



Sea Containers

SEACO

2 March 2018

CTO Directions for Sea Containers from Italy

Additional CTO requirements were issued 22 December 2017, 19 January 2018 and 2 March 2018 for all sea containers from Italy. Please refer to Part 2 of the standard for details.

TITLE

Import Health Standard: Sea Containers

COMMENCEMENT

This Import Health Standard comes into force as dated below under issuing authority (2 March 2018).

REVOCATION

This import health standard revokes and replaces: Import Health Standard for Sea Containers that was issued 23 January 2018.

ISSUING AUTHORITY

This Import Health Standard is issued under section 24A of the Biosecurity Act 1993.

Dated at Wellington, 2 March 2018



Peter Thomson (Pete)
Director, Plants, Food and Environment
Ministry for Primary Industries
(acting under delegated authority of the Director-General)

Contact for further information
Ministry for Primary Industries (MPI)
Regulation & Assurance Branch
Biosecurity and Environment Group
PO Box 2526
Wellington 6140
Email: standards@mpi.govt.nz

| Contents | Page |
|---|-------------|
| Introduction | 3 |
| Part 1: General Requirements | 5 |
| 1.1 Application | 5 |
| 1.2 Definitions | 5 |
| Part 2: Biosecurity requirements for containers | 6 |
| 2.1 Information that must be provided for the importation of containers | 6 |
| 2.2 Requirement for freedom from biosecurity contaminants and regulated pests | 6 |
| 2.3 Definitions | 7 |
| Part 3: Inspection and logistical requirements for containers | 8 |
| 3.1 Ports | 8 |
| 3.2 Transportation | 8 |
| 3.3 Transitional Facilities | 8 |
| 3.4 Detection and management of biosecurity pests and contamination | 8 |
| Schedule 1 – Definitions | 9 |

Introduction

This introduction is not part of the Import Health Standard (IHS), but is intended to indicate its general effect.

Purpose

The purpose of this IHS is to set out the requirements that must be met when sea containers are imported into New Zealand (NZ) to manage the biosecurity risks associated with them.

Background

Imported risk goods have the potential to introduce pests and unwanted organisms into NZ. Sea Containers are risk goods because pests and unwanted organisms may be associated with them when they arrive in NZ. The Biosecurity Act 1993 (the Act) prescribes requirements for the exclusion, eradication and effective management of pests and unwanted organisms in NZ. These organisms have the potential to cause harm to natural and physical resources and human health in NZ. MPI is responsible for enforcing the provisions of the Biosecurity Act 1993.

Under the Act, an IHS may be issued that sets out the requirements that must be met when importing risk goods in order to manage the risks associated with their importation including the risk from incidentally imported organisms. This IHS outlines the minimum requirements that must be met when importing Sea Containers into NZ to obtain biosecurity clearance.

Who should read this?

All importers of Sea Containers entering NZ (from any country) must be familiar with this IHS.

Why is this important?

- (1) Importers must take all reasonable steps to ensure that imported Sea Containers comply with this IHS (section 16B of the Act).
- (2) Sea Containers that do not comply with this IHS may be reshipped to origin or treated (if possible).
- (3) The importer will be liable for all relevant associated expenses.

Equivalence

While it is expected that all imported Sea Containers meet the requirements of this IHS, MPI will consider equivalence requests. A Chief Technical Officer (CTO) may issue guidelines or give directions on measures different to those in the standard to effectively manage biosecurity risks under section 27(1)(d)(iii) of the Act. Goods that comply with those guidelines or directions may be provided with biosecurity clearance.

Document History

| No. | Version Date | Section Changed | Change(s) Description |
|-----|---------------|-----------------|-----------------------|
| 1 | Date of Issue | N/A | N/A |
| | | | |

Other information

Guidance

Guidance for this IHS is provided in the *Guidance Document in support of the IHS for Sea Containers*, <https://www.mpi.govt.nz/importing/border-clearance/containers-and-cargo/requirements/>. It provides more information about importing Sea Containers. It is advisable to seek assistance from MPI if you are unclear on any part of the IHS prior to undertaking any activities relating to the importation of Sea Containers.

The information contained within a “guidance box” throughout this document is for guidance only and is not part of the statutory requirements. These boxes are labelled as “Guidance”.

Cargo

Cargo within containers must be managed as per the relevant IHSs, see MPI’s website for the relevant IHS–. <https://www.mpi.govt.nz/importing/>

Wood Packaging

All wood packaging must be managed as per the IHS - *Wood Packaging Material from All Countries*. <http://www.mpi.govt.nz/importing/forest-products/wood-packaging/>. Other contaminated packaging must be secured, segregated and managed as per this IHS. Contact MPI if you are unclear about the management of such material.

Non-Compliance

A container that does not meet the requirements of this standard will not be given biosecurity clearance under the Act and will be directed by a MPI Inspector as per section 122 of the Act for further action as considered appropriate to manage the biosecurity risks. Deliberate non-compliance with the requirements of this standard or negligence leading to non-compliance will lead to increased intervention (e.g. inspection or audit) regimes or prosecution of liable parties under the Biosecurity Act 1993.

Costs

Inspections and other functions undertaken by MPI pertaining to importing Sea Containers will be charged for as per the current Biosecurity (Costs) Regulations.

Part 1: General Requirements

1.1 Application

- (1) This IHS applies to all containers that are imported into NZ from any country.

1.2 Definitions

- (1) Definitions of terms used in this IHS are set out in Schedule 1 of this document.
- (2) 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: Biosecurity requirements for containers

2.1 Information that must be provided for the importation of containers

- (1) Importers of all containers must be sent to and received by MPI with the following documented information at least 12 hours prior to the arrival in NZ:
 - a) Container Number
 - b) Container type
 - c) Country of origin
 - d) Port of loading
 - e) Port of discharge
 - f) Importer details
 - g) Exporter details
 - h) NZ specified transitional facility (TF) destination
 - i) Quarantine declaration
 - j) Complete and accurate description of the cargo or tariff code, including all packaging

Guidance

This information will be assessed by MPI to determine the regulatory interest of a container and its contents and subsequent actions that may occur. Sea containers with absent or incomplete information will be considered to be of high regulatory interest and are likely to receive more MPI intervention.

2.2 Requirement for freedom from biosecurity contaminants and regulated pests

- (1) All containers imported into NZ must be clean and free of pests and biosecurity contamination. Inspections or checks to verify this must be carried out by legally approved persons (e.g. MPI inspectors or accredited persons).

PLEASE NOTE: The following CTO Direction requirements apply to All Sea Containers imported from Italy between 23 December 2017 and 30 April 2018:

Pursuant to 27(1)(d)(iii) of the Biosecurity Act (1993), MPI has issued CTO Directions with additional requirements for sea containers exported from Italy between 23 December 2017 and 30 April 2018 (CTO20170039, CTO2018002 and CTO2018004).

- (1) All sea containers exported from Italy must be treated by one of the following methods:
 - a) Sulfuryl fluoride fumigation at 10°C+ to achieve a minimum C/T of 140 g.h/ m³ over 12 hrs with a starting dose of 16 g/ m³ and a final reading concentration of at least 8 g/ m³; or
 - b) Methyl bromide fumigation at 40 g/ m³ for 24 hours at 15-21°C; or
 - c) Methyl bromide fumigation at 48 g/ m³ for 24 hours at 10-15°C; or
 - d) For fresh produce only; Methyl bromide fumigation at 48 g/ m³ for 2 hours at 10-15°C; or
 - e) Heat treatment at 56°C for 30 minutes for cargo items; or
 - f) Heat treatment at 60°C for 10 minutes for cargo items weighing less than 3,000 kg; or
 - g) Heat treatment at 60°C for 20 minutes for cargo items weighing more than 3,000 kg

- (2) This direction takes effect from 23 December 2017 and remains in effect until 28 February unless amended or revoked.
- (3) Offshore treatment of flat racks, open sided or open top and soft top containers must take place no more than 120 hours before loading on the ship at the port of export in Italy. Fully sealed containers may be treated up to 21 days prior to shipping.
- (4) Consignments in sealed containers that originate in a non-BMSB country and are subsequently trans-shipped through either Italy or the USA are not required to be treated
- (5) Break-bulk cargo (includes flat racks, open sided or open top and soft top containers) not of Italian origin or vehicles and machinery not of USA or Italian origin but are trans-shipped through Italy or the USA do not require treatment but must have remained on the port of export and any subsequent transit port for no more than 120 hours; and be segregated from all untreated high risk BMSB cargo at all times.
- (6) Break-bulk cargo (includes flat racks, open sided or open top and soft top containers) of Italian origin must be treated prior to shipment and must remain segregated from untreated high risk BMSB cargo at all times or be actioned appropriately (ranging from treatment on arrival through to discharge refusal).
- (7) All sealed containers from Italy must be treated within 72 hours of discharge; either at the port of discharge in NZ or can be moved to a Transitional Facility capable of fumigation.
- (8) MPI will consider alternative measures for sensitive cargo depending on the particular BMSB risk posed but each consignment will be risk assessed and may be treated with another method or inspected or both.
 - a) A lower rate of Methyl bromide e.g. 16g/m³ for 12 hours at 15^o C+ with an end point reading of 50% to achieve a minimum of 140g.hr concentration time product.
 - b) Seeds are to be treated at the rate for seeds in the Approved Biosecurity Treatment schedule.
 - c) Insecticide fogging such as Bifenthrin or Permethrin e.g. aircraft hold sprays such as Arundee MAC fogging spray or Callington I-Shot into the container - not to be used for food.
 - d) Enhanced visual inspection - consider using an agitating spray.
- (9) All containers exported from Italy that commenced shipping before 23 December 2017 are subject to these requirements.
- (10) All other relevant sections of SEACO Import Health Standard and other relevant IHSs must be met. Note: Methyl bromide is not available in Italy and Sulfuryl fluoride is not available in NZ.

Exclusions:

- (1) Sea containers that hold treated vehicles and machinery from Italy are exempt of this requirement as the BMSB risk is managed by requirements specified in the IHS - VEHICLE.ALL.
- (2) Containers shipped at -4^oC or less are exempt from the BMSB conditions

Guidance

- (1) The dates in clause (2) refer to the date a sea container arrives in New Zealand.

2.3 Definitions

- (1) Definitions of terms used in this IHS are set out in Schedule 1 of this document.
- (1) 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 3: Inspection and logistical requirements for containers

3.1 Ports

- (1) A container must not be removed from the first port of discharge - *including movement to transitional facilities, inland depots or for transshipment by road or rail*, until all container information is received and assessed by MPI and directions actioned by MPI or relevant parties. Containers for trans-shipment by sea must be inspected or checked at the first port of discharge where they will remain on that port for longer than 12 hours.

3.2 Transportation

- (1) For all uncleared containers being transported from a port to a transitional facility or between transitional facilities for devanning, treatment or other action, the importer or importer's agent must provide all relevant information and MPI directions about the container to the transport operator and the transitional facility.

3.3 Transitional Facilities

- (1) No person is permitted to open or devan a container until notification of MPI requirements has been received at the transitional facility. Containers must be devanned at the transitional facility in the presence of a MPI Inspector or an accredited person (as directed by MPI).

3.4 Detection and management of biosecurity pests and contamination

- (1) Biosecurity contamination, e.g. soil, plant products and restricted packaging material etc., found on or in a container during routine checks must be secured in a quarantine bin or other approved receptacle and MPI notified (as per the accredited persons training). When live organisms e.g. insects, mobile animals or egg masses etc., are found they must be secured and MPI notified immediately on 0800 809 966.

Schedule 1 – Definitions

Terms used in this IHS that are also defined in the Act have the meanings set out there. The following specific definitions also apply and are defined for the purposes of this IHS as follows:

BACC Biosecurity Authority Clearance Certificate issued by MPI that provides either biosecurity clearance or direction for further action.

Biosecurity pests and contamination: Animals, insects or other invertebrates (alive or dead, in any life cycle stage, including egg casings), organic material of animal origin (including blood, bones, hair, flesh, secretions, excretions), viable or non-viable plants or plant products (including fruit, seeds, leaves, twigs, roots, bark), other organic material (including fungi), soil or water where these are not the manifested cargo being imported.

Check: A visual examination by an accredited person to detect the presence of biosecurity pests and contamination. Such a check is to be carried out during the routine handling and movement of containers and as per the accredited persons training.

Customs delivery order (CDO): Direction issued by the New Zealand Custom Service that allows for a container to be transported to another location.

High regulatory interest: Containers that are considered by MPI profiling to have a higher than average chance of being contaminated with biosecurity pests or material; OR with absent or incomplete information; OR are sourced from countries with 'high risk status'. Containers of high regulatory interest require further MPI intervention before a biosecurity clearance is issued.

Inspection: A visual examination by a MPI Inspector to detect the presence of biosecurity pests and contamination. An inspection does not require magnification but may require additional lighting if the inspection is carried out at night or within a building.

Packaging material: Material used to brace or hold cargo within a container such as pallets, cases, crates, boxes, drums, and cartons, dunnage and wedges.

Restricted packaging material: Packaging that includes soil, peat, moss, used sacking material, hay, straw, chaff and any material contaminated with the above. Wood packaging is also included - materials such as cases, crates and pallets and wood used to separate, brace, protect or secure cargo in transit.