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# Your obligations as a registered exporter



**Further to the requirements explained on our website this document is to remind you of your obligations as a registered exporter and the importance of our export system.**

## What is a prescribed product?

Australian export legislation prescribes goods which are manufactured in Australia, intended for human consumption and where the major ingredient is dairy from cow's milk, chicken eggs or fish.

Products which do not meet this are classified by the department as non-prescribed goods unless an importing country requires certification and government oversight. These products then become prescribed and are required to meet all export requirements. These products must meet all the legislative requirements to be eligible for export and must have a valid export permit prior to departure.

For both prescribed and non-prescribed goods, all requirements set by the importing country must be met prior to exporting.

You can check our [Manual of Importing Country Requirements \(MCoR\)](#) to see if your products require any specific importing country requirements, or contact your importer for further clarification.

## How do I know if the products were manufactured in Australia?

Under Australia's country of origin labelling laws, product manufactured in Australia must be identified as either grown in, made in or produced in Australia.

## Who is responsible for export documentation?

Exporters are legally responsible for complying with the export requirements of prescribed products. When requesting an export permit, exporters must declare the products are eligible for export and meet importing country requirements. You must be listed in the department's electronic export documentation system (EXDOC), and source the product from an export registered establishment in order to obtain export documentation.

## Do I always need export documentation?

Consignments containing prescribed goods can only be exported from Australia once the exporter has obtained valid export documentation from the department. An export permit enables product to leave Australia and health certificates enable the product to enter the importing country.

Export documentation is not required for:

- **Consignments where the goods are legally imported into Australia** and have not been further processed or repacked before exporting. These products can be exported in any quantity without further involvement from the department.
- **Consignments less than 10kg (or 10L).** Australia's export legislation does not apply to consignments of less than 10kg. This is outlined in each commodities' export control orders. Ensure to check the Australian export legislation for when the legislation does not apply. Some importing countries (i.e. the European Union) require export certification to clear the products, regardless of the quantity. Exporters are encouraged to liaise with their importers regarding any specific requirements prior to export.
- **Consignments being exported to New Zealand** are exempt from the export requirements (regardless of quantity).

### What is a consignment less than 10kg (or 10L)?

A consignment is the group of products being sent to a single consignee in the destination country.

Shipments containing multiple consignments less than 10kg are acceptable so long as each consignment is clearly addressed to different consignees and is identified on the packaging as less than 10kg.

For example, with a shipment containing 100 x 8kg cartons of infant formula:

- If each carton is clearly addressed to different consignees this shipment does not require export documentation to leave Australia.
- If the 100 cartons were consigned to one consignee then the shipment is required to have valid export documentation prior to export from Australia.

Note that some countries require documentation regardless of the quantity, you should check MICO and liaise with your importer prior to export.

### Can I export products purchased in Australia at the supermarket or chemist?

If you purchase Australian made products which are less than 10kg from the supermarket or chemist and intend to export them, you may, so long as each consignment is less than 10kg and the importing country does not require export documentation.

If you purchase products made in other countries (e.g. New Zealand) you may in any quantity. However, you should still check the requirements of the importing country before exporting. If you are told that you will need export documentation you will need to contact the manufacturer where the products were made because the department will only provide certification for products made in Australia. The country of origin will be on the product label and the carton. Examples of imported infant formula include Karicare, Aptimal, Aptimal Gold, S26 and A2 infant formula.

### What happens when prescribed goods are exported without export documentation?

The export of prescribed goods without a valid export permit is a breach of Australia's export legislation and is taken very seriously and sanctions may be applied to exporters.

The objective of Australia's export legislation is to protect public health and ensure all prescribed goods exported from Australia meet the relevant legislation and food safety by the importing country. Australia's relationship with these countries and access to overseas markets relies heavily on our food export system and the assurances we provide through export certification.

Information contained in an export permit must be true and correct at the time of departure. Export permits must be validated by the department prior to the goods leaving Australia. It is important to note that Increasing the total weight of prescribed goods within a shipment after it has departed Australia is also considered to be an export without a permit.

When a shipment has been exported without a valid export permit:

- the department investigates each incident and verifies evidence from the exporter that appropriate corrective action is undertaken
- for an exporters first offence, the department may help facilitate the specific export, this is market and circumstance dependent
- for subsequent offences by the exporter
  - the department may not provide further assistance (except in exceptional circumstances) to facilitate the export
  - sanctions may also be applied to the exporter, which may jeopardise your ability to export.

Exporters have an obligation to ensure information provided to the department in requests for export permits and health certificates are:

- accurate
- compliant with export and importing country requirements and
- consistent with the manufacturer's declaration provided to support export eligibility.

### Can I request a new certificate if there is a change?

Under certain circumstances the department provides replacement certificates where an amendment is required. Typically, these requests are approved where it is out of the control of the exporter (e.g. change in consignee, shipping details),

As replacement certificates can negatively impact Australia's reputation and our robust system supporting export certification, you are reminded

to ensure all information provided is accurate when requesting export documentation and that you have the required information to support the export eligibility of the goods.

Several countries have raised concerns around the increasing number of replacement certificates that have been issued for Australian goods. You are reminded to ensure all information provided is accurate when requesting documentation and that you have the required information to support the export eligibility of the goods.

Please note there may be charges incurred for amendments to certification where replacement certificates are issued. Please see the department's [charging guideline](#) for more information.

### What do I do if I suspect someone has done the wrong thing?

The department takes breaches of the export legislation very seriously. If you suspect that there has been a breach and goods have been exported illegally including being:

- misdeclared
- sent in quantities greater than 10kg without appropriate documentation
- produced or stored outside of the export supply chain

Please contact us and provide as much detail as possible by emailing [dairyeggfish@awe.gov.au](mailto:dairyeggfish@awe.gov.au)

### Need further help?

If you have further questions about export requirements or your obligations as an exporter please contact us at [dairyeggfish@awe.gov.au](mailto:dairyeggfish@awe.gov.au), we will be happy to help.

