



Cooked items (biscuits, breads, pastries, cakes), mooncakes, egg waffles and uncooked cheesecakes

Case Description

Effective: 29 August 2023

This case describes the requirements for the import of cooked biscuits, cooked breads, cooked pastries and cooked cakes, including mooncakes, egg waffles and uncooked cheesecakes. These goods may be imported with or without uncooked fillings and toppings. The goods must be for human consumption and uses other than animal consumption, veterinary therapeutic use, growing purposes, fertilisers and bioremediation agents.

Import Destination: Australia

Alerts

There are no current alerts applicable to this import case. Users should be aware that alerts can have significant impact on import conditions and, as such, should check this import case on the BICON website regularly.

Table of Contents

Cooked items (biscuits, breads, pastries, cakes), mooncakes, egg waffles and uncooked cheesecakes	1
Case Description.....	1
Alerts	1
Table of Contents	2
Change Notices	3
Import Scenario Definition	4
1. Not for personal use — Cheesecakes (cooked and uncooked).....	4
1.1. Import Requirements	4
1.2. On-Arrival Assessment	5
Appendix 1: Information: Notes for calculating the percentage of dairy and egg in a cooked product	6
Appendix 2: References	7
Appendix 3: Glossary.....	8
Appendix 4: Question and Answers	9
Appendix 5: Document Options.....	10
Definition: Cooked biscuits, cooked breads, cooked pastries and cooked cakes.....	11

Change Notices

New standard permits for mooncakes (excluding lava and custard mooncakes)

The department has developed a new pathway and standard permit case for mooncakes (excluding lava and custard mooncakes).

Standard permits have pre-assessed generic conditions applied. For more information, refer to the [department's webpage](#).

You can apply for a standard permit for mooncakes through the BICON case 'Cooked items (biscuits, breads, pastries, cakes), mooncakes, egg waffles and uncooked cheesecakes' under the conditions for 'Mooncakes containing egg (excluding lava and custard mooncakes)'. If the conditions in the standard permit cannot be met, you are advised to apply for a non-standard permit through the 'Other (including lava and custard mooncakes)' conditions.

Who does this notice affect:

Importers and brokers of mooncakes, biosecurity staff and Pathway Operations Cargo - Assessment and Inspections.

Import permits:

There is no impact on current import permits. Existing permits will not be varied to have standard conditions. Importers who wish to have a standard import permit will need to apply for a new permit.

Further information:

If you require any further information, or have questions about these changes, please contact the Food Biosecurity Imports Program on 1800 900 090 or email imports@aff.gov.au.

Import Scenario Definition

1. Not for personal use — Cheesecakes (cooked and uncooked)



Please note that the following case/s may also be applicable:

1. Dairy products for human consumption - Goods containing less than ten percent dairy
2. Egg products - Egg products containing less than ten percent egg by weight



Please note that for goods containing ten percent dairy or greater, permits will only be granted if the goods are sourced, manufactured and exported from countries included in the [list of countries approved as free from foot and mouth disease](#).

1.1. Import Requirements

- a. These import conditions apply to the importation of cheesecakes (cooked or uncooked).

Import conditions prior to arrival in Australian territory

- b. Prior to the importation of goods into Australian territory, a valid import permit issued by the Department of Agriculture, Fisheries and Forestry is required.

An import permit may be obtained by submitting an import permit application to the department (use the 'Apply Now' button at the bottom of this page).

You will need to complete the [dairy products questionnaire](#), as this information is required to accompany the application. Please ensure that the relevant information is provided by the manufacturer of the product.

To apply you must logon to BICON and complete an application for Food items for human consumption



Important reminder to importers

Goods that require a valid import permit, but arrive without one, including where an import permit application is currently under consideration, will be directed for export from Australian territory or required to be destroyed in an approved manner.

Import conditions after arrival in Australian territory

- c. The goods must be clearly identifiable.
- d. The goods must be for human consumption only.
- e. These goods, or any derivatives, must not be distributed, sold or used for:
 1. animal consumption
 2. environmental purposes (including use as bioremediation product or fertiliser)
 3. growing purposes, or
 4. veterinary therapeutic use.

Additional information

- f. Under the [Biosecurity Charges Imposition \(General\) Regulation 2016](#) and Chapter 9, Part 2 of the [Biosecurity Regulation 2016](#), fees are payable to the Department of Agriculture, Fisheries and Forestry for all services. Detail on how the department applies fees and levies may be found in the [Charging guidelines](#).
- g. In addition to the conditions for the goods being imported, non-commodity concerns must be assessed including container cleanliness, packaging and destination concerns, and may be subject to inspection and treatment on arrival. Please refer to the Non-Commodity Cargo Clearance BICON case for further information.
- h. Once biosecurity requirements have been met, it is the importer's responsibility to comply with the [Imported Food Control Act 1992](#) and ensure food being imported is safe and compliant with Australian standards including the [Australia New Zealand Food Standards Code](#). Consignments of food may be referred for inspection and analysis under the [Imported Food Inspection Scheme](#) to verify safety and compliance.
Some foods are not permitted to be imported without a [recognised foreign government certificate](#) or a [recognised food safety management certificate](#). Importers must check the food complies with these requirements prior to importing.

1.2. On-Arrival Assessment



INSPECTION NOTE FOR NON-COMPLIANT GOODS

Where a consignment is found to contain non-compliant goods e.g., damaged packaging and/or inadequately labelled goods, only the non-compliant goods should be refused entry.

All goods that meet import conditions e.g., undamaged, and correctly labelled goods, can be released from biosecurity control.

It is not necessary to refuse entry to the whole consignment if only a portion of the goods are non-compliant.

Note: the work instruction for this commodity will be reviewed.

- a. Goods arriving without import permit
If goods arrive in Australian territory without a valid import permit they may be exported or disposed of, at the importer's expense.

Appendix 1: Information: Notes for calculating the percentage of dairy and egg in a cooked product

Notes for calculating the percentage of dairy and egg in a cooked product

Lactose (and its derivatives), ghee and chocolate do not contribute to the percentage of dairy, provided that the final product is commercially prepared and packaged.

The calculation should be based on the percentage of uncooked dairy and uncooked egg in the entire product.

Example calculation

Product contains the following ingredients (totalling 100%):

Cooked cake:

Self-raising flour 34%

Sugar 22%

Milk 10%

Butter 15%

Eggs 7%

Water 1%

Topping and filling:

Cream 2.5%

Chocolate 8%

Salt 0.5%

Total percentage of uncooked egg is 0.

Total percentage of uncooked dairy is 2.5.

Although the cream represents most of the topping and filling, it only represents 2.5 percent of the entire product. All other egg and dairy ingredients (excluding chocolate) have been cooked with the cake and therefore do not contribute to the calculation.

Appendix 2: References

This appendix contains a consolidated list of referenced items:

Australia New Zealand Food Standards Code

1. <http://www.foodstandards.gov.au/code/Pages/default.aspx>

Biosecurity Charges Imposition (General) Regulation 2016

1. <https://www.legislation.gov.au/Details/F2020C00043>

Biosecurity Regulation 2016

1. <https://www.legislation.gov.au/Series/F2016L00756>

Charging guidelines

1. www.agriculture.gov.au/about/fees/charging-guidelines

dairy products questionnaire

1. <http://biconnet.daff.gov.au/BICONWeb/ViewElement/element/GetFile?elementPK=2069208&fileResourcePK=1261142>

Imported Food Control Act 1992

1. www.agriculture.gov.au/biosecurity-trade/import/goods/food

Imported Food Inspection Scheme

1. <https://www.agriculture.gov.au/biosecurity-trade/import/goods/food/inspection-testing/ifis>

list of countries approved as free from foot and mouth disease

1. <https://www.agriculture.gov.au/biosecurity-trade/policy/legislation/fmd-free-country-list>

recognised food safety management certificate

1. <https://www.agriculture.gov.au/biosecurity-trade/import/goods/food/lodge/safety-management-certificates>

recognised foreign government certificate

1. <https://www.agriculture.gov.au/biosecurity-trade/import/goods/food/mandatory-government-certification>

Appendix 3: Glossary

The following provides a definition of words or phrases that are found within the text. Some of these have a special meaning in relation to the importation or treatment of goods entering Australia and may be important to understand in meeting the conditions for import.

Approved Arrangement Site (AA Site)	An arrangement approved under Section 406 of the Biosecurity Act 2015 (Cwlth) which permits a biosecurity industry participant to carry out specified activities to manage biosecurity risks associated with particular goods, premises or other things.
goods	<p>Goods include:</p> <ol style="list-style-type: none">1. An animal2. A plant3. A sample or specimen of a disease agent4. A pest5. Mail; and6. Any other article substance or thing. <p>Goods does not include ballast water or human remains. It also does not include a conveyance, except in certain circumstances.</p>
import permit application	<p>The department will assess the application and on the basis of that assessment may decide to grant an import permit subject to any conditions deemed necessary for safe importation, use and disposal of those products.</p> <p>It should be noted that applying for an import permit does not automatically result in an import permit being issued. The Director of biosecurity or their delegate issues the import permit. You should ensure that an application is submitted for each product type and that the prescribed fee accompanies the import permit application.</p>

Appendix 4: Question and Answers

The following table lists the answers you provided about the import(s).

Import Question	Your Answer
Are the goods for the personal use of the person wishing to import the item?	No
Which of the following best describes the goods? Definition of cooked biscuits, cooked breads, cooked pastries and cooked cakes (See Attachments) Notes for calculating the percentage of dairy and egg in a cooked product (Appendix 1)	Cheesecakes (both cooked and uncooked)

Appendix 5: Document Options

Context & Inclusions

User Context: External

- | | |
|--|-------------------------------|
| ⚙ Appendix - Annexes | ⚙ Appendix – Scientific Names |
| ⚙ Appendix – Documentation Requirements | ⚙ Element Identifiers |
| ⚙ Appendix - Glossary | ⚙ What’s Changed |
| ⚙ Appendix – Questions and Answers | ⚙ Onshore Management |
| ⚙ Appendix – Rationale | ⚙ Main Processing Path Only |
| ⚙ Appendix – References (Files and URLs) | ⚙ Procedures |

Authoring Aids & Outputs

Output Format: PDF

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Definition: Cooked biscuits, cooked breads, cooked pastries and cooked cakes

In scope:

- Sweet and savoury biscuits, breads, pastries and cakes.
- Biscuits, breads, pastries and cakes containing eggs and/or dairy (conditions apply, as directed by this BICON case).
- Biscuits, breads, pastries and cakes must be fully cooked i.e. cooked throughout (some uncooked toppings and fillings are allowable, as directed by this BICON case).

Out of scope:

- Goods containing meat.
- Goods which have been shallow or deep fried.
- Goods requiring refrigeration (excluding goods with uncooked toppings and fillings, as directed by this BICON case).

Note: Shelf stable goods refrigerated during transport in order to extend shelf life may still be considered in scope.