



## 2021-22 BMSB Risk Season Industry Information Session

### Questions and Answers

#### Seasonal measures

Q: Does the department differentiate between orders/enforcement regarding a) dead bugs on common areas of a vessel and b) dead bugs found in a treated, containerised cargo? If so, how so? Where does DAWE draw the line?

A: Bugs on a vessel, either in common areas or with cargo are treated the same way as it may be hard to determine the origin of the bugs and as the bugs on a vessel are hitchhikers there is no way of knowing if they have moved throughout a voyage. We are hoping the new reporting template we have created for crew inspections will assist in determining origin of bugs found on a vessel and will wait and see what the data shows.

Bugs inside containers are related to those particular containers so it is easier to show risk and origin. With the exception of Open Top and Flat Rack containers and the inability to seal them and hold bugs in one location.

Q: What are average processing times for Safeguarding applications at the moment?

A: There are no average times for processing Safeguarding Applications. It is dependent on the application and information provided being everything we need. A good application should take us about a week to process, but if we have unclear, or incomplete information then it will take longer.

Q: If a BMSB provider (after treatment) does not apply the seal number on the certificate, as FF can we provide (together with the fumigation certificate) a sealing declaration to show how the seal has been placed within 120 hours from treatment? is this sealing declaration compulsory till 1 December only?

A: Yes, a sealing declaration can be used to demonstrate a container has been sealed withing 120 hours of treatment being conducted if the treatment has been conducted prior 1 December. The freight forwarder can complete the sealing declaration. [Templates for sealing declarations](#) can be found on our website.

Q: How should we act for partial loads?

A: For partial loads, the treatment provider is likely to have less control over the timing of the packing so it will be up to the freight forwarder to ensure the goods are packed within 120hrs. A sealing declaration from the FF would be sufficient to indicate date/time of packing and we can use this along with the treatment cert information to determine if it meets the 120hrs.

Q: You suggest offshore treatment, but are you aware that the shipping environment (pretty much globally) is in chaos and from many origins countries treatment at



origin is almost impossible currently? The USA is a case in point. Lack of schedule integrity is one of the contributing factors.

**A:** The department has mandatory offshore treatment requirements for break bulk, OT and FR containers to manage the hitchhiker pest risk of BMSB. These treatments must be conducted within 120hrs of export (being Shipped on Board) to minimise the risk of any reinfestation (between September 1 and December 1).

The department is monitoring the sea cargo situation and will be looking at case studies from this season to determine if the policy position needs to change in managing the biosecurity risk considerations.

**Q:** DAWE changed the season by a fixed date, not discharge date (like NZ still has in place). Should it not follow for DAWE to apply same logic and uphold previous approvals of a consignment treatment plant? We acknowledge this is a difficult task for DAWE, but cargo owners and operators need certainty and clarity from regulators.

**A:** DAWE policy relating to hitchhiker pest aligns with our legislation and the risk assessment of the pest. In this instance, our legislation is that we manage BMSB for goods exported between September 1 and April 30 inclusive. Australia is a far larger country that results in a wider climate range and as such it is considered to have a longer period of time that BMSB may be able to establish in Australia than NZ.

**Q:** If goods do not require treatment and ship via LCL and the other portion is requiring treatment, whose responsibility is to fumigate all containers? The forwarder before consolidating? Or the supplier with cargo affected?

**A:** That would be a commercial arrangement that would need to be decided with the freight forwarder and supplier. The department would recommend where possible that goods that are not subject to measures are not packed with goods that require treatment to alleviate this issue. Of that the goods that require treatment, are treated prior to being packed into the container.

**Q:** In relation to disruptions to global supply chains; we are struggling to export containers stuck in the USA within 21 days after sealing as bookings with shipping lines are virtually impossible to come by. Is there a way of extending that 21-day window for sealing declarations?

**A:** The department is aware of delays in overseas load ports. Where container have been packed and sealed prior to 1 September, and these containers have been gated into facilities and the vessel has been subsequently delayed, consideration will be given to these containers. Transport documentation, container bookings, gate in certificates etc; can be provided with the sealing declaration to show that the containers were going to be loaded within the 21-day timeframe, but due to vessel delays have exceeded this.



- Q: What is the responsibility of liner operators in ensuring compliance to the treatment standards?
- A: The broker and importer are responsible for ensuring the goods meet our BMSB seasonal measures prior to arriving in Australia. Some shipping line operators do apply conditions on goods being shipped on their vessel. For the shipping line operators' requirements, please contact the shipping lines directly.
- Q: How will the introduction of some air freight commodities being subject to inspections be managed and at what level - MAWB, HAWB or other?
- A: Goods from target high risk tariffs – 84, 85, 86 & 87 loaded from US and Italian load ports will be targeted for random inspection between 1 September and 30 November. These inspections will be determined on the N10 and N20 import declarations that meet the above criteria.
- Q: Would the reporting requirements for Non VSPS vessels remain the same as before?
- A: Yes, they will.
- Q: For DAWE & MPI, how far is China from being added to the target risk country list?
- A: China is a native range country with natural predators that manage BMSB populations. Due to this, and the numbers of detections we have no intention at this stage of adding China as a target risk country. Of detections of stink bug from China, we tend to have more detections of Yellow Spotted Stink Bug compared to BMSB. Both are managed on a case-by-case basis.
- Q: When VSL has been inspected and cleared in NZ by MPI, can there be alignment by DAWE that vessels then only do PAR & SPQ after departure Auckland, and not have to submit all previous information and pics already sent and handed to MPI?
- A: To ensure the department has a clear risk assessment of each vessel, our entomology team require the information provided to NZ MPI (seven days of inspection) and then the inspection information between NZ and Australia.
- Q: For pre-treated containers - regarding the requirement of "goods must be shipped on board within 21 days of sailing", this is not possible today out of Seattle due to excess congestion, where we are seeing delays of 6-8 weeks at the port before vessel arrive and loading.
- A: Once containers have been treated and sealed, there is no additional requirement for these containers to be loaded in a specified time frame. The 21 days requirements are for containers that have been packed and sealed prior to 1 September, therefore not requiring treatment, that have been shipped on board vessels after 1 September.



- Q: If goods are treated prior to loading containers, must the containers still be treated as well?
- A: The treatment requirements are for target high risk goods from target risk countries. Whilst the department prefers for treatments to be completed at the container level, treatments of goods can occur outside of containers prior to packing. Please note if these goods are treated prior to 1 December, they must be packed and sealed within the container within 120 hours of the treatment being conducted.
- Q: As a destination of exported goods is there any intention of accepting a SF based treatment in place of ISPM-15?
- A: Timber packaging that is not ISPM-15 stamped can be treated with sulfuryl fluoride if the treatment meets the requirements detailed in our biosecurity import conditions system (BICON) – use search term 'timber packaging'.
- Q: If the fumigation is conducted in August and the containers do not leave the port until 1 September, will the supporting documents be required to be with them?
- A: The measures are based on goods being shipped on board the vessel between 1 September and 30 April. If your goods are shipped on board the vessel after 1 September, then supporting documentation will need to be provided for the goods on arrival in Australia
- Q: If goods are treated prior to loading in container what is the time frame to loading/shipping? 120hrs?
- A: Treated goods must be packed and sealed into a container within 120hours of treatment occurring. If the goods are loaded onto flat rack and open top containers, then these goods must be loaded onto the vessel within 120 hours of treatment. Please note the 120-hour post treatment window applies only to goods treated prior to 1 December. Further information on 120 post treatment window can be found [here](#).
- Q: There is an MPI definition for used cargo stated on their IHS, but what is the definition of used cargo for DAWE? Is this aligned between both authorities?
- A: The department does not have a formal definition for used cargo. Depending on the circumstances of the goods prior to export as they would essentially pose the same BMSB risk as unused goods. Some used goods such as agricultural or mining machinery are subject additional conditions relating to soil and other potential contamination risks, but these are unrelated to BMSB.



## BMSB treatments

- Q: Once registered and on the website, when can we expect to receive the document portal link?
- A: The link to the offshore BMSB treatment certificate online system is provided to the approved treatment provider within 24 hours of the treatment provider being published on the departments list of approved offshore BMSB treatment providers webpage.
- Q: When we perform a khapra treatment to a container in BMSB season, do we need a separate certificate for BMSB?
- A: One treatment certificate can be issued, though it must be issued using the BMSB treatment certificate template and include the target of treatment/fumigation.
- Q: What are the current processing times for applications of overseas treatment providers if all information has been provided?
- A: Assessments of applications are being conducted in the date order they are received, and we aim to have the assessment completed within 3 working days from the date received.
- Q: If a treatment/fumigation provider, with a current approved registration with DAWE, fumigated a consignment and is loaded on a vessel for import. During transit at sea (weeks after treatment), the facility's accreditation is suspended, is the cargo already on board denied clearance in AU? Is so why so? The facility had a current valid approval at the time of load and acceptance by cargo owners in AU and indeed a carrier.
- A: If it is identified that a treatment provider has not been conducting compliant treatments and the cause is sufficient to warrant suspension from the offshore BMSB treatment provider scheme, we cannot have confidence in the any of the other treatments conducted by that provider. Therefore, any consignment in transit that have been treated by that provider will also be considered ineffective and managed accordingly.
- Q: If DAWE has no confidence in its accreditation process, to uphold its previous approval for an import that may be on the water, on the way to AU, should you consider spending more time in doing so?
- A: The registration and accreditation process determine if the treatment provider has the facilities, equipment, trained personnel, and an understanding of the BMSB treatment requirements. A treatment provider listed on the department's list of approved offshore BMSB treatment providers webpage, means the treatment provider has the capability and knowledge to comply with the requirements. We conduct verification throughout the season to ensure treatment provider compliance. Where significant non-compliance is identified action will be taken accordingly.



Q: How much space (in cm) should there be above and around the goods in containers?

A: No specific, numeric guidelines are provided for the free airspace and consignment suitability requirements for BMSB treatments. This is due to the wide variety of consignment types subject to treatment.

Guidance on free airspace and consignment suitability are available in the treatment methodologies and facts sheets. Exporters, packers, shippers, and treatment providers are encouraged to work together to ensure goods are presented in a way that enables an effective biosecurity treatment. Registered treatment providers must use their professional judgement to assess consignment suitability to ensure that each individual treatment will meet the BMSB requirements

These factsheets have been published on the [Guidance for conducting BMSB Treatments webpage](#)

## Further information

Stay updated on the BMSB seasonal measures by visiting the following webpages

[www.agriculture.gov.au/bmsb](http://www.agriculture.gov.au/bmsb)

Google: **MPI Brown marmorated stink bug guidance**

Note: The new season NZ Vehicle and Machinery Standard is now available on the MPI website.

Any additional questions relating to the policy for seasonal pests can be emailed to:

[spp@awe.gov.au](mailto:spp@awe.gov.au)

[BMSB@mpi.govt.nz](mailto:BMSB@mpi.govt.nz)

Any additional questions relating to BMSB treatments can be emailed to:

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