

2020-21 BMSB Risk Season Industry Information Session

Questions and Answers

SEASONAL MEASURES

Q: Can you clarify target risk country 120 hour treatment for goods stored in a non-target risk country that originated from a target risk country?

A: The 120 hour post treatment window does not apply for goods treated in a non-target risk country

Q: If my sealed container from a non target risk country (eg Poland) tranships via a target risk country (eg Netherlands) for export, will it be subject to the measures.

A: No, providing the seal on your container remains in-tact and is not broken in a target risk country, your container will not be subject to the measures.

Q: What happens to breakbulk cargo that is treated and received into the terminal, and then the vessel is late?

A: If the post treatment window between treatment of the breakbulk and shipping on board the vessel exceeds 120 hours, the goods will be required to be retreated prior to export. If the goods arrive into Australia and have been found to exceed the post treatment window, they will be prevented from discharge and directed for export.

Q: With providers being suspended and no in transit provisions, how will break bulk, open tops and flat racks be handled if they were treated and loaded within the required time frames and the provider is then suspended?

A: Any break bulk goods that were shipped (currently in-transit to Australia) prior to the relevant treatment provider's suspension date may be permitted to discharge and treat in Australia providing assurance can be given to the department that any potential BMSB risk will be contained and managed appropriately accompanied with a risk management plan. Approval will need to be sought via email to the department (spp@awe.gov.au) prior to the goods arriving into Australia. This email must contain the risk management plan with the following information:

- Confirmation that the goods can be treated within 48 hours by an onshore department approved treatment provider either at the wharf or an approve arrangement site within the port precinct.
- Details on how the potential BMSB risk will be contained and managed. For example, sufficient tarping to contain the risk and be sufficient even in adverse weather. This may include envelope tarping or sealing of the containment method.

Q: Is there any flexibility with relation risk via classification. My container had to be treated last season as a supplier had packed a carton of target high risk goods into my container of non-target goods.

A: a container has a mix of high risk, risk and non-target goods, they will be assessed at the highest risk. Deconsolidation or removal of goods will not be permitted prior to the treatment in Australia. The department recommends that you inform your supplier not to pack any other additional goods, especially those that may be classed as target high risk into your container.

Q: Where a container is packed with risk goods which have been treated, and then have non risk goods added which are at risk if treated but not risk goods, and the offshore provider is suspended, is there any allowance for the goods that could be destroyed by subsequent onshore treatment

A: Due to the cross-contamination risk of BMSB, the whole container will be subject to treatment. Deconsolidation or removal of goods prior to treatment in Australia is not permitted.

Q: If an Offshore fumigation site is suspended, how does this affect the LCL's high risk cargo - packed in an FAK container?

A: If an offshore treatment provider has been suspended, the goods inside the FAK treated by the suspended treatment provider will be deemed to be untreated and the whole container will be subject to treatment upon arrival into Australia. The department recommends where possible to not pack non target goods with goods subject to the BMSB measures where possible.

Q: For air/sea, if consignment is treated in the target risk country and is loaded onto a plane for export within 120 hours, will the treatment certificate be accepted once it has been transhipped into a container?

A: If the post treatment window is less than 120 hours between when the goods were treated and when they were loaded onto a plane for export to a non-target risk country for packing into a container, yes the treatment certificate will be valid.

Q: Please advise when the clock starts for 120 hours. Particularly for transhipment or transiting through a high-risk country to load. For example, a shipment departing Norway by truck but loading in Hamburg.

A: Where goods from a non-target risk country are transported via rail/road to a target risk country for loading onto a vessel for export to Australia, the 120 hours starts from when the truck/train crosses the border into the target risk country. You may find templates for "120 hour tranship/transit declaration via road" on the BMSB webpage:
<https://www.agriculture.gov.au/import/before/brown-marmorated-stink-bugs/prepare-import#templates-for-documentary-evidence>

Q: Are Full Import Declarations (FIDs) only required to be lodged if a master consolidator submitted an unknown risk status?

A: FIDS will also be required if your consignment has been selected for a full FID assessment.

Q: Can you please provide information on LCL hubbing via Singapore (non target risk country) and if they are warehoused/stored for a longer period in Singapore.

A: Target high risk goods manufactured in target risk country, then shipped as LCL/FAK container from a target risk country to a non-target risk country, to be deconsolidated and reconsolidated (hubbed) and then shipped as LCL/FAK container from the non-target risk country to Australia will be subject to the seasonal measures and mandatory treatment applies to the goods at the container level. No deconsolidation will be permitted prior to treatment.

Target high risk goods manufactured in target risk country, then shipped from a target risk country to a non-target risk country, and the target high risk goods enter domestic consumption/storage in that country. These goods may be stored for any length of time, then if shipped during the BMSB risk season as LCL/FAK directly from the non-target risk country to Australia. In this instance mandatory treatment will not apply but the goods will be subject to random onshore inspections.

Q: There is no mention of BMSB for import via AIR. Does BMSB treatment only apply to Sea freight?

A: The seasonal measures apply to goods that arrive into Australian territory as sea cargo. Goods arriving as airfreight is not subject to mandatory BMSB measures.

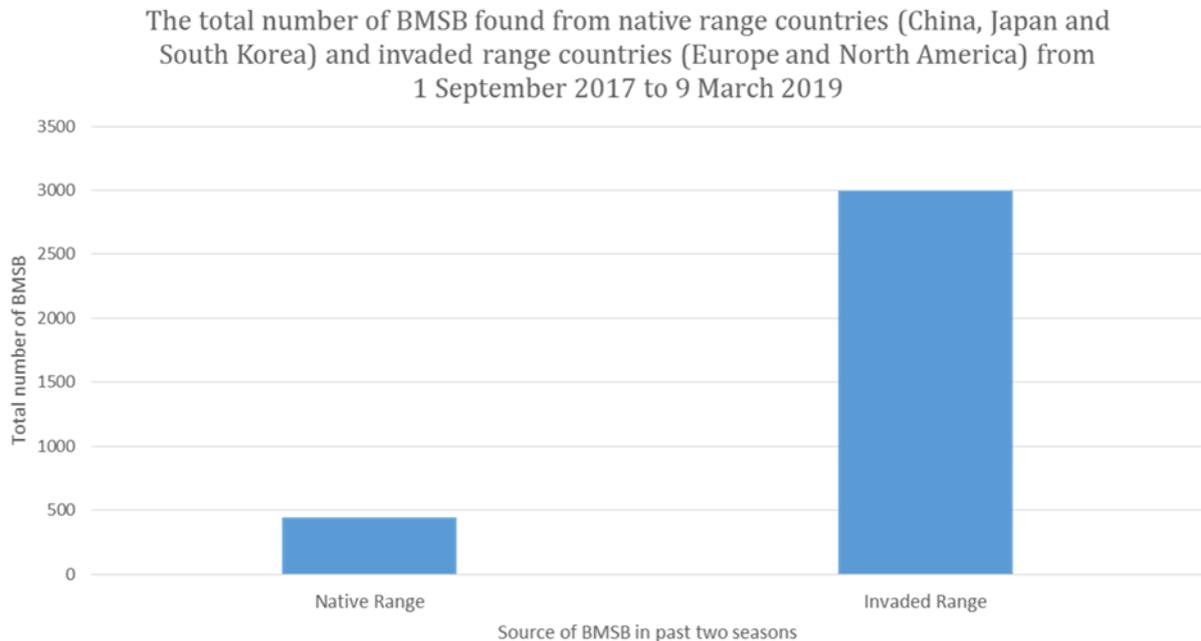
We are aware that some importers are choosing to use the air cargo pathway to avoid the BMSB measure and this does increase the risk for Australia. However we are monitoring this pathway and if there is an increase in detections we will need to extend measures to this pathway as well. However, our historical data reflects that we are more likely to see BMSB arriving in sea cargo, rather than in air freight. This is due to the way the cargo is handled and stored, which exposes it to a higher likelihood of contamination with BMSB when they seek shelter to overwinter.

Q: Is there any specific reason why China and Korea is not the high risk country? These are native country for BMSB.

A: Where BMSB is native, natural predators and historical farming practices help to keep BMSB populations in balance.

In the countries where BMSB has spread to (eg Europe and North America) there are no natural predators and farming practices to keep population numbers down. Below is a chart that shows the number of BMSB we have detected from native countries (China, Japan and South Korea) vs detections that have been made from countries where BMSB has established and spread (Europe and North America) for the past 2 seasons (2017 to 2019). Around 85% of detections of BMSB is from Europe and North America.

The department is monitoring the native countries via random inspections. If the number of detections increases, they may be added as a target risk country.



Q: the season end date that caused a great deal of confusion last year. the website states that treatment is required for cargo shipped from 1st September 2020 to 30th April 2021. So if the cargo ships in April and arrives June can you confirm that it will not be subject to BMSB measures and that the system profile will be switched off 31st May 2020.

A: For the 2020-21 BMSB season, certain goods manufactured in, or shipped from target risk countries will be subject to BMSB requirements that are shipped as sea cargo from 1 September 2020 and that arrive in Australian territory by 31 May 2021.

The department recommends all goods being shipped between 1 September 2020 and 30 April 2021 be treated to ensure those goods (especially break bulk that is subject to mandatory offshore treatment) are compliant if they arrive by 31 May 2021. Goods arriving from 1 June 2021, will not be subject to the measures.

Q: is the BMSB season you mentioned the export destination shipping date or the arrival date to Australia?

A: The season start date (1 September 2020) refers to the date it was shipped on board in the target risk country. The end of the season (31 May 2021) is the date the goods arrive in Australia.

Q: What about cargo that departs from a target risk country after 1 May 2021 and arrives prior to 31 May 2021? is this subject to BMSB

A: Goods shipped on board in a target risk from 1 May 2021 onwards will not be subject to the measures.

Q: would the department consider another option other than export or destruction of break bulk goods that arrive without treatment - such as containing on wharf and onshore treatment

A: BMSB is a high fly away risk, hence the measures of all break bulk (including open top and flat rack containers) being subject to mandatory offshore treatment. Where the department has been made aware of untreated break bulk, the goods will be prevented from discharging and directed for export. If the vessel is due to berth at other Australian ports, the goods will require containment of the BMSB risk such as tarping on board the vessel. The goods will not be permitted for onshore treatment. Onshore destruction is also not an option as it moves the risk to Australian shores.

Q: Will MC's be able to contact the BMSB Processing Team by Phone this season?

A: The departments recommend that you email bmsbprocessing@awe.gov.au. To ensure a fast and detailed reply, please provide your entry number and contact details.

Treatments – Offshore

Q: Are there any applications going through for offshore treatment providers in Hong Kong?

A: At present there are no registered treatment providers in Hong Kong. The department is working with the Hong Kong government to determine the registration process for BMSB treatment providers in Hong Kong, should any wish to register.

As Hong Kong is not a target risk country, treatment providers are able to conduct BMSB treatments without registering onto the Offshore BMSB Treatment Providers Scheme.

Q: Please quantify in centimetres the "adequate space" required in packing a container

A: 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 for treatment 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 be effective and meet the BMSB requirements

These factsheets have been published on the Guidance for conducting BMSB Treatments webpage

Q: The treatment providers scheme is not available in China being a non-target country. Goods from target risk countries, treated in China and shipped from distribution centres in China that have been in storage for a period of time, (not transshipping). Will the treatment certificate be accepted as long as the treatment complies to department's treatment requirements?

A: BMSB treatments conducted in China are accepted if the treatment and treatment certification meet the BMSB treatment requirements. Please note that there are additional BMSB specific treatment details required on BMSB treatment certificates compared to other treatment certification. Without this additional information on BMSB treatment certification, they will not be accepted.

Q: Why is NZ different to AU? NZ requires all target high risk goods to be treated offshore or else the goods will be exported. Australia permits onshore treatment for containerised goods.

A: Australia and New Zealand have different on-arrival operational processes and different on-arrival treatment capacities. Each country has set its policies based on a range of factors to ensure effective management of BMSB risk.

Australia and New Zealand have aligned as many BMSB risk measures as possible.

Q: Are you able to update the Packaging Suitability Guide to give greater clarity over what is suitable so we can provide to overseas packers, shippers to avoid getting caught on 4.7 costs. e.g. photos of suitable / unsuitable, minimum air gaps, etc that can be provided to shippers

A: The department has issued consignment suitability [fact sheets](#) to provide clear guidance on consignment suitability. Treating goods in the country of export, prior to loading into a shipping container, enables shippers, packers, consolidators to utilise more space in the container, alleviating concerns with free air space for treatment.

Q: Is the department considering additional heat treatment parameters ie. 60C for 10 mins as per NZ has used before and/or 50C for 20mins as per Australia has used before?

A: The department is not actively considering additional heat treatment parameters for BMSB at this time. The department is always willing to consider alternative treatments proposed by industry, but acceptance of new any treatment will depend on a number of elements including scientific evidence of its effectiveness as a biosecurity control, the ability to monitor and measure the treatment and any relevant practical considerations about its application.

Treatments - Onshore

Q: If packaging is slashed and photographs of the pallets are provided, can a local Fumigator rely on this to allow them to fumigate a container (perhaps accompanied by a declaration form the overseas packer / shipper).

A: Refer to the relevant Approved Arrangement treatment class – 12.1 Methyl Bromide Fumigation, 12.2 Sulfuryl Fluoride Fumigation or 12.3 Heat treatment – for any conditions relating to determining consignment suitability through assessment of supporting documentation associated with the goods. For example, class 12.1 conditions for Methyl Bromide Treatment include:

- Condition 3.16: Where the fumigation is to treat a commodity, the biosecurity industry participant cannot rely on packing declarations / lists alone to determine suitability of the commodity for fumigation unless adequate detail is included within these documents. Verification that the commodity is suitable for fumigation can be through a written declaration stating the commodity meets the conditions above or through a physical unpack and inspection of the consignment.

- Condition 3.17: Where a fumigation is to treat non-commodity concerns (i.e. packaging material or dunnage), the biosecurity industry participant can rely on a packing declaration or other suitable document (e.g. packing list).

If you require further guidance, please contact the department.

Q: If treatment providers are responsible for determining if treatment will be effective, why can't they release the container directly instead of having to wait 3 days for a direction.

A: Treatment providers are not authorised biosecurity officers, therefore cannot finalise and release a biosecurity direction.

Approved Arrangements

Q: Last year, onshore treatment providers were required to seek approval to adjust a consignment (slash plastic). Will this change this year?

A: Yes. The department has published Industry Advice Notice's informing industry of the availability of more streamlined and efficient processes for the 2020/21 season. Treatment providers who elect to take advantage of these new arrangements will not be required to seek and obtain departmental approval to undertake in-container adjustment each time a consignment needs to be made suitable for treatment. Instead, this in-container activity would be authorised through a one-time variation to an onshore treatment provider's Approved Arrangement. The variation involves some additional conditions on how in-container adjustments must be carried out and which treatment providers must comply with.

On 10 September 2020, the department published the following Industry Advice Notice's on the department's website, available at: <https://www.agriculture.gov.au/import/industry-advice/2020>:

- 146-2020 Enhanced brown marmorated stink bug (BMSB) heat treatment arrangements
- 147-2020 Streamlined brown marmorated stink bug (BMSB) fumigation arrangements available

Q: As treatment providers, we understand and accept that we are ultimately responsible for determining if a consignment is suitable for treatment. However, where a consignment requires remedial action to allow for treatment at the container level, we must obtain approval from the department prior to making any adjustments to goods or packaging. Can you please provide the department's reasons for this step as we are concerned it may lead to unnecessary delays in the treatment process.

A: Refer to response given in the previous question.

Q: Are there any changes to the onshore Mb treatment providers accreditation requirements? For new onshore treatment providers wishing to gain approval to provide Methyl Bromide BMSB treatments, are the requirements still the same to become an AA provider.

A: The department's application process for new onshore treatment providers wishing to gain approval to provide treatment have not changed, nor have the requirements or conditions specific to the relevant Approved Arrangement treatment class. On application though, please indicate your intent to treat for BMSB, to ensure that once approval is granted, your arrangement includes the additional conditions that authorise in-container adjustment activities relevant to BMSB treatment.

Vessels

Q: Does the department expect there to be delays in discharge of cargo while vessels are waiting for BMSB inspections to take place, and if so, what kind of delay is expected?

A: Where there are no detections of BMSB, you would expect a quicker clearance, where there are detections of live or recently dead BMSB, inspections may take longer

Safeguarding

Q: Is there any flexibility in the number of containers required for safeguarding is it possible to reduce this number?

A: At this current point in time, the Safeguarding team will be maintaining the minimum import volume requirements for the scheme. This is done primarily for a couple of reasons. First of all, it ensures the department's resources working on the Safeguarding Arrangements Scheme can assess applications in a timely manner. Secondly, import volumes also ensure that sufficient data can be provided to the department to allow us to determine the supplier/importer's past levels of compliance with biosecurity, including in relation to the BMSB seasonal measures.

Q: Is there any likelihood in reducing the number of TEUs to allow more supply chains to register?

A: As above.

Inspections

Q: Should we be expecting inspection delays similar to last year or how is this being addressed for this season

A: The department recommends that you lodge your documents early to ensure reduce any delays in assessing of documents and booking of inspections where necessary