

# **SUBMISSION ON** the Review of the Biosecurity (Ruminant Protein) Regulations 1999

12 June 2026

**To:** Biosecurity New Zealand, Ministry for Primary Industries

**Name of Submitter:** Horticulture New Zealand

**Supported by:** New Zealand Apples and Pears, New Zealand  
Vegetable Council, Strawberry Growers NZ

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# OVERVIEW

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## Our submission

Horticulture New Zealand (HortNZ) thanks Biosecurity New Zealand, Ministry for Primary Industries for the opportunity to submit on the Review of the Biosecurity (Ruminant Protein) Regulations 1999 and welcomes any opportunity to continue to work with you and to discuss our submission.

HortNZ wishes to be further consulted regarding to this Review.

The details of HortNZ's submission and decisions we are seeking are set out in our submission below.

# HortNZ's Role

## Background to HortNZ

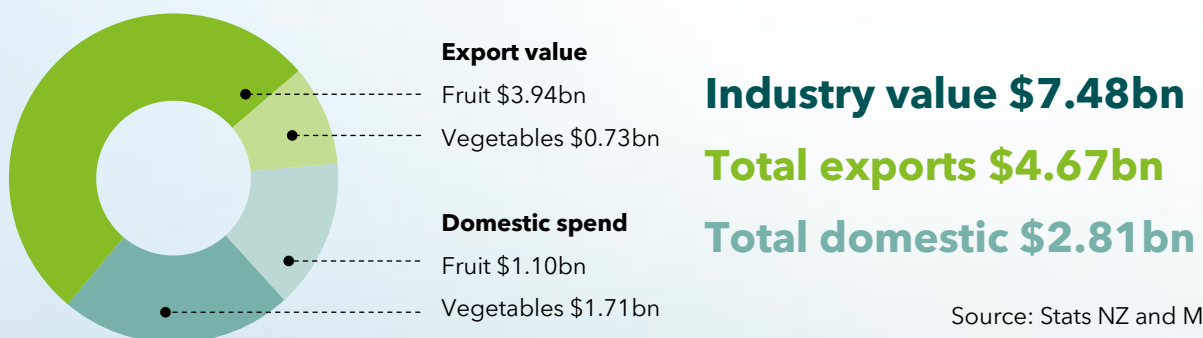
HortNZ represents the interests of approximately 4,500 commercial fruit and vegetable growers in New Zealand who grow around 100 different fruits and vegetables. The horticultural sector provides over 40,000 jobs.

There are approximately 80,000 hectares of land in New Zealand producing fruit and vegetables for domestic consumers and supplying our global trading partners with high quality food.

It is not just the direct economic benefits associated with horticultural production that are important. Horticulture production provides a platform for long term prosperity for communities, supports the growth of knowledge-intensive agri-tech and suppliers along the supply chain, and plays a key role in helping to achieve New Zealand's climate change objectives.

The horticulture sector plays an important role in food security for New Zealanders. Over 80% of vegetables grown are for the domestic market and many varieties of fruits are grown to serve the domestic market.

HortNZ's purpose is to create an enduring environment where growers prosper. This is done through enabling, promoting and advocating for growers in New Zealand.



# Executive Summary

This submission focuses on **Issue 6 Accidental exposure E- Fertiliser and Waste**, and the options presented for fertiliser and waste management (Options E1-E3). Growers use a range of fertilisers and soil conditioners – including blood and bone, compost, and other organic products – as part of normal, sustainable growing practice. Some growers also run mixed operations where grazing animals are present on or adjacent to horticultural land.

HortNZ's preferred option is Option E1 (Status Quo). The current settings are practical, understood by growers, and proportionate to the risk. The likelihood of accidental bovine spongiform encephalopathy (BSE), exposure through fertiliser or soil conditioner application in horticultural settings is very low, and MPI has not demonstrated that a transmission event through this pathway has occurred or is likely to occur. If the status quo is not retained and change is considered necessary, HortNZ supports Option E3 (conditional use) as the next best approach. Option E3 with simple, risk-based conditions is acceptable, and we would like to be further consulted as the conditions develop to ensure practical applicability to horticultural land use. We strongly oppose Option E2 as it would be disproportionate to the risk posed, and create significant harm to the sector.

HortNZ encourages MPI to focus its efforts where the greatest biosecurity risk lies: at the border. Strengthening import controls and border surveillance is the most effective way to safeguard New Zealand's BSE-free status, and should be the priority ahead of any additional compliance obligations placed on domestic growers.

We would welcome the opportunity to discuss this submission further and to engage in the development of any proposed conditions.

# Submission

## Discussion Questions

**Q. 1.1** 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?

Many horticultural growers apply fertilisers and soil conditioners that may contain ruminant protein, including blood and bone products and compost derived from municipal green waste. These products are used because they improve soil health and support sustainable growing practices. Some growers also operate mixed land use with grazing animals present, though this varies across the sector.

The risk of ruminants accidentally ingesting ruminant protein through fertiliser or soil conditioner application is low in practice. Horticultural land is typically managed intensively, with grazing animals excluded from cropping areas during and after fertiliser application. The risk of a grazing animal consuming a meaningful quantity of ruminant protein from fertiliser applied to soil – in sufficient concentration to pose a BSE transmission risk – is extremely low.

MPI has not presented evidence of a transmission event through this pathway in New Zealand or globally (?), and the discussion document itself acknowledges that the science on prion disease persistence after product application remains unclear. Regulatory change of the scale proposed under Option E2 should be grounded in demonstrated risk, not theoretical risk.

**Q. 1.2** What kinds of fertilisers or waste containing ruminant protein, if any, should be allowed or prohibited? Why?

HortNZ considers that the fertilisers and soil conditioners currently in use – including blood and bone, compost, and similar organic products – should continue to be permitted. These products are integral to horticultural production and their removal from use would significantly disrupt growing operations and undermine sustainability goals.

**Q. 1.3** What conditions should be imposed for fertiliser use or waste discharge? Why do you think those conditions would be suitable?

If the status quo cannot be maintained, HortNZ supports Option E3 with practical, workable conditions. We suggest conditions should/could:

- Be based on risk, proportionate to the likelihood of ruminant exposure in a given land use context
- Allow for withholding periods (e.g., at least 3 weeks as is the case in Australia<sup>1</sup>) before stock re-enters treated areas, as the primary risk management tool
- Require product labelling to clearly identify where ruminant protein is present and specify appropriate precautions (e.g., This product contains restricted animal material–DO NOT FEED TO CATTLE, SHEEP, GOATS, DEER OR OTHER RUMINANTS, like what is in Australia)<sup>2</sup>
- Avoid imposing registration or reporting requirements on growers, who are end users rather than manufacturers

We caution against conditions that are difficult to apply in practice. Growers need clear, simple guidance they can act on – not requirements that are ambiguous or unenforceable.

#### Q. 1.2 How would the options impact you, your business, or your industry?

*Option E1 (Status Quo)* – **preferred**. The current framework is workable and growers understand it. It allows continued use of organic fertilisers that are important to soil health, while placing responsibility on growers not to allow ruminant ingestion. Retaining this option avoids disruption and compliance cost.

*Option E2 (Prohibition)* – **strongly opposed**. An outright prohibition would have significant consequences for growers. It would remove access to widely used, cost-effective organic fertilisers and soil conditioners, push waste to landfill rather than back into productive land, and increase growing costs. The biosecurity risk reduction achieved would not justify these impacts, and this risk should be managed at the border.

*Option E3 (Conditional use)* – **acceptable as a fallback**. A conditions-based approach can work if the conditions are practical and proportionate. HortNZ would want to be actively involved or consulted in the development of any such conditions to ensure they are workable for growers.

#### Q. 1.2 Please tell us about any alternative options that you think MPI should consider to achieve the objectives

HortNZ encourages MPI to consider enhanced product labelling as a low-cost, practical alternative to regulatory change. Requiring manufacturers to clearly label products that contain ruminant protein – and include guidance on withholding

<sup>1</sup> [The safe use of manure fertiliser | Autumn 2022 | Sheep Notes newsletter | Newsletters | Support and resources | Agriculture Victoria](#)

<sup>2</sup> [Ruminant Feed Ban | Animal diseases | Biosecurity | Agriculture Victoria](#)

periods and risk management – would empower growers to make informed decisions without imposing new regulatory burdens.

MPI should also consider targeted guidance and education for growers rather than regulation, particularly given the uncertainty in the science around prion persistence and the lack of evidence of a BSE transmission event through this pathway in New Zealand.

### **Border measures as the primary line of defence**

HortNZ notes that the most effective way to protect New Zealand's BSE-free status is through robust border measures, not through restricting the day-to-day practices of domestic growers.

The introduction of BSE to New Zealand would most likely occur through a failure at the border – whether through contaminated imports of animal products, feed ingredients, or other materials. MPI has a responsibility to ensure border controls are sufficiently tight to prevent any such slippage, and HortNZ encourages MPI to prioritise investment in border biosecurity as the primary risk management tool.

Placing the compliance burden on growers through restrictions on fertiliser use addresses a low-probability domestic pathway while the higher-risk import pathway warrants greater attention.