

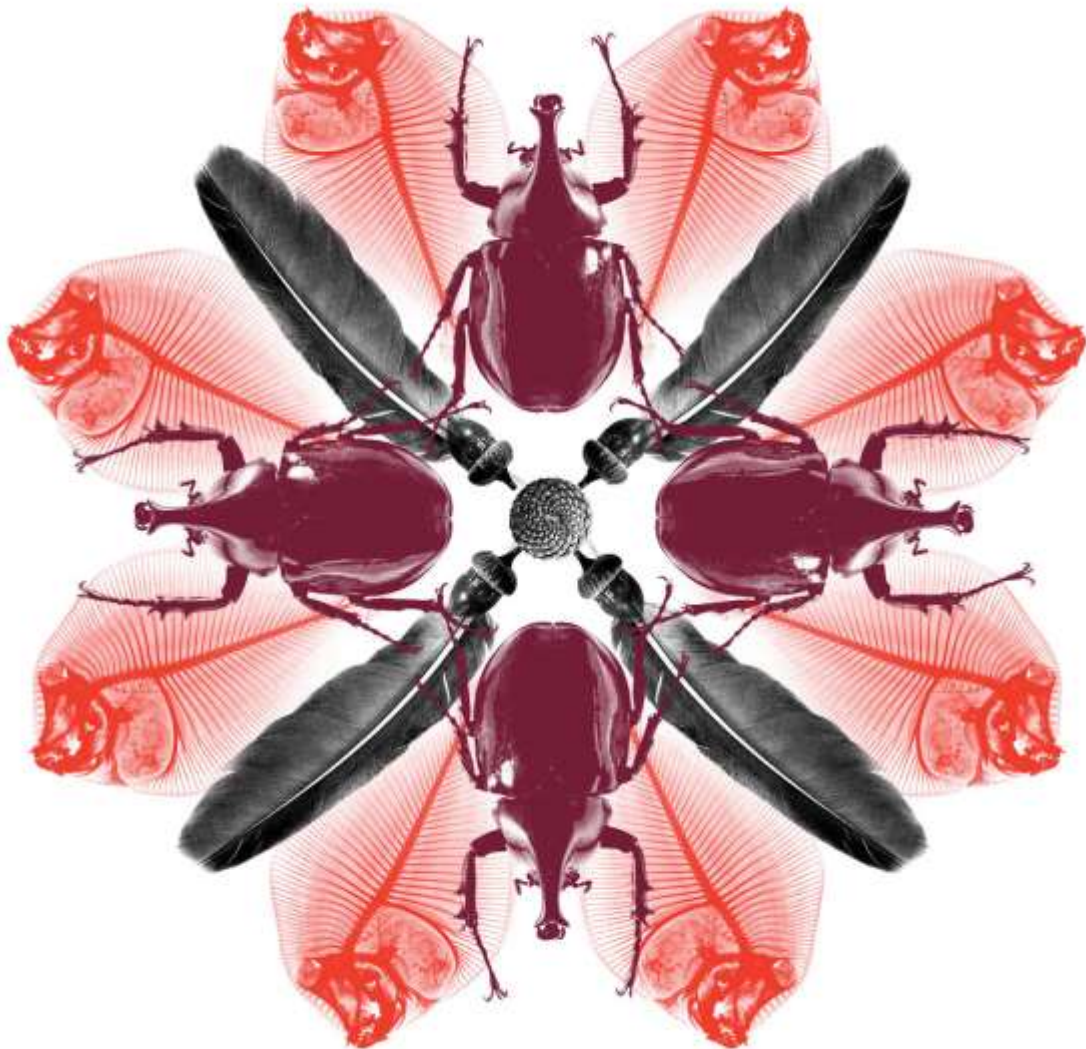


Australian Government
**Department of Agriculture
and Water Resources**

Approved arrangement

12.1 – methyl bromide fumigation requirements

Version 2



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Version control

Updates to this document will occur automatically on the department's website and the revision table below will list the amendments as they are approved.

Date	Version	Amendments	Approved by
16 Jun 2016	1.0	First release. Previously compliance agreement for onshore quarantine fumigation scheme.	Approved arrangements section
		<p>Updated</p> <ul style="list-style-type: none"> • Class name to methyl bromide fumigation • references from MBr fumigation standard to MBr fumigation methodology • accredited persons licensing requirements (Table 2) • form completion requirements (Table 3) • general requirements amalgamated into tables 2, 3, 4 and 5. 	
10 Sept 2018	2.0	<p>Added</p> <ul style="list-style-type: none"> • complying with other regulatory authorities (table 3) • accredited person register requirements (table 4) • table 5 – maintaining approval • notifications to the department (table 5) <p>Removed requirements related to approved arrangement sites</p>	Approved arrangements section

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Guide to using this document

This document sets out the requirements that must be met before the relevant Director will consider approval for the provision of biosecurity activities under section 406 of the *Biosecurity Act 2015*, otherwise known as an approved arrangement.

This document specifies the requirements to be met for the approval, operation and audit of this class of approved arrangement. Compliance with the requirements will be assessed by audit.

In the event of any inconsistency between these requirements and any Import Permit condition, the Import Permit condition applies. If the applicant chooses to use automatic language translation services in connection with this document, it is done so at the applicant's risk.

Unless specified otherwise, any references to 'the department' or 'departmental' means the Department of Agriculture and Water Resources. Any references to contacting the department mean contacting your closest regional office.

Further information on approved arrangements, department contact details and copies of relevant approved arrangement documentation is available on the department's website: agriculture.gov.au.

Definitions

Definitions that are not contained within the Approved Arrangements Glossary can be found in the *Biosecurity Act 2015* or the most recent edition of the Macquarie Dictionary.

Other documents

The *Approved Arrangements General Policies* should be read in conjunction with these requirements. They will assist in understanding and complying with the obligations and requirements for the establishment and operation of an approved arrangement.

Nonconformity guide

The nonconformity classification against each criterion is provided as a guide only. If more than one nonconformity is listed against a requirement, the actual nonconformity applied will correspond to the gravity of the issue. The nonconformity recorded against any requirements remains at the discretion of the biosecurity officer.

Nonconformity classifications are detailed in the *Approved Arrangements General Policies*.

Approved arrangement requirements

Table 1 Scope

Requirements	Nonconformity guide
1.1 This approved arrangement class authorises methyl bromide fumigation of goods subject to biosecurity control under direction from the department.	Not applicable
1.2 This approved arrangement class does not authorise biosecurity industry participants to release goods from biosecurity control after a fumigation has been completed.	Not applicable

Table 2 Accredited persons

Requirements	Nonconformity guide
2.1 Accredited persons performing methyl bromide fumigations must hold valid state/territory fumigation licences in the state/territory where the fumigation is performed. Note: Trainee and provisional licences do not meet this requirement.	Critical
2.2 An accredited person must personally conduct or directly supervise activities involving physical contact with, handling or treatment of items, subject to biosecurity control.	Major

Table 3A Operating requirements

Requirements	Nonconformity guide
3.1 The biosecurity industry participant must ensure biosecurity activities are carried out in accordance with the approved arrangement.	Minor or major or critical
3.2 Goods subject to biosecurity control must be maintained and processed in accordance with import conditions specified in the department's Biosecurity Import Conditions Database (BICON).	Minor or major or critical
3.3 Goods subject to biosecurity control must be maintained and processed in accordance with an import permit.	Major or critical
3.4 Goods subject to biosecurity control must be maintained and processed in accordance with any other direction from the department.	Minor or major or critical
3.5 Goods subject to biosecurity control must be maintained and processed in accordance with the <i>Biosecurity Act 2015</i> and subordinate legislation.	Major or critical
3.6 Fumigations performed under this approved arrangement class must comply with the requirements of the <i>Methyl Bromide Fumigation Methodology</i> .	Major or critical
3.7 Fumigations of perishable commodities must also comply with the additional requirements detailed in the <i>Methyl Bromide Fumigation Methodology</i> .	Major
3.8 Where a departmental direction or Import Permit prescribes a retention rate that is different from the retention rate requirements detailed in the <i>Methyl Bromide Fumigation Methodology</i> the greater rate must be applied.	Critical
3.9 The minimum temperature experienced during the fumigation period must be verified by: <ul style="list-style-type: none"> • minimum ambient temperature forecasts for the location of the fumigation issued by and obtained from an official source (e.g. Bureau of Meteorology website) within the 24 hours prior to the fumigation start time or • temperature readings taken within the fumigation enclosure during the exposure period. 	Critical

Table 3B Operating requirements

Requirements	Nonconformity guide
3.10 Minimum ambient temperature records must include the predicted minimum temperatures for the duration of the exposure period and the date and time the forecast was obtained.	Major
3.11 Where forecast minimum ambient temperatures are predicted to go below the effective temperature range, the fumigation must not be performed unless the fumigation is performed in a temperature controlled environment.	Major or critical
3.12 Forecast minimum ambient temperatures must not be used to determine the fumigation rate and dosage required for fresh fruit and vegetable fumigations.	Major
3.13 Where temperature recording equipment is used and the temperature falls below the effective temperature range for the fumigation rate applied, the fumigation must be considered to have failed.	Critical
3.14 Where the fumigation is performed in a temperature controlled environment, temperature readings must be taken at intervals no greater than sixty seconds. Where a reading indicates the enclosure has fallen below the effective temperature range for the fumigation rate applied, the fumigation must be considered to have failed.	Major or critical
3.15 Where it is determined that methyl bromide fumigation is not suitable for the goods the biosecurity industry participant must not proceed with the fumigation. The biosecurity industry participant must contact the importer or nominated agent to arrange for amended directions from the department.	Major
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.	Major
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).	Minor or major
3.18 The result of the fumigation must be recorded on the <i>Record of methyl bromide fumigation</i> form.	Minor
3.19 For fumigations performed in a temperature controlled environment, all temperature monitoring readings, including the time and location at which they were taken must be included as an attachment to the <i>Record of methyl bromide fumigation</i> form.	Minor or major
3.20 Field notes/records created during the performance of fumigations must be maintained and provided to the department on request.	Major
3.21 The <i>Certificate of fumigation</i> and the <i>Record of methyl bromide fumigation</i> must be signed by the accredited person who conducted or directly supervised the fumigation.	Major
3.22 The completed <i>Record of methyl bromide fumigation</i> form must be provided to the department.	Major
3.23 If at any stage an accredited person determines that the fumigation has failed, the consignment must be re-fumigated. The suspected reasons for the fumigation failure must be noted on the <i>Record of methyl bromide fumigation</i> form. The form must be provided to the department on request.	Major
3.24 The department must be notified where fumigations are unable to be performed as a result of regulatory controls applied to the biosecurity industry participant or accredited person by regulatory agencies other than the department.	Major
3.25 The biosecurity industry participant must comply with local, state and federal requirements relevant to the licensing and performance of fumigations. Documented evidence of compliance with these requirements must be provided to the department on request.	Minor or major

Table 4 Office and record requirements

Requirements	Nonconformity guide
<p>4.1 The biosecurity industry participant must create and maintain the following records:</p> <ul style="list-style-type: none"> • accredited persons training records (refer 4.6) • calibration and or service records for equipment as required by the <i>Methyl Bromide Fumigation Methodology</i> • temperature records for each fumigation (refer 3.9 and 3.10) • records required by the <i>Methyl Bromide Fumigation Methodology</i>. 	Major
<p>4.2 Records and documents that are related to a single fumigation must be linked using a unique identifier such as the AIMS entry number.</p>	Major
<p>4.3 The biosecurity industry participant must provide access to records created or maintained for commercial reasons or to meet other legislative requirements (e.g. methyl bromide usage records) on request by the department for audit purposes.</p>	Major
<p>4.4 Records maintained as part of this approved arrangement class must be made available to the department within two business days on request.</p>	Minor
<p>4.5 The biosecurity industry participant must ensure records are kept for a minimum of two years for goods subject to biosecurity control at the approved arrangement site.</p>	Major
<p>4.6 The register of accredited persons must include the following information;</p> <ul style="list-style-type: none"> • name • licence details <ul style="list-style-type: none"> – state of issue – issuing authority – licence number – date of issue – licence type – licence status (full / trainee/ provisional) • department accreditation details <ul style="list-style-type: none"> – accreditation number – date of issue. 	Major

Table 5 Maintaining approval

Requirements	Nonconformity guide
5.1 The biosecurity industry participant must notify the department in writing at least 15 working days prior to ceasing or transferring operations of an approved arrangement.	Major
<p>5.2 The biosecurity industry participant must notify the department in writing as soon as practicable within 15 working days of becoming aware of any change of status, not previously been notified to the department, of the biosecurity industry participant or their associates relevant to the operation of the approved arrangement in relation to any of the following matters:</p> <ul style="list-style-type: none"> • conviction of an offence or order to pay a pecuniary penalty under the <i>Biosecurity Act 2015, Quarantine Act 1908, Customs Act 1901, the Criminal Code or the Crimes Act 1914</i> • debt to the Commonwealth that is more than 28 days overdue under the <i>Biosecurity Act 2015, Quarantine Act 1908, Customs Act 1901, the Criminal Code or the Crimes Act 1914</i> • refusal, involuntary suspension, involuntary revocation/cancellation or involuntary variation of an Import Permit, quarantine approved premises, compliance agreement or approved arrangement under the <i>Quarantine Act 1908</i> or the <i>Biosecurity Act 2015</i>. 	Critical
5.3 Departmental officers and department approved auditors, must be provided access to the approved arrangement fumigation site to perform the functions and exercise the powers conferred on them by the Biosecurity Act or another law of the Commonwealth.	Critical
5.4 Departmental officers or department approved auditors, must be provided with facilities and assistance as requested, and any required documents, records or things relevant to the audit.	Major or critical
5.5 The department must be notified of any reportable biosecurity incident as soon as practicable, in accordance with the determination made by the Director of Biosecurity.	Critical
5.6 Department approved auditors must be permitted to collect evidence of compliance and noncompliance with approved arrangement requirements through actions including the copying of documents and taking of photographs.	Major or critical
<p>5.7 The biosecurity industry participant must notify the department in writing as soon as practicable within 15 days of any change in:</p> <ul style="list-style-type: none"> • persons in positions responsible for controlling, directing, enforcing or monitoring people performing activities associated with the approved arrangement • biosecurity industry participant details, including: <ul style="list-style-type: none"> – entity name – Australian business number or Australian company number – postal address – email address – telephone number. 	Major or critical