



OIA26-0143

27 March 2026

Hayden

fyi-request-33880-5dde528@requests.fyi.org.nz

Dear Hayden,

Thank you for your email of 27 February 2026 requesting information relating to compliance costs for food producers. Your request has been considered under the Official Information Act 1982 (OIA).

All New Zealand food businesses are required to ensure the food they sell is safe and suitable for consumers. Both food safety and suitability are defined in the Food Act 2014 (the Food Act). The operator must comply with the Food Act. A requirement of the legislation is that required food businesses are registered and regularly checked by an independent verifier appointed under the Food Act.

If there is a food safety or suitability concern, the food business is supported to make changes and put in place the necessary corrective actions to ensure the food they sell is safe and suitable. If the food business does not put in place the necessary corrective actions, New Zealand Food Safety (NZFS) can use enforcement tools to correct the situation. You can read more about NZFS's compliance and enforcement approach here:

www.mpi.govt.nz/food-business/running-a-food-business/enforcement-food-act-2014

You requested the following. Please note your questions have been re-ordered for the ease of response.

Any analysis, research, or estimates held by MPI of the total first-year compliance costs for a new micro-scale food producer (annual revenue under \$60,000) to begin operating under a National Programme Level 1, including council registration fees, food control plan or template costs, and verifier visit costs.

Any analysis, research, or estimates held by MPI of the ongoing annual compliance costs for a micro-scale food producer operating under a National Programme.

The first year compliance costs for *new micro-scale food producer* businesses operating under the National Programme 1 include registration (every two years) and an initial verification. No further verifications are required unless there is a cause for concern. Fees are set by individual councils based on their individual operating budgets and constraints, therefore fees vary across the country.

A survey of the fees councils charge for Food Act requirements is currently underway. Tentative figures indicate an average cost of around \$310 for registration of a National Programme and an average cost of \$467 for an initial (and only) verification.

Ongoing costs would include registration every two years (average of \$310 per registration). Verification costs would only apply if there were ongoing food safety concerns (average of \$467 per verification).

The number of food businesses registered under the Food Act 2014 that have annual revenue under \$60,000, and any data on the number of such businesses that have ceased operations since March 2016

NZFS does not hold data on food businesses' revenue. This part of your request is refused under section 18(g) of the OIA – *that the information requested is not held by the department and the person dealing with the request has no grounds for believing that the information is either held by another department or connected more closely with the functions of another department.*

The number of applications for individual exemption under section 33 of the Food Act 2014 received since March 2016, and the number granted, refused, or withdrawn.

Table One Applications for exemption under section 33 of the Food Act 2014

Year	Active	Expired	Pending	Refused	Withdrawn	Total
2016	0	0	0	0	2	2
2017	1	6	0	4	0	11
2018	2	6	0	11	6	25
2019	9	7	0	5	4	25
2020	4	14	0	2	5	25
2021	4	8	0	4	5	21
2022	1	7	0	2	0	10
2023	5	2	0	0	2	9
2024	12	1	0	2	4	19
2025	16	0	0	1	2	19
2026	1	0	1	0	0	2
Total	55	51	1	31	30	168

Any analysis or assessment of whether the current Schedule 3 exemptions are adequate to enable community food networks — specifically, cooperative models where multiple local producers sell through a shared logistics and ordering platform with community collection points.

Any analysis of the food safety incident rate (complaints, illness notifications, recalls) arising from food businesses operating under Schedule 3 exemptions, compared with food businesses operating under registered food control plans or national programmes.

Any assessment by MPI of whether informed consumer consent, combined with producer competency and batch documentation, could achieve equivalent food safety outcomes to institutional verification under a food control plan, at lower cost.

MPI has not undertaken any analysis or assessments on your questions above. Therefore, these parts of your requests are refused under section 18(e) of the OIA – *that the document alleged to contain the information requested does not exist.*

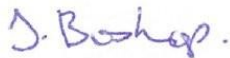
MPI intends to do a targeted review on the Food Act schedules this year, which will include consultation with food businesses. It is possible that Councils will hold information relating to food safety incidents in their own areas.

Any assessment of whether a person who operates a volunteer-based food delivery or collection service connecting local producers to consumers is operating a "food business" within the meaning of section 8 of the Food Act 2014.

Under the Food Act 2014, whether a volunteer-based food delivery or collection service is considered a food business, depends on the activities it carries out. The Act applies broadly to persons who make, grow, sell, transport, or otherwise trade in food. The absence of profit, or the use of volunteers, does not remove an activity from the scope of the Act.

Should you have any concerns with this response, I would encourage you to raise these with the Ministry for Primary Industries at Official.InformationAct@mpi.govt.nz. Alternatively, you are advised of your right to also raise any concerns with the Office of the Ombudsman. Contact details are: Office of the Ombudsman, PO Box 10152, Wellington 6143 or at info@ombudsman.parliament.nz.

Yours sincerely,



Jenny Bishop
Director Food Risk Management