



Risk Management Proposal:

Amendments to the

Import Health Standard for Sea Container from All Countries

Prepared for public consultation
by Treatments and Inanimate Pathways Group
Plants and Pathways Directorate

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Submissions

The Ministry for Primary Industries (MPI) invites comment from interested parties on the amended Import Health Standard Sea Containers from All Countries (the Standard).

An Import Health Standard “specifies requirements to be met for the effective management of risks associated with importing risk goods, including risks arising because importing the goods involves or might involve an incidentally imported new organism” (section 22(1) Biosecurity Act 1993).

MPI is seeking comment on the following changes to the Standard:

1. the extension of the current emergency measures for Brown Marmorated Stink Bug in Italian sea containers until 30 April 2022;
2. inclusion of Italian cargo during the Brown Marmorated Stink Bug risk season in the application section;
3. the inclusion of the Quarantine Declaration in Schedule 2; and
4. the minor amendments to the wording and layout of the standard.

MPI encourages respondents to forward comments electronically. Please include the following in your submission:

- The title of the consultation document in the subject line of your email;
- Your name and title (if applicable);
- Your organisation’s name (if applicable); and
- Your address.

Send submissions to: standards@mpi.govt.nz

However, should you wish to forward submissions in writing (hard copy), please send them to the following address to arrive by close of business on 17 July 2020:

Treatments and Inanimate Pathways Group
Plants & Pathways Directorate
Biosecurity New Zealand
Ministry for Primary Industries
PO Box 2526
Wellington 6140
New Zealand

Submissions received by the closure date will be considered during the development of the final IHS. Submissions received after the closure date may be held on file for consideration when the issued IHS is next revised/reviewed.

Official Information Act 1982

Please note that your submission is public information and it is MPI policy to publish submissions and the review of submissions on the MPI website. Submissions may also be the subject of requests for information under the Official Information Act 1982 (OIA). The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish personal information to be withheld. Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.

1 Information on the Consultation Process for the Amendment to the Import Health Standard for Sea Containers from All Countries

1.2 Purpose

The purpose of this document is to:

- Provide relevant background information about the Import Health Standard for Sea Containers from All Countries (the Standard);
- Clarify the proposed amendments to the requirements for the Standard;
- Provide the rationale for the proposed Standard amendments and how they manage risk; and to
- Seek feedback on the proposed Standard amendments to importing requirements.

1.3 Background

Background information on the Standard

The Standard was last amended and reissued 19 July 2019. The Standard is issued under section 24A of the Biosecurity Act (1993) to manage the biosecurity risks associated with the importation of sea containers into New Zealand. The Standard applies to any sea container that is imported into New Zealand from any country.

1.4 Timing and Consultation

The proposed Import Health Standard for Sea Containers from All Countries was released for consultation on **14 May 2020** and will remain open for consultation until **17 July 2020**.

1.5 Background and Context to Consultation

1.5.1 INTERNATIONAL REGULATION OF RISK GOODS

The World Trade Organisation and Sanitary and Phytosanitary (SPS) Agreements set in place rules that protect each country's sovereign right to take the measures necessary to protect the life or health of its people, animals, and plants while at the same time facilitating trade. It embodies and promotes the use of science-based risk assessments to manage the risks associated with the international movement of goods. "The SPS Agreement will continue to guide how New Zealand sets standards and makes decisions related to biosecurity. In particular, it will be important to maintain the standards of transparency and scientific rigour required by the SPS Agreement, and to make decisions as quickly as possible. This will encourage other countries to comply with the rules of the SPS Agreement, and also demonstrate that New Zealand's strict controls are justified to countries that challenge them." Balance in Trade [online reference ISBN 978-0-478-33881-2].

1.5.2 DOMESTIC REGULATION OF BIOSECURITY RISKS ASSOCIATED WITH SEA CONTAINER ARRIVALS

The New Zealand biosecurity system is regulated through the Biosecurity Act 1993 (the Act). Section 22 of the Act describes an Import Health Standard and requires all risk goods arriving New Zealand to be managed by one. MPI is the New Zealand government Ministry responsible for maintaining biosecurity standards for the effective management of risks associated with the importation of risk goods and craft into New Zealand (Part 3, Biosecurity Act 1993). MPI is committed to the principles of transparency and evidence-based technical justification for all phytosanitary measures, new and amended, imposed on importing pathways. MPI periodically reviews import

health standards, related documents and other standards so that the legal requirements are clear and that information is consistently presented and easy as possible to understand.

2 Biosecurity Risk Associated with Sea Containers

2.2 Overall Biosecurity Risks

The biosecurity risks associated with the arrival of sea containers in New Zealand are well documented (Brockhoff *et al*, 2016; MAF, 2002, 2006; and 2008; MPI, 2018 and 2019). While this document will not be re-addressing these documented risks, they can be broadly divided into two categories as:

- **Directly associated with sea containers:** these are found on or within the sea container but not associated with any cargo. For example, insects such as ants (MAF, 2006), moths (MAF, 2008), and other species (Brockhoff *et al*, 2016) (MAF, 2002) that become associated with the sea containers during packing and unpacking.
- **Indirectly associated with sea containers:** these are found within or on the materials or cargo transported within the sea containers. For example, arthropods such as ants, spiders, and other species such as Brown Marmorated Stink Bug (MPI, 2018 & 2019) and rodents (MPI unpublished data) that have escaped from a good, product or item into the sea container.

2.3 Brown Marmorated Stink Bug

Brown Marmorated Stink Bug (*Halyomorpha halys*) or BMSB is a temperate subtropical species of stink bug native to Asia (China (including Taiwan), Japan and Korea). BMSB is a plant feeding insect that feeds on the leaves and fruits of field crops and trees (including domestic, horticultural, and native trees), as well as production forestry tree species.

BMSB is not present in New Zealand and is considered to be one of New Zealand's top regulated contaminating pest that requires management (irrespective of country of origin) (MPI 2012, 2018, 2019). The risk BMSB poses to New Zealand is detailed in the following MPI documents:

1. Pest Risk Assessment of *Halyomorpha halys* (Brown Marmorated Stink Bug). 2012. Ministry for Primary Industries, New Zealand
2. Technical Review: Proposed Treatments for BMSB (*Halyomorpha halys* (Stal); Pentatomidae). Version 1.2 February 2018. Ministry for Primary Industries, New Zealand
3. Technical Advice: Supplement to Pest Risk Assessment of *Halyomorpha halys* (Brown marmorated stink bug). Version July 2018. Ministry for Primary Industries, New Zealand.
4. Burne, 2019, Pest Risk Assessment: *Halyomorpha halys* (Brown marmorated stink bug). Version 1, June 2019. Ministry for Primary Industries, New Zealand (referred to hereon in as 2019 BMSB PRA)

These risk documents outline the scientific justification for the management of BMSB across several pathways, detail how MPI established the BMSB risk period (1 September until 30 April of any year), measure and treatment specifications. While these details will not be repeated in this document, they are the underpinning justification for managing BMSB along the sea container pathway.

3 Proposed changes to the Standard

3.2 Non-Regulatory Changes to the Standard

Overall changes have been made to the form and format of the Standard to align with MPI's current standardised format for Import Health Standards. This ensures that the legal requirements are clear, consistently presented and are as easy as possible to understand.

This includes:

- Changing the order of requirements within the Standard, which will in turn change their numbering; and
- Updating the generic wording associated with all Import Health Standards.

None of these changes alter the intent of or the requirements within the Standard. These are considered to be minor changes in accordance with section 24B(2) of the Act and as such do not require consultation under section 23(3) of the Act.

Please note that these minor changes have only been included for clarity and transparency purposes and they do not form part of the consultation.

Guidance Material

MPI is moving towards making guidance material available on the MPI website, and as such, has not provided a specific guidance document for the proposed Standard. The current guidance document for importing sea containers will remain available until the amended Standard is issued, after which all guidance material will be available on the MPI website.

3.3 Proposed Changes to the Requirements for Sea Containers

There are no overall changes to the requirement for all sea containers to arrive in New Zealand clean and free of regulated pests and biosecurity contamination, and to be accompanied by a quarantine declaration stating that at the time of packing the sea container met the requirements of the Standard.

The most substantive changes relate to the requirements for the management of BMSB in sea containers from Italy.

The proposed changes are summarised as:

1. Update to the Application of the Standard to include the contents of Italian sea containers during the BMSB risk season;
2. Update of the wording for the general requirement for sea containers to arrive clean and free of regulated pest and biosecurity contamination, including the addition of the requirement to only open a sea containers once an Inspector has provided permission to do so;
3. Extending the temporary emergency measures for Italian sea containers until 30 April 2022;
4. Clarifying the intent of the post treatment requirements by restructuring and rewording these requirements;
5. Removal of sections relating to transport and Transitional Facilities (as these are requirements specified in the Act or other MPI standards, or are directions given by an Inspector);
6. Inclusion of the Quarantine Declaration as a Schedule; and
7. Amending the wording of guidance material for Part 3 for additional clarity.

For details on all changes please refer to:

- Appendix I for proposed Standard wording and layout
- Appendix II for detailed explanation for the proposed changes
- The proposed Import Health Standard for Sea Containers from All Countries ([view here](#))

4 Rationale for the Proposed Change to the Standard

4.1 Changes to the Application Clause

Currently clause 1.1 outlines that the Standard applies to all sea containers imported into New Zealand.

Since 2017 there have been requirements in Part 3 of the Standard for the goods of Italian origin within Italian sea containers during the BMSB risk season. For clarity and transparency, the proposed changes to the Standard includes this cargo in the application section. This inclusion does not alter the requirements that have been in place since 2017.

4.2 Changes to Part 2 – General Biosecurity Requirements

4.2.1 THE INFORMATION AND TREATMENT CERTIFICATION REQUIREMENTS

What constitutes an acceptable treatment certificate has been split from the generic information requirements and put into a separate clause. This proposed layout is consistent with other MPI standards and makes the treatment certificate requirements clear and easily identifiable. The proposed Standard now requires all treatment certificates to have standardised information that is consistent with the BMSB treatment certificates requirements agreed upon by both Australia and New Zealand.

For consistency, clarity and accessibility, a template for the quarantine declaration has been included in the proposed Standard as a Schedule. The only change to the information required within the declaration is that declarations are now required to be printed on company letterhead or be stamped with company details. The guidance information regarding appropriate packing of containers that require treatment has also been reworded for clarity, but the intent of the guidance remains the same.

4.2.2 FREEDOM OF BIOSECURITY CONTAMINATION AND REGULATED PESTS

While the requirement for sea containers to arrive clean and free of regulated pests and biosecurity contamination remains the same, the requirement has been reworded for clarity and to align with MPI standardised formatting.

The general requirement has also been amended to include the requirement from clause 3.3 (1) of the current Standard. This is the requirement for the sea container to remain closed until MPI permission to open and unpack the sea container has been received by the Transitional Facility. It has been moved into this section for clarity and transparency but the intent of the requirement remains unchanged.

4.3 Changes to Part 3 Specific Requirements – BMSB requirements

4.3.1 ITALIAN SEA CONTAINERS

Based on the information in the 2019 BMSB PRA, the risk of BMSB within Italian sea containers (containing goods of Italian origin) remains sufficient to justify continued use of mitigation measures on this pathway. MPI seeks to extend the use of existing mitigation measures for BMSB until 30 April 2022. This will enable MPI to further monitor the presence and risk of BMSB on this pathway before implementing any permanent mitigation measures.

The wording and layout of the BMSB requirements have been amended and updated to clarify the intent of the existing treatment requirements and to ensure that requirements are as clear as possible and easy to follow. These amendments to wording and layout do not change the intent of the current BMSB requirements.

Guidance material relating to these requirements have also been amended for clarity and to further explain the intent of the requirements.

4.3.2 RISK OF BMSB FROM OTHER SOURCE COUNTRIES (EXCLUDING ITALY)

As with other regulated contaminating pests, BMSB has been intercepted along pathways from its natural range for many years. In China, Japan, Korea and Taiwan the natural conditions and logistics of trade have generally kept it from becoming a serious contaminating pest in sea containers bound for New Zealand. New Zealand has had and continues to have generic measures in the Standard that have successfully manage these risks (to date).

While BMSB is spreading throughout the Northern Hemisphere (particularly in Europe and North America), current interception data does not justify establishing BMSB requirements for sea containers from other source countries at this time (Burne, 2019). The majority of interceptions of BMSB from other non-native source countries have been on particular inanimate commodities within the sea containers and these are regulated in the IHS for Vehicles, Machinery and Parts.

4.3.3 REMOVAL OF THE 21 DAY TIMEFRAME BETWEEN TREATMENT AND EXPORT

MPI seeks to remove the 21 day time period within which, a treated sea container must be exported from Italy.

MPI no longer considers that a specifically defined time frame is required between sealing a container (and its contents) within 24 hours of treatment and shipping from the county of export. Provided all other post treatment requirements of the Standard are met. Based on the current information, BMSB is unable to enter a sea container once it has been treated and sealed. Therefore, requiring the sealed sea containers to be shipped from Italy within a defined timeframe is not considered to further reduce the potential infestation by BMSB.

Extended post treatment storage of sealed sea containers is also considered to further reduce the risk of contaminating pests (including BMSB) surviving transportation, as extended storage prior to export increases the chances of mortality in an environment where food and water is not available.

4.4 Removal of Part 3

MPI seeks to remove all the requirements for sea containers in the current Part 3 (Inspection and Logistical Requirements) that are duplications of the requirements in the Act or other MPI standards.

The requirements that relate to the manner in which a sea container can be discharged from a vessel, where it can go and under whose approval are requirements of the Act and link to the requirements of existing standards such as those for the Places of First Arrival and Transitional Facilities. They are considered to be duplicating the Act and existing standards, and the proposed Standard seeks to make them information rather requirements.

The requirements relating to when and by whom a sea container can be first opened remain requirements in Part 2 of the proposed Standard.

5 Feasibility of the Proposed Change to the Standard

MPI does not propose any new mitigation measures. MPI seeks to extend the existing mitigation measures for BMSB in Italian sea containers and to simplify and clarify the wording of the existing mitigations measures.

Due consideration has been given to the feasibility of extending the emergency mitigation measures implemented to manage the sudden presence of BMSB in sea containers from Italy. In extending the BMSB requirements by another 2 years (until 30 April 2022), MPI has given consideration to the cost to industry and the Crown and considers the risk of BMSB sufficient to justify the continued direct and indirect cost to both. As the mitigation measures have been in place since 2017, industry and the Crown are aware of the costs and have factored them into this pathway. In addition, the proposal seeks to extend the measures rather than make them permanent, as such further investigation into the continued risk of BMSB on the sea container pathway can be undertaken before any permanent measures are imposed.

6 REFERENCES

Brockerhoff, E.G., Bulman, S., Liebhold, A.M. & Monge, J.J. (2016). The role of unintentional movement of invasive contaminating pests (so-called “hitchhikers”) and opportunities for mitigation measures. International Plant Protection Convention, Commission of Phytosanitary Measures, 11th Session (April 2016): Special Topics Session: Sea Containers.

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MAF (2002). Hazard identification and import release assessment: The introduction of red imported fire ants into New Zealand via the importation of goods and arrival of craft from Australia, the Caribbean, South America, and the USA. Ministry of Agriculture and Forestry, Wellington, New Zealand

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MPI (2018). Technical Review: Proposed Treatments for BMSB (*Halyomorpha halys* (Stal); Pentatomidae). Version 1.2 February 2018. Ministry for Primary Industries, New Zealand.

MPI (2018). Technical Advice: Supplement to Pest Risk Assessment of *Halyomorpha halys* (Brown marmorated stink bug). Version July 2018. Ministry for Primary Industries, New Zealand.

Newfield M (2008). Pest risk analysis for six moth species: lessons for the biosecurity system on managing hitchhiker organisms. New Zealand Ministry of Agriculture and Forestry, Wellington, New Zealand. (ISBN 978-0-478-33827-0) <https://www.mpi.govt.nz/document-vault/2905>

Appendix I

The proposed standard layout

Part 1 General Requirements

6.1 Application

- (1) This Import Health Standard (IHS) applies to All sea containers that are imported into New Zealand from all countries; and
- (2) Part 3 of this IHS applies to all sea containers and their cargo that depart from Italy on or after 1 September and arrive in New Zealand on or before 30 April of any year until 30 April 2022.

1.2 Incorporation by reference

- (3) The following documents are incorporated by reference under Section 142M of the Biosecurity Act 1993:
 - a) [MPI Approved Biosecurity Treatments](#); and
 - b) [International Standard for Phytosanitary Measures 23: Guidelines for Inspection \(ISPM 23\)](#),
[International Plant Protection Convention](#).
- (4) Under Section 142O(3) of the Biosecurity Act, it is declared that Section 142O(1) does not apply, that is, a notice under Section 142O(2) of the Biosecurity Act is not required to be published before material that amends or replaces any material incorporated by reference has legal effect as part of those documents.

1.3 Definitions

- (5) Definitions of terms used in this IHS are set out in Schedule 1 of this document.
- (6) Terms used in this IHS that are defined in the Act have the meanings set out in the Act, unless a different meaning is given in Schedule 1. The Act is available at:
<http://www.legislation.govt.nz/act/public/1993/0095/latest/whole.html>

Part 2 General Biosecurity Requirements

2.1 Information

- (1) The following documented information for all sea containers must be sent by importers and received by MPI at least 12 hours prior to the arrival of the sea container (and cargo) in New Zealand:
 - a) Sea container number;
 - b) Sea container type;
 - c) Country of origin;
 - d) Port of loading;
 - e) Port of discharge;
 - f) Importer details;
 - g) Exporter details;
 - h) New Zealand specified Transitional Facility destination;
 - i) Quarantine declaration (see Schedule 2);
 - j) Complete and accurate description of the cargo or tariff code, including all packaging; and
 - k) Treatment certificate (where treated under Part 3 of this IHS).

2.2 Treatment Certificates

- (1) All Treatment Certificates must include all of the following:
 - a) Treatment Provider's letterhead including name and physical address, except where an individual carries out residual treatment instead of a treatment provider;
 - b) Certificate and registration number, except where an individual carries out residual treatment instead of a registered treatment provider;
 - c) Description of the consignment – including quantity of containers and items;
 - d) Name and address of exporter;
 - e) Name and address of importer;
 - f) Date upon which treatment was completed;
 - g) Signature of the Treatment Provider;
 - h) Address where the treatment occurred;
 - i) Treatment details specified in Approved Biosecurity Treatments including the type of treatment and products (where applicable) used, achieved treatment rate, exposure time period, end point readings (where applicable) etc; and
 - j) A declaration that the Treatment Provider has met all of the requirements specified in Approved Biosecurity Treatments.

2.3 Requirement for freedom from regulated pests and biosecurity contaminants

- (1) All sea containers imported into New Zealand must:
 - a) be clean and free of regulated pests and biosecurity contamination;
 - b) remained sealed until an inspector gives permission for the sea container to be unpacked at a Transitional Facility; and
 - c) be inspected or checked at a Transitional Facility by legally approved persons under the Act (for example, MPI Inspectors or Accredited Persons).

Part 3 Specific Requirements

3.1 Sea containers from Italy

The requirements of this section apply until 30 April 2022.

Guidance

Note 1: Italian sea containers that only contain cargo that have been treated or managed using a system for BMSB under the IHS for Vehicles, Machinery and Parts will be considered compliant with the treatment requirements of this IHS and will not be required to be “treated”. This is because the BMSB requirements in the IHS for Vehicles, Machinery and Parts (managed using a system or treated) are equivalent to the BMSB measures in this IHS,

Vehicles, machinery and parts that have been treated or managed using a system for BMSB under the IHS for Vehicles, Machinery and Parts, and are packed into FAK containers will be considered to be “treated” cargo under this IHS.

3.1.1 All Italian sea containers (other than transshipped)

- (1) All sea containers and their cargo that depart from Italy on or after 1 September and arrive in New Zealand on or before 30 April of any year must meet the requirements of clause 3.1.1 (2) or (3).
- (2) **Treatment**
 - a) Sea containers must be treated before arrival in New Zealand for BMSB:
 - i) in accordance with [MPI Approved Biosecurity Treatments](#);
 - ii) by an [MPI-Approved Offshore Treatment Provider](#); and
 - iii) must be accompanied by a Treatment Certificate (clause 2.2); and
 - b) Treated sea containers can only be packed with cargo that have been treated for BMSB in accordance with [MPI Approved Biosecurity Treatments](#) by an [MPI-Approved Treatment Provider](#) and be accompanied by a Treatment Certificate (clause 2.2) or that meet the requirements of clause 3.1.1(3); and
 - c) Must meet the following post treatment requirements:
 - i) Treated **Fully enclosed sea containers (six sided metal sea containers)** must be sealed within 24 hours of treatment and remain sealed; or
 - ii) Treated **Non-fully enclosed sea containers (includes flat rack, open sided/topped and soft topped sea containers)** must be kept segregated from untreated goods or other sources of possible BMSB treatment until export; and must be exported from Italy within 120 hours of treatment.

Guidance

Note 1: To prevent live BMSB contaminating a sea container, MPI anticipates that all sea containers are treated once they are fully packed. Where a FAK container contains cargo determined to be sensitive, or would be damaged by approved treatments, MPI anticipates that the container is packed with the non-sensitive cargo and then treated, and within 24 hours of treatment the sensitive cargo is packed and the sea container sealed and remain sealed until it is exported from Italy.

Where the sea container and cargo are treated separately (including FAK), MPI anticipates that the treated sea container is packed with both treated and sensitive cargo and sealed within 24 hours of treatment of the container and non-sensitive cargo and remain sealed until it is exported from Italy.

Note 2: Segregation for non-fully sealed containers can be achieved through closing/covering of the open parts or side(s) of the sea container, physical distance or physical protection (nets).

Note 3: The sea container may be subject to MPI verification activities on arrival.

(3) **Inspection**

- a) Sea containers may be inspected by an Inspector instead of treated where:
 - i) The importer has notified MPI prior to arrival in New Zealand that the sea container contains cargo that the importer considers is sensitive and would be damaged by the treatments for Brown Marmorated Stink Bug (BMSB) specified in the [MPI Approved Biosecurity Treatments](#); and
 - ii) A CTO has determined that treatment may damage the cargo.

Guidance

Note 1: If an importer considers their cargo to be sensitive to treatment, they should contact the local MPI office or refer to the MPI website at: <https://www.biosecurity.govt.nz/importing/border-clearance/containers-and-cargo/> for examples of goods that an MPI CTO generally considers to be sensitive to treatment.

Note 2: Should non-compliances be found during MPI inspection of sensitive cargo, additional risk mitigation actions may be required, such as treatment, re-shipment, or destruction. All agreed treatments are at the risk of the importer.

Note 3: MPI is likely to deny all untreated sea containers or treated sea containers with untreated non-sensitive cargo from Italy from being discharged from arriving vessels.

3.1.2 ALL SEA CONTAINERS TRANSSHIPPED THROUGH ITALY

- (1) Fully enclosed sea containers originating from a country other than Italy and transhipped through an Italian port, must remain unopened during the transhipment period.
- (2) Non-fully enclosed sea containers originating from a country other than Italy and transhipped through an Italian port, must:
 - a) Be transhipped through an Italian port for no longer than 120 hours; and
 - b) Remain segregated from untreated cargo or other possible sources of BMSB during this period.
- (3) If requirements (1) or (2) are not met, the container must be treated before arrival in New Zealand in accordance with clause 3.1.1(2) as above.

Appendix II

Detailed summary of all proposed changes

| Requirements | Current Standard | Proposed Standard |
|--|---|--|
| Application | 1.1 Sets out that this standard applies to Sea Containers from All Countries. | <p>This requirement has been added to:</p> <p>1.1 Sets out that this standard applies to: Sea Containers from All countries; and Sea containers and their cargo from Italy during the BMSB risk season.</p> <p>Explanation: As the requirements of Part 3 include the cargo within any sea containers exported from Italy, the application has been updated to include the Italian cargo captured by the existing BMSB requirements.</p> |
| Incorporation by reference | 1.2 Sets out which documents are incorporated by reference. | 1.2 Sets out which documents are incorporated by reference. |
| Definitions | 1.3 Sets out where in the document the definitions are located. | 1.3 Sets out where in the document the definitions are located. |
| Information | 2.1 Sets out the general information requirement to accompany a sea container, including treatment certificate requirements in 2.1 k) i) to x) | <p>This requirement has been split to separate information required from what a treatment certificate must contain.</p> <p>2.1 Sets out the general information requirements to accompany a sea container, including the requirement to have a treatment certificate if treatment is required under the standard.</p> <p>2.2 Sets out the description of what a treatment certificate should be and what it should contain.</p> <p>Explanation: For clarity, the description of what a treatment certificate must include was moved from the information clause into clause 2.2 Treatment Certificates.</p> |
| Freedom of regulated pests and biosecurity contamination | 2.2 Sets out the requirements for all sea containers to arrive clean and free of regulated pests and biosecurity contamination and that all containers must be checked by an inspector and Accredited Person. | <p>This requirement has been set out differently and added to:</p> <p>2.3 (1) a) Sets out the requirement for all sea containers to arrive clean and free of regulated pests and biosecurity contamination; and</p> <p>b) Sets out that all containers must remain closed until permission to devan has been received at a Transitional Facility; and</p> <p>c) Sets out that all sea containers must be checked by an inspector or Accredited Persons.</p> |

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| | | <p>Explanation:</p> <p>Splitting the requirement provides clarity and separation of the two original requirements for sea containers. Adding the requirement that all containers can only be open when authorised to do so by MPI at a TF, also clarifies this existing requirement.</p> <p>Despite the formatting and wording changes, there are no actual changes to the requirements. Currently all sea containers must be clean and free of regulated pest and biosecurity contamination, accompanied by all the relevant information, remain closed during transport, be checked by either an Inspector or Accredited Persons, and all Italian sea containers must meet the BMSB requirements.</p> <p>The proposed wording does not alter the intent of the current requirements, rather provides further clarity and removes doubt about what is required.</p> |
| Sea Containers from Italy | <p>Requirement 2.3 sets out the treatment or inspection requirements for BSMB in Italian sea containers:</p> <ul style="list-style-type: none"> • That these requirements expire 30 April 2020; • 2.3 (1) sets out that all sea containers from Italy must be managed by either option A or B during the risk season (Sept to April); • 2.3.(1) option A sets out what the treatment must be and post treatment requirements; • 2.3 (1) option B sets out how commodities can be inspected instead of treated; and • 2.3.1 Sets out how to manage sea containers transshipped through Italy. | <p>Part 3 sets out the treatment or inspection requirements for BSMB in Italian sea containers.</p> <p>The expiry date for these requirements has been extended to April 2022.</p> <p>3.1.1(1) sets out that all sea containers from Italy must be managed by either 3.1.1(2) or (3) during the risk season (Sept to April);</p> <p>3.1.1(2) sets out what treatment must be applied and when, and the post treatment requirements;</p> <p>3.1.1(3) sets out how commodities can be inspected instead of treated; and</p> <p>3.1.2 Sets out how to manage sea containers transshipped through Italy.</p> <p>Explanation:</p> <p>MPI's Pest Risk Assessment for BMSB was updated in 2019, highlighting the risk of BMSB in sea containers from Italy verses the risk from other countries in its invasive range. Based on this assessment the risk of BMSB in sea containers remains high for Italy and justifies management. The risk of BMSB (based on interception data and the scale and nature of trade) in sea containers from other countries in its native and invasive range does not currently justify mitigations measures for sea containers.</p> <p>As such, the temporary emergency BMSB requirements for Italy sea containers have been extended to 30 April 2022 and no other</p> |

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| | | <p>measures have been proposed for sea containers from other source countries.</p> <p>Options A and B for the management of BMSB in Italian sea containers have been reworded and renumbered to make them easier to follow and to add clarity of what is required. The proposed wording does not alter the intent of the current requirements, rather further explains it and removes doubt about the link between this IHS and the Vehicle, Machinery and Parts IHS, and outlines MPI's expectations for treatment of the sea containers. The proposed wording still requires Italian sea containers to be treated before arrival or inspected for BSMB during the risk season, the treated sea containers be sealed and shipped within the same specified timeframe after treatment.</p> <p>The information in the guidance boxes has been updated to reflect the change in wording and to further clarify MPI's expectations.</p> |
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| Inspection and logistical requirements | <p>Part 3 Inspection and Logistical requirements for sea containers</p> <p>3.1 Sets out the Port management and transhipped containers movements</p> <p>3.2 Sets out Transportation requirements for uncleared sea containers</p> <p>3.3 Sets out sea containers management within Transitional Facilities</p> <p>3.4 Sets out detection and management of biosecurity pests and contamination during the checks of a sea container.</p> | <p>These requirements have been removed from the standard.</p> <p>Explanation:</p> <p>The Act sets out that sea containers can only be moved to and between transitional facilities with MPI authorisation or direction. The Act also sets out that any detections are to be reported to MPI. MPI's Standards for Places of First Arrival and Transitional Facilities and subsequent approval of these places set out how they operate, including procedures relating to the movement, storage and unloading of an uncleared sea containers. These approvals also set out the procedures operators must follow if a suspected risk is found.</p> <p>MPI ensures that all facility and places of first arrival standards link with all the relevant IHSs and craft risk management standards and any subsequent facility approvals. As such, these requirements are not considered relevant and do not need to be duplicated in this IHS.</p> <p>The requirement that relates to restricting when a sea container can be first opened and by whom remains a requirement of the proposed standard (clauses 2.3.(1) b) and c).</p> |