



**REVIEW OF PUBLIC SUBMISSIONS ON:
THE DRAFT IMPORT HEALTH STANDARD FOR
VEHICLES, MACHINERY AND PARTS**

(Consultations held from the
3rd April to 3rd June)

05 July 2019

Approved for general release

Peter Thomson
Director, Plants and Pathways,
Ministry for Primary Industries

Ministry for Primary Industries (MPI)

Te Manatū Ahu Matua
Pastoral House
25 The Terrace
PO Box 2526
Wellington
New Zealand

Telephone: +64 4 894 0100
Facsimile: +64 4 894 0662
Internet: <http://www.mpi.govt.nz>

Plants and Pathways Directorate

Executive Summary

This document provides MPI's response to feedback received from stakeholders and interested parties during the consultation period of 3rd April 2019 to 3rd June 2019.

MPI's response to feedback received during this consultation period has been combined within this document. In some cases, different submitters provided similar feedback or asked similar questions regarding certain aspects of the Import Health Standard for Vehicles, Machinery and Parts (referred to in this document as the Standard). As such, this review of submissions has identified broad themes that were raised, and addressed similar feedback from multiple submitters collectively, rather than responding to each point individually. It has been stated if the response is aimed at a single submission or multiple submissions of a similar nature.

Documentation

The draft Standard, was issued for consultation on the 3rd April, without an accompanying guidance document. An accompanying guidance document will be issued upon finalisation of the Standard. All vital guidance was captured in the draft Standard within guidance boxes. The finalised guidance document will have greater emphasis on what importers can do to ensure the required outcome is met instead of clarifying the requirements of the Standard. This will include how to clean vehicles, machinery and parts to MPI' standard and provide information around high risk pests, associated with the vehicle, machinery and parts pathway.

Feedback received and MPI's reply

MPI thanks all parties who submitted comments on the drafted Standard and appreciates concerns that were expressed about the need to manage the likelihood of regulated pests establishing in New Zealand on this pathway while maintaining the ability to trade with other countries. Following consideration of matters raised in submissions, MPI has made some changes to the finalised Standard.

MPI received feedback from 16 submitters on the Standard, prior to the 4th June 2019. These included some questions or requests for clarification instead of, or in addition to, formal submitted feedback. Where possible, questions asked have been answered by MPI with the response to particular submission themes.

MPI assessed and considered all of the feedback received and modified the Standard appropriately to reflect this. The outcome of the Standard remains that all vehicles, machinery and parts must be managed to ensure that they are clean and free of biosecurity contaminants and regulated pests. The criteria for clean and free of biosecurity contaminants and regulated pests remains defined by the specific contamination threshold levels as per Schedule 2 of the Standard.

There remains additional requirements for some higher risk used commodity types listed under Part 3 of the Standard as well as requirements for Brown Marmorated Stink Bug (BMSB) management for various commodity types that arrive from Schedule 3 countries during the BMSB season, under Part 4 of the Standard.

Pest Risk Analysis

MPI pest risk analysis documents *Halyomorpha halys* (brown marmorated stink bug). Ministry for Primary Industries, New Zealand (Duthie 2012, Burne, 2019) and Import risk analysis: vehicles and machinery, Vehicles and Machinery. Ministry of Agriculture and Forestry. Technical papers include Lee and Lesley 2015, Acebes, A L 2016 and Nielsen and Hamilton 2009.

Asian Gypsy Moth (AGM), BMSB and other regulated pest interception data has also informed MPI's proposed risk management approach and measures for the importation of vehicles, machinery and parts from all countries under the Standard.

Communications

MPI will be providing the Standard to as many stakeholders (importers and other interested parties) as possible either directly or via the MPI website.

MPI will also ensure that countries' regulatory agencies, relevant ministries and embassies are informed as per SPS requirements, and as soon as possible before the date of enforcement. Enforcement of the Standard is the 1st of

September 2019 to ensure that the risk season for the Brown Marmorated Stink Bug and other pests are managed appropriately.

Introduction

MPI received 16 consultation submissions on the draft version of the Standard released on the 3rd April 2019, from the following stakeholders:

1	Ms Rosemary Dawson	Customs Brokers and Freight Forwarders of New Zealand (CBAFF)
2	Ms Emma Edney-Browne	Auckland Regional Council
3	Dr Nicolas Jones	Hawkes Bay Regional Health Board
4	Mr Stu Hutchings	Kiwi Fruit Vine Health
5	Mr Aaron Treadway	Japanese Export vehicle Inspection Center Company Limited
6	Ms Philippa Rawlinson	Federated Farmers of New Zealand
7	Dr Anna Rathe	Horticulture New Zealand
8	Mr Dave Cormack	Forest Owners Association
9	Ms Nicola Robertson	New Zealand Apples and Pears
10	Mr Richard Howard	Auto Japan
11	Mr Rod Hitchmough	Department of Conservation
12	Mr Jacob Bates	Automotive Technologies Ltd
13	Mr Sunil Dhowan	Wallenius Wilhelmsen Ocean
14	Mr Hans Corporaal	Armacup Maritime Services Limited
15	Mr Kane McElrea	Northland Regional Council
16	Dr Edwin Massey	New Zealand Wine

MPI appreciates the time and effort submitters have gone to in asking for clarification and providing submissions to MPI. MPI is grateful for all submissions made in support of MPI's approach and efforts to effectively manage the biosecurity risks associated with this pathway. Rather than replying to all of the individual points made by each submitter, MPI addresses similar concerns based on subject themes to keep the document concise and avoid unnecessary repetition. This document focuses on the concerns raised with the proposed requirements for the Standard and this pathway.

Based on the concerns raised in the submissions received, MPI has made modifications to the finalised Standard. Changes to the MPI website where appropriate, will follow leading up to implementation of the Standard on 1 September 2019. The Guidance Document to accompany the Standard will be completed and available by the end of July 2019. Any crucial guidance relating to the requirements of the Standard, have been captured in guidance boxes within the Standard.

Finalisation of proposed requirement changes to the Standard

The following proposed changes have been accepted and are now finalised in the Standard. See [Schedule 1](#) for a summary list of proposed changes that featured in the draft Standard which was released for consultation.

- 1) Inclusion of 16 additional BMSB risk countries under Schedule 3 – ‘Actionable countries for the management of BMSB.’ This takes the total of countries being managed for BMSB risk to 33 and aligns with the Department of Agriculture in Australia (with the exception of Japan).
- 2) Mandatory before-arrival treatment requirements for vehicles, machinery and parts exported in sea containers from Schedule 3 countries. This aligns with BMSB management requirements for break-bulk exportation of vehicles, machinery and parts, mandatory treatment of sea containers and cargo from Italy.

Requirement changes made to standard following completion of the consultation period

1) Name change to the Import Health Standard for Vehicles, Machinery and Parts:

The name of the Standard has been changed to the ‘*Import Health Standard for Vehicles, Machinery and Parts*’. The Standard’s name was changed with the August 2018 Standard release to include the word ‘equipment’ in place of the word ‘tyres’. This was primarily done to align with the International Plant Protection Convention’s (IPPC) Standard also termed Vehicles, Machinery and Equipment. However, after a considerable layout change was completed and submission feedback was considered, the name of the Standard has now been changed to more accurately reflect the risk goods that the Standard captures, which are vehicles, machinery and any parts derived from a vehicle or a machine. It also removes the ambiguity around the word ‘equipment’ which cannot be easily defined. Used wire cables or ropes are not technically a vehicle or machinery part and are better described as an attachment, however MPI is comfortable with the wider association, especially as only wire ropes or cables that have been used with a vehicle or machine are captured by the Standard.

2) Section 2.2: Labelling requirements:

The requirement that used outdoor or targeted machinery which has been certified as clean (Section 3.1 requirement), must also be labelled with a sticker has been removed from the Standard. MPI does not believe it is needed or practical for an importer who cleans used outdoor or targeted machinery and submits certification to MPI to be required to also label that machinery before exportation. It remains a requirement that vehicles, machinery and parts treated with an MPI-Approved Treatment or managed by an MPI-Approved System must be labelled under Section 2.2 on the Standard due to differing logistic and operational considerations.

3) Section 2.5. Treatment requirements for vehicles, machinery and parts transshipped through New Zealand:

A requirement has been added stating that risk goods arriving as break-bulk (including in a non-fully sealed container) must meet the applicable treatment requirements of the Standard, before arrival in New Zealand. This requirement is in addition to the requirement that vehicles, machinery and parts must be clean and free of biosecurity contamination and regulated pests when they arrive in New Zealand. A second requirement has been added stating that vehicles, machinery and parts arriving in New Zealand for transshipping in a fully sealed container must remain in that container with the doors remaining closed while in New Zealand. This changes is discussed in greater depth as part of the [transshipping response](#).

4) Part 4: BMSB management exclusions:

Exclusions for specific items and manufacturing/storage conditions relating to BMSB management (new vehicles, machinery and parts) have not been changed but have been incorporated into each relevant section under Part 4 of the Standard to improve usability of the document. These exclusions also remain in the Part 4 exclusion table in Schedule 1 of the Standard.

5) Section 3.2: Time requirement for used vehicle and machinery parts treated on arrival:

The on-arrival treatment requirement for used vehicle and machinery parts exported in a fully sealed container and outside of the BMSB season; or from a non-Schedule 3 country, has been changed from 12 hours to 120 hours. The 12 hours stated in the draft was an error and the intention was for treatment to be conducted within 120 hours of arrival in New Zealand.

6) Section 3.3: Targeting of mandatory heat treatment for used wire cables or ropes:

The heat treatment requirement for used wire ropes or cables has been altered to target only those used wire ropes and cables used with vehicles or machinery in an agriculture or forestry setting.

Used wire cables and ropes may be associated with used vehicles or machinery that are not designed or used for higher risk purposes and therefore, are not considered to require mandatory heat treatment before arrival. Examples are wire cables or ropes used with cranes for urban construction or tow trucks or other road based vehicles with built in wire ropes that do not typically get used for anything other than on-road towing purposes.

Hitch hiking pests are not commonly associated with wire cables or ropes. The heat treatment of wire cables or ropes has been mandatory to reduce the risk of fungal spores, plant material and seeds that are associated with these items when used in higher risk situations. If wire cables or ropes have not been used in agriculture or forestry settings there is significantly reduced risk of these contaminant types. Used wire cables or ropes are subject to verification on arrival, at MPI's discretion and can be treated or sent for decontamination on arrival if required.

7) Part 3: Before-arrival treatment requirements for used parts, used tyres and used wire ropes:

Under Part 3 of the Standard (*Additional requirements for specific types of used vehicles, machinery and parts from all countries*), importers can treat these risk goods before arrival or on arrival to comply with treatment requirements (except for wire cables and ropes which must be treated before arrival). To prevent treatment certification fraud and to raise the standard of treatments performed in other countries, MPI will now require that before-arrival treatment must be carried out by an MPI-Approved Offshore Treatment Provider or a treatment provider that is approved by a National Plant Protect Organisation (NPPO). MPI data shows that the majority of these commodity types are treated on arrival which continues to be an option under the finalised Standard. If the treatment was carried out before arrival, it has typically been carried out by treatment providers that are/will be on the MPI-Approved Offshore Treatment Provider list or are approved by an NPPO.

Unlike with BMSB treatment requirements, MPI have allowed treatment providers approved by an NPPO to carry out treatment of these risk goods as these providers are highly regulated and are therefore, expected to carry out treatments to an equally high standard. MPI expects that any treatment provider endorsed by an NPPO will become an MPI-Approved Offshore Treatment Provider in time. However, as treatment for BMSB in Schedule 3 countries must be completed by an MPI-Approved Offshore Treatment Provider, MPI and the Australian Department of Agriculture (DA) must focus on approving treatment providers in Schedule 3 countries first (as has been agreed between Australia and New Zealand).

8) Part 4: Removal of the year-round system management requirement for used outdoor or targeted machinery from Japan.

The requirement stating that an MPI-Approved Used Machinery System in Japan must be approved on a year-round basis, has been removed from the Standard. While MPI remains concerned about the risk of AGM with used vehicles and machinery from Japan, exported outside of the BMSB season, MPI believe the certified cleaning requirement (3.1) for used machinery from Japan can manage the risk of AGM effectively without requiring mandatory system operation during the AGM risk period.

9) Reduction to the maximum time allowance for goods moved to the export port after treatment. (section 4.6.1 (2) c)

Vehicles, machinery and parts which are to be exported as break-bulk (including non-fully sealed containers) are not always treated at the export and may be treated beforehand at a storage or manufacturing site. When this occurs the item must be moved directly to the export port within 6 hours (4.6.1 (2) a), immediately wrapped in an insect proof manner (4.6.1 (2) b) or sprayed with residual insecticide (4.6.1 (2) c), before the goods are transported directly

to the export port. The time allowed after the residual insecticide option has been reduced from 120 hours to 24 hours to align with the insect proof wrapping option.

MPI's response to submissions received during consultation - 3rd April and 3rd June 2019

Due to the number of requirement changes and the more explicit explanation of some requirement that were not transparent in the previous Standard versions, MPI received many submissions on multiple aspects of the Standard. MPI has aimed to cover all submissions grouped by the following general themes or specific topics.

Submission Theme	Section or Part of Standard	Submission Type
Import Health Standard formatting, layout and structure	ALL	Multiple submissions
On-arrival requirements for all vehicles, machinery and parts	Section 2.4	Multiple submission
Requirements for vehicles, machinery and parts transshipped through New Zealand	Section 2.5	Multiple submission
Requirements for vehicles, machinery and parts arriving in New Zealand as airfreight	Section 2.6	Multiple submission
Exclusion of China, Korea and Taiwan from Schedule 3 country list (actionable BMSB management countries)	Part 4	Multiple submission
Treatment requirement differences for uses parts associated with type of exportation (when not under BMSB management)	Section 3.2	Multiple submission
Removal of previous requirement for an MPI-Approved Cleaning Provider to carry out certified cleaning of used outdoor or targeted machinery exported from Japan	Section 3.2	Multiple Submission
Removal of on-arrival break bulk treatment of used tyres	Section 3.4	Multiple submission
Alignment between MPI and DA BMSB season end dates or extension of the BMSB season to year round (12 months of the year)	Part 4	Multiple submission
Confidence in MPI-Approved Offshore Treatment providers	Part 4	Multiple submission
Adding of additional treatment options for aircraft and watercraft under BMSB management	Section 4.4	Multiple submission
Year round treatment of used vehicles from Japan when managed by an MPI-Approved System	Section 4.1	Single submission
Approved arrangements for post treatment or transshipping arrangements	Section 4.6 and 4.7	Single submission
Reducing the time limits around post treatment and transshipping requirements in Schedule 3 countries	Section 4.6 and 47	Single submission
Segregation requirements to prevent post treatment re-contamination (Part 4)	Part 4	Single submission

Year round treatment of all whole/entire vehicles and machinery from all countries	No existing Section or Part.	Multiple submission
The biosecurity risk of plant material in high temperatures areas of the vehicle or machine motor and the stated measurement for amount of allowable soil (Schedule 2)	Schedule 2 – Biosecurity contamination thresholds	Single submission

Standard layout change

Submission Theme:

The layout of the Standard has been supported as a major improvement. Included in this is was the more explicit explanation of requirements relating to transshipping through New Zealand, importation by airfreight, post treatment requirements and transshipping through Schedule 3 countries during the BMSB season.

MPI’s response:

MPI aimed to leave little room for interpretation by the reader through clarifying aspects of the Standard which were not considered to be explicit or transparent in past versions. It is MPI’s intent that the Standard remains an accurate document, including full requirement and guidance descriptions. In addition, a soon-to-be released MPI ‘importing tool’ will help importers quickly check the requirements of various types of vehicles, machinery and parts without needing to refer to the Standard every time. This tool is planned to be made available on [MPI’s Vehicle, Machinery and Parts webpage](#), prior to 1 September 2019.

Some minor improvements were suggested through submissions and have been thoroughly considered by MPI. Some minor changes to guidance associated with certain requirements have been modified accordingly in the finalised version of the Standard or will be added to the accompanying guidance document due for completion by the end of July 2019. The complexity of vehicles, machinery and parts including the associated pathway logistics along with BMSB management measures implemented in recent years will continue to make some aspects of the Standard difficult for importers to understand in some situations. To avoid importation delays and unnecessary costs, MPI continues to encourage importers to proactively check requirements with MPI when in doubt.

On arrival requirements – MPI verification of vehicles, machinery and parts, on arrival (Section 2.4).

Submission theme:

Remove the word ‘new’ when referring to the possibility of verification inspection of new vehicles, machinery and parts, on arrival.

MPI’s Response:

The wording around on-arrival requirements (Section 2.4), was revised to better reflect MPI’s right to verify compliance with the requirements of the Standard and under the Biosecurity Act. It also reflects the implementation of additional requirements for new vehicles, machinery and parts under BMSB management, over recent years.

The intention of Section 2.4 states what is required of the importer and provides a time frame around when the on-arrival verification activities are likely to be carried out by MPI. Requirement 2.4 (1) states the following “*the importer of new and used vehicles, machinery and parts must make goods available to MPI*”. The requirement does not state that risk goods will receive a verification inspection. Any verification activity will be directed via the BACC issued.

The Standard’s intent is not to direct MPI Inspectors around which risk goods must have compliance verified on arrival. Doing so may prevent MPI from verifying compliance in accordance with actual risk in such instances as new risk pest emergence, pest outbreaks or where risk goods are linked to an importer or manufacturer who has a history of non-compliance. The role of BNZ inspectors is to verify that risk goods comply with MPI’s requirements, in this case those

requirements stated in the Standard. This is most commonly achieved through verification inspections on arrival, or in some cases overseas. While not all additional requirements in Parts 3 and 4 of the Standard apply to all new vehicles, machinery and parts, these new risk goods must comply with Section 2.3 of the IHS which states that all vehicles, machinery and parts imported into New Zealand must be clean and free of biosecurity contamination and regulated pests.

Given the above, MPI has not omitted the word 'new' from the requirements for Section 2.4. However, to make this clearer to importers, the requirement and guidance has been reworded to clarify the following points:

1. MPI reserves the right to verify compliance for any vehicle, machine or parts on arrival; and
2. Importers of used vehicles, used outdoor or targeted machinery and parts derived from a used vehicle or machine should continue to expect an on-arrival verification inspection for compliance due to increased risk associated with these used commodity types.

Excerpt taken from the finalised Section 2.4 of Standard:

1.1 On-arrival requirements for vehicles, machinery and parts

- (1) Importers of new or used, vehicles, machinery and parts from all countries must make these risk goods available to MPI;
 - a) Within 12 hours of being unloaded from the vessel if shipped as break-bulk; or
 - b) Within 12 hours of being unloaded from the container or other insect proof, secured storage at a Transitional Facility.

Guidance:

- Any verification activity will be directed via the BACC issued.
- Importers of used vehicles, used outdoor or targeted machinery and used parts should expect an on-arrival compliance verification inspection (external and internal). However any new or used vehicles, machinery and parts may be verified on arrival at the discretion of MPI. Any vehicle, machine or parts managed under an MPI-Approved System or cleaned and/or treated before arrival may also be subject to verification inspection on arrival.
- Containerised vehicles, machinery and parts awaiting an MPI inspection (if directed) at a Transitional Facility can be removed from the exporting container, and stored securely in an insect proof manner up until 12 hours before the verification inspection takes place.
- For the purpose of MPI verification inspection, items that arrive on a flat-rack are considered break-bulk and will likely be inspected within 12 hours of unloading from the vessel, not at a Transitional Facility.
- MPI Inspectors may require importers to fully or partially dismantle specific vehicles or machinery and leave them dismantled during shipment to confirm that high-risk areas are free of biosecurity contaminants.
- If the inspection reveals a biosecurity contamination issue, MPI may require the vehicle, machinery and parts to be treated (if possible), reshipped or destroyed.

Requirements for vehicles, machinery and parts transshipped through New Zealand (Section 2.5)

Submission theme:

Support for the requirement that vehicles, machinery and parts arriving in New Zealand as break-bulk (including in a non-fully sealed container) for the purpose of transshipping before being shipped to other countries should comply with the same requirements as those arriving and requiring biosecurity clearance into New Zealand.

MPI response:

This requirement was not a change on the previous Standard and was instead clarified in the proposed Standard to make clear to importers what is required for risk goods being transshipped through New Zealand on the way to other destinations. It was added to the risk management proposal so that industry could understand the associated requirement and submit feedback accordingly.

The Standard is written for vehicles, machinery and parts requiring clearance on arrival in New Zealand and not for those that 'arrive' in New Zealand for the purpose of transshipping through New Zealand. Vehicles, machinery and parts that are transshipped through New Zealand must comply with the requirements of the country where they will receive clearance following the transshipment period in New Zealand. Vehicles, machinery and parts transshipped through New Zealand are primarily heading to Australia or to a lesser extent, the Pacific Islands or Antarctica. Australia has equivalent BMSB requirements for vehicles and machinery exported as breakbulk. Therefore, anything being transshipped through New Zealand on the way to Australia during the BMSB season should be compliant with MPI's BMSB treatment specifications or managed under a safeguarding system which is equivalent to MPI's Approved Systems for BMSB management.

MPI Inspectors are able to manage the risk involved with these transshipped vehicles, machinery and parts on arrival in the same way as they are with those arriving and requiring biosecurity clearance into New Zealand. MPI Inspectors can direct treatment or decontamination (where possible), re-shipment or destruction to manage biosecurity risk. What they can't do is manage the risk of some high risk pests, especially those that are difficult to detect with an inspection, in the same way as an MPI-Approved Treatment, performed before arrival.

MPI does not believe that it is necessary to enforce some requirements of the Standard such as certified cleaning upon vehicles, machinery and parts that are being transshipped through New Zealand. MPI does, however, acknowledge that treatment requirements for specific commodity types exist to manage increased risk of BMSB or other regulated pests under specific circumstances. MPI agrees that transshipped vehicles, machinery and parts arriving as break-bulk should also meet the applicable treatment requirements before arrival for the following primary reasons:

1. Reduces the time that MPI Inspectors are required to monitor and verify untreated risk goods in the port area.
2. Reduces the chance that MPI Inspectors will have to direct treatment or decontamination, re-shipment or destruction of risk goods.
3. Reduces the possibility of recontamination and supports the efforts that other importers or manufacturers have gone to with regards to ensuring their risk goods are clean and free of contamination before being loaded onto a vessel that cannot provide complete segregation capability.
4. Some regulated pests on untreated vehicles, machinery and parts may not be detected by MPI during the transshipment period with verification inspections. This is a possibility with BMSB which may still be confined to unseen/hidden areas of vehicles and machinery at the time of arrival in New Zealand.
5. Reduces risk of regulated pests escaping from non-fully sealed sea containers during the transshipment period in New Zealand.

Due to the above considerations, transshipment requirements have been modified as per the below excerpt taken from the finalised Standard:

2.5 Vehicles, machinery and parts that arrive in New Zealand from all countries, for the purpose of transshipping

- (1) All vehicles, machinery, and parts that arrive in New Zealand for any period of time before being exported to another country without biosecurity clearance being given, must meet a) or b).
- a) **Transshipped as breakbulk cargo (including non-fully sealed containers):**
- i) Must be clean and free of biosecurity contamination and regulated pests; and
 - ii) Meet applicable treatment requirements of this IHS, before arriving in New Zealand
- b) **Transshipped in a fully sealed container:**
- i) Must remain in the unopened container while in New Zealand.

Guidance

- Vehicles, machinery and parts exported as break-bulk cargo (including in a non-fully sealed container) and arriving for the purpose of transshipping may be subject to the same verification activities on arrival, as per section 2.4.

Transshipment inspection requirement differences between MPI's Sea Container Import Health Standard and the Vehicles, Machinery and Parts Import Health Standard (Section 2.5)

Submission:

An inconsistency between MPI's Import Health Standard for Sea Containers and the Standard was highlighted. The draft Import Health Standard for Sea Containers includes transshipment inspection requirements while there were no corresponding inspection requirements stated in the transshipment section of the Standard.

MPI Response:

Import Health Standards should not be used to task MPI Inspectors at the border with regard to verifying compliance when risk goods arrive in New Zealand. Refer to the ['on arrival verification response'](#) for a full explanation around MPI verification activities. MPI has removed the sentence specifying inspection of transshipped containers in the Sea Container Standard for the purpose of clarification. MPI Inspectors will continue to verify compliance of risk goods requiring clearance in New Zealand and those being transshipped through New Zealand in accordance with risk and as per operation procedures. This will be without inspection being specifically stated as a requirement of an Import Health Standard.

Requirements for vehicles, machinery and parts exported as airfreight (Section 2.6)

Submission theme:

Require all vehicles, machinery and parts exported as airfreight to comply with the same mandatory requirements that exist when risk goods are exported in sea containers or as break-bulk (including non-fully sealed containers). Such a requirement change would mean airfreighted risk goods would have to meet the relevant sections of Part 2 of the Standard including the requirement to be clean and free of contamination and regulated pests (as is the current requirement) and also the following parts of the Standard.

- Part 3: Additional requirements for higher risk used commodity types; and
- Part 4: BMSB management measures.

MPI Response:

Airfreight specific requirements were amalgamated into one section of the Standard to make clear to importers what was required for vehicles, machinery and parts arriving as airfreight.

MPI acknowledge that certain types of vehicles, machinery and parts carry no less risk if exported as airfreight when compared to being exported as sea freight. In some instances, the risk that BMSB are alive on-arrival may be higher due to the quick exportation time increasing the natural survival rate following the overwintering phase as exhibited by BMSB.

However, vehicles, machinery and parts imported as airfreight are primarily new, smaller in size and/or of a higher monetary value which when combined, reduces the overall risk with the airfreight pathway, especially with regard to regulated pests. The highest risk commodities such as used outdoor or targeted machinery or used vehicles are very rare within this pathway.

Operationally, airports and the airfreight industry do not have the capacity or infrastructure to comply with treatment and the associated time and segregation requirements, even for the small number of vehicle, machinery and parts consignments using this pathway. Requiring that airfreighted vehicles, machinery and parts must comply with all of the Standard in full, would largely close this pathway which has a niche use for importation of small and often singular, lower risk consignments of vehicles, machinery and parts. MPI is closely monitoring vehicles, machinery and parts within the airfreight pathway, but does not believe that any extra requirements are warranted at this point. If any aspect changes on this pathway MPI will make the necessary changes.

Currently airfreighted risk goods are still required to be clean and free of contamination and regulated pests on arrival (Section 2.3) and subject to verification inspection at the discretion of BNZ (Section 2.4). All air containers are required to be unpacked by an Approved Person (AP) who has undergone biosecurity training and is obliged to capture, contain and report live pests to MPI. This inspection occurs either at the Place of First Arrival or at a Transitional Facility. A smaller portion of vehicle and machinery parts arrive via the mail pathway and are predominantly new parts which are generally excluded from BMSB management requirements as they pose a negligible risk of BMSB.

All vehicles, machinery and parts arriving by one of the three air cargo pathways are identifiable to MPI either through, BACC lodgements, cargo manifests or by use of an X-ray machine which detects these risk goods. Therefore MPI can detect risk goods captured by the Standard and carry out appropriate verification inspection activities. MPI is also continuing to train dogs to detect BMSB and the air cargo pathway(s) is being investigated as a possible pathway to utilise the dogs as an additional verification tool, for ensuring the risk goods are free of BMSB.

Exclusion of China, Korea and Taiwan from Schedule 3 country list - Actionable BMSB management countries (Part 4)**Submission theme:**

Multiple submissions were received supporting the addition of 16 countries to the Schedule 3 list – ‘*Actionable countries for the management of BMSB*’. There was also multiple submissions in support of China, Korea and to a lesser extent Taiwan to be included in this list also.

MPI Response:

MPI has been closely monitoring, and will continue to monitor vehicles, machinery and parts from China, Korea and Taiwan appropriately, which like Japan, are countries where BMSB is a native pest. While there have been some BMSB detections from these countries, these have not been at the level that is consistent with MPI implementing BMSB management requirements on the vehicle, machinery and parts pathway at the current time. Insufficient evidence to support regulatory change includes low numbers of BMSB detections on vehicles, machinery and parts from China and Korea and Taiwan, including in the sea containers in which the risk goods were exported to New Zealand.

Many of the newly included countries added to ‘Schedule 3’ – *Actionable countries for the management of BMSB* were added based on the fact that BMSB detections have been made and/or these countries have a highly suitable climate for BMSB establishment due to the close proximity to countries with significant populations of BMSB. The inclusion also

recognises that there are currently no border restrictions and/or interventions between countries in Europe and there is no formal reporting systems for BMSB populations in place in countries where BMSB has established.

Unlike countries where BMSB is native (Japan, China, Korea, Taiwan and possibly Vietnam and Myanmar), the countries where BMSB has invaded will likely experience much higher populations of BMSB over time due to lack of native competitors and predators. The large population in Italy is an example of this and has led to MPI having to include all non-risk goods under BMSB management by use of an MPI-Approved Treatment on every sea container arriving from Italy during the BMSB season.

Treatment requirement differences for used parts based on method of exportation when not under BMSB management (Section 3.2)

Submission theme:

Support for treatment requirements for used vehicle and machinery parts being consistent between all exportation methods outside of the BMSB season or from a non-Schedule 3 country.

MPI Response:

Used vehicle and machinery parts export outside of the BMSB season or from a non-schedule 3 country were not specified under the previous Standard as requiring treatment based on the three following exportation methods:

- 1) Arriving as a full-container-load (FCL)
- 2) Arriving in a freight-of-all-kind container (FAK),
- 3) Arriving as break-bulk.

The specific treatment requirements for used parts and the associated exportation types stated above was added to the draft Standard for transparency and to accurately reflect how used parts have always been managed by MPI at the border. MPI has always ensured that FCL consignments of used vehicle and machinery parts are compliant with treatment requirements by directing treatment on arrival (if not already treated before arrival). MPI target evaluation (document screening) does not routinely result in a direction for used parts to be treated on arrival if they arrive in an FAK container or as break-bulk. However, upon sighting the used parts an MPI Inspector may direct treatment if they do not consider that a thorough verification inspection of the parts is possible, and that inspection alone is insufficient to mitigate risk. Treatment of used parts is used to mitigate any risk of hitchhiker pests and is aimed at managing the risk of other types of biosecurity contamination such as plant material, seeds and soil. After treatment is completed, used parts are subject to verification inspection at MPI's discretion. If contamination such as plant material, seeds or soil (exceeding the biosecurity contamination thresholds) is discovered then the parts will be directed for decontamination.

Used vehicle or machinery parts do not generally pose the same risk when compared to a whole vehicle or machine (especially where live hitchhiking pests are concerned). This is due to less concealed areas where biosecurity contamination may go undetected before exportation to New Zealand. The requirement that the used vehicle and machinery parts must be clean and free of contamination can be achieved through physical cleaning and inspection procedures under most circumstances.

Much of the justification around the treatment difference due exportation type, is due to MPI's operational ability to verify that used vehicle and machinery parts meet the outcome of the Standard. That is by being clean and free of contamination and regulated pests on arrival in New Zealand. Consignments of used vehicle and machinery parts arriving in a FCL will often be comprised of large numbers of these risk goods, and they are often tightly packed into a FCL container. MPI Inspectors therefore may have a difficult time verifying compliance for all of the used parts. If live contamination is found during verification of the many parts, it is often difficult to get all the parts back into the container for fumigation or held in a secure manner until treatment can be carried out. Therefore, the mandatory treatment requirements for FCL containers helps minimise this risk and prevents time delays for the importer regarding inspection and the need for treatment.

When used parts are exported in a FAK container, the consignment will comprise of less, and often significantly less individual parts than what would be exported in a FCL. One or two used parts are not uncommon in consignments of

personal effects. The risk of live pests associated with a few used parts is low and MPI does not believe it justified to have these items treated when the cleanliness requirements can be easily achieved by the importer thoroughly cleaning them, and due to MPI's ability to verify the cleanliness of the parts under most circumstances. Used parts exported as break-bulk items are not common and when they do arrive, a consignment is likely to comprise of only a few parts which should enable the MPI Inspector to sufficiently verify that the risk goods are clean and free of biosecurity contamination and regulated pests.

Requirements for used parts under BMSB management (Part 4):

Used vehicle and machinery parts are included under BMSB management when exported during the BMSB season, from the 33 listed BMSB risk countries (Schedule 3). Under BMSB management requirements there is no provision for used parts exported in a FAK container or as break-bulk to be exempt from before-arrival treatment requirements, during the BMSB season. This is due to BMSB being such a high risk and therefore MPI will not consider the likelihood of reduced risk associated with FAK or break-bulk consignments. Therefore the difference in treatment requirements between FCL vs FAK and break-bulk (as discussed above) only apply to used vehicle and machinery parts for approximately 4 months of the year, unless they are exported from a non-Schedule 3 country where the difference exist year round. Non-Schedule 3 countries currently make up a small percentage of vehicle, machinery and parts imported into New Zealand.

Removal of on-arrival treatment of break-bulk tyres (Section 3.4)

Submission theme:

Support for MPI's decision to remove treatment of used tyres upon arrival in New Zealand. This support was replicated from a human health prospective where preventing the establishment of exotic mosquitoes help protect the people of New Zealand from harmful vector transmitted diseases.

MPI Response:

The decision aligns with MPI's policy of pushing risk offshore were possible and practical and recognises that mosquitoes are a serious threat to human health as well as being a high risk, unwanted organism.

Adding of treatment options for aircraft and watercraft under BMSB management (Section 4.2)

Submission theme:

Support for MPI's decision to add fumigation and heat treatment as options for meeting BMSB treatment requirements for new and used aircraft and watercraft.

MPI Responses:

It was not MPI's intent to limit options for treatment of aircraft and watercraft in the 2018 Standard. The decision on appropriate treatment was initially based on industry feedback regarding aircraft and watercraft safety. MPI takes no responsibility for craft safety or damage and encourages importers to investigate what treatment type is best for their craft before application. This has been clearly stated as guidance within Section 4.4 of the Standard.

Alignment between MPI and DA for BMSB season end dates (Part 4) or year-round extension to BMSB management.

Submission theme:

Support around aligning BMSB management measures with the Department of Agriculture (DA) in Australia, has been strongly supported by submissions. However further alignment of the BMSB season end date has been requested in the majority of these submissions. Some submissions supported the BMSB season being extended to 12 months of the year to manage BMSB risk.

MPI Response:

MPI has given much consideration to the possibility of extending the end of the BMSB season to match the DA season where risk goods arriving in Australia before the 31st of May are subject to BMSB management. MPI acknowledges that having one BMSB season for both New Zealand and Australia would be helpful for many parties involved with the vehicles, machinery and parts pathway. However, such an alignment or an extension to year-round BMSB management is not justified when taking into consideration the risk of BMSB from Northern Hemisphere countries where BMSB is present and the risk of BMSB establishment in New Zealand.

MPI's decision to not align with the DA season end date is supported by MPI's Pest Risk Analysis of BMSB (Duthie, 2012 and Burne, 2019) which suggest that aggregations of overwintering BMSB are unlikely after March, and highly unlikely after April. MPI detections of BMSB in April and May for both the 2017/2018 and the 2018/2019 season have also been minimal when compared to the months between September and March.

Those BMSB that have not exited the overwinter aggregation phase by the end of April are very unlikely to be able to survive and establish in any part of New Zealand after 1 May for the following reasons identified by Duthie, 2012 and Burne, 2019:

- BMSB will encounter New Zealand's unfavourable autumn or winter conditions where suitable food is sparse and the temperatures unsuitable. As BMSB are unlikely to re-enter the overwintering phase on arrival, they are therefore unlikely to survive
- Biological data on BMSB development and reproduction states there is a low likelihood that gravid females would arrive during autumn/winter, find a favourable microclimate, lay eggs and have their offspring survive this period.
- Establishment of BMSB would rely on multiple bugs arriving together, surviving autumn/winter, and remaining in close proximity. As BMSB are not aggregating at this time of year, this occurrence is very unlikely.
- There is a very low likelihood that enough BMSB capable of establishing would survive the NZ winter in a favourable microclimate.

The chance of establishment of BMSB due to non-aggregating BMSB hitchhiking on vehicle, machinery or parts during the active biological phase is considered negligible for the following reasons.

- BMSB are actively feeding and foraging during the active phase and are unlikely be associated with vehicles, machinery or parts being exported to New Zealand.
- In the unlikely event that BMSB do hitchhike to New Zealand on vehicles, machinery and parts, they are highly unlikely to be accompanied by enough other individuals to form a breeding population in New Zealand.
- BMSB is not known to lay its eggs on inanimate objects, and instead typically lays its eggs on the underside of leaves high in the canopy and very occasionally on fruit in areas where it inhabits (Leskey, 2012).
- During the active phase, BMSB are unlikely to survive the time it takes to reach New Zealand due to a lack of available water and food resources on the vessel. The highly unfavourable conditions on the vessel would be followed by unfavourable winter conditions in New Zealand, upon arrival.
- In the highly unlikely occurrence that a pregnant BMSB hitchhiked on cargo, survived the exportation period, laid eggs which then hatched in New Zealand, the nymphs are unlikely to survive due to unfavourable New Zealand winter conditions. The minimum threshold temperature for nymphs to develop has been identified as 14.8°C (Nielsen et al 2008). Nymphal development also typically requires a mixed diet of vegetative and reproductive plant material from multiple hosts (Acebes et al, 2016) which are not readily available in the New Zealand winter months.

The vast majority of Australia sits above New Zealand geographically and therefore, average temperatures and day light hours are different to that of New Zealand. DA's BMSB season length in Australia is therefore reflective of the possibility of BMSB being able to survive, breed and establish under different temperature and daylight conditions, and is not reflective of New Zealand's during the month of May, or later months. The below graph taken from the 2019 *pest risk assessment: *Halyomorpha halys* (Brown Marmorated Stink Bug)* shows temperatures in various areas of Zealand in relation to the temperature thresholds required for female BMSB to be able to breed and establish in New Zealand.

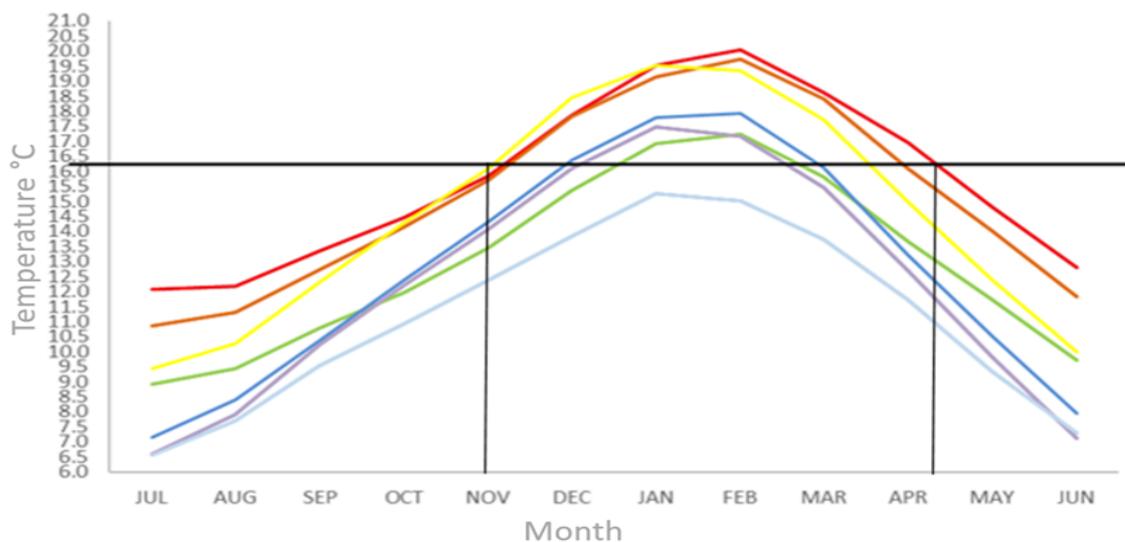


Figure 7: Average daily temperature for each month between 1981 and 2010 in Dunedin (violet line), Christchurch (indigo line), Nelson (blue line), Wellington (green line), Napier (yellow line), Auckland (orange line) and Kaitiaki (red line). The horizontal black line represents the temperature threshold for ovarian development.

Confidence in MPI-Approved Offshore Treatment Providers (Part 4)

Submission theme:

Support by multiple submissions was received for treatment requirements applied before arrival under BMSB management. Support included the insistence that MPI enforce a high level of regulation around the MPI-Approved Offshore Treatment Providers through auditing and having an MPI presence in countries or regions of the world where MPI-Approved Offshore Treatment Providers are located.

MPI Response:

MPI acknowledges the importance of ensuring the MPI-Approved Offshore Treatment Providers are able to perform treatments consistently to a high level by complying with the treatment specifications of [Approved Biosecurity Treatments](#).

MPI is in the process of recruiting MPI Inspectors who will be based in Europe and will provide assistance to the MPI-Approved Offshore Treatment Providers through the provisions of technical advice and training material. They will also carry out audits of the Treatment Providers and MPI-Approved Systems, assist shipping liners where required and play a part in the approval of MPI-Approved Arrangements for transshipping or post treatment if these are requested by shipping liners, ports or other industry parties.

As the approved treatment provider scheme is jointly maintained with DA, the MPI effort will be supplemented with Australian officials. MPI and DA will also collectively monitor treatment failures and take the appropriate course of action which may be suspension or removal of the non-compliant treatment providers from the approved list.

Alignment of certified cleaning requirement between Japan and all other countries. (Section 3.1)

Submission theme:

Support for the continuation for certified cleaning of used outdoor or targeted machinery from Japan as carried out by an MPI-Approved Cleaning Provider.

MPI Response:

The requirement that used outdoor or targeted machinery from Japan must undergo certified cleaning by an MPI-Approved Cleaning Provider in Japan, was added to the Standard as an emergency amendment on the 19th February 2018 to help with BMSB management while more effective measures were being implemented. Certified cleaning of used outdoor or targeted machinery from all countries had already been consulted on and was included in the August 2018 Standard as planned without the requirement that cleaning was carried out by an MPI-Approved Cleaning Provider. The certified cleaning requirement was aimed at improving the general cleanliness of used machinery from all countries and not a BMSB management measure. .

MPI does not have contamination data prior to February 2018 to suggest that used machinery from Japan was any less compliant than any other countries with regards to meeting the outcome of the Standard prior to the 2018 requirement change. Therefore, importers of used outdoor or targeted machinery in Japan should not be held to an additional or strengthened biosecurity requirements now that overall BMSB management has been adequately addressed with more appropriate measures. As with used outdoor or targeted machinery for all countries, all used outdoor or targeted machinery from Japan will continue to be subject to thorough on-arrival verification inspections at MPI's discretion to ensure compliance with the required outcome of the Standard.

MPI acknowledges that along with the large export volume, AGM risk in Japan (which exists outside of the BMSB risk period) has been stated as part of the reason that used vehicles in Japan must be managed by an MPI-Approved Used Vehicle System on a year round basis. However, MPI remains comfortable with the proposed certified cleaning requirements for used outdoor or targeted machinery as the volume of used machinery is nowhere near that of the volume of used vehicles exported from Japan. Used outdoor or targeted machinery still must comply with treatment requirements during the BMSB season in addition to the year round certified cleaning requirement as is the case with all other Schedule 3 countries.

Under the previous Standard and under this revised Standard, used machinery includes some non-drivable machines that are targeted due to being used around sources of biosecurity contamination. These targeted items are therefore not items that the MPI-Approved Cleaning Providers in Japan are able to clean or interested in providing certified cleaning for on behalf on the importer. During the 2018/2019 BMSB season there were importers of non-automobile machineries in Japan that required cleaning under the previous Standard, who were not able to find an MPI-Approved Cleaning Provider to clean and certify their items. Allowing the exporter in Japan to carry out this function will prevent importers from not being able to meet MPI's certified cleaning requirements through no fault of their own.

While MPI does acknowledge that the MPI-Approved Cleaning Providers (also acting as MPI-Approved System Operators) in Japan are available to provide certified cleaning to a high standard, this is not justification for a measure that discriminates against the used machinery industry in Japan. Importers from Japan should be equally able to achieve the required outcome as importers from all other countries. Until such time as data suggests that the risk involved with Japanese used outdoor and targeted machinery is in fact greater, strengthened measures will not be a requirement for Japan.

MPI will continue to recognise and encourage the use of the MPI-Approved Cleaning Providers in Japan and will supply a link to such provider's details on the MPI website. They will also be referenced in both the Standard and the planned Importer's Tool.

Year-round treatment within MPI-Approved Used Vehicle Systems in Japan (Section 4.1)**Submission:**

Support for the requirement that year-round treatment must be carried out by MPI-Approved Used Vehicle Systems, in Japan for risk management of BMSB and other regulated pests (as opposed to the BMSB season only). Part of the justification around this was a system's observance of active BMSB around approved sites in March and April.

MPI Response:

MPI-Approved Used Vehicle Systems located in Japan can choose to treat vehicles all year round. Year round heat treatment can be used as a proactive measure to further reduce the risk of live pests while increasing the compliance

rate of all system managed vehicles. However, MPI will not require year round treatment as a mandatory measure under the Standard. MPI does not have the justification to mandate year-round treatment within MPI-Approved Used Vehicle Systems in Japan, for BMSB or any other pest.

MPI-Approved Used Vehicle Systems are approved to manage used vehicles to be clean and free of contamination, including regulated pests. Approval of these systems was granted many years prior to MPI-Approved Treatment requirements being implemented to manage the risk of BMSB. To date, the required compliance rate of all MPI-Approved Vehicle and Machinery System has been acceptable to MPI and is constantly monitored and adjusted as necessary.

Year round treatment and BMSB risk:

BMSB are present in Japan year round and may be observed more commonly around March and April during emergence from the over wintering phase. BMSB as this time of year presents a negligible risk of BMSB establishing in New Zealand. See response around why [extending BMSB risk management measures past the currently defined season](#) is not justified.

Year round treatment and risk of other regulated pests specified:

MPI is concerned with other pests of significance associated with used vehicles from Japan and have specified these pests as part of the reason for some requirement differences for Japan versus other countries that export vehicles and machinery to New Zealand. These pests include other *Hemiptera* species such as Yellow Spotted Stink Bug (YSSB, *Ethesina fullo*) Green Polished Shiny Bug (GPSB, *Glaucias subpunctatus*) and Asian Gypsy Moth (AGM, *Lymantria dispar*). The highest risk of YSSB and PGSB occurs during the BMSB risk period where treatment of vehicles is already mandatory within MPI-Approved Used Vehicle Systems in Japan.

The AGM season is outside of the BMSB season and therefore year-round treatment may increase the effective management of AGM. However, MPI does not believe this is justified based on AGM interception data, including the system verification inspection data recorded over recent years. Treating vehicles year-round to mitigate the risk of AGM is also not an entire management solution of AGM as used vehicles are cleaned and treated and then stored for days or weeks outdoors prior to exportation. Year-round treatment would not negate the AGM risk during this period of system management. This storage period needs to be managed by post treatment monitoring and vehicle inspections conducted prior to loading, with emphasis on looking for any signs of AGM egg masses.

Risk of various pests associated with the vehicle, machinery and parts pathway, from all countries has always existed, and will continue to exist. Except for the management of BMSB due to the high level of associated risk, MPI has insufficient evidence to believe that MPI-Approved Systems cannot managed the risk of other regulated pests, outside of the BMSB season through physical cleaning and/or non-mandatory treatments of risk goods.

Approved arrangements for post treatment or transshipping arrangements – Deviation from the stated requirements (Section 4.6 and 4.7).

Submission: Support for alternative risk management options being available around post treatment and transshipping requirements and the ability to have an MPI Agreement issued following an uncontrollable situation within the logistic supply/export chain.

MPI Response:

MPI must enforce time and segregation requirements to reduce BMSB contamination with:

- 1) Risk goods being stored in a Schedule 3 country following treatment and before exportation to New Zealand; or
- 2) Risk goods being transhipped through a Schedule 3 country during the BMSB season.

In these situations, vehicles, machinery and parts are most likely to be stored in a port area where BMSB contamination is less likely to occur and less so in numbers of BMSB that constitutes as an aggregation (see [segregation response](#) for a full explanation around the risk of BMSB recontamination in port areas).

MPI acknowledges that logistics around vehicle and machinery exportation can be unpredictable and not always under the control of all parties involved. For this reason, MPI has allowed an industry party to apply for an 'agreed arrangement' to reduce the likelihood of BMSB contamination during this time and exceed or deviate from the time and segregation requirements of the Standard. Such an agreement may prevent logistics issues and the need to retreat risk goods after an unforeseen event occurs. MPI will only approve such an agreement if additional risk management measures such as guaranteed and documented areas of segregation, physical barriers, pesticide spraying, pest management programmes or visual monitoring inspections are in place.

MPI will not consider an application for an MPI agreement when the importer or other industry party has already failed to meet the requirements of the Standard. This is because the basis of the MPI Agreement is that the exporting industry party puts measures in place before an uncontrolled event occurs that could lead to the risk goods becoming non-compliant with MPI's transshipping or post treatment requirements. If no additional risk management measures have been applied before the non-compliance occurs, it is too late to effectively protect risk goods from recontamination, regardless of the risk management measures applied from that point onward. The responsibility is on the industry party to be prepared and carry out any practical risk management measures to protect the cargo straight after treatment occurs or at any time during the transshipping period. An MPI Agreement will only be issued when MPI has the assurance that the measures described and implemented are as effective at reducing the risk of recontamination, as the time and segregation measures specified in the Standard.

Reducing the time limits around post treatment and transshipping requirements in Schedule 3 countries (Section 4.6 and 4.7)

Submission:

Support was received for a reduction to the maximum 120 hour requirement between treatment of vehicles, machinery and parts and exportation to New Zealand used to reduce the chance of BMSB recontamination, primarily in port areas. The same 120 hour requirement applies to vehicles, machinery and parts being transshipped through a Schedule 3 country unless another MPI-Approved treatment is carried out, allowing another 120 hours of storage before export to New Zealand.

MPI Response:

The risk of BMSB aggregations with vehicles, machinery and parts in port storage areas is greatly reduced when compared to agricultural growing areas or woodlands where BMSB commonly inhabit during the active/foraging phase. It is in these areas which typically have an abundance of vegetation and available food sources where BMSB will aggregate in numbers and commence overwintering in structures such vehicles and machinery and to a lesser extent, parts. The risk of BMSB recontamination in port storage areas is more likely to arise from untreated vehicles or machinery that already harbours a BMSB aggregation prior to entering port storage areas, where treated or system managed vehicles may be also stored.

A shorter time limit between treatment and exportation or for transshipment through a Schedule 3 country may further reduce the risk of BMSB recontamination in port areas due to the fact that BMSB that may crawl small distances during this overwinter phase (see [segregation response](#) for a full explanation around the risk of BMSB recontamination during this time). However, reducing the 120 hour time limit would be too trade restrictive to the vehicle and machinery pathway and would result in high levels of non-compliance with post treatment and transshipping requirements. Importers, manufacturers or other parties involved with the logistics of the vehicle and machinery pathway should be able to effectively manage the risk of BMSB recontamination during this 120 time frame if they segregate treated vehicles and machinery from non-treated goods or other possible sources of contamination, as per the Standard requirements.

Segregation requirements to prevent post treatment re-contamination of BMSB (Part 4)

Submission theme:

There was support for MPI to define a segregation distance, required to keep treated, system managed or transshipped risk goods from being contaminated with BMSB, due to untreated risk goods or other possible sources of BMSB, in the port or storage area.

MPI Response:

At this stage, MPI does not believe it is necessary to define a segregation distance for requirements applied to treated or transshipped vehicles, machinery and parts that are stored in a Schedule 3 country during the BMSB season. This is primarily due to the fact that segregation can be achieved by multiple methods or a combination of methods including physical distance, physical barriers such as nets or indoor storage or chemical (residual insecticide) barriers. If physical barrier segregation is used, the need for physical distance becomes less necessary. Pairing segregation distance with an effective visual monitoring plan will also reduce the need for large segregation distances as any crawling BMSB in the port or other storage areas are likely to be discovered and the contamination source can be isolated or removed to prevent recontamination of other risk goods in the vicinity. The monitoring of risk goods at least once each day daily will help reduce the segregation distance needed to prevent recontamination in port or other storage areas during the BMSB season.

If there are BMSB in the port area where MPI-Approved System vehicles, treated or transshipped vehicles are being stored prior to export, they will be in the overwintering phase where movement generally does not occur or is very limited. BMSB may move small distances from the overwintering aggregation site in response to temperature fluctuations above 9°C, other disturbances in this area or depleted nutrient resources leading to the need to feed (MPI, Burne 2019).

Some scientific papers focusing on BMSB overwintering movement suggest that during this time BMSB may move smaller distances but are also capable of flying up to 2 km if temperatures allow. However BMSB are “very unlikely” to initiate flight at temperatures below 17°C (Lee and Leskey 2014). Temperatures above 17°C are unlikely during the overwintering phase and therefore, any movement of BMSB is highly likely to be in the form of crawling only. There is however no data that states an average distance that BMSB are expected to crawl from the original aggregation site during the over wintering phase.

It should also be noted that once overwintering commences, BMSB are not responsive to the pheromones involved with BMSB aggregating together in large numbers (MPI, Burne, 2019). Overwintering aggregations of BMSB are much more likely to contaminate vehicles, machinery and parts in areas close to woodlands or agricultural growing areas. Places of manufacturing or where used vehicles, machinery and parts have been used or stored may be high risk areas if there is surrounding vegetation, however port storage areas are low risk in comparison as suitable vegetation is sparse. Therefore any recontamination of treated, system managed or transshipped vehicles, machinery and parts stored in port areas, is unlikely to involve BMSB aggregations which are required for establishment in New Zealand.

Year-round treatment of all new and used whole/entire vehicles and machinery from all countries

Submission Theme:

There was support for MPI to implement year-round treatment of all vehicles and machinery (new and used) from any country for the purpose of reducing the risk of any live regulated pests that may hitchhike to New Zealand on these commodity types.

MPI Response

The risk of various regulated pests associated with the vehicles, machinery and parts pathway from all countries has always existed. There is no possibility of a ‘no risk’ status with importation of vehicles, machinery and parts, and this includes when mandatory treatment is carried out before-arrival in New Zealand. This is because risk good can be contaminated with regulated pests after treatment and before exportation occurs. Except for the management of BMSB due to the known high level of associated risk, MPI has insufficient evidence to believe that importers of vehicles and machinery cannot appropriately managed the risk of regulated pests through physical cleaning and/or other non-mandatory treatments of risk goods before arrival.

The MPI Biosecurity System has many facets and levels designed to manage the risk of regulated pests associated with vehicles and machinery from any country. Transitional Facilities (TFs) and Ports of First Arrival (PoFA) have been approved by MPI to provide the suitable facilities and procedures for managing biosecurity risk associated with importing risk goods. Approved Persons (APs) who are approved by MPI must manage unpacking of risk goods from air and sea containers, and they have undergone specific biosecurity training. APs are obliged to capture, contain and report live pests to MPI. MPI also has the ability to verify compliance of vehicles and machinery at any time on arrival in accordance with risk to ensure imported risk goods are free of regulated pests. MPI Inspectors will also direct treatment if live pests are discovered.

Implementing a blanket mandatory treatment requirement for all vehicles and machinery from all countries is unjustified. This is especially so for some countries where the risk of regulated pests is extremely negligible due to lack of such pests in that location, or a lack of such pests that are capable of establishing in New Zealand. If MPI applies measures that are not technically justified (by reliable data and/or science), this goes against the principles established by the International Plant Protection Convention (ISPM1 – Section 1.8). If measures are not technically justified, MPI should not impose them as our organisation would be open to legal or other challenges from the NPPOs of other trading partners or from other stakeholders.

MPI will continue monitor regulated pest risk associated with the vehicle, machinery and parts pathway from all countries; and will only implement additional measures where appropriate as has been done with Schedule 3 countries for the management for BMSB risk.

Risk of plant material in high temperature areas of a vehicle or machine motor and the stated measurement for amount of allowable soil (Schedule 2)
--

Submission:

The biosecurity contamination thresholds used by MPI to determine if vehicles, machinery or parts are considered free of biosecurity contamination, have been challenged regarding plant material in the exhaust system area of a used vehicle or machine motor. The same submission also challenged the practicality of measuring 20 grams of soil on a vehicle or machine.

MPI Response:

MPI continues to have confidence that burnt, dried, scorched pieces of plant material that are present in exhaust systems are not a biosecurity risk and will continue to exclude them as biosecurity contaminates (as per schedule 2) . MPI believes that the expected temperature of these vehicle and machinery motor areas will devitalise seeds and negate the risk of other biosecurity contamination including bacterial diseases and fungal spores. MPI has not been presented with any evidence to support that this assumption is incorrect. MPI will consider any evidence to suggest that exhaust systems do not reach temperatures great enough to negate the risk associated with plant material and seeds.

With regards to the 20g of soil deemed acceptable by Schedule 2, MPI is also comfortable with this defined quantity. MPI acknowledges that an importer who cleans a vehicle or machine is unlikely to have an exact grasp of what 20g of soil looks like. However MPI does not believe that an importer will clean the item, and leave any amount of soil where it can be avoided. Therefore the amount is more important to the MPI Inspectors verifying vehicles, machinery and parts in accordance with these Schedule 2 thresholds. MPI Inspectors are trained and have the relevant experience to accurately grasp what 20g of soil looks like and make the appropriate decision to direct decontamination when this amount is exceeded.

Ends

.....

Consultation Documents

1. Draft IHS: <https://www.biosecurity.govt.nz/dmsdocument/33681-draft-import-health-standard-for-vehicles-machinery-and-equipment>
2. Risk Management proposal: <https://www.biosecurity.govt.nz/dmsdocument/33672-april-2019-rmp-of-vehicle-machinery-and-equipment-consultation-pdf>

References

1. Acebes, A L (2016) Host plant effects on the biology, behavior and ecology of brown marmorated stink bug, *Halyomorpha halys* (Stål) (Hemiptera: Pentatomidae). PhD Thesis Virginia Polytechnic Institute and State University
2. Burne, A. 2019. Risk Analysis of *Halyomorpha halys* (brown marmorated stink bug). Ministry for Primary Industries, New Zealand (final draft format expected for release July/August 2019)
3. Duthie, C. 2012. Risk Analysis of *Halyomorpha halys* (brown marmorated stink bug) on all pathways. Ministry for Primary Industries, New Zealand.
4. Lee, D H; Leskey, T C (2015) Flight behaviour of foraging and overwintering brown marmorated stink bug, *Halyomorpha halys* (Hemiptera: Pentatomidae). *Bulletin of Entomological Research*. 1-8
doi:10.1017/S0007485315000462
5. [MAF 2007. Import Risk Analysis: Vehicles and Machinery. Ministry of Agriculture and Forestry. 382 pp.](#)
6. Nielsen, A L; Hamilton, G C (2009) Seasonal occurrence and impact of *Halyomorpha halys* (Hemiptera: Pentatomidae) in tree fruit. *Horticultural Entomology* 102 (3):1133-1140
7. Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade". <http://www.fao.org/documents/card/en/c/495144f1-d55c-4852-95f5-06dffedd84eb/>

Submissions received from Stakeholders

These submissions are available on request from MPI.

Schedule 1: Proposed changes featured in the draft Standard

The following table lists the requirement changes which were proposed with the release of the draft Standard which underwent consultation between 3 April and 3 June 2019.

Note: Some sections feature the word 'equipment' as the title of the Standard had not been changed at this point.

Section of IHS	Description of change
Section 2.5	Transshipping section added to clarify requirements for goods transhipped through New Zealand (not new requirements)
Section 2.6	Section added to clarify requirements for vehicles, machinery and equipment imported as airfreight.
Section 3.1	<ol style="list-style-type: none"> 1) The title of section 3.1 has been changed from "Used machinery from all countries" to "Used outdoor and targeted machinery from all countries". 2) The Certified Cleaning requirement for Japanese used outdoor and targeted machinery has been removed from BMSB management requirements section of the previous Standard and placed under section 3.1. 3) There requirement that certified cleaning out used outdoor and targeted machinery from Japan must be cleaned by an MPI-Approved Cleaning Provider has been removed. There is now full alignment with the requirements for used outdoor and targeted machinery.
Section 3.2	<p>The title of section 3.2 has changed from "Vehicles, machinery parts/equipment from all countries" to "Parts derived from a vehicle or machine".</p> <p>Treatment requirements have been made clear with regards to exportation method for used parts due to an operational consideration. Only used parts in a FCL must be treated. Used parts as break-bulk consignments and in a FAK container may be directed for treatment on arrival if compliance can't be verified by an MPI Inspector.</p>
Section 3.4	Removal of availability for the on-arrival treatment option for break-bulk used tyres from any country.
Part 4	<ol style="list-style-type: none"> 1) All requirements for vehicles, machinery and parts from Schedule 3 countries have been grouped into Part 4 by commodity type. 2) Schedule 3 has been extended to include Japan and 32 other countries (16 new countries). 3) Before-arrival (pre-export) treatment by an MPI-Approved Offshore Treatment Provider has become a requirement for BMSB management.
Section 4.1 and Section 4.2	Used vehicles and machinery managed by an <u>MPI-Approved Used Vehicle and/or Machinery System</u> must use an MPI-Approved Treatment during the BMSB risk season if exported from any Schedule 3 country.
Section 4.4	Additional treatment options (fumigation and heat treatment) added for use with aircraft and watercraft from all Schedule 3 countries.
Section 4.5	New and used vehicle and machinery parts from Japan have been included under BMSB management measures.
Section 4.6	<ol style="list-style-type: none"> 1) All post-treatment requirements relating to BMSB management are now included under section 4.6 with references made to the sections of Part 4, where required.

	<ul style="list-style-type: none"> 2) MPI-Approved Agreement option for post treatment requirements has been added for importers or other industry parties. 3) Removal of 24 hour time extension between treatment and exportation for West Coast Ports in the USA (now 120 hours only).
Part 4.7	<ul style="list-style-type: none"> 1) All requirements relating to vehicles, machinery and equipment transhipping through Schedule 3 countries on the way to New Zealand have been included in section 4.7 2) MPI-Approved Agreement option for transhipping through Schedule 3 countries has been added for importers or other industry parties.