



Class Determination Request Guideline

Please use this guideline to help you complete the request for class determination. The application form is available on our website.

If you have any questions, contact us by email: approvals@mpi.govt.nz

Introduction

Purpose of class determination

The purpose of a class determination is to determine the status of a trade name product under the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997. Products that fit the definitions in this Act require registration unless they fit one of the categories exempt from registration.

The categories for exemption are listed in Schedule 2 of the [ACVM \(Exemptions and Prohibited Substances\) Regulations 2011](#). We recommend you read our guideline *Products regulated under the ACVM Act*, which explains the exemption from registration process in detail.

If your product requires registration, relevant information, including registration packages, can be obtained from our website.

If your product does not require registration (as it is either exempt from registration or does not fit the definitions in the Act), your Outcome Letter (see below) can be presented to MPI Biosecurity to facilitate the release of any goods held at the border.

Timeframe and fees

Each class determination may take up to 15 days to complete. Applications will not be processed until all information requested on the form is received. If further communication or clarification that results in additional time taken for processing is required, then additional charges apply.

The initial determination attracts a fee of \$178.25 (inc GST). If multiple product determinations are made, under the one application, the first is charged as above. The other applications are charged on cost versus time, based on \$178.25 (inc GST)/hr. An initial payment of \$178.25 must accompany the application. The remainder will be invoiced if applicable.

On completion of the class determination, you will receive a Class Determination Outcome Letter advising you of the decision made. All decisions are final.

The outcome letter is valid for three years unless any of the information provided about the product changes. If the class determination is lost/misplaced within three years the fee for replacement of the original is \$44.56 (inc GST).

Application Form

1-3 Name and Contact Details

Explained on application form.

4 Trade Name Product Details

Enter the legal trade name of the product and the use claim for the product. State what species the product is intended for and what the product will be used for (for example, nutritional supplement for horses). **Information on intended use is essential in making a class determination.**

If multiple applications are made together, you can list the trade names and product purposes on one form only if the products are the same type (for example, all animal feeds or all shampoos to improve the coat).

5 For Oral Nutritional Compounds only

Complete feeds (not supplements such as vitamin tablets) imported from Australia are subject to the Trans -Tasman Mutual Recognition Agreement (TTMRA). It is accepted that due care has been taken to ensure these products are fit for purpose and no further assessment is required in New Zealand. However, we must have the label to ensure there are no therapeutic claims. Products making therapeutic claims are not subject to the TTMRA.

6-7 Requirements

Explained on application form.

8 Applicant Statement

Explained on application form.

9 MPI Service Charge

See 'Timeframe and fees' above, or our website, for fees schedule. Payment may be made by direct credit, credit card or cheque. Please follow the instructions on the application form. Payment should accompany the application. No class determination will be carried out until payment is received.