

IN THE SUPREME COURT OF NEW ZEALAND

SC 36/2013
[2013] NZSC 58

BETWEEN THE NEW ZEALAND PORK
INDUSTRY BOARD
Appellant

AND THE DIRECTOR-GENERAL OF THE
MINISTRY FOR PRIMARY
INDUSTRIES
First Respondent

AND THE CHIEF TECHNICAL OFFICER
AND BIOSECURITY NEW ZEALAND
Second Respondents

Court: McGrath, William Young and Glazebrook JJ

Counsel: F M R Cooke QC and J B Kaye for Appellant
C R Gwyn and K M Muller for Respondents

Judgment: 12 June 2013

JUDGMENT OF THE COURT

The order made on 31 May 2013 is revoked and in its place there is an order as follows:

The Ministry for Primary Industries, and any inspector acting on its behalf, is restrained from granting biosecurity clearances under ss 26–28 of the Biosecurity Act 1993 for any consumer ready cuts of raw pork product that may now be imported as a result of the Director-General’s decision to issue the following new import health standards:

- **Import Health Standard for Pig Meat and Pig Meat Products for Human Consumption from the European Union, MEAPORIC.EU dated 18 March 2011 (with the exception of products from Sweden and Finland).**

- **Import Health Standard for Pig Meat and Pig Meat Products for Human Consumption from the Sonora State of Mexico, MEAPORIC.MEX dated 18 March 2011.**
- **Import Health Standard for Pig Meat and Pig Meat Products for Human Consumption from Canada and/or the United States of America, MEAPORIC.NAM dated 18 March 2011.**

This order remains in force pending determination of the present appeal or further order of the Court.

Solicitors:
Jonathan Kaye Law, Wellington for Appellant
Crown Law Office, Wellington for Respondents