

Guidance Document in support of the Import Health Standard for Sea Containers

This document provides information and options about meeting the standard and what actions MAFBNZ will undertake to verify compliance with the standard. The guidance document is not legally binding but provides direction as to the expectations and options about how to meet the standard.

It is intended that this guidance document can be read independently of the sea container standard.

Review and Amendment

This guidance document is subject to review and amendment at any time to ensure that it continues to meet biosecurity objectives. Reviews and amendments will be notified to stakeholders and will be published on the MAFBNZ website.

Contact Details

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For all matters relating to the operation of this standard, including inspections, audits and treatments, please contact your local MAFBNZ office.

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General Information

1 Introduction

This guidance document is intended to accompany the *Import Health Standard for Sea Containers*. It outlines the accepted processes and procedures that supply chain parties and MAFBNZ Inspectors should follow to control, manage or eradicate biosecurity pests and contamination associated with sea containers unless equivalent systems or processes have been set up and approved.

The desired outcomes of the requirements in the standard are to effectively and efficiently manage biosecurity pests and contamination associated with imported sea containers and packaging and to obtain biosecurity clearance.

Cargo carried inside a container must meet other relevant MAFBNZ import health standards to gain biosecurity clearance.

2 Actions to be undertaken by MAFBNZ for Non-Compliances

A container that does not meet the requirements of the standard will not be given biosecurity clearance and will be directed by a MAFBNZ Inspector for further action as considered appropriate to manage the biosecurity risks.

Deliberate non-compliance with the requirements of the standard or negligence leading to non-compliance will lead to increased intervention (e.g. inspection or audit) regimes with associated delays and increased costs. Prosecution of liable parties under the Biosecurity Act 1993 may also result.

Actions that will be taken when non-compliance with the standard is identified will be split into two areas:

1. Biosecurity contamination found on or in containers, and
2. Actions taken by supply chain parties.

The area of non-compliance will indicate which party MAFBNZ will consider generally responsible for the non-compliance and for further intervention by MAFBNZ.

1. Contamination found on or in containers

MAFBNZ inspection regimes of containers are determined by the level of regulatory interest assigned and are based on information received about the container, historical inspection data and the effectiveness of management systems in place (also see 'high regulatory interest' definition). Container inspection regimes can be increased or decreased for parties responsible for ensuring requirements are met.

Non-compliance area	Party responsible
Contaminated empty containers on arrival	Shipping line
Contaminated full containers (external) on arrival	Shipping line / Exporter
Contaminated full containers (internal) on arrival	Exporter / Importer
Undeclared cargo	Exporter / Importer

2. Actions taken by supply chain parties

Where an action (or in-action) by a party results in non-compliance with the standard MAFBNZ will hold the party considered to have control of the action responsible. Interventions taken by MAFBNZ include assigning containers 'high regulatory interest' or increased intervention (e.g. inspection or audit) regimes for parties responsible.

Examples of non-compliance	Party usually responsible
Information absent or incomplete	Importer / Agent
On-port checks not carried out on low regulatory interest containers	Port
Notification not provided to subsequent ports of transshipped containers (where applicable)	Port
Notification not provided to transporter or transitional facility	Importer or Agent
Delivery to other than the specified transitional facility	Transporter
Checks not carried out on low regulatory interest containers and associated packaging at transitional facilities	Transitional facility

3 Equivalence

Any person or organisation may request MAFBNZ to recognise a system, process or procedures that are different to those specified in this document and that achieve the outcome set by the standard.

Please contact MAFBNZ as per the contact details to pursue this option.

4 Costs

Where a container check is carried out by an accredited person, MAFBNZ charges are not incurred.

Inspections and other functions undertaken by MAFBNZ will be charged as per the current [Biosecurity \(Costs\) Regulations](#).

5 Audit of Sea Containers

A sample of containers imported into New Zealand will be audited to ensure compliance with the Import Health Standard for Sea Containers.

6 General Conditions and Responsibilities

Sea Container Requirement

All containers imported into New Zealand must be clean and free of biosecurity pests and contamination.

Responsibilities

- It is considered to be the responsibility of the importer or consolidator to ensure that the interior of all loaded containers they import comply with the requirements of this standard.

- It is considered to be the responsibility of the shipping line to ensure that the exterior of all loaded containers they carry to New Zealand comply with the requirements of this standard.
- It is considered to be the responsibility of the shipping line to ensure that all empty containers they import comply with the requirements of this standard.
- It is considered to be the responsibility of accredited persons or persons operating under the supervision or control of an accredited person at ports to check containers are externally free of biosecurity pests and contamination (as per their accredited persons training) prior to leaving the port of discharge.
- It is considered to be the responsibility of accredited persons or persons operating under the supervision or control of an accredited person at transitional facilities to check containers are internally free of biosecurity pests and contamination (as per their accredited persons training) during devanning.
- It is considered to be the responsibility of all parties involved in the handling of containers to visually check containers during routine handling and movement of containers for biosecurity pests and contamination, to contain any biosecurity pests or contamination found and report them to MAFBNZ.

7 Information

7.1 Information required prior to container arrival

The current approved manner for sending container information to MAFBNZ is via an electronic import entry to the New Zealand Customs Service or by sending discharge lists, manifests or bills of lading to MAFBNZ directly.

The following information should also be supplied to MAFBNZ where stated or required by other standards or agreed systems:

- Treatment certification.

7.2 Quarantine Declaration

A quarantine declaration is not mandatory for international transshipped containers not destined for New Zealand, however provision of a declaration may assist in some cases with container clearance or movement (a sample declaration is found in appendix 1).

8 Actions to be undertaken at Ports

8.1 Containers of high regulatory interest

MAFBNZ Inspectors will process containers of *high regulatory interest* at ports using one of the following methods:

EITHER:

- All containers must receive an external 6-sided inspection and empty containers must receive an internal inspection by MAFBNZ as soon as practicable, but should be completed within 48 hours of discharge from the vessel;

OR:

- Containers must be directed for treatment as per the MAFBNZ treatment standard [BNZ-STD-ABTRT](#) Treatment should begin within 48 hours of discharge;

OR:

- Containers must be managed under an equivalent decontamination or container management system approved by MAFBNZ (e.g. offshore container hygiene system or containers are stored in an area that is appropriately managed to contain biosecurity pests and approved by MAFBNZ).

NB: Containers carrying cargo of biosecurity interest may require further inspection and/or action (e.g. vent sealing) by MAFBNZ prior to leaving the first port of discharge.

8.2 Discharge and inspection requirements for all containers

After discharge from a vessel, all containers should be placed on a hard sealed area free from debris and soil. Prior to movement from the port the following requirements should be carried out:

- All container information is sent to and has been received and assessed by MAFBNZ; and EITHER:

- MAFBNZ has processed containers of high regulatory interest. Processing should occur within 48 hours of discharge;

OR:

- An accredited person or a person operating under the supervision or control of an accredited person has externally checked containers of low regulatory interest (as per their accredited persons training). Checks should occur within 48 hours of discharge;

OR:

- Containers are managed under an approved decontamination or container management system approved by MAFBNZ.

8.3 Containers for transshipment by sea

Containers for transshipment by sea must be covered by one of the following options:

EITHER:

- Containers of high regulatory interest are processed by MAFBNZ Inspectors at the first port of discharge if they will remain on the port for longer than 12 hours; and
- Containers of low regulatory interest are checked by an accredited person or a person operating under the supervision or control of an accredited person (as per their accredited persons training) at the first port of first discharge;

OR:

- The first port of discharge must notify the following New Zealand port of discharge of any containers of high regulatory interest that still require MAFBNZ inspection.

9 Transportation

The movement of uncleared containers must be authorised by MAFBNZ prior to container movement. Uncleared containers cannot be moved from a port or another transitional facility until transporters have been notified of the transitional facility details to transport the container to. Transporters must deliver the container to the nominated approved facility before it can be opened or devanned.

10 Transitional Facilities

10.1 Requirements for transitional facilities and accredited persons

The requirements for transitional facilities and accredited persons are contained in the MAFBNZ standard [BNZ-STD-TFGEN: General Transitional Facilities for Uncleared Goods](#).

10.2 Inspection requirements for containers at transitional facilities

A MAFBNZ BACC will specify actions that must be undertaken by an accredited person and/or a MAFBNZ Inspector. A Customs delivery order with the authority 'MAF approval given to move from the wharf to an ATF' allows an accredited person to devan a container, check the container and goods for contamination and distribute the goods as required.

Containers with uncleared biosecurity risk cargo (including wood packaging material), must be devanned at the transitional facility in the presence of a MAFBNZ Inspector or an accredited person (this will be specified on the MAFBNZ BACC). Containers with uncleared cargo that is not considered a biosecurity risk must be devanned at the transitional facility in the presence of an accredited person.

A FAK *container* must receive biosecurity clearance at the first transitional facility where devanning occurs. Cargo may receive biosecurity clearance at the first transitional facility OR it may be delivered to another transitional facility for clearance. The movement of any uncleared cargo (e.g. originally part of a FAK) to another facility is covered in the MAFBNZ standard [BNZ-STD-TFGEN: General Transitional Facilities for Uncleared Goods](#).

10.3 Wood packaging and packaging material

The MAFBNZ standard [Wood Packaging Material from All Countries](#) outlines the international ISPM15 and other requirements all wood packaging must meet to be given biosecurity clearance.

10.4 Detection and management of contamination and un-manifested cargo at transitional facilities

Biosecurity pests and contamination and restricted packaging material found on or in a container during routine checks must be secured in a quarantine bin or other approved receptacle and MAFBNZ notified via container logsheet (as per the accredited persons training).

If un-manifested cargo is identified, it must be segregated and secured and MAFBNZ notified. This is to ensure un-manifested cargo can be risk assessed and (where required) inspected by MAFBNZ Inspectors.

When live organisms, e.g. insects, mobile animals or egg masses are found, they must be secured and MAFBNZ notified immediately on 0800 809 966.

Appendix 1

Sample quarantine declaration

Please produce this declaration on Packer or Exporter letterhead

Model Quarantine Declaration to Accompany Sea Containers to New Zealand

Vessel Name:

Voyage Number:

Container Number or Numbers:

Cleanliness, Restricted Packaging and Wood Packaging Declaration

1. Cleanliness

At the time of packing, the container/s were inspected internally and externally, and are clean and free from contamination with live organisms, material of plant or animal origin, soil and water..... Yes No

2. Restricted Packaging Materials

Has any soil, peat, raw green or contaminated moss, used sacking material, used tyres, hay, straw, chaff or any packing material contaminated with the above been used within the container/s listed above?. Yes No

3. Wood Packaging

Has any wood packaging been used within the container/s such as cases, crates, pallets or wood used to separate, brace, protect or secure cargo in transit? Yes No

3a. If yes to 3 above, has the wood been ISPM 15 treated and marked?..... Yes No

3b. If no to 3a above, how was the wood treated?.....

3c. Is a certificate for the treatment noted in 3b available? Yes No

(If available please attach the original treatment certificate)

I certify that the above is true and correct.

Signed:

Name:

Position in Company:

Date:

FAILURE TO SUPPLY THIS INFORMATION, OR SUPPLYING ERRONEOUS INFORMATION, MAY RESULT IN SIGNIFICANT DELAYS AND INCREASED COSTS DURING THE ARRIVAL PROCESS IN NEW ZEALAND.