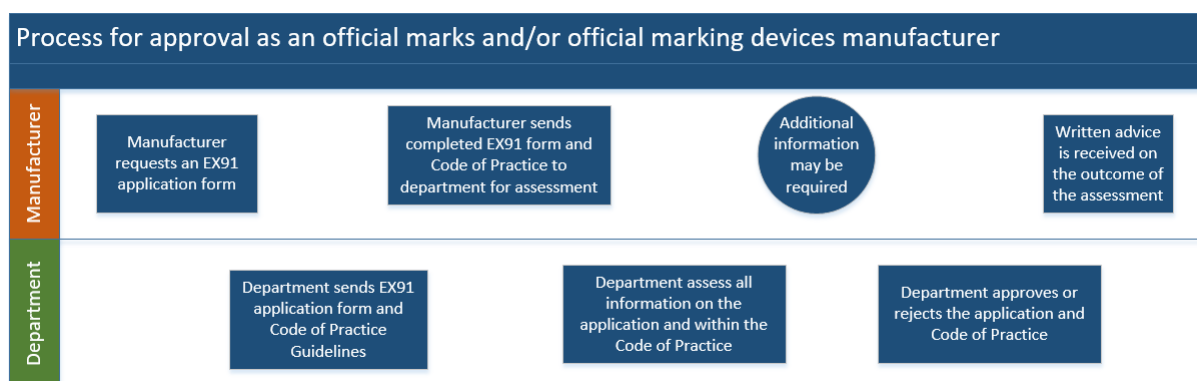
To comply with the Export Control Act and subordinate legislation, the manufacture of official marks and marking devices must first be approved by a delegate of the Secretary. To gain approval from the Secretary, manufacturing companies must first complete an Application for Approval to Manufacture Official Marks and Official Marking Device (EX91) form with an attached company Code of Practice. An EX91 form can be obtained by contacting the departments' central office by emailing officialmarks.exportmeat@aff.gov.au

When completing the required Code of Practice companies must demonstrate how they intend to meet all requirements in the legislation relating to the manufacture of official marks and marking devices. Guidelines have been provided with this document to assist with the detail that should be included under each element of the Code of Practice. Such elements include the authorisation to manufacture official marks and marking devices, specifications of the manufacturing process, details of security and transit and precise record keeping.

Once completed, the EX91 and attached code of practice should be sent to the department's central office for assessment. If approved, an Instrument of Approval will be issued including the following conditions:

- Deviation from the code of practice is not permitted.
- Wherever any variation from the code of practice is required, an amended Code of Practice must be submitted for approval.
- The Secretary may require variation to be made.
- Department audits of the Code of Practice and its operation at approved establishments will be at the discretion of the Area Technical Manager responsible for the area in which the establishment is situated.
- Records of official marks and official marking devices produced and supplied by an approved manufacturer must be maintained for three years and be available on request.

FIGURE 1: Application process to become an official marks and/or official marking devices manufacturer



6. AUTHORISATION TO MANUFACTURE OFFICIAL MARKS AND MARKING DEVICES

After a company has received approval from the Secretary to manufacture official marks or marking devices, an **approved** Authorisation to Manufacture Official Marks and Official Marking Devices (EX92) form must be received from an eligible export establishment before manufacture can occur.

During manufacture of the official marks/marketing devices it is the responsibility of holder of the Code of Practice to maintain the security of the manufacture and supply of official marks and/or official marking devices and ensure records are kept enabling clear audit trails within the system.

Delivery of the official marks/marketing devices to the department authorised officer or establishment management at an export meat establishment must be accompanied by the EX92 form. One copy of the signed EX92 form should be kept by the company as a record, a second copy given to the export meat establishment and a third copy forwarded to the department's Central Office via officialmarks.exportmeat@aff.gov.au

This process enables the manufacture of official marks and marking devices to be regulated and minimising the chances of fraudulent use and the resulting impact it would have on our international trading relations.

Section 2: Suggested format for code of practice

DEPARTMENT OF AGRICULTURE, FISHERIES AND FORESTRY

Code of Practice for [Insert Company Name]

For the manufacture of official marks and official marking devices to be used on product at eligible export meat establishments

Version number: _____

Date: _____

Note: This document is intended as a guide only. If you intend to use this document as a template please include information regarding the procedures your company intends to use in the production of official marks/marketing devices under each relevant section. For further information and assistance please contact officialmarks.exportmeat@aff.gov.au

Applicant details:

| | |
|--|--|
| Name of Applicant | |
| Name of Company | |
| Applicant's position within the Company | |
| Address of company | |

Responsible Personnel: *(personnel nominated under the code of practice that are responsible for management of producing the official mark/ marking device)*

| Name | Position/title |
|-------------|-----------------------|
| | |
| | |
| | |
| | |

Statement of compliance:

I [applicant name] from [company name], agree to follow the procedures as documented in this code of practice and will abide by the conditions as set out in the approval conditions.

I have read, understood and commit to comply with requirements of Chapter 8, Part 3 of the *Export Control Act 2020* and relevant Export Control Rules 2021, see Appendix A.

I agree to the Department of Agriculture, Fisheries and Forestry periodically conducting audits of the company to ensure compliance against the code, and that the company completes any Corrective Action Requests as set out by department auditors.

I understand that failure to comply with the code and approval conditions or failure to complete Corrective Action Requests may result in sanctions including, but not limited to, withdrawal of the approval to manufacture official marks and marking devices.

I commit to conducting, at a minimum, annual internal review of the practices and procedures detailed in this code of practice and to maintain a record of the findings and any corrective actions taken.

I commit to incorporating the principals and operating practices of this code of practice document within the practices of the company.

I commit to having standard operating procedures for staff involved in the production of official marks or marking devices and to providing new staff with proper training before engaging in official mark and official marking device production.

I agree to contact the department if approached by another company/private person to act in breach of relevant Australian laws or this Code of Practice and report the incident in full.

I agree to my company name being published on the department website for the purpose of being identified as an approved manufacturer of official marking marks or marking devices.

As the [position title of applicant] of the company named above, I do hereby declare that I am responsible for the day-to-day compliance with the procedures outlined in this code of practice. I also declare that I have read the statement of compliance and agree to be bound by these conditions and the conditions written into this code of practice, when approved.

Signed:_____ **Date:**_____

Printed Name:

Part 1: General Requirements

Note: Use the below content as a guide to complete your code of practice. In each section ensure that information detailed accurately reflects the practices used/intended to be used by your company. You may also wish to present a flow diagram detailing the procedures outlined in the code of practice.

1) List of official marks to be manufactured

List which official mark(s) will be manufactured by referring to Chapter 8, Part 3 of the *Export Control Act 2020* and relevant Export Control Rules 2021, see Appendix A. This part of the legislation includes the size, format and colour (if applicable) of the official mark/s to be manufactured.

For export registered establishments manufacturing official marks for use on the establishment, the official marks requested should align with the official marking requirements of products produced. For example, the Official Mark – Halal Meat will not be approved unless the establishment produces halal meat in accordance with an Approved Arrangement.

(Ensure full sized examples of each official mark (including all dimensions) are attached see Schedule 4, Part 3)

Please note, the department will not supply the designs to the manufacturer. The manufacturer will need to source these designs based on the information in the legislation and include them in their COP.

2) Authorisation to manufacture official marks and official marking devices

State that official marks and official marking devices listed in the Code of Practice will not be manufactured without prior receipt of a delegate approved EX92 form (Authorisation to Manufacture Official Marks and Official Marking Devices). This form must be endorsed by a person in the direct employ of the department that has regulatory responsibility for the establishment requesting the manufacture of the mark or marking device.

State that only the requested number of official marks will be produced.

State commitment to return duplicate copy of completed EX92 form to department authorised officer (if stationed at the requesting site) or establishment management with official marks and/or marking devices when delivered. A copy of the duplicate should also be emailed to officialmarks.exportmeat@aff.gov.au

Detail the procedure whereby the company will contact the department if approached directly by a company to produce official marks/marketing devices where the establishment has not yet provided an EX92 form.

3) Securing of official marks/marketing devices

Describe how the official marks or official marking devices will be secured between manufacture and dispatch. For example, sent via registered post with a tracking number.

4) Transit and dispatch

Detail a means of dispatch that ensures the department authorised officer or establishment management receives the official marks or marking devices and the duplicate copy of the EX92 form -identifying carrier and dates supplied and what proof of delivery will be available.

5) Record keeping

Outline the records kept and process to maintain them that ensure clear audit trails within the system. Records should include:

- Record of official marks/ marking devices produced (e.g. types, numbers, dates, serial number sequences, etc.)
- Record of establishments supplied with the official marks/ marking devices including date supplied, means of transport and tracking information.
- Length of time records will be kept for (minimum requirement of 3 years).
- Period of time before same sequence of serial numbers is produced (minimum 3 years) and process to notify the department when this occurs.

6) Procedures to rectify deviations from the approved Code of Practice

Describe in detail the action plan that will be used when deviation from the Code of Practice is detected:

- How will the integrity of the system be re-established?
- How and when the department will be notified when a deviation from the Code of Practice is detected?

7) Amendments to the code of practice

Include a statement that where a variation is required to the Code of Practice a copy of the amended Code of Practice will be submitted to the department for approval.

8) Details to be included on the Department website.

Please include the following details to be included on the departmental website:

Address:
Phone Number:
Email:

Details will be included here:

<https://www.agriculture.gov.au/export/controlled-goods/meat/elmer-3/official-marks>

9) Version history

Please include a version history documenting each different version submitted to the department and any changes included in each version. You should have already included a version number within the table on page 8.

Part 2: Specific Requirements

Metal/ Rubber Stamps.....Schedule 1

Pre-printed Adhesive LabelsSchedule 2

Pre-printed Official Carton SealsSchedule 3

Marking Devices incorporating Computer-Generated ImagesSchedule 4

Schedule 1 - Metal/rubber stamps

The details below are additional requirements specific to the manufacture of metal and rubber stamps bearing official marks. These requirements should be used as a guide to complete your Code of Practice in addition to the general requirements outlined in the previous section.

1. State that metal/rubber stamps will produce official marks in accordance with the attached examples/specifications and relevant section/part of the relevant *Export Control Rules 2021*.
2. Ensure establishment registration number is included on each stamp as stated in the Rules.
3. Commitment to the inclusion of a unique serial number on each manufactured stamp so that each stamp can be individually identified and traced back to the manufacturer.

Schedule 2 - Pre-printed self-adhesive labels

The details below are additional requirements specific to the production of pre-printed self-adhesive labels bearing official marks. These requirements should be used as a guide to complete your Code of Practice in addition with the general requirements outlined in the previous section. Please note further requirements are needed for carton seals. These can be found in schedule 3.

1. State that adhesive labels bearing official marks will be produced in accordance with the attached examples/specifications and relevant section/part of the relevant *Export Control Rules 2021*.
2. State that letters and registered establishment numbers will be clear and legible on printed label.
3. Commitment to the inclusion of a unique serial number for each manufactured label so that each label can be individually identified and traced back to manufacturer.
4. List specifications of labels that ensure they permanently affix to product/packaging (e.g. type of adhesive glue, temperature range of glue, tolerance to moisture).
5. List specifications of label that ensure attempts of removal will damage either the label or the packaging it is applied to (e.g. labels are security cut)
6. State that labels will be printed so as to only contain official mark(s), establishment number and unique serial number and that there will be no blank area to allow additional information to be entered at a later date.

Schedule 3 - Pre-printed self-adhesive carton seals

The details below are additional requirements specific to the production of pre-printed official carton seals. These requirements should be used as a guide to complete your Code of Practice in addition with the general requirements outlined in the previous section.

1. State that carton seals bearing official marks will be produced in accordance with the attached examples/specifications and relevant section/part of the applicable *Export Control Rules 2021*.
2. State that letters and registered establishment numbers will be clear and legible on printed official carton seal.
3. Commitment to the inclusion of a unique serial number for each manufactured carton seal so that each seal can be individually identified and traced back to the establishment and consignment
4. Commitment to the inclusion of a manufacturer's code, this is so the seal can be individually identified and traced back to the manufacturer. This manufacturer's code will be provided by the department.
5. List specifications of label that ensure they permanently affix to product/packaging (e.g. type of adhesive glue, temperature range of glue (+40°C to -40°C), tolerance to moisture).
6. List specifications of seal that ensure attempts of removal will damage either the seal or carton it's applied to (e.g. seals are security cut).
7. State that official carton seals will be printed so as to only contain official mark, establishment number and sequential numbering, and that there will be no blank area to allow additional information to be entered at a later date.
8. **Manufacturer's code** - If the *Official Mark – Carton seal* or *Official Mark – meat or meat products opened for assessment and resealed* are produced, the manufacturer will require a manufacturer's code as a legislative requirement. You will need to obtain a code from officialmarks.exportmeat@aff.gov.au and detail the code in this section of the COP. You will also need to state your commitment to including this code on official marks you are producing (if required by the legislation).

Schedule 4 - Software systems capable of producing computer-generated images

The details below are additional requirements specific to the production of computer software capable of generating official marks. These requirements should be used as a guide to complete your Code of Practice in conjunction with the general requirements outlined in the previous section.

1. State that official marks incorporated into the software will be in accordance with the attached examples/specifications and relevant section/part of the appropriate *Export Control Rules 2021*.
2. Provide details of the software used to generate the official marks in relation to the following:
 - access to system logs and inventory systems for department auditors
 - communication security and procedures to prevent unauthorised access to the system
 - inventory controls (log of times, dates, places, numbers)
 - documented logins and attempted logins
 - password procedures
 - physical security of program/CPU/printers as appropriate (locks, seals, encryption, smart cards, program keys etc.)
 - record of each label printed
 - ability to trace back production for a given period
3. Describe how the company intends to inform establishments who have ordered software that they must have a procedure approved by the department within their Approved Arrangement to use this software to print official marks.
4. Detail a means by which the department can permanently or temporarily disable the printing of official marks or remove the access to them from the system.

Note: Specific details of this access, including passwords, must be provided to the department through officialmarks.exportmeat@aff.gov.au. These specific details (passwords and access) are not required to be maintained within the Code of Practice.
5. Describe what instructions will be provided to the department staff to ensure that they are adequately trained in the process of permanently or temporarily disabling official marks from the system.
6. Commitment for the inclusion of a numbering system to enable traceability and identification of software packages capable of printing official marks.
7. Companies owning the installation where official marks are printed are required to supply a map of all printers capable of producing the official marks (for establishments include map within their Approved Arrangement).
8. Include details of any establishments that will be utilising the official marks printing software. You will also need to detail a commitment that states that you will notify the department of any future establishments that you engage to use the on-plant software.
9. State service delivery timeframes for software or upload of marks to establishment systems.

Part 3: Full sized examples of official marks to be produced

Insert full sized examples of each of the official marks to be produced and detail all dimensions (including text height) and the relevant Part and Division of the applicable *Export Control Rules 2021*.

Appendix A – Legislative References

| Official Mark Type / Legislative Rule | Meat Rules | Wild Game Rules | Poultry Rules | Rabbit & Ratite Rules | Milk Rules | Egg Rules | Fish Rules | Plant Rules | Animal Rules |
|---|-------------------|------------------------|----------------------|----------------------------------|-------------------|------------------|-------------------|--------------------|---------------------|
| Australia Inspected | 8-10 | | 8-10 | 8-10 | | | | | |
| Australia Inspected (lamb) | 8-11 | | | | | | | | |
| Halal meat | 8-12 | | | | | | | | |
| Foreign country identification | 8-13 | 8-11 | 8-11 | 8-11 | 8-6 | 8-6 | 8-6 | 8-11 | |
| Tamper indicative metal strap seal | 8-14 | 8-12 | 8-12 | 8-12 | 8-7 | 8-7 | 8-7 | 8-12 | 8-17 |
| Bolt seal | 8-15 | 8-13 | 8-13 | 8-13 | 8-8 | 8-8 | 8-8 | 8-13 | 8-18 |
| Australia Approved | 8-16 | 8-10 | 8-14 | | | | | 8-14 | |
| Australia Approved (lamb) | 8-17 | | | | | | | | |
| European Union | 8-18 | 8-15 | | 8-14 | 8-9 | 8-9 | 8-9 | 8-19 | |
| Carton seal | 8-19 | 8-16 | 8-15 | 8-15 | 8-10 | 8-10 | 8-10 | 8-16 | 8-19 |
| Carton reseal | 8-20 | 8-17 | 8-16 | 8-16 | 8-11 | 8-11 | 8-11 | 8-17 | |
| Australian Government | 8-21 | 8-18 | 8-17 | 8-17 | 8-12 | 8-12 | 8-12 | 8-18 | 8-20 |
| Approved for Export (wild game) | | 8-14 | | | | | | | |
| Approved for Export (blank) | | | | | | | | 8-15 | |
| Persons who may supply <i>or</i> manufacture official marks | 8-24 | 8-21 | 8-20 | 8-20 | 8-15 | 8-15 | 8-15 | | |
| Persons who may manufacture official marks | | | | | | | | 8-22 | 8-23 |
| Persons who may possess official marks | 8-25 | 8-22 | 8-21 | 8-21 | 8-16 | 8-16 | 8-16 | 8-23 | 8-24 |
| Persons who may apply official marks | 8-26 | 8-23 | 8-22 | 8-22 | 8-17 | 8-17 | 8-17 | 8-24 | 8-25 |

Meat Rules - Export Control (Meat and Meat Products) Rules 2021

Wild Game Rules - Export Control (Wild Game Meat and Wild Game Meat Products) Rules 2021

Poultry Rules - Export Control (Poultry Meat and Poultry Meat Products) Rules 2021

Rabbit & Ratite Rules - Export Control (Rabbit and Ratite Meat and Rabbit and Ratite Meat Products) Rules 2021

Milk Rules - Export Control (Milk and Milk Products) Rules 2021

Egg Rules - Export Control (Eggs and Egg Products) Rules 2021

Fish Rules - Export Control (Fish and Fish Products) Rules 2021

Plant Rules - Export Control (Plants and Plant Products) Rules 2021

Animal Rules - Export Control (Animals) Rules 2021