



Australian Government

Department of Health and Aged Care
Office of Drug Control

Guidance for completing applications for a permit to import kava for food use

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Version control

Updates to this document will occur automatically on the Office of Drug Control website and the revision table below will list the amendments as they are approved.

Date	Version	Amendments	Approved by
1 December 2021	1.0	Original publication	ODC
23 March 2022	1.1	Updates on labelling and food	ODC
July 2022	1.2	Updates on import conditions	ODC
October 2022	1.3	Updated information	ODC

Introduction

The importation of kava, for food use, is subject to Regulation 5F of the [Customs \(Prohibited Imports\) Regulations 1956](#) (PI Regulations) and is prohibited unless the importer holds a permit issued by the Narcotics Control Section (NCS). A permit is required for each consignment that is imported.

Persons must meet certain criteria, outlined in this document, when applying for permission to import. You should not import kava before obtaining permission or the Australian Border Force may seize the goods. Permits cannot be issued after the goods have arrived in Australia.

Applications to import kava are for **commercial use only**. A commercial quantity of kava is considered to be any amount which is **20kg and above**.

For personal use of kava, an incoming passenger (aged 18 years or over) into Australia may bring up to 4 kg of kava in their accompanied baggage.

IMPORTANT NOTICE

There are four processes you **must** comply with in order to import kava.

1. A permit issued under 5F of the PI Regulations issued by NCS.
2. Compliance with border clearance requirements, which require you to make a declaration under the *Customs Act 1901*.
3. Compliance with biosecurity requirements.
4. Compliance with the Imported Food Control Act 1992.

Your kava may not be permitted for import, even if you hold an import permit issued by NCS, if you do not meet all biosecurity and food requirements under 3 and 4.

Applicant prerequisites

Persons must meet the following criteria when applying for import.

1. The importer must import kava as a food for the purposes of **selling** the kava as part of the importer's business.
2. The importer's business which is selling the imported kava must be registered for the Goods and Services Tax (GST).
3. The importer's business which is selling the imported kava must have an Australian Business Number (ABN).
4. The importer must comply with any State or Territory requirement to operate for the purpose of selling kava.
5. The kava to be imported must be in one of the following forms.
 - a beverage obtained by the aqueous suspension of kava powder using cold water only, and not using any organic solvent; or
 - kava powder.

Australian Border Force clearance requirements

Australia has import clearance requirements for all goods, Importers should refer to the Australian Border Force (ABF) Website <https://www.abf.gov.au/importing-exporting-and-manufacturing/importing/how-to-import/overview> for information on the declarations that you need to make to clear imported goods from customs control.

Kava food product must be imported as air or sea cargo and **cannot** be imported:

- Through the international mail; or
- In the baggage of an air or sea traveller.

Biosecurity requirements

Kava (*Piper methysticum*) is permitted only if in the form of powder or beverage.

Import conditions for kava powder prior to arrival in Australia

A Department of Agriculture, Fisheries and Forestry (DAFF) import permit is not required.

Imported kava powder must be:

- packed in clean and new packaging.
- free of live insects and contamination with [biosecurity risk material](#).

Import conditions for kava powder on arrival in Australia

The importer must present the goods at the designated approved arrangement site for inspection by a biosecurity officer. The goods will be inspected to verify they are:

- powdered, packed in clean and new packaging, and
- free from live insects and other [biosecurity risk material](#).

Goods meeting the above conditions may be released from biosecurity control by a biosecurity officer.

The goods will require treatment (where appropriate) or may get exported or disposed of if live insects or biosecurity risk material is detected. Any such action will be at the importer's expense.

Please refer to the "[Kava for human consumption](#)" BICON case for more information.

Import conditions for kava beverages

Kava beverages must be commercially prepared and packaged and full list of ingredients must be provided.

Food safety requirements

Food importers are responsible for ensuring the food they import is safe and complies with the *Imported Food Control Act 1992* and Australia's food standards, including the [Australia New Zealand Food Standards Code](#) and the [Country of Origin Food Labelling Information Standard 2016](#). For more information on import and labelling requirements, view the [factsheet developed by the Department of Agriculture, Fisheries and Forestry](#). Consignments of food may be referred to the Department of Agriculture, Fisheries and Forestry (DAFF) to check that it is safe and compliant, including compliance with [Standard 2.6.3 - Kava](#). Visit [DAFF Importer Food Inspection Scheme](#) for import requirements for kava. Stay updated on changes to the requirements for imported food by subscribing to the Imported Food Inspection Scheme [imported food notices](#). For more information on labelling requirements, read [Imported Food Notice 01-22 – Labelling requirements for imported kava](#).

Additional information

Refer to the [Food Standards Australia New Zealand](#) for further information on supplying foods within Australia.

Refer to the [Food Standards Variation](#) for more information on kava as a food.

Completing the application form

To apply for a permit to import kava for food use the application form titled '[Application for a permit to import kava for food use](#)'. The guidance provided here will assist you in completing and submitting the application form.

The table below will assist you in identifying the required information for completing the permit application form.

Part of application form	Explanation of required information
1. Importer information	
Importer's name	State the name of the importer.
Company name	State your company's name.
Company address	State the physical address to be displayed on the import permit.
Postal address	State the postal address to which you would like the import permit sent. Permits will be sent by standard mail unless an express post envelope accompanies the application.
Import establishment ID number	Each establishment that has a licence to import is given a unique identifier by NCS, for example KA00001. State your import establishment ID number if known.

Part of application form	Explanation of required information
2. Exporter Information	
Overseas exporter's full name	State the full name of the overseas exporter
Overseas exporter's address	State the physical address of the overseas exporter to be displayed on the import permit
Export establishment ID number	Each overseas exporter is given a unique identifier by NCS, for example O12345. State the export establishment ID number if known. There is an expectation that companies which conduct their business with the same overseas entity on a regular basis should be able to include this code on their application.
3. Kava Details – Food Use Only	
Form of kava	Indicate the form of the kava, for example powder.
Pack type and size	Provide details on the pack type and the size for example, 1kg pack NB: Only one packsize is permitted per application. If you are seeking to import 500g packs and 1kg packs, then you must submit a separate application for each packsize.
Total number of packs in shipment	Specify the total number of packs (as defined above) that make up the proposed shipment. For example, 100 if you are seeking to import 100 x 1kg packs.
ABN (Australian Business Number)	The ABN used for your business for the purpose of selling kava.
GST (Goods and Services Tax) Registered	Indicate if your business is registered for GST for the purpose of selling kava.
4. Kava Details – Medical and Scientific Use Only	
Do not complete section 4.	
5. Declaration and Consent	
Make sure you read and understand the declaration and consent. Sign the application form. Complete the contact details of the person signing the form. The form must be signed by the Importer.	

Submitting an application

You can submit your application in the following ways:

Mail	Narcotics Control Section Office of Drug Control GPO Box 9848 Canberra ACT 2601
Email	NCS@health.gov.au

NCS endeavours to process applications for permits within 20 business days from the date of receipt of a correctly completed application and requisite supporting documentation. While a very high proportion of applications are processed within 10 days, there will be times where high demand for permits may result in slightly longer processing times. Application forms that contain incomplete or incorrect information will be returned to you for amendment, resulting in delays in processing.

Obligations on the Importer

If you are granted an import permit, you will receive a covering letter, and two copies of the permit.

1. **ORIGINAL** – Importers Copy. This copy may be forwarded to the exporter for presentation to the overseas authority if required. This copy cannot be used to clear the goods with ABF.
2. **TRIPLICATE** – ABF clearance copy. This copy is required to clear the goods with the ABF. Do not send this copy overseas. If you lose this copy you **will not** be issued a replacement and the imported goods will be seized by the ABF.

Refer to the [Guidance for completing the triplicate for a permit to import kava for food use](#) for more information on completing the Triplicate permit.

You will be required to undertake the following.

1. You must not import more kava than what is specified on the import permit. The Australian Border Force will seize goods that do not comply with the permit. You may however import less than specified on the permit.
2. You may only import between the validity dates specified on the permit.
3. Import permits may only be used **ONCE**, even if you imported less than the amount on the permission.
4. After obtaining your goods, you must complete the green **TRIPLICATE** within 14 days and return to the Office of Drug Control.

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5. Any **unused** permits, or **expired** permits must be returned to the Office of Drug Control within 14 days.
6. You are required to keep records of all sales and supply of kava, including quantities and provide these records when requested by the Office of Drug Control.

It is the responsibility of the importer to return the endorsed triplicate copy to Office of Drug Control no later than 14 working days after the importation has occurred. Failure to comply with this condition may result in refusal of future import applications.