



# **Review of Submissions on the Draft General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods.**

## **Requirements for Facilities and Operators**

Biosecurity New Zealand  
Ministry of Agriculture and Forestry  
Wellington  
New Zealand

**July 2007**



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Biosecurity Standards  
Biosecurity New Zealand

**REVIEW OF SUBMISSIONS ON:**

**Draft General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods.**

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Approved for general release

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## INTRODUCTION

The draft standard for **General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods** was notified for public consultation on 24 November 2006. Submissions closed on 22 December 2006.

### Biosecurity NZ (BNZ) received the following submissions:

<b>Name</b>	<b>Organisation represented*</b>	<b>Date received</b>
Anthony Lealand	<a href="#">Firework Professionals Ltd</a>	28-Nov-06
Greg Mannering	<a href="#">Gordon's Pickles</a>	04-Dec-06
Bob Currie.	<a href="#">TRAFFIC SAFETY PRODUCTS LTD</a>	06-Dec-06
Rob Smith	<a href="#">Customs Services Ltd</a>	08-Dec-06
Mark Ryder	<a href="#">Ryders Customs and Forwarding Ltd</a>	11-Dec-06
Steve Inwood	<a href="#">SST Ltd</a>	13-Dec-06
Alistair Wright	<a href="#">L M Wright &amp; Co Ltd</a>	13-Dec-06
Terrence Moore	<a href="#">Banbury Clothing Company</a>	13-Dec-06
Hannah Moore	<a href="#">Banbury Clothing Company</a>	14-Dec-06
Graham C Moore	<a href="#">Banbury Wholesale Company</a>	18-Dec-06
Jerry Wellington	<a href="#">Wellington Port Coldstores Ltd</a>	18-Dec-06
Barrie Saunders	<a href="#">Saunders Unsworth</a> on behalf of Port Companies in New Zealand	19-Dec-06
Lincoln Dearden	<a href="#">Slinkskins LTD</a>	19-Dec-06
David McAllister	<a href="#">Advance International Ltd</a>	20-Dec-06
Daniel Moore	<a href="#">Southern Distribution Co.</a>	21-Dec-06
Dr WB Griffin	<a href="#">Crop &amp; Food Research</a>	21-Dec-06
Dr Prue Williams	<a href="#">Crop &amp; Food Research</a>	21-Dec-06
Mark Pitcher	<a href="#">NZOMA</a> (New Zealand Overseas Movers Association)	21-Dec-06
Mark Ngatuere	<a href="#">Road Transport Forum NZ</a>	22-Dec-06
Debbie Woods	<a href="#">The AgriChain Centre</a>	22-Dec-06
Rosemarie Dawson	<a href="#">Customs Brokers &amp; Freight Forwarders Federation (NZ) Inc</a>	22-Dec-06
Asela Atapattu	<a href="#">Department of Conservation</a>	15-Jan-07
M R Scott	<a href="#">NZ Timber Importers Association</a>	23-Jan-07

\*Links to submission responses.

This document summarises the issues raised in the submissions, and presents the Biosecurity New Zealand response.

Where common themes from the submissions were identified we have grouped the response in Section 1.

Specific responses when required have been listed separately in Section 2.

APPENDIX 1 contains the copies of the full submissions

Please Note: where references are made to Sections in the Draft standard, the numbers refer to the previously published draft. In the next draft section numbers and headings may have changed.

## **RESPONSE TO SUBMISSIONS**

### **1 General issues:**

This section addresses concerns that were raised by more than one respondent.

#### **1.1 Concern was raised about the potential for increased compliance costs and the need to reapply for their approval.**

##### **Biosecurity New Zealand response:**

Facilities already holding an approval will not have to re-apply for approval. A facility will have 12 months from the time the Standard is released to comply with the new Standard. This may mean that changes to a facility need to be made.

Most facilities should already have an operating manual which describes the biosecurity operating procedures within the facility. The operating manual will only need to be updated to cover the requirements of section 7.1 of the Standard and any relevant annex (if not already covered). See also Section 1.5 of this document.

The inclusion of an extra non-scheduled audit reflects current practice in various standards. The unscheduled audit is less comprehensive than a scheduled audit and should take less time to conduct.

The training component is an extra cost. This component is required to ensure all operators are aware of their responsibilities and potential penalties under the Act (refer to Section 1.2 below). At this stage Biosecurity New Zealand does not have an indication of the course costs. The expectation is that costs will be fair and reasonable.

One of the main drivers in publishing this draft document was the need to consolidate multiple standards into one document.

#### **1.2 Concerns were raised in regard to the extra training required – costs, details etc.**

##### **Biosecurity New Zealand response:**

The operator training course is designed by MAF and focuses on facility requirements (including the operating manual); risk good pathways, The Biosecurity Act and Operator responsibilities. The training is required for all operators (including deputies) and is part of the approval process.

Formal training provides operators with the necessary skills to ensure biosecurity requirements are maintained. Also having operators of varying experience attend we hope to encourage good group discussions and exchanges of information.

Training will be provided by an agency/ agencies contracted to MAF and courses will be run in main regional areas across the country. Associated costs are unknown at this

stage, but are anticipated to be reasonable as MAF does not in any way wish to disadvantage small business.

Note: Accredited Person (AP) training, while covered under Annex A of the General Facilities standard, will remain the same as those previously found under the Requirements for Transitional Facilities for Sea Containers.

**1.3 Questions were asked about the need for Operator training every two years.**

**Biosecurity New Zealand response:**

After considering the submissions, Biosecurity New Zealand has extended the Operator training requirement to every 4 years (AP re training still remains every two years).

**1.4 Several submissions raised the question of why sea containers were included within this standard and suggested they remain separate.**

**Biosecurity New Zealand response:**

Sea containers are classified as risk goods under the Biosecurity Act, hence sea container facilities fall under the general facility standard. Facilities already approved to and meeting the requirements of the current Sea Container standard may not have to make any changes to meet the requirements of the new standard.

**1.5 How does the roll-over from the existing standard(s) to the new standard affect our current approval?**

**Biosecurity New Zealand response:**

Facilities already approved will not need to reapply. When the yearly audit is scheduled the facilities will be measured against the new standard. There will be a transition period before the standard comes into force, and all existing Operators will need to undertake the training requirements of the new Standard.

**1.6 Concern was raised over police checks being undertaken on everyone and why.**

**Biosecurity New Zealand response:**

Only the operators and deputy operators require a police check. Under the Biosecurity Act the Director-General of MAF must be satisfied that the operator is a fit and proper person. The police check forms part of this process. As a general guideline someone prosecuted under the Biosecurity Act would not be approved as an operator.

**1.7 Concerns were raised with the requirements for access to a computer and the Internet.**

**Biosecurity New Zealand response:**

While we recognise not all facilities will have access to on-line computers, having access will provide a more efficient and effective means of transferring information and clearances. If the facility does not have access to a computer they will still be able to obtain or maintain approval and this should be discussed with the Inspector. However, this may lead to extra costs being incurred by the facility.

**1.8 Several respondents raised the need for an Operating Manual template.**

**Biosecurity New Zealand response:**

MAF will provide a basic template for facilities to use that will be made available on the MAF website. Manual development will also be covered in operator training courses. Operators will need to fill in sections of the manual template by describing the procedures followed at a facility.

**1.9 What if the standard covers areas not applicable to the facility?**

**Biosecurity New Zealand response:**

Each facility needs to define the scope of their operation in their operating manual. If there are areas that are not applicable then they do not have to be covered. This needs to be discussed with the Biosecurity Officer undertaking the audit.

**1.10 Segregation of uncleared goods from cleared or domestic goods.**

**Biosecurity New Zealand response:**

In the majority of cases the requirement will be for a clear 3m separation. The distance allows the surrounding area to be monitored and appropriate measures enacted to contain potential contamination (i.e. ant baiting around the goods). However in cases where space in the facility is limited and products being stored are very small in size then a smaller distance of separation may be discussed with the MAF Inspector and an equivalence measure put in place.

**1.11 Concerns were raised over whether MAF or an operator should keep the records of a consignment.**

**Biosecurity New Zealand Response**

It is the duty of the operator to retain copies of any phytosanitary certificates belonging to consignments, even in the case where a MAF Inspector requests an original copy.

**1.12 Several submissions raised concerns over audit frequency and the potential for increased costs**

**Biosecurity New Zealand Response**

Initially, both scheduled compliance audits and unscheduled surveillance audits will be carried out annually. However, the unscheduled audit will not be as comprehensive as the compliance audit, but rather a shorter inspection that should incur a lower cost... At facilities where repeat non-compliances are an issue the unscheduled audit frequency may increase to ensure that a satisfactory level of compliance is being adhered to. Conversely, MAF may also grant audit dispensation to facilities that are continually performing well in audits and are not incurring non-compliances.

### **1.13 Two submissions suggested the need for a conflict resolution process**

#### **Biosecurity New Zealand Response**

As is currently the case, when a conflict does arise and an Inspector is unable to resolve the issue then it is to be directed to the Inspector's direct superior. Where the issue is still unable to be satisfactorily clarified then involvement of higher MAF management is recommended.

## **2 Individual submission responses**

This section addresses issues raised by individual respondents, not including those addressed in section 1.

### **2.1 Anthony Lealand, Firework Professionals Ltd**

2.1.1 Firework Professionals Ltd queried the requirement of unloading containers of fireworks on a hardstand area in regard to the safety factors involved and whether a previous exemption was still valid.

**Biosecurity New Zealand response:**

Due to the nature of the goods (i.e. fireworks) the letter of exemption you had previously received is valid under the new standard.

### **2.2 Greg Mannering, Gordon's Pickles**

2.2.1 Gordon's Pickles questioned whether the new standard will require their staff to be retrained.

**Biosecurity New Zealand response:**

The only training necessary is for the operators of facilities. Current AP training remains the same.

### **2.3 Bob Currie, Traffic Safety Products**

2.3.1 Traffic Safety Products questioned the requirement for facilities to be located within a metropolitan area as per section 7.2.

**Biosecurity New Zealand response:**

There is scope to have facilities located outside of the metropolitan area. However the facility must have the appropriate procedures in place to ensure the security of any risk goods (which includes containers). This can be discussed between the MAF Inspector and the operator before initial approval is given. Facilities that have approval already do not need to reapply, but will need to be able to meet the requirements of the new Standard when it comes into force. It is envisaged that MAF will create guidelines in regard to the approval of facilities located outside metropolitan areas.

### **2.4 Rob Smith, Customs Services Ltd**

2.4.1 Customs Services Ltd commented on the need for less complex government regulation and the need to keep Container Transitional Facility regulations separate from risk goods.

**Biosecurity New Zealand response:**

Please refer to section 1.4 of this document.

### **2.5 Mark Ryder, Ryder's Customs and Freight Forwarding**

2.5.1 Ryder's Customs raised some operational issues in regard to processing of consignments.

**Biosecurity New Zealand response:**

The issues you have raised have been passed onto the appropriate operational section of Biosecurity New Zealand.

**2.6 Steve Inwood, SST Ltd**

2.6.1 SST noted they could comply with the standard (as applicable to their scope) with a few minor changes but do not see why a map should be included in the operating manual.

**Biosecurity New Zealand response:**

A lot of Transitional Facilities are located within a larger facility. A map is important so that the area governed by the approval can be identified accurately.

2.6.2 SST stated their concern about whether transport operators understand MAF requirements when transporting risk goods. They highlighted that often they don't know who the carrier is until the goods have arrived.

**Biosecurity New Zealand response:**

Any carrier transporting risk goods (including containers) has a responsibility under the Biosecurity Act. The direction given by MAF to uplift goods from a port or airport (the BACC) is a legal document and must be complied with. When risk goods are being transferred from one facility to another it is the responsibility of the operator at the sending facility to inform the carrier of any biosecurity requirements. Where the goods are being moved from the place of first arrival (i.e. a sea port) the transport operator is responsible. MAF will be addressing these issues with the appropriate industry representatives to highlight the legal requirements.

2.6.3 SST cited the difficulty with keeping track of treatment and disposal records for trash or waste.

**Biosecurity New Zealand Response**

BNZ requires that a record be kept of any risk contaminants (i.e. packaging or wrapping that came with the goods, or loose seed, not dust or sawdust) placed in the biosecurity bin found in or on containers or consignments. This information is to be kept with the consignment records, and is useful for BNZ to identify companies whose consignments are regularly/ repeatedly contaminated. Records of destruction of biosecurity bin contents must also be kept (i.e. a receipt from the destruction facility).

2.6.4 SST noted concerns with signing regular staff in and out of a Transitional Facility/

**Biosecurity New Zealand Response**

Biosecurity New Zealand requires that a record be kept of the staff present in a facility on any given day. For example, this may be in the form of a staff roster. Regular staff listed in the Operating Manual are not required to sign in and out daily. All visitors to the approved facility (this may not be the whole property) are required to sign in.

**2.7 Alistair Wright, LM Wright & Co Ltd**

2.7.1 LM Wright & Co raised concerns pertaining specifically to the business of importing powdered egg products.

**Biosecurity New Zealand comment:**

These concerns are out of the scope of this Standard and should be discussed in relation to the specific Import Health Standard for egg products. We have passed these comments on to the Animal Imports team within Biosecurity New Zealand.

**2.8 Terrence Moore and Hannah Moore, Banbury Clothing Company**

2.8.1 Banbury Clothing Ltd raised some general concerns with regard to small business operations.

**Biosecurity New Zealand comment:**

It is important that MAFBNZ effectively and efficiently manages the biosecurity risk across all pathways while minimising compliance costs on importers. To achieve this we recognise that MAFBNZ must work collaboratively with all parties within industry to meet these outcomes. We would welcome a submission that identifies methods of effectively managing risk at a lower cost to importers.

**2.9 Graham C. Moore, Banbury Wholesale Company**

2.9.1 Banbury Wholesale Company asked why smaller facilities have to pay the same fee as larger facilities.

**Biosecurity New Zealand comment:**

Facility audit and approval charges are set at an hourly rate as per Biosecurity Cost Regulations 2006. The audit and approval process is the same for every facility regardless of size. Factors that could influence final charges are scope of audit, time spent on site by an Inspector, and how well organised and controlled a facility is.

**2.10 Jerry Wellington, Wellington Port Coldstores Ltd**

2.10.1 Comments were put forth as to the appropriateness of residual insect spraying and a 3m clearance around uncleared goods when in cold storage.

**Biosecurity New Zealand comment:**

Biosecurity New Zealand accepts that where there is an equivalent risk management system in place (such as in a cold storage area) an inspector may use their discretion to determine that spraying is not necessary. There will be provisions for equivalences included in the Standard. Operators need to describe the process of equivalence in order to get approval from MAF to use an equivalent system.

**2.11 Barrie Saunders, Saunders Unsworth**

2.11.1 Saunders and Unsworth raised points on behalf of 15 Port companies relating to the rising costs of port operations.

**Biosecurity New Zealand comment:**

It is important that MAFBNZ effectively and efficiently manages the biosecurity risk across all pathways while minimising compliance costs on importers. To achieve this

we recognise that MAFBNZ must work collaboratively with all parties within industry to meet these outcomes. We would welcome a submission that identifies methods of effectively managing risk at a lower cost to importers.

## **2.12 Lincoln Dearden, Slinkskins Ltd**

2.12.1 Slinkskins Ltd raised concerns over the need for police checks.

### **Biosecurity New Zealand comment:**

See Section 1.6 of this document.

## **2.13 David McAllister, Advance International Ltd**

2.13.1 Advance International raised issues relating to additional compliance requirements and the inclusion of sea containers in this standard; the development of unnecessary operating manuals; concerns over the need for Operators and Deputy Operators to be submitted for criminal records checks; the need for more information on operator training; and the need for a conflict resolution process.

### **Biosecurity New Zealand comment:**

See Sections 1.1, 1.4, 1.8, 1.6, 1.2, and 1.13 of this document in relation to these issues.

2.13.2 Advance International noted an objection to MAF retaining information on Operators and Transitional Facilities and possibly publishing a list of these on the MAF website.

### **Biosecurity New Zealand comment:**

Biosecurity New Zealand is permitted to collect information for the stated intended purpose of that information. This stated purpose has been included in the Standard at section 6.4 Personal Information. The information that may be placed on a public register would consist of:

- The name of the Transitional Facility and its reference number;
- The address of the facility;
- The name of the Operator; and
- The standards the facility is registered to.

No further personal information would be included.

2.13.3 Advance International raised issues with regards to Annex D, Facilities for the Inspection of Personal Effects.

### **Biosecurity New Zealand comment:**

Under Section 25 (1) of the Biosecurity Act 1993 all uncleared risk goods must go to a transitional facility or a biosecurity control area. Inspection of the goods will be at the discretion of an Inspector, who will determine what requires unpacking and a complete inspection.

## **2.14 Daniel Moore, Southern Distribution Co.**

2.14.1 Southern Distribution Co questioned the necessity of electronic computing requirements for small businesses when this may not be feasible, and also raised issues relating to more stringent operator requirements.

**Biosecurity New Zealand comment:**

See Sections 1.7 and 1.1 of this document.

**2.15 Dr WB Griffin and Dr Prue Williams, Crop & Food Research**

2.15.1 Crop & Food Research raised the issue of unspecialised training for Operators and Deputy Operators where this might not be appropriate.

**Biosecurity New Zealand comment:**

Issues of Operator training have already been addressed in the general comments section of this standard (See Section 1.2 of this document). With regards to “one size fits all” training courses, MAF does not run specialised courses tailored to every Transitional Facility, but rather aims to cover the basics of operating a Transitional Facility. The specific requirements of each facility will need to be discussed with the MAF Inspector at the time of manual development and facility approval. It is envisaged that in the future MAF will work with Operators of specialist transitional facilities to develop targeted training packages.

2.15.2 Crop & Food Research raised the issue of casual staff being named in the operating manual.

**Biosecurity New Zealand comment:**

MAF concedes that there are difficulties with naming itinerant workers in an operating manual. It is permissible for operating manuals to state the numbers and titles of casual staff usually employed by the transitional facility, as long as records of staff on duty are kept during the time of their employment (such as a staff roster) and the persons present in the facility on any given day can be traced.

2.15.3 Crop & Food Research raised the issue of responsibility for the safe transport of consignments when consignments might arrive unannounced.

**Biosecurity New Zealand comment:**

It is the responsibility of the operator at the transitional facility sending goods to inform the Operator of a receiving transitional facility that a consignment will arrive via a Biosecurity Authority / Clearance Certificate (BACC). Consignments should not be arriving unannounced. If this were the case then there is a higher likelihood that an operator, deputy or Accredited Person may not be present at the time of arrival and the correct procedures may not be followed.

**2.16 Mark Pitcher, NZOMA**

2.16.1 NZOMA raised the issue of personal effects being unpacked at Transitional Facilities rather than at dwellings or other locations, and the impacts that this would have.

**Biosecurity New Zealand comment:**

Under Section 25 (1) of the Biosecurity Act 1993 all risk goods must go to a Transitional Facility or a Biosecurity Control Area. Biosecurity New Zealand in consultation with industry representatives is looking to come up with practical solutions to ameliorate this risk pathway.

2.16.2 NZOMA requested clarification of the role of a Deputy Operator.

**Biosecurity New Zealand comment:**

MAF requires that a Deputy Operator be available to oversee operations at a Transitional Facility where the Operator is responsible for more than one facility. This is to ensure that all facilities have an Operator available to be on the premises when required... Not all facilities will require a Deputy Operator. There may be more than one Deputy Operator at a facility. See Section 6.2 of the standard, Requirements for approval of the Operator.

**2.17 Mark Ngatuere, Road Transport Forum NZ**

2.17.1 The Road Transport Forum NZ raised issues relating to Operator police checks.

**Biosecurity New Zealand comment:**

See section 1.6 of this document.

**2.18 Debbie Woods, The AgriChain Centre**

2.18.1 The AgriChain Centre raised the issue that a provision might be made for retraining an Operator should a Transitional Facility fail an audit.

**Biosecurity New Zealand comment:**

This point has been taken into consideration and a provision has been added to the standard under Section 8.1 System Audit for an Inspector to recommend retraining should an Operator display a lack of sufficient knowledge leading to an audit fail. This is at the discretion of an Inspector and the Inspector's direct supervisor.

2.18.2 The AgriChain Centre asked for guidelines to be produced on the approval of Transitional Facilities outside metropolitan areas.

**Biosecurity New Zealand comment:**

The standard states that in consultation with an Inspector, a facility may be approved outside a metropolitan area. This will be based on the locations access to amenities such as power, sewerage, and water, communication abilities, the quality of roads to the location, and whether the goods likely to be imported would pose significant risk to the surrounding environment. This will occur on a case by case basis.

2.18.3 The AgriChain Centre asked for clear guidelines on when a consignment can or cannot be unpacked outside of a transitional facility designated area.

**Biosecurity New Zealand comment:**

Unpacking outside will depend on issues such as the nature of risk goods being imported and the facility areas proposed for unpacking. All areas where risk goods are being handled need to be included in the facility approval.

2.18.4 The AgriChain Centre mentioned in relation to Section 7.8.6 General Requirements that sweepings from inside containers should be recorded in the log book.

**Biosecurity New Zealand comment:**

This should only occur when sweepings contain items that are potential biosecurity risks, i.e. seeds, plant material, dead organisms, etc. Wording in the standard has been changed to reflect this point under Section 7.7.5 Consignment Records.

2.18.5 In reference to 7.8.6 General Requirements the AgriChain Centre states that treatment instructions should not appear in this standard.

**Biosecurity New Zealand comment:**

A directive to use household bleach at the concentration stated on the bottle for container cleaning has been used as an example, other products may also be suitable.

2.18.6 In reference to Section 7.9 the AgriChain Centre notes that treatment of contaminated consignments is an importer responsibility.

**Biosecurity New Zealand comment:**

If contamination is detected during inspection the Importer (if different to the operator) must be notified and should treatment be the most appropriate outcome then the Importer is responsible for ensuring this occurs, and is also responsible for payment of any treatment related fee for the contaminated consignment. However, an Operator is still responsible for goods on site at the Transitional Facility, and must ensure that the goods are held in a secure manner until treatment has occurred. The Operator should notify MAF if any treatment (that was directed by MAF) has not been undertaken within the specified time frame. Please refer to Annex B of the standard for requirements for treatment facilities. Also all treatment processes fall under the treatment standard (see: <http://www.biosecurity.govt.nz/border/transitional-facilities/treatments.htm>).

2.18.7 The AgriChain Centre questioned the need for increased lighting levels in the general holding and inspection area of the transitional facility in reference to section 7.14.

**Biosecurity New Zealand comment:**

A lighting level of 1000 lux is necessary above the area where inspections are undertaken, and not necessarily above the general MAF holding area. The increased levels of lighting ensure that biosecurity risks are easily visible.

2.18.8 In reference to section 7.16 The AgriChain Centre requested information be provided on specific HACCP Plans relating to risk goods.

**Biosecurity New Zealand comment:**

HACCP (Hazard Analysis and Critical Control Point) plans are only one tool that can be used to mitigate risk, and Biosecurity New Zealand will accept other equivalent risk management procedures as appropriate. Specific HACCP plans created by the NZFSA relating to imported animal products can be found on the NZFSA website.

2.18.9 The AgriChain Centre commented that the listing of 8.2.1 Critical Non Compliance should include some incidents listed under 8.2.2 Major Non Compliance.

**Biosecurity New Zealand comment:**

The definition of “Critical” includes non-compliances that pose a *significant* biosecurity risk. A major non compliance includes incidents that pose a biosecurity risk. The incidents listed under Major differ from those under Critical in that they do not pose *significant* risk.

2.18.10 The AgriChain Centre observed that the new standard requires an Operator to be present on arrival of consignments.

**Biosecurity New Zealand comment:**

An accredited person needs to be present at the time of consignment arrival, an Operator or deputy Operator should be aware of consignment arrival, but they do not necessarily have to be present at the time.

2.18.11 The AgriChain Centre enquired about Annex A, A1 reporting requirements and the recording of contamination in a log sheet versus reporting immediately to MAF personnel.

**Biosecurity New Zealand comment:**

This point is covered under section 7.7 Records. Contamination need only be recorded in a log sheet, and will not always require immediate reporting to Biosecurity New Zealand. Record keeping in relation to sea container receipt is covered under Annex A, Facilities for unpacking Sea Containers.

2.18.12 The AgriChain Centre mentions the need to include drainage requirements for hard stand areas in Annex A, A2.6.

**Biosecurity New Zealand comment:**

Drainage requirements have been added to Annex A, Facilities for Unpacking Sea Containers.

2.18.13 In relation to Annex A, A8, the AgriChain Centre mentions that there is no under surface inspection requirement for sea containers.

**Biosecurity New Zealand comment:**

Physical inspection requirements are further covered within the Import Health Standard for Sea Containers. Mention of underside inspection is included in Annex A.

2.18.14 In relation to Annex B, B1, the AgriChain Centre notes that screened material may contain animal health risks which should be addressed.

**Biosecurity New Zealand comment:**

The treatment options listed for particulate matter removed and screened from container cleaning should negate any animal health risks that might be present in the material.

2.18.15 The AgriChain Centre notes that the requirement for use of Vircon and foot pads has been removed from this standard.

**Biosecurity New Zealand comment:**

The use of disinfectants was removed from Appendix III of the 152.04.03.F standard (Decontamination facilities) previous to this current review.

2.18.16 The AgriChain Centre notes in relation to Annex E 5 that some residual insecticides remain active for up to 6 weeks and that weekly spraying of the MAF inspection area in a transitional facility could become costly.

**Biosecurity New Zealand comment:**

An operator may decide on a residual spraying regime as long as it is consistent with the product being used, and respraying occurs after any cleaning with water. This also needs to be included in a facility Operations Manual. The standard has been changed to reflect this.

**2.19 Rosemarie Dawson, Customs Brokers & Freight Forwarders Federation (NZ) Inc**

2.19.1 Customs Brokers and Freight Forwarders Federation (CBAFF) questioned the necessity of a third party review of the Operating manual.

**Biosecurity New Zealand comment:**

Having a third party review allows a greater range of expertise to be utilised. This will likely not occur on a regular basis. However, where an organisation/ individual has greater expertise in a specific area and could add value to a process then MAF should use such a resource.

2.19.2 CBAFF raised the issue of Transitional Facilities being excluded from being located in a dwelling or on a Marae or part of a Marae.

**Biosecurity New Zealand comment:**

The approval of Transitional Facilities at private dwellings or Maraes is subject to the nature of the risk goods being imported and specifications of a facility. The statement regarding location of a transitional facility in a dwelling or Marae has been removed from the Standard.

2.19.3 CBAFF suggested that MAF make use of the NZ Customs system for tracking cargo logged in Bonded Stores to avoid duplication.

**Biosecurity New Zealand comment:**

The linkages between NZ Customs systems and MAF systems are currently being investigated to identify opportunities for cooperation between the agencies.

## **2.20 Asela Atapattu, Department of Conservation**

2.20.1 The Department of Conservation (DOC) recommended that the Risk Analysis team receive a copy of standards for review and to check for consistency.

**Biosecurity New Zealand comment:**

This is current standard practice.

2.20.2 DOC queried if there would be a public register available of Transitional Facilities in New Zealand.

**Biosecurity New Zealand comment:**

Provisions have been made in the standard for a Transitional Facility register to be made available on the internet for public access.

2.20.3 DOC questioned the reliability of a 3m separation between cleared and uncleared goods.

**Biosecurity New Zealand comment:**

While in some cases a 3m separation may not be a sufficient barrier against highly mobile organisms, it would be sufficient against other non-motile pests and should give sufficient space for an Operator to detect and deal with any hitchhiker pests (especially since this area will be sprayed with residual pesticide).

2.20.4 DOC raised the need for Transitional Facilities to have a monitoring and recording system for weed control as well as for vermin control.

**Biosecurity New Zealand comment:**

Weed control will be included in the requirements for Transitional Facilities. A recording system for this is not necessary but this is an item that will be assessed at the time of a facility audit.

2.20.5 Under Section 7.8.6 General Requirements DOC raised the need for clearer definition of what is a 'major' spill and believes that all spills from uncleared goods should be reported to MAF, not only spills that are determined to be a biosecurity risk by an Operator.

**Biosecurity New Zealand comment:**

Whilst this is a valid point, BNZ does not want compulsory reporting of minor spillages that do not constitute any real biosecurity risk. BNZ does agree that there is room for clarification of the terms 'major' and 'minor', and if there is any question as to the nature of a spill then a MAF Inspector should be contacted by the facility Operator or deputy. The Standard has been amended to reflect this.

2.20.6 Under section 7.8.7 DOC raised the question of whether the standard could address specific disposal methods for specific types of waste that would constitute a biosecurity risk. DOC also noted that Biosecurity bins should always be kept clean.

**Biosecurity New Zealand comment:**

All waste needs to be placed in the Biosecurity Bin and disposed of at a MAF approved disposal facility. To list each type of waste and disposal methods for each

type is unnecessary in this instance. Biosecurity bins should be cleaned after disposal of waste from the bins has taken place, this is sufficient since bins should be lined and biosecurity waste should be disposed of within a bin liner.

2.20.7 DOC noted the need for transitional facilities to identify potential risk items they will be importing, and develop contingency plans in the facility operation manual.

**Biosecurity New Zealand comment:**

This is covered under Section 7.16, Contingency plans and Section 7.1 Operating manual.

2.20.8 In reference to Section 7.9 Treatment of Identified Biosecurity Risks DOC noted that the requirement to keep a record of any regulated organisms found is missing.

**Biosecurity New Zealand comment:**

This is covered under Section 7.7 Records.

## **2.21 M. R. Scott, NZ Timber Importers Association Inc**

2.21.1 NZ Timber Importers raised issues relating to Operator and Accredited Person training, and the necessity of police checks.

**Biosecurity New Zealand comment:**

See Section 1.2 of this document.

2.21.2 NZ Timber Importers requested more advice on how to deal with hitch-hiker insects that might come in on timber consignments.

**Biosecurity New Zealand comment:**

The recommendations in the standard have been created to deal with most crawling insects and short distance fliers. Residual insecticide spraying of the MAF clearance area should effectively deal with most insect escapes. MAF BNZ is willing to work closer with industry representatives in order to further develop effective treatment options for timber importers and importers in general.

2.21.3 NZ Timber importers raised issues relating to a conflict resolution process.

**Biosecurity New Zealand comment:**

See Section 1.13 of this document.

## **APPENDIX 1: COPIES OF SUBMISSIONS RECEIVED**

### **1. Firework Professionals Ltd Anthony Lealand CEO**

Hullo MAF Standards,

We received a copy of the draft standard General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods. Requirements for Facilities and Operators

We have some very pertinent comments on the Annex A and Annex A2

This matter was discussed with us in 2003 and below is our letter and your response which you advised us to keep on file. I think this says it all, and we certainly do not want to put lives at risk by using hard stand.

LETTER 2003 FOLLOWS

Hi Anthony,

I have discussed your concerns with our technical team that developed the Standard for Transitional Facilities of Sea Containers.

We certainly do appreciate the need for you company to comply with OSH and ERMA requirements. What you are proposing to do in regards to an alternative solution to a hard stand area seems entirely reasonable in principle.

We will not make any amendments to the Standard as we do not imagine that there will be many facilities such as yours. Because of the uniqueness of the cargo you are dealing with an exception will be considered.

I have copied this email to the MAF Quarantine Service who will be inspecting and approving your facility. A final decision on the suitability of your proposal will be made by the MAF Officer when he visits your facility.

May I suggest that you keep a copy of this correspondence for future reference for the MAF Officer.

If you have any further queries at this stage please do not hesitate to contact us. I will be away for three weeks from 15 Sept - 3 Oct. If you have any queries during this time please contact either Mike Alexander alexanderm@maf.govt.nz or Ken Glassey glasseyk@maf.govt.nz They are members of the technical team involved in developing the standard and are aware of your case.

Regards

Jeanette

Jeanette Dawson  
Executive Co-ordinator to Director Border Management

Border Management Group  
MAF Biosecurity Authority

>>> Anthony <firework@firework.co.nz> 09/11/03 06:01pm >>>  
Jeanette Dawson,  
MAF  
Auckland.

Dear Jeanette,

We are reviewing the Draft Requirements of Transitional Facilities for Sea Containers, BMG - STD - TFSCO.

I must at the outset, state that my professional qualifications, include a recently granted Test Certifier TST 02011 from ERMA New Zealand, under the HSNO ACT.

This gives me a wide range of approvals is that I can issue concerning the safety of pyrotechnics, explosives, the storage of same, and handling of same.

We are deeply concerned that one of the requirements for transitional facilities is that a hard sealed area must be used to place a container on.

We have immense responsibilities under OSH and the HSNO Act and Regulations to conduct our business in a safe manner.

Placing a container containing fireworks on a hard area is an open invitation to an accident should fireworks be dropped during the unloading process. The unloading process is complex as the container may be packed in a complicated mix of different types of pyrotechnics, to maximise the loading capacity.

We have gone to some considerable lengths to arrange our facility so that physical security is maintained, with an alarm system, and the personal security and safety of the staff is maintained by a well planned facility.

It is in an isolated area without electric power or water. An isolated area required under HSNO and the regulations.

In particular we have a surface of soft gravel to ensure that any drops are not hard impacts.

Leaving the container on the transport on which it arrived (Section 4), is not an option as unloading is then at a very dangerous height.

We fortunately however can meet the spirit of these regulations, in a very simple straightforward manner.

We would be able to place 125 micron (heavy) plastic sheeting under the container and extending one metre in all directions. As the container was lowered on to this, suitable treated timbers would be placed to ensure that the plastic was not punctured, by ensuring timber sandwiched the plastic.

This plastic can then be folded, as the container is lifted, to ensure all debris ends up in a concentrated point and treated with insecticides.

We believe this option should be available for all explosive products, for which it is mandatory for them to be handled at an isolated site, and are generally handled by a trained team removing these as individual cartons by hand.

We have no other problems with the rest of the regulations, and would be more than willing to offer an additional bio security service in the situation, in that the container is inspected underneath while it is on the crane hooks.

It would be inspected by means of a mirror and spotlight.

It is not possible under OSH regulation to have someone physically walk under a suspended container for inspection.

I am in Wellington often for consultations with ERMA NZ, and if you have a Wellington office, as I would be pleased to call and discuss this matter.

I can appreciate your very important needs for Bio Security, and I'm sure you can appreciate my very serious responsibilities to my staffs and public safety.

Kind Regards  
Anthony Lealand  
Firework Professionals Ltd

**2. Gordon's Pickles  
Greg Mannering  
Administration Manager**

Dear Sir,

I am replying to the email which was sent to us, informing us of changes to the 'MAF Operational Standard for General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods'.

Our company imports sea containers and our premises is approved as a Transitional Facility for Sea Containers. We have two accredited persons on site, certified to check that these containers meet the import health standard for sea containers. We have a hard-copy manual on site which details our sea container handling processes, to which we fully adhere. We have an organised, up-to-date and totally transparent system for documenting every container we receive. We send the requisite biosecurity clearance paperwork to MAF for each container, as soon as it has been devanned. Our facility is audited by MAF and is always found to be compliant.

In short, we work hard to make sure we comply completely with MAF regulations, so why, when the wheel works so well, do we now need to reinvent it? Will the implementation of the new standard void our current certification? I would sincerely hope that we don't have to rewrite our manual and retrain our already very competent staff simply to satisfy a rewording of the standard. If we already comply with MAF requirements, what reason can there be for

our having to start over, other than to pay again for re-certification of our facility and retraining of our staff, for which we've already paid?

This all seems unnecessary and looks like it will cost our business money for which I can see no benefit.

Yours Faithfully  
Greg Mannering  
Administration Manager  
Gordon's Pickles

**3. TRAFFIC SAFETY PRODUCTS LTD  
Bob Currie.**

Hello Tania,

Regarding consultation on the draft MAF Operation standard for Uncleared goods.

We operate an Approved facility for unpacking Sea Containers that have had MAF Clearance.

Is there a different Standard that Cleared goods must conform to or must we comply with section 7 as specified in Annex A of the Standard for Uncleared Goods.

We have an issue if we must comply with the standard for Uncleared Goods. Section 7.2 Location, specifies the facility must be located in a Metropolitan area, that have Public Sewer and Storm water facilities. (excluding sea containers- refer to annex C). This should read "Annex A". Annex A does not specifically say Facilities out side Metropolitan areas are allowed.

But perhaps this is covered under another specification/standard.

We are very concerned about our future compliance, particularly after we have invested \$20,000 to install a concrete pad for unloading Sea Containers to gain approval for our Sea Container Transitional Facility.

We look forward to your reply,

Regards,

Bob Currie.

**4. Customs Services Ltd  
Rob Smith  
Managing Director**

Dear Sir/Madam.

This the most onerous piece of legislation I have seen in many a while. I fully understand the need for good control of "Risk Goods" but I do not see the reason/need for including all

ATF's in this standard. To lump ATF Sea Containers in with risk goods is going to be hugely cumbersome and a significant burden on importers of non- risk goods.

There are, at last count over 5500 ATF Containers facilities. That means over 11000 inspections/audits annually and the mind boggles at the thought of what this will cost even if there were sufficient staff available to carry them out.

I think a large number of ATF Containers operators will find this legislation far too hard to deal with and will end up having to deregister their facilities and have their containers unpacked at a commercial ATF at a cost of at least NZ\$500/TEU (includes the cost of getting the loose cargo delivered to their premises).

Please give serious thought to keeping ATF Containers facilities legislation separate from ATF facilities for risk goods.

Yours sincerely

Rob Smith  
Managing Director,  
Customs Services Ltd,  
Christchurch.

5. **Ryders Customs and Forwarding Ltd**  
**Mark Ryder**



167 Montgomerie Road,  
Mangere, Auckland  
Telephone (09) 275-5229  
Fax (09) 275-3004  
P.O. Box 2807  
Auckland 1, New Zealand.  
Email: ryders@ryders.co.nz

We believe MAF need to look a lot more at its policy and its negative effect on trade.

- 1) Random Audits - Our client was held up for 3 days waiting for papers to be processed, booking etc. If you want feedback from clients as you claim client's visit them and talk to them. Don't hold up goods for 3 days. It's also a waste of MAF resources.
- 2) Transshipment of goods! Where goods are being transhipped through NZ and clearly show they will be leaving, they should not be held. We had simple transshipment from Tonga to Australia held. Why hold them for an inspection? This is a barrier for trade. We are Custom Brokers for over twenty years. If we say they are leaving, give you details etc, why delay there transshipment for a week to examine and subject client to extra costs? They will no longer use NZ to transship goods.
- 3) Delays in exams holding, booking etc, the process has taken up to 6 days on a recent job. This is a barrier for trade.
- 4) Audits of paper work – Our staff make one mistake in saying yes instead of no. As a result the whole container was unpacked for inspection. Future jobs are now held. The paper work was %100 correct just a human error when entering data. MAF makes mistakes also. Why not just a simple warning. MAF needs to work with people and not subject them to delays. Extra costs for one small mistake.
- 5) Policy – The staff making MAF policy need to get out in the field. They seem to have no idea of the effects their endless new policy have and they don't seem to care. The new rules and regulations are at time unworkable. They are tying importers and exporters up in red tape.
- 6) Accredited staff – Why do a refresher class every 2 years? In a 40 year working period that's 20 refresher courses. Accredited staff are aware of what's required. Without extra costs and time with refresher courses every 5 years would be better.

A handwritten signature in black ink, appearing to read "Mark Ryder", is written over a faint, illegible stamp or watermark.

## 6. SST Ltd Steve Inwood

Consultation on Draft MAF Operational Standard – General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods – November 2006.

Comments from Southern Seed Technology Ltd, P O Box 42, Leeston (approved under standard 151-04-03F, ref 921). Our scope primarily covers “risk goods requiring holding, sampling or inspection at the border”, “seed for sowing” and “treatment facilities” (seed treatment & dressing, (we are also approved under BMG STD TREAT)).

### General

We expect that as we are currently approved under standard 152.04.03F:1998, and have been since 1998, then our approval should automatically be rolled over to the new standard (subject to possibly a few minor amendments to our existing operational manual to comply with this new standard).

The scope of this standard (extensions/amendments) are far wider than the imports/risk goods that we are associated with and as such some areas of this new standard are not applicable to us. In this regard I think we should be exempt from some requirements of this standard and that such exemptions should be reflected in individual’s scope/level of risk as cover in their standard operating manual. Our specific comments relate to our operation, not the entire scope the standard is intending to cover.

Imports should be initially intercepted by MAF at the border/point of entry which is usually Auckland. Occasionally these are inspected at Auckland but generally they are on forwarded to MAFQS Christchurch for inspection (which is our preferred option). Ideally for us, interception by MAF Auckland would only involve a check of the integrity/security of the package, an initial check of documentation then issuing of a BACC with the authority to tranship to MAFQS Christchurch for inspection.

### Specific Comments

#### 6.2 Requirements for Approval of the Operator

Perhaps for certain scopes covered by this standard an operator training course could be appropriate/beneficial. However for the scope of our operation this would seem to be additional unnecessary cost and time. Any deficiencies would be detected in the operational manual and/or at times of audit and should be able to be corrected at that time. Training courses should be dependant on the scope, risk goods, operator ability/experience, operation manual rather than requiring this from all scope of the standard.

#### 7.1 Operating manual.

We currently have one which with a few minor changes can comply with much of the standard as applicable to our scope. We note that “The manual must include a map or floor plan ....” We don’t see this as at all necessary or applicable but for the sake of compliance could include one.

### 7.3 Transfer of Uncleared Goods to or between Facilities.

It has always been a concern of ours whether carriers understand the requirements and reasons for the secure transport of risk goods. I don't know how we can be responsible for this. We often don't know who the transport operators are. I'd expect all carriers should be aware of the MAF requirements for the secure transport of risk goods as part of their transport licence (MAF approved?). Again I don't see how we can be responsible for this. Once goods come in to our hands then we are responsible to ensure secure transshipment.

### 7.6 Segregation of Uncleared Goods from Cleared or Domestic Goods.

Why the distance of 3m? It should just perhaps be "a distance that would prevent contamination/mixing" and/or be related to the risk posed. Seed in secure packaging could be kept on the same shelf without the possibility of cross contamination. The critical thing for our scope is the identification of what is uncleared and what is cleared. This is easily achieved through labelling.

#### 7.7.5 Consignment records.

"a) any phytosanitary certificate (photocopy acceptable);" We try to always keep a copy of the consignment IPC (International Phytosanitary Certificate) on file. However, there have been instances when MAF has removed this to keep on their file (MAF need the original and at times copies aren't sent) and all we receive is the BACC. I think the BACC is the critical document that all other files can be referenced to. Either MAF should ensure a copy of this is sent with the BACC (if no copies are with the shipment) or accept that this is kept on their file and no need to be on the Operators file.

"i) date and method of disposal of trash or waste;" The date of seed treatment & declaration on the treatment certificate "This is to certify that the above treatment has been completed. All sweepings and seed not treated are held in bond or have been placed in the "MAF Approved Receptacle" for destruction at an "Approved Facility"". should cover this clause and certify the appropriate handling of the uncleared goods. It is not always easy to give a date for the disposal of trash or waste as after treatment some untreated seed may be held in bond for a period of time before being dumped in the MAF bin for disposal. Thousands of lines from many different shipments are disposed of in the bin at various times. As long as the declaration of the treatment certificate is true and the receipt/proof of destruction from the Approved Facility is on file, there should be no issue with compliance.

### 7.13 Access

Any restrictions to access should only be while the area is being used as a transitional facility. Any person recorded in the operation manual should not be required to sign in or out. For our scope I don't see it necessary to sign people in or out particularly if just "passing through" and not actually undertaking any activity in the facility. It does seem reasonable however that any person working in or passing through the facility (that is not named in the operating manual) be accompanied and or supervised by someone who is named in the manual.

## 8.1 System Audit

Is an annual unscheduled surveillance audit necessary for companies already operating and complying under the existing standard? Particularly if one scheduled compliance audit is required (ie making 2 audits, twice the cost). We are happy enough with the concept of an unscheduled audit but it's the twice the cost (un-necessary) that we are concerned about. Also it may not be possible for an Inspector to turn up unscheduled as we may not be around.

### 8.2.9 Critical Non Compliance

“Driver failing to securely transport uncleared goods.” As per our comments on section 7.3, this is fine if it relates to our personnel transporting goods but not if an independent organisation is the carrier, how can we be responsible for them?

### Summary

We expect that companies currently operating under 152.04.03F: 1998 should get an automatic rollover to the new standard (with any required amendments to their operating manual). Our current operating manual generally complies with this standard or can easily be amended to comply but the necessity for compliance with certain aspects should give consideration to the scope of individual companies operation (scope) and the corresponding risk.

## 7. **L M Wright & Co Ltd** **Alistair Wright** **Managing Director**

To: Consultation on Draft MAF Operational Standard - General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods.

Attention: Dr Dave Nendick  
MAF Biosecurity New Zealand  
Pre-Clearance Directorate  
Operational Standards  
Ministry of Agriculture and Forestry

From: L M Wright & Co Ltd - Transitional Facility No. 2766  
Importer of Egg Powder from Inovatech, Canada

We disagree with the regulatory requirements proposed in the draft standard (as applicable to the Egg Powder we import) for the following reasons:

a. The current requirements are cumbersome enough without suggesting they be widened as suggested in the paper. They tie up MAF staff unnecessarily and provide no benefit to them, the consumer or the country.

They pose a major deterrent to small customers to deal with us.

They pose a major competitive barrier for imported egg powder against locally manufactured powder (which does not have to comply with any transitional facility requirements and "may be" technically inferior for this reason without a check on same.

They do not appear technically justified in that the product is thoroughly treated/tested and certified as being free from an major Biosecurity risk before it is exported from Canada

Major deterrent to small customers to deal with us

When we are approached by new small customers to supply Egg Powder and we explain they will be required to establish a transitional facility involving:

- Setting aside a dedicated storage area;
- Establishing a operating manual for the facility;
- Sending an Operator on a training course to get approved;
- Obtaining a police check on the Operator;
- Training all other staff on facility requirements;
- Lodging an application for approval, having a MAF officer visit to assess their facility and operating manual;
- Paying the fee for MAF visit and certificate issue

They are put off by what is a significant cost both in terms of time and money to get approved and then stay approved via annual audits and two yearly training updates

It is a much easier option for them to remain using liquid eggs or to buy off local powder manufacturers, which is also one of the reasons why the transitional facility requirements for powdered egg pose a major competitive barrier for imported egg powder against locally manufactured powder

Major competitive barrier for imported egg powder against locally manufactured powder

It is our understanding that Zeagold (the local manufacturer of powdered egg) does not have to comply with any similar requirements for the storage and distribution of their powdered egg. We are not sure about this.

So they have a direct cost advantage over importers by avoiding:

Administration costs of running a transitional facility such as:

- Completing MAF transfer requests for each delivery;
- Tracking and advising MAF when shipments are completely sold;
- Maintaining an up-to-date operating manual;
- Conducting six monthly internal audits ;
- Completing Operating Training update courses every two years (new requirement);
- Completing internal staff training;
- Maintaining vermin control programme records;
- Having annual MAF audits

For example:

Our last annual audit by MAF alone cost us \$775.80 incl GST

We estimate our cost of having a staff member prepare and send off MAF transfer requests for each delivery to be around \$1,400.00 p.a.

This in our opinion is inflationary and unnecessary

Not technically justified as product does not in our opinion pose any major Biosecurity risk

In our opinion if our egg powder meets the criteria set out under the Import Health Standards (POUEGGIC.USA and POUEGGIC.CAN) and is allowed into New Zealand it poses no further Biosecurity risk regardless of use thereon in.

Each consignment of Egg powder sent from our principals has:

Certification from an official Veterinarian from the Canadian Food Inspection Agency as having:

- a.. No case of highly pathogenic avian influenza (fowl plague) or velogenic viscerotropic Newcastle disease has occurred within a ten (10) km radius of any of the commercial laying establishments supplying eggs to the processing plant within the last two (2) months.
- b.. The commercial laying establishments supplying eggs to the processing plant(s) are free of highly pathogenic avian influenza and velogenic viscerotropic Newcastle disease.
- c.. The products have been processed at a Federally Registered Processing Plant in accordance with the Canadian Processed Egg Regulations.

A Manufacturer's Declaration certified by an Inspector from the Canadian Food Inspection Agency as having been:

- a.. During processing, pasteurized at a minimum temperature of 140 degrees F. (61 degrees C.) for a minimum of 3.5 minutes holding time
- b.. Produced from shell eggs of Canadian and United States origin only

These two documents cover the Health Certification requirements under Section 7 of the Import Health Standards

Furthermore, a certificate of Inspection from a Canadian Food Inspection Agency accredited Laboratory accompanies each shipment showing each batch within the shipment has tested negative for Salmonella and has meet the requirements of the Processed Egg Regulations, for Standard Plate Count, Coliforms/g, moisture and Odour

Each batch also has a Certificate of Analysis detailing its production date, expiry date, and test results for Coliform, E.coli, Mould, Salmonella, SPC, Staphylococcus aureus, Yeast, Granulation, Moisture, Organoleptic and PH

A copy of this Certificate of Analysis is sent with every delivery we make so customers are aware of its expiry date.

However, tests conducted over the long term show no micro growth in the powder.

Suggested Alternatives for Biosecurity New Zealand on treatment of Imported Egg Powder

We believe in the first instance, that once a shipment has been established by MAF as meeting the Importation Health Standard requirements (section 7) we should be then free to

distribute the product with no further Biosecurity requirements, other than to issue advice to customers on the products expiry date and the required method of disposal for residue product/wrapping.

However, should MAF wish to be able to trace recipients of the product and when they have finished using the product, we believe there is a much simpler and less costly alternative to the current required transitional facility arrangements.

Rather than each recipient of powder being required to establish a transitional facility and MAF having to pre-approve transfers between facilities via the current required MAF Transfer Request, a monthly transfer summary report could be lodged by the importer with MAF giving names/details of recipients and quantities/batches received.

A declaration of completion of further processing could then be sought from customers detailed on the monthly transfer summary.

This could be captured via:

a MAF supplied freepost return declaration form which could be filled out with batch particulars and sent with the goods at the time of dispatch, or;

a monthly email requesting details of stock remaining on hand at month end, or completion date of further processing. This email could link to a pre-populated form listing batches and quantities supplied to a particular customer as advised by the importer on the monthly transfer summary report

## **8. Banbury Clothing Company Terrence Moore**

Dear Sir/Madam

We are a small clothing importer. I have just been made aware of the proposed new requirements for facilities and Operators.

I strongly disagree with this intended over-reaching by MAF.

The extra cost of the proposal changes and training courses will have an adverse effect on small importers throughout the country.

Already, we have spent a lot of time and money complying with current regulations.

We do care for NZ, and obviously want it to stay clean and green (we indirectly supply the tourism market). So we are careful, even though we are importing a low risk product and have never found any contamination in our containers.

MAF should look at the problem where it is more likely to occur – high risk goods should have separate regulations.

I would appreciate if more consideration could be given to small business. Their collective contribution to our country is enormous.

Regards,  
Terrence Moore

Banbury Clothing Company  
Invercargill  
New Zealand

**9. Banbury Clothing Company  
Hannah Moore**

Dear Sir,

I would like to register my disapproval of the intended new MAF requirements for facilities and operators.

The government should be helping small businesses, not making it harder for them.

Yours sincerely,

Hannah Moore

Banbury Clothing Company  
Invercargill  
New Zealand

10. Banbury Wholesale Company  
Graham C Moore  
Proprietor

## **BANBURY WHOLESALE COMPANY**

17 EYE STREET INVERCARGILL NEW ZEALAND • P.O. BOX 637 • TELEPHONE 0-3-214 5599

18 December 2006

Attn: Dr Dave Mendick  
MAF Biosecurity NZ  
Pre-clearance Directorate  
Operational Standards  
Ministry of Agriculture and Forestry  
P O Box 2526  
WELLINGTON

Consultation on Draft MAF Operational Standard - General Facilities for  
Holding, Inspection, Processing or Treatment of Uncleared Goods

Provisions are needed in the new standard to avoid major problems for  
our clothing importing business.

1. Computer Access & Electronic Communication and Preparation of Manual  
(Sections 7.1 and 7.3.3).

Our access to online computers is restricted and difficult. We  
request provision to prepare manuals and communicate by fax or  
letter.

2. Segregation of Uncleared Goods (Section 7.6), Restricted Access  
(Section 7.13).

I understand that, technically, goods are not cleared until unpacked  
and MAF release received.  
Due to the limitations of our property, we do not have room to keep  
contents of an FCL segregated from other warehouse stock.

3. Costs & fees for Approval of Facility and Operator (Section 6).

We are worried about these. Does a small business like ours with a  
few containers a year have to pay the same as a facility handling  
hundreds of containers? Is this fair??

Yours faithfully



Graham C Moore  
Proprietor

**11. Wellington Port Coldstores Ltd  
Jerry Wellington**

Thank you for the opportunity to make a submission on this draft.

Overall we think the proposed standard is quite workable. However there are two requirements in Section 7.6 that we would like reconsidered.

We submit that Section 7.6 of this Draft has some requirements in it that are not practical nor necessary for transitional storage facilities storing edible frozen animal products (e.g. frozen pork) that are currently governed by Standard 154.02.08, specifically:

**1. SPRAYING ISOLATION AREA WITH RESIDUAL INSECTICIDE**

We believe it unnecessary and inappropriate for frozen storage areas holding packaged, edible frozen animal product currently covered by Standard 154.02.08 to require the isolation area to be sprayed with residual insecticide because:

- It is not currently a requirement under Standard 154.02.08 and we are unaware of any new evidence that warrants it becoming a requirement now.
- Freezing is, in its self, an insect killing technique
- Uncleared edible frozen animal products (e.g from Pork from Canada) stored under this standard pose no greater risk of insect infestation than cleared frozen animal products (e.g. Pork from Australia) and in both cases the transitional container inspection standard should give adequate security.
- Spraying residual insecticide inside a -18'C coldstore will not result in a layer of residual insecticide adhering to surfaces as the small insecticide droplets will freeze prior to contact so won't stick to the surface (The only time a -18" C coldstore can be effectively sprayed with residual insecticide is when the room has been turned off and brought up to chiller temperatures - for large 300 MT rooms such as ours we can only do this once every couple of years)

**2. 3 METER SEPARATIONS**

We believe the 3 Meter Separation requirement is inappropriate for frozen storage areas currently covered by Standard 154.02.08 because:

- It is not currently required by this standard and we are unaware of any new evidence that warrants it becoming a requirement now.
- The commercial value of a 3 meter separation in a coldstore is too high and the cross contamination risk too low to give any reasonable cost benefit from imposing this level of separation on edible frozen animal products.

We propose that for packaged, frozen, edible, animal products currently covered by Standard 154.02.08 the separation requirement be for "physical separation" (Note; this is the wording used in the NZFSA Animal Products EU OMAR for maintaining separation between EU & Non EU product)

Jerry Wellington  
Wellington Port Coldstores Ltd

12. Saunders Unsworth  
Barrie Saunders



Public Policy Strategy Communications

December 19, 2006

Dr Dave Nendick  
MAF Biosecurity New Zealand  
Pre-clearance Directorate  
Operational Standards  
Ministry of Agriculture and Forestry  
PO Box 2526  
WELLINGTON

Dear Dr Nendick

**Re draft MAF operational standard – general facilities for holding, inspection, processing or treatment of uncleared goods**

This submission is made on behalf of 15 port company CEOs. They are: Northport Limited, Ports of Auckland Limited, Port of Tauranga Limited, Eastland Port Limited, Port of Napier Ltd, CentrePort Limited, Port Taranaki, Port Nelson Ltd, Port Marlborough NZ Limited, Lyttelton Port of Christchurch Limited, PrimePort Timaru Ltd, Port Otago Limited, South Port New Zealand Limited, Port of Greymouth and Buller Port Services (Westport).

The companies understand the main aim of the new standard is to consolidate several existing transitional facility standards, but also that you want to upgrade biosecurity standards. The goals are commendable and supported. However port companies also have concerns about the way compliance costs for them are mounting. We have just two requests. They are:

1. That when implementing the new standard MAF Biosecurity have regard for the particular circumstances of each port and, in conjunction with the port facility owners and operators, explore way of achieving the right result in the most cost efficient manner possible.
2. That MAF Biosecurity develop a draft standard Operator Manual. While each facility will have different characteristics, there will be enough common elements to make useful a standard manual, for guidance only. This would help ensure all Operators do not have to re-invent the wheel from scratch.

4th floor, 70 The Terrace, P.O. Box 10-200, Wellington  
Tel: (04) 914-1750, Fax: (04) 914-1760  
Email: office@sul.co.nz, Web Site: www.sul.co.nz

Yours sincerely



BARRIE SAUNDERS  
04 914 1753  
barrie@sul.co.nz

**13. Slinkskins LTD  
Lincoln Dearden  
Tannery Manager**

It has come to our attention that there are some change being put forward for transitional facilities, after reading the draft copy there are some areas of concern that Slinkskins objects to, 6.2 Requirements for approval of the operator namely "operators" having to be submitted to a police check, now if a person was applying for a fire arms licence we can understand this as there is a real element of risk and it is appropriate to have some back ground information on applicants.

But to ask for our MAF accredited employees/trained operators to be submitted to a police check to unload containers into a transitional facility until its bio security cleared by MAF is just absurd and an invasion of privacy in our opinion and totally unnecessary.

**14. Advance International Ltd**

Attention: Dr Dave Nendick

Re : General Facilities for Holding , Inspection, Processing or Treatment of Uncleared Goods  
Dear Sirs

Requirements for Facilities and Operators

I refer to the above Draft standard and invitation to make submissions thereon.

Overview.

I am extremely disappointed that MAF continue to fail to establish correct procedures from day one. Whilst it is difficult to dispute that MAF have the authority under the Biosecurity Act 1993 to implement many of the requirements in the proposed draft, the concern is that the legislation has been in place since 1993 yet MAF impose new requirements eg the Import Health Standard for Sea Containers from All Countries, obtain the co-operation of the NZ public to implement, then over time add further requirements to a sector of business that should have been put in place from "day one".

When the Import Health Standard for Sea Containers was first proposed and later introduced, there was no mention made of the need for Operators to face the type of requirements now detailed in this draft standard yet the Act being the basis for these requirements has not

changed. This would tend to suggest that MAF implemented a Health Standard outside the Law and have for the past 3 years operated illegally.

Whilst it is applauded the action to operate within the Legislation and the need for MAF to now comply with its own legislation and to correct the illegal action that has taken place it should have been implemented correctly in the first place and MAF must stop enticing business into complying with Standards under false pretences. The requirements of this draft will add further compliance costs to business' and I would suggest that had business' been presented with the full picture of what was involved with the Import Health Standard for Sea Containers, then some business' would not have entertained having a Transition Facility in the first place.

The implication of this draft is that it now encompasses a considerable number of additional facilities that only handle Import Sea Containers with "non risk" goods so immediately there is a far greater consequence in terms of its reach into the business community.

Submission.

## 2. Scope

The inclusion of Sea Containers subject to the Import Health Stand for Sea Containers from All Countries in yet another Standard is an unnecessary additional area of compliance. The Import Health Standard for Sea Containers already sets out the requirements for the importation of sea containers and that is where all the requirements should be. We are now faced with the requirements for the importation of sea containers being split over two standards which will lead to more difficulty in understanding and complying. The more severe requirements under this draft proposal are not what Sea Container Transition Facilities were asked to sign up for when the Sea Container Health Standard was first promulgated and introduced.

## 6. Approval of a Facility and an Operator

The requirement for an approved operating manual is an additional compliance cost for many of the Sea Container Transition Facilities. Realising that many such facilities are those of small business' where the facility, operator and accredited person are often one in the same person. The thought of the sole trader preparing a manual to instruct himself how to "suck eggs" is preposterous.

I would submit that MAF should prepare a model manual that documents the requirements and that this should be the fundamental document to be applied at Transition Facilities OR incorporated in a business' existing operational procedures.

### 6.2 Requirements for Approval of the Operator

I object to the requirement for operators to be subject to a "police check" without the nature of the police check being quantified. What police check information is likely to be considered relevant to the approvals sought? What is the "pass" criteria? Sec 6.4 implies that "a conviction under the Act or some other Act" is sufficient cause for cancellation of an Operator status so is the initial assessment of "fit and proper" status subject to the same criteria and if so then please detail so the "police check" criteria can be quantified.

As Operators will be people in senior positions within a business', surely by nature of such appointments their credentials have already been vetted as part of an employment process to confirm that such persons are capable of the position to which they are appointed. If the MAF

concern is "shabby operators" then deal with such Operators in their own right without imposing a unilateral requirement on all. Sec 6.4 and 6.5 re Cancellations provide an authority to deal with non compliant Operators.

#### Operator Training.

This requirement needs to be detailed more specifically as to what this training is to encompass. Already many Operators are also Accredited Persons and subject to that training. What is to be the difference between the two types of training, can they be incorporated to save yet another 3-4 hours out of business, who will conduct the training, will it be readily available at all centres around the country.

When the Import Sea Container Standard was introduced MAF undertook "free training" for Accredited Persons then it absolved this responsibility to "approved training providers" at a cost and only available at selected locations therefore imposing a considerably greater cost to those operating outside the four main centres.

Before Operators are lured into acceptance of this draft it should be clearly spelt out what the training requirement is. If MAF have intentions of delegating the training to other parties then please have it directed in this Standard that the training will be provided nationwide (and not just if a certain number of participants can be guaranteed which is the case now with some Training Providers.

The thought of Operators (Company Managers) based in Invercargill, Queenstown, Gore, Winton (also Accredited Persons) having to undertake another training course (content, duration and purpose unknown) in a location 6-8 hours return drive away (Dunedin) is completely unacceptable. Details of courses website link not included

#### 6.3 Procedure for Approval

Web address not included

Application forms - link needs to be created to obtain such via the website Reference to section 6.1 for the draft operating manual appears to be incorrect. S/be section 6

##### 6.3.1 Personal Information on Individuals

I object to the unilateral decision that personal information including Operator name and address WILL be publicly recorded in a register on the MAF website.

#### 6.4 Cancellation of an Operator Approval

In Sec 6.2 is the requirement of a police check to establish an Operator as a "fit and proper" person without any definition or criteria established to determine how such character will be assessed. This section now alludes to cancellation of an Operator Approval as a result of a conviction under the Act or some other Act.

#### 7.1 Operating Manual

As earlier indicated the responsibility to provide a Manual should in the first instance rest with MAF who should provide an operating manual for Transition Facilities. Should Facilities wish to modify that Manual to suit their own specific work/location practices then they should submit any revisions or alterations to MAF for approval.

The compilation of a manual for approval (especially for many of the Sea Container Transition Facilities) is an unnecessary additional compliance cost. It appears that the manual

may be audited ie reviewed by another agency so it is apparent that there is already a standard to be adhered to without indication of what that will be. This is a ridiculous situation for business to be in and not dissimilar from the analogy of sending of your son in the family car for a driving licence with an Examiner without providing any instruction of the road rules or what is to be examined.

### 7.3.3 Electronic Reporting Requirements

The requirement to have "direct" access to an on-line computer should be amended by deleting the word "direct". There are still small scale business' that operate without computer. If such business' can operate effectively for their purposes without computers then it befalls MAF to impose a substantial cost imposition upon them just so that MAF can communicate electronically for its convenience.

Again many of these effected parties will be those with transition facilities to receive sea containers and this cost impost is not what they signed up for when the Standard was introduced. If such electronic communication is imperative then by deleting the word "direct" from the Standard would enable such Operators to make "on-line" arrangements with other parties to act for them eg Customs Brokers, Freight Forwarders or a neighboring business.

### 8.1 System Audit

As at 9 November 2006 there were 6093 Transition Facilities listed on the MAF website as Transition Facilities for the receipt of Sea Containers. Other Transition Facilities exist for purposes other than the receipt of Sea Containers. The Standard directs that each facility will receive 2 audits annually without additional audits that may be required as per 8.2.12. In the first instance that equates to in excess of 12186 audit visits ( and a nice revenue stream). MAF were previously unable to administer adequate surveillance at the border of Import Sea Containers hence the Import Health Standard for Sea Containers and the need to solicit involvement and assistance of the import/transport community by way of Accredited Persons, so how is MAF now able to find the additional resource to undertake this level of audit. We need trained MAF personnel to be available to assist with the detection and education of New Zealanders on Biosecurity risks NOT to be auditors of manuals, systems and procedures. This is not what Biosecurity management is about.

### 8.2 Non-compliance

What right of appeal is available? How are personality conflicts between Operator and Inspector handled.

#### 8.2.10 Major Non Compliance

- Failure of operator to conduct regular inspections. How often is regular?

#### Annex D Facilities for the Inspection of Personal Effects

The requirement for all unaccompanied personal effects to be unpacked in a transition facility is nebulous and exceptionally impractical. The term unpack needs to be qualified. To "unpack" a full container load is quite different to the requirement to "unpack" cartons or cases of personal effects. By unpack is the requirement to actually remove the contents from their respective individual packaging. The extreme labour cost in so doing would have serious consequences and I believe there must be an alternate way to handle this Biosecurity risk.

Summary: The current draft seeks to combine both risk and non risk status cargoes into the one Standard and in so doing is compounding considerably and unnecessarily the compliance costs for importers of non risk cargo.

I believe that a serious re-think needs to be undertaken before inflicting another Standard on industry. Proceed with caution as I believe that industry has had enough of the continual costly requirements imposed by MAF, further compounded by the recent increases in the Biosecurity Costs Regulations. Industry's willingness to co-operate for the greater good is seriously being compromised by the continual imposition of enforcement/compliance regimes.

David McAllister  
Managing Director

15. Southern Distribution Co.  
Daniel Moore

**SOUTHERN DISTRIBUTING CO.**

96 Otepunui Ave • PO Box 1590 • Invercargill • New Zealand • Telephone +64 3 216 6500

20 December 2006

Dr Dave Nendick  
MAF Biosecurity  
Pre-clearance Directorate  
Operational Standards  
Ministry of Agriculture and Forestry  
PO Box 2526  
Wellington

Dear Sir

Consultation on Draft MAF Operational Standard - General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods

Thank you for the opportunity to make a submission on this proposed Standard.

I believe this Standard, if implemented in its current form, will place an unnecessary additional compliance burden on many New Zealand businesses that import sea containers containing low-risk goods.

There are 2 clauses which are of particular concern in this regard:

6.2 Requirements for Approval of the Operator

Operators will be subject to more stringent and complicated requirements, including the requirement to complete regular training courses. There is no indication given of the content of these courses, or why they are deemed necessary in addition to the current training program for Accredited Persons.

7.3.3 Electronic Reporting Requirements

A significant number of sea-container importers do not have the computer facilities for this.

In conclusion, I propose that Facilities and Operators handling only sea-containers of low-risk goods are exempted from the new requirements. These Facilities and Operators should continue to operate under the current Requirements for Transitional Facilities for Sea Containers (Sept/Oct 2003).

Yours sincerely



Daniel Moore  
Transitional Facility Operator

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**Importers & Wholesalers • Specialist Tyre Industry Suppliers**

**16. Crop & Food Research**  
**Dr WB Griffin**  
**Crop Improvement Team Leader**

Submission on the Draft MAF Operational Standard for General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods.

Requirements for Facilities and Operators

Dr Prue Williams  
General Manager - Research  
Crop & Food Research

6.2 Requirements for Approval of Operator:

- No details of training course available so difficult to comment re appropriateness of current long-term operators, such as Crop & Food Research staff, undertaking such training.
- Crop & Food Research has been operating a transitional facility for over 15 years, through which annual imports of seed for sowing have been successfully handled with no critical non-compliances.
- Given this experience, we question the requirement of one-size-for-all training.
- Further, the above also applies to our “deputy” Operator. Several senior, long-serving Crop & Food Research staff are directly involved in seed for sowing importation with many years of experience in using our current transitional facility. Again, we question the requirement of one-size-for-all training for such staff.

7.1 Operating manual

f) names of any staff carrying out activities required by the standard or operating manuals  
We generally require casual workers to process and treat the imported seed. We don’t always have the option of using the same workers every year. Thus, this clause would require an annual amendment to the manual.

We submit that a generic class of “casual worker” could be described within the manual, with the Operator having the responsibility to make such workers fully aware of procedures in the Operating manual through appropriate training.

The names of such workers could then be added each year to the training manual , signed and dated as verification that appropriate training has occurred (see 7.1.j)

7.3 Transfer of Uncleared Goods to or between Facilities:

“Failure of operator to advise transport operators of the biosecurity requirements to provide secure carriage of uncleared goods will result in a non-compliance against the operator and may result in cancellation of the facility approval” ...

Seed for sowing consignments often arrive unannounced. It is therefore unreasonable to hold the Operator responsible for such uncleared goods.

Instead, all courier companies, acting on behalf of the seed exporter, should also be required to seek appropriate accreditation.

We agree the Operator is responsible for goods transferred from the Transitional Facility.

7.6 Segregation of Uncleared Goods from Cleared or Domestic Goods:

“Uncleared goods or packaging must be securely contained or kept at least three metres from any cleared or domestic goods”...

We submit that for experimental lots of seed for sowing this requirement is unreasonable. On a case by case basis, for some other types of goods this may be appropriate.

Most seed for sowing samples are relatively small (mostly involving a few grams to a few hundred grams) and all are individually packaged and sealed.

Given the number of separate consignments involved in our seed nursery business, and the occasional disruption to the smooth transition of seed from the Transitional Facility to the field caused by poor weather, such a requirement would necessitate significant changes to our current Transitional Facility and create a significant amount of generally redundant space.

Part of the responsibility of the Operator, and the workers handling processing and treatment, involves clear identification and distinction between cleared and uncleared goods.

Our current procedure clearly identifies which goods are cleared (by attachment of the BACC form), and in all our years of operating there has never been any confusion between consignments.

#### 7.7.5 Consignment Records:

a) any phytosanitary certificate

Compliance with this clause would require a change in current procedure by MAF officials.

Currently, MAF sometimes retains these certificates themselves and we are not supplied with copies.

When we receive the certificates, they are always maintained.

#### 7.13 Access:

“Staff and other permitted persons who regularly use the facility must have their names, position qualifications (where appropriate) and functions identified in the operating manual”

As for clause 7.1.f.

We generally require casual workers to process and treat the imported seed. We don't always have the option of using the same workers every year. Thus, this clause would require an annual amendment to the manual.

We submit that a generic class of “casual worker” could be described within the training manual, with the Operator having the responsibility to make such workers fully aware of procedures in the Operating manual, including access to the facility by appropriate staff only, and identification procedures designed to clearly label cleared and uncleared goods (see 7.6).

#### 8.1 System Audit:

The Crop & Food Research seed for sowing Transitional Facility operates for six months per year. Two inspections in such a time-period seems unreasonable.

We submit that, instead, one unscheduled compliance audit should occur.

Crop & Food Research

Dr Prue Williams

General Manager – Research

**17. NZOMA**  
**Mark Pitcher**  
**President**

SUBMISSION ON BEHALF OF MEMBERS OF NEW ZEALAND OVERSEAS MOVERS' ASSOCIATION IN OPPOSITION TO THE PROPOSED CHANGES CONTAINED WITHIN THE DRAFT MAF OPERATIONAL STANDARD FOR FACILITIES

NOVEMBER 2006

REFERENCE DOCUMENT:

Draft Standard - General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods. Requirements for Facilities and Operators. Dated November 2006

PROPOSAL 1:

MAF to undertake all future household and personal effects inspections within Approved Transitional Facilities (ATF's). Inspections at residence will no longer be permitted. NZOMA wishes to lodge the highest possible level of opposition to this proposal, on the following grounds:

**1. Proven Need:**

A similar proposal was first put forward to and discussed with the NZOMA members at a meeting on the 16th February 2005. The NZOMA members present questioned the necessity for such a step and asked for data to be supplied by MAF to verify the level of risk (refer attached minutes dated 17th February 2005 and accompanying e-mail correspondence dated 18th February and 11th March 2005).

To date there has been no information made available which would indicate or validate a requirement to instigate this change. Currently in excess of 70% of in-bound consignments are inspected at destination residence with an exceedingly low level of non-complying consignments.

Our members, who handle the majority of import personal effects shipments to New Zealand, are not aware of an event where the current procedure has not prevented a risk/contamination being introduced to New Zealand from a container of personal effects delivered to Residence. We submit that there is no proven need for the proposed change unless perhaps for countries where historical risk exists.

**2. Previous Discussions with MAF:**

Attention is drawn to Minutes of a meeting (Minutes annexed) between MAF (Charles Hatcher and Justin Downs) and NZOMA members held on 5 February 2005, and relating to the subject of the current draft Standard.

Action points from the meeting included:

- NZOMA requested information from MAF on the number of PE sea cargo imports that do not currently get handled by a professional mover so this could be factored into any likely increase in workload or custom as a result of proposed changes. CH to follow up.
- NZOMA asked if the newly proposed process would remove the requirement to get a BACC to move the container to a mover's ATF. MQS noted that this would be incorporated into a new PE Import Health Standard and working processes.
- NZOMA raised concerns with the current NZCS data entry facility. To be raised in discussions between MQS and NZCS.
- NZOMA raised concerns with screening consistency. MQS to address as part of ongoing training and rotation.
- NZOMA raised concerns regarding MAF inspection charges and problems faced with their clients. MQS however, under Governmental requirements for transparency and accountability, has to provide its charging guidelines to the public. MQS will not release specific charges to members of the public relating to any Mover's accounts or inspections.
- NZOMA requested additional service on Saturdays in Wellington. MQS will incorporate into the hours of work negotiations at the Wellington site and advise.
- MQS agreed to look at the writing guidelines for operating procedures for Transitional Facilities.
- MQS to look at procedures for LCL and airfreight release of cargo to movers with a Customs Collectors Permit. Athol Clarke to provide details regarding issues at Auckland Airport. MAF to provide TF list on internet (below).  
<http://staging.maf.govt.nz/quarantine/cargo/tflistformafba.pdf>
- NZOMA members requested information on how to process general cargo sent through the PE pathway (i.e. diplomatic goods, wide range of products). MQS advised NZOMA members are required to lodge a general Biosecurity Authority Clearance Certificate (BACC) application. MQS to send written confirmation to Ray Loader.

NZOMA and MAF agreed to reconvene the meeting at the end of May to allow time to NZOMA to get additional feedback from their members and evaluate the potential improvements in service delivery provided by MQS.

No further meeting was held following this one and NZOMA members await answers to the action points raised.

A subsequent request to MAF by memorandum from a NZOMA Member Company on 11 March 2005 sought to clarify the data sought from MAF as a post meeting action point.

Specifically:

- Total number of declarations/clearances.
- Number (and % of total) where an inspection is ordered.
- Number (and % of total) where a contaminant is notified (and of these how many are notified by Industry accredited staff rather than picked up by MAF inspectors)?

With regard to the action points, there are two which are urgent and causing some issues at present:

- Procedure for release or trans-shipment of LCL and air cargo from forwarders (there has been separate correspondence on this over the last couple of days with Justin).

- Written guidelines for operating procedures for transitional facilities – I am aware of corrective action requests having been issued by MAF auditors recently in Christchurch, Wellington and Nelson for this reason.

No responses have been forthcoming prior to the release of the ‘Draft Standard’.

### 3. Increased costs to Consumers

The moving industry is traditionally a low margin, volume driven commodity business.

In order to achieve reasonable returns for investors, the industry must focus closely upon operating and overhead cost ratios, minimising surplus or discretionary cost, whilst providing consistently high service levels.

Wages and warehouse rentals are a significant cost amounting to approximately 30% of revenue.

This proposal, if established as operating procedure, will see a significant increase in warehousing requirements impacting heavily upon industry operating profits.

The very nature of the increased warehousing required to meet MAF standards will be expensive, and of greater concern need to be “elastic” to meet seasonal demand. These factors do not run hand in hand. It is not possible to vary warehouse rented areas concurrent with demand, as fixed leases are a feature of this resource – and the specialist requirements of the standard means that short term rental is not an option. Further, leased or owned additional warehousing will require to be of a higher standard.

In addition, yard space, also an expensive commodity will require to be increased to cater for increased container numbers being held for devanning and redelivery.

The increased warehouse and yard cost will have a significant impact on the home moving industry, and lead to excess and wasteful cost, which is not in the public interest.

The proposal will see increased wages being incurred parallel with the increased handling of consignments through warehouses.

With unemployment at the low levels currently seen in New Zealand and unlikely to change in the short to mid term, further pressure will exist to find suitable staff for a function which is wasteful and non productive, and does not positively contribute to overall economic benefit.

It can be demonstrated that the additional costs incurred in labour and resources will add several hundred dollars to the cost of clearing and delivering FCL shipments. Obviously these cannot be absorbed by the New Zealand Removals Industry and will have to be passed on to consumers, with a resultant backlash on our Industry and MAF.

### 4. Service Delivery:

The moving industry deals both domestically and internationally with a commodity, namely household and personal effects, which:

- Are not constructed for global transit

- Require careful and expensive packaging for safe transit
- Are exceedingly prone to damage or loss, as the direct result of physical handling.

This proposal will see a disproportionate increase in the physical handling of household and personal effects imported into New Zealand.

Currently, in excess of 70% of consignments are delivered within shipping containers direct to residence – two handlings are incurred for an entire global relocation. This proposal will double the number of physical handlings with a proportionate increase in loss and/or damage to effects.

Industry services indicate that a ratio of claims for loss or damage incurred to insured consignments is generally in the “one claim per six consignments” ratio. This proposal would in our view see increased damage to a ratio of one claim per two – three consignments.

The result is further rework, management time and unproductive waste – with no economic benefit.

Increases in insurance premiums would be inevitable, impacting upon cost to the consumer – with no visible gain.

#### 5. Optimum Service Standards:

Our member companies and associated moving companies strive to provide a stress free, reliable and consistent service to hundreds of overseas principals for the receipt, processing and delivery of thousands of consignments of household and personal effects. From a client perspective, a worrying and stressful time, even without mishaps.

This proposal will impact adversely upon goodwill with clients and overseas agents, and import tariffs will require to be increased to cover a non-productive process that will expose consignments to higher levels of damage and loss.

History recalls a situation in New Zealand where Union pressure in the 1980’s dictated that all in-bound consignments are unpacked at wharfside. Damage and loss was significant and client goodwill was regularly impaired. We are seriously concerned that this proposal will place us in a position parallel to this historically draconian situation.

#### 6. Availability of MAF Field Officers:

Currently the larger industry members make bookings with MAF for warehouse or residence visits concurrent with the availability for inspection of consignments.

The proposal to inspect all consignments at ATF’s will mean virtual permanent placement of 1 or 2 MAF officers at the facilities of the larger operators to keep up with the volume of inspections during busy periods. We submit there are insufficient MAF officers at present to meet this need. This will result in further costs for the consumer from demurrage cost incurred again with increased negative feedback for MAF and the Moving businesses in New Zealand (often posted on overseas consumer websites).

The current process is effective and economic in the use of manpower, and the industry has learned to incorporate the compliance process into current systems relating to the receipt, processing and delivery to clients of household and personal effects, without the necessary compliance matters becoming all consuming, logistical nightmares.

7. Clarifications are sought in respect of:

7.1 Deputy Operator – NZOMA seeks clarification on the need for a “deputy” and has concerns in respect of the ability to appoint such a position in smaller locations.

Clarification is also sought on the purpose for the role – i.e. is it to cover leave, sickness or some other purpose.

7.2 Training requirements for operators – the Draft Standard refers to additional training, but is silent upon cost, providers and levels of training required.

7.3 New facility compliance – clarification is required in respect of “compliance of new facilities.” Usually our industry utilises existing warehouse complexes due to the higher cost of “design and build” premises.

Whilst NZOMA understands the logic in a need to understand MAF requirements and members incorporate these as best can be done under a variety of circumstances, we are concerned at the level of “consultation” planned, at what cost, and compatibility whose other authorities, such as Council, Building Warrant, approval bodies, Fire Service, and premises owners.

In summary

We submit that there is no proven evidence, which would indicate that increased contamination occurs through “direct to destination residence” deliveries of household and personal effects as opposed to those inspected within warehouses.

We remain concerned at the previous lack of consultation from MAF, and urge that our Industry is fully engaged in dialogue on the issues addressed in this submission, with the shared objective of achieving a workable solution in the best interests of all parties.

We submit that the proposal within the draft Standard is draconian, wasteful and will place a considerably increased cost burden upon the Household Removals Industry and its clients.

We submit that the proposal is not in the public interest.

Submitted by the New Zealand Overseas Movers Association  
On 21 December 2006.

**18. Road Transport Forum NZ**  
**Mark Ngatuere**  
**Senior Analyst**

**SUBMISSION BY ROAD TRANSPORT FORUM NEW ZEALAND ON GENERAL FACILITIES FOR HOLDING, INSPECTION, PROCESSING OR TREATMENT OF UNCLEARED GOODS**

**1.0 Road Transport Forum New Zealand**

1.1 Road Transport Forum New Zealand is a nationwide organisation of voluntary members drawn from the road transport industry and includes owner-drivers, fleet operators and providers of services to freight transport operators. The Forum provides services to and public policy advocacy for its members.

1.2 The Forum's Constituent Associations include:

- New Zealand Road Transport Association Northern Region (Inc)
- National Road Carriers (Inc)
- New Zealand Road Transport Association Region 2 (Inc)
- Central Area Road Transport Association (Inc)
- New Zealand Road Transport Association Region 4 (Inc)
- Combined Owner Drivers Association (S.I.) Inc
- New Zealand Road Transport Association Region 5 (Inc)

1.3 The Forum's Associations have in excess of 4,000 members and associate members who operate approximately 17,000 trucks over 3,500 kg or 80% of the hire and reward truck fleet in New Zealand.

1.4 The Forum is the authoritative voice of New Zealand's road transport industry which employs 22,600 people (3% of the workforce), has a gross annual turnover of \$5 billion and carts over 80% of New Zealand's land based freight.

**2.0 Forum Concerns**

2.1 The proposal; General Facilities For Holding, Inspection, Processing Or Treatment Of Uncleared Goods appears to create a more robust system for ensuring New Zealand is protected from risks associated with the introduction of unwanted organisms within our borders.

2.2 Philosophically, the Forum supports measures to ensure the long-term sustainability of New Zealand's environmental ecosystems. However we are concerned that proposals contained within the discussion document- Requirements for Facilities and Operators;

- May introduce additional costs to those operating transitional facilities both inside and outside Metro areas; and
- Recommends that operators of uncleared goods facilities be subjected to "Fit and Proper Person Checks", a check that we believe might not increase the assurance that facility operators will operate facilities according to MAF requirements.

**3.0 Increased Costs**

3.1 The discussion document alludes to the fact that transitional facilities would be subjected to an increase in the number of inspections carried out by biosecurity staff. The increase in inspections would result from (among other things) changes made to facilities, increased checking of compliance and consignment records and periodic inspections carried out by biosecurity staff.

3.2 We note that inspection fees will be applied according to the Biosecurity Cost Regulations. While we do not have concerns with the fee structure we are concerned that facility operators may be subjected to unnecessary multiple inspections by biosecurity staff which might be avoided through prior consultation between operators and inspectors.

3.3 We realise that impromptu inspections would be required to be carried out on transitional facilities, their management and documentation processes, but would recommend that aside from surprise inspections, consultation with operators be undertaken to reduce inspection trips and therefore inspection related fees.

#### 4.0 Fit and Proper Person Checks

4.1 The Forum has concerns with MAF's proposal that prospective and existing transitional facility operators will be required to undergo NZ Police "fit and proper person" checks.

4.2 We believe the fit and proper person check will introduce additional costs for prospective and existing operators in the form of Police vetting fees and ultimately may do little to ensure that those who have been approved by the fit and proper person check will conduct their affairs according to MAF regulations.

4.2 One concern we have is that operators that have already demonstrated a sound relationship with MAF and have provided no reason to require checks upon their suitability to operate a transitional facility will be subjected to what could be considered as unnecessary checks, and as a result unnecessary costs.

4.3 Therefore we suggest that prospective new operators of transitional facilities should be subjected to a form of security check, but existing operators of transitional facilities that have demonstrated that they pose no cause for concern should be waived the process of undergoing security checks.

4.4 We also believe the fit and proper person check may not achieve MAF's goal of ensuring increased confidence in facility operators as this form of check is based on the recording and retention of criminal convictions rather than assessing the applicants integrity or their ability to operate a secure transitional facility.

4.5 Therefore we believe greater value could be attained by MAF staff interviewing prospective new entrants for their suitability to operate transitional facilities than the fit and proper person check.

4.6 Although adoption of this suggestion may increase MAF workload, we believe it will provide greater confidence that facility operators will meet MAF requirements.

4.7 It is also worth considering that the Criminal Records (clean slate) ACT reduces the effectiveness of the fit and proper person check as the ACT allows the concealing of criminal conviction records after a period of time if there has been no re-offending. Therefore it is possible that a person with prior convictions might pass the fit and proper person check although they may fall short of the required standard of responsibility and integrity.

**19. The AgriChain Centre  
Debbie Woods  
Business Manager**

The AgriChain Centre has been involved directly with the provision of advice related to the old standard for both MAF and Importers. Our comments are based on our understanding from a regulatory view point as well as the industry perspective, having worked with several thousand Transitional Facilities. General The new standard will add significant compliance costs to industry participants and will increase MQS workloads and require a greater level of skill/knowledge in audit functions than has currently been exhibited. While the intention is to broaden the scope of imported risk goods covered by the standard there is not enough detail to address risk for some imports. These are covered under separate Import Health Standards and should therefore be referenced or additional annexes provided. There is no mention of Customs agents/Brokers in this standard however they are fundamental in the transfer of instructions between MAF and the importer. They should be trained and accredited. Training Requirements 6.2 "...an update of operator training every two years..." The level of training provided at the initial training will be extensive and could be sufficient to extend retraining to 3 years. Provision should be made for retraining occurring when Operator/Facility fails an audit.

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External Advice / Support 6.3 "...Prior to construction...discuss the requirements..." There is a significant risk are that national consistency will not be achieved. Refer to AgriChain Centre Sea Container Decontamination report 2005 and Auditor Generals report on Sea Containers 2006. Strict guidelines must be in place for providing advice; auditors must not be involved in auditing systems that they have given advice on. The overriding objective is to place system development responsibly with the operator and improve the Biosecurity Risk Management "connect" with industry. Independent advice to assist in documenting procedures, assess risks (HACCP) and support quality management based programmes should be supported by MAF in order to get efficient uptake. MAF should establish accreditation programme for advisors as NZFSA have done. i.e., NZFSA model:

Business.>Consultant>VA.>NZFSA . BNZ model Business.>Consultant>MQS> BNZ

Operating Manual 7.1 (C) Facilities wanting to establish a business based on storing / handling imported goods are not in a position to provide this information. "The inspector may require the manual to be reviewed by another agency..." MQS must be resourced to carry out the necessary assessment. Moves to have independent third party auditing will increase costs significantly and distance the auditor from the operational biosecurity interface. 7.2 If inspectors can recommend approval outside metropolitan areas there must be strict guidelines to ensure national consistency. This process should also be centralized under an "exemption" programme subject to stricter control and review. 7.2.2 Contracted/freight forwarding or

deconsolidation operations should also be including in this section. 7.3. “Failure of operators to advice transporters....” This may be impractical when dealing with general freight companies and there should be more emphasis on Customs Agents. 7.5 “written authority” When is a customs delivery order used to hold uncleared goods by MAF? 7.6 “an inspector may approve unloading outside....” Clear guidelines are required for national consistency. This process should also be centralized under an “exemption” programme subject to stricter control and review.

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7.8.6 “The sweepings from a delivery container...” This should be recorded on the Contamination log. 7.8.6 “household bleach at the concentration...” The requirement is for notification therefore no treatment instruction should be given in this standard. 7.9 “...goods must be treated...” Biosecurity risks require destruction/re-export. Treatment is an importer option and should be reworded to reflect this and that it is at imports risk not MAFs. 7.13 Only persons permitted...are allowed in the facility...” It is not practical at most sea container facilities or deconsolidation facilities to record all names in the operators manual. The requirement to record this information and keep a visitors log will add unnecessary cost and bureaucracy. 7.14 The light levels are repeated. It is correct that inspection of insects etc requires adequate light levels(1000lux) However, inspections of a general nature in a warehouse should not require such intensity and would not be achieved without significant cost. 7.16 Addresses the need for Contingency plans but should specify HACCP plans related to the risk goods and the operation. 8.2.10 The definition supplied for Critical is “caused or could cause a significant biosecurity risk” Based on this definition the following should be moved from Major and place in Critical: • Vehicle not cleaned after contamination. • Failure to clean up spill • Conveyance cleaning done in non-approved area. • Conveyance not cleaned as required • Weeds present • Dedicated bin not emptied as directed. • Failure to use dedicated cleaning equipment. What is an isolation area? New Term What is defined as commonly found?

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Annex A A1. The original standard did not require a person to be present on arrival (out of normal working hours). Has the exclusion of the “/” been on purpose? Reporting any contamination to MAF implies direct contact rather than a log, is this the intention or will dead or inert contaminants be reported via the log sheet only? A2. (6) No mention of drains (8) There is no under surface inspection requirement for sea containers. A3 Points 2,4,5 and 6 come under 3-The log Sheet. Annex B B1 Screened material may contain Soil/animal fats etc and the treatment options described do not address the animal health risks. Refer to The AgriChain Centre report on Decontamination facilities (2005) The use of Vircon and foot pads has been dropped is this intentional? Annex E (5) residual insecticide remains active for up to 6 weeks. Remove weekly as this would add significant cost.

**20. Customs Brokers & Freight Forwarders Federation (NZ) Inc**  
**Rosemarie Dawson**  
**Executive Director**

Introduction

1. This submission is from the Customs Brokers and Freight Forwarders Federation of New Zealand Inc.

President: Willie van Heusden

Executive Director: Rosemarie Dawson

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2. The Federation represents those companies and individuals who are involved in the business of border logistics facilitation. Although established in 1996, our history spans many decades, particularly with one of our predecessor organisations - the NZ Society of Customs Brokers. Membership representation is diverse, covering all facets of service provision for the facilitation of international trade – both import and export. Our nationally based membership is comprised of 125 business members, as well as 102 individual members who make up 80 per cent of the Industry.

Included in the Federation's aims is the following statement: "To liaise, maintain and develop communication within the industry and between various stakeholders to ensure mutually beneficial strategic partnerships result".

3. The federation is prepared to speak to this submission

General Position

Procedure for Approval:

- That training to be an operator and the creation of operating manual, etc must be completed prior to making an application. Surely the importer should know whether or not his facility would be approved prior to going to the time and expense of training individuals and creating manuals, etc. What is the point of training only to have your application turned down?
- We can see no logical reason why MAF could possibly require police checks on individuals, current accreditation, training and licensing of premises was successfully carried out without this requirement. Considering that most major industry players vet and police check their employees prior to employment, as do Aviation Security prior to issuing security passes, this seems to be wasteful duplication.  
A criminal conviction is hardly reason to exclude certain individuals from being an operator or assistant operator, particularly when considering that store persons employed in many large companies are employed for their ability to perform physical functions, drive lifting vehicles and trucks. Why should a conviction for something as unrelated as a bar fight exclude such

individuals, who may perform their work duties meritoriously, from being able to become an operator/assistant operator?

- The substantial allowances for cancellation of a facility and/or operator leave MAF sufficient scope to deal with operators who do not fulfil their obligations.

#### Operating Manual:

- A template document should be created. The assumption is made that all operators are going to be highly computer literate, in real life this is not the case, particularly in outlying areas. Many business operators and staff have enough computer skills to get by in day to day business but that is the extent of their knowledge. There even exist importers who do not use computers in their day to day work. This standard, by stating the requirement to prepare an electronic manual, excludes these industry members.
- The draft also states that it may be reviewed by another agency or independent third party. This seems unnecessary. This draft was prepared by MAF, the agency which is responsible for administering the Biosecurity Act 1993, it was prepared by their people under their frame work why should it be necessary for MAF to require third parties to review a document which they themselves require – surely the experts in this field are MAF not some independent third party. We must ask who other than MAF would need to see this document and why?

#### Location:

- The draft clearly states that Transitional Facilities must not be located in a dwelling place (private home), on a Marae or part of a Marae. Once again it is clear that MAF are purposefully excluding smaller operators whom, by the very nature of smaller businesses, operate out of this exact type of environment. The same applies for leased facilities. The person with overall responsibility for the facility must be the operator according to the draft, however in many of these facilities the person with overall responsibility may be housed somewhere completely removed from the facility itself, or if only one of the lessees requires transitional status the person responsible might not wish to go through the MAF protocol to allow for a facility to exist and thus removing any option which an importer may have

#### Electronic reporting:

- Not all facilities have this ability. The statement that Electronic communication is necessary for MAFQS to effectively manage risk goods seems somewhat redundant given the technical difficulties MAF has recently been experiencing. We are aware that MAF are currently in the process of upgrading their electronic environment, however the actual date of MAF having a reliable and stable system for EDI is some time off. Perhaps MAF should initially focus on their internal electronic processes to ensure that the integration would then be clearer and simpler.

#### Security:

- NZ Customs already have systems in place for bonded stores to log cargo in and out and are audited periodically. Surely any log sheets required under the standard are duplication of existing practises. The same logs could be used for both border agencies instead of creating unnecessary duplication.

## Auditing & Non-Compliance:

- With the increased regime of auditing which this standard entails, particularly in situations of non compliance, how would this be staffed? Recent events in Auckland have shown MAFQS staff have been struggling to cope with the existing workload. How would they cope when this standard comes into force? CBAFF would strongly oppose staff being moved away from frontline duties to deal with tasks such as auditing.

## Conclusion

This new standard seems to suffer from regular duplication of a number of existing standards including, but not limited to, the Import Health Standard for Sea Containers. Perhaps a restructuring of existing standards with an additional standard to cover those things not already covered would have been more appropriate.

In addition to duplicating existing standards some of the requirements for this draft duplicate systems put in place by other Government agencies, in particular NZ Customs. Given the current climate of a closer working relationship would it not be more prudent for MAF to investigate the opportunities of “hooking into” existing practises already in place. The most obvious of these would be NZ Customs log sheet practice of underbond transshipments which could easily be adjusted to meet the criteria of MAF controlled goods also.

The new systems put forward in the draft would seem to limit the opportunities of the smaller importers and forwarders to compete against larger companies. These smaller businesses do not have the same systems in place as the larger firms and would be less able to cope with the requirements of the standard, which will handicap their ability to complete their functions as an importer or forwarder. Clearly MAF are attempting to limit facilities to a select group of larger metropolitan based firms whilst penalising smaller firms in other areas.

We must question MAF’s ability to cope with enforcing and utilising the requirements of their own standard both electronically and physically. Currently there are well documented issues with staffing as employees are moved from existing functions, retrained and moved to new functions in the current round of restructuring. There have been ongoing problems with delays and communication during this process. It is our belief that MAF would better served focussing on these new internal processes before introducing more changes. The same can be applied to their electronic systems. MAF’s existing computer system has struggled to keep pace with technology. The introduction of new systems which require interaction with current technology could have disastrous effects across the board. It would be more prudent to have implemented the changes after the impending upgrade to the new Sentry system which would have the systems and processing power necessary.

**21. Department of Conservation**  
**Asela Atapattu**  
**Biosecurity Technical Officer**

Thank you for the opportunity to comment on the draft standard for 'General Facilities for Holding, Inspection, Processing or Treatment of Uncleared Goods'.

The Department notes that the most important factor in operating quarantine or containment facilities is the training of the individuals working within the facility. It is essential that those individuals understand the threats posed by uncleared goods (and associated organisms).

The Department recommends that in the future before making available for public consultation these standards should be passed through the risk analysis group for peer review and consistency.

Below are specific comments relating to the draft standard:

**5 Terms and Definitions**

This section seems incomplete. Is there further terms and definitions to be added?

**6 Approval process**

Will there be a register of approved facilities for the general public to access?

**6.2 Requirement for Approval of the Operator**

I suggest that paragraph two be reworded as “..the police check, have the relevant technical capability..’

The web link at the end of paragraph three is not there.

**7.2.2 Leased Facilities**

This heading should be numbered 7.2.1?

**7.6 Segregation of Uncleared Goods from Cleared or Domestic Goods**

Paragraph three requires that a clearance of at least three metres be maintained between uncleared goods and cleared goods. We question whether this distance is sufficient to prevent the transfer of any mobile hitchhikers (i.e. reptiles, rodents, insects etc) to cleared goods.

Paragraph five states that “...and live plants that are not part of a consignment ...” it is unclear from this sentence whether the facility will be allowed to store live animals or plants that are part of a consignment. If this is the case then the Department recommends that while in storage live animals and plants must not be removed from the packaging or cages used in transport.

Paragraph seven states “Alternately, procedures to prevent spillage of uncleared goods and the escape of regulated organisms must be demonstrated and approved by the Inspector.”

Can you provide more details of what the alternative procedures might be? This should be more explicitly detailed in the document.

**7.7.4 Facility Records**

Again the heading is incorrect. Also, under number f) there is a cross reference to section 6.11. I was unable to find section 6.11 in the draft standard, again this may be a heading error.

Further in addition to the vermin control program there should be monitoring for viable extraneous plant material (i.e. weed seeds). Is there any requirement to report any finding from the control programs?

#### 7.8.6 General Requirements

Again the heading number is incorrect. There is a typo error in “..cleaned be fore use..”

I suggest that paragraph two be amended as follows: “Sites or storage areas that accumulate extraneous material such as old packing material, dunnage and anything likely to hold water must be [regularly cleaned] as these [materials] can provide habitats for unwanted organisms such as ants and mosquitoes.”

Paragraph four states that “The Operator must report to an Inspector any spillage or leakage of uncleared goods likely to constitute a biosecurity risk.” We note that all uncleared goods should be treated as a biosecurity risk. Uncleared status indicates that the biosecurity risk of that good is not yet determined. The draft standard more correctly should state that any spillage from uncleared goods should be reported to the inspector. The next sentence gives further discretion to the operator by only requiring the report of ‘major’ spills. However, the standard does not define what is a ‘major’ spill, again it is appropriate that the inspector be notified of all spillages from uncleared goods.

#### 7.8.7 Bin for Biosecurity Waste or Refuse

Paragraph two, first sentence requires the inspector to give direction to the operator for disposal of waste. It would be more transparent if the standard gave more explicit direction as to the range of disposal methods for each particular type of waste. There may be specific waste disposal requirements depending on the material in question (i.e. if there is a microbial contamination). The second sentence indicates that bins holding waste only need cleaning ‘if required’. It would be good practice for these facilities to have the bins cleaned at all the times. This will be more consistent with the other requirements identified in the draft standard regarding facility hygiene.

#### 7.8.8 Cleaning Equipment

Cleaning equipment and expertise required at each facility should be determined by assessing the types of contingencies expected from the material allowed to be stored in the facilities. We consider that the draft standard should require that the facility manual keeps a record of such assessment and that the assessment should be carried out in conjunction with an Inspector.

#### 7.9 Treatment of Identified Biosecurity Risk

We note that the requirement to keep a record of the regulated organisms found and the need to report the find to the inspectors is missing from this section.

#### 7.16 Contingency Plans

This section should include a requirement for the Inspector to approve the contingency plans and those plans to be reviewed on a regular basis..

## 8 External Audit

The Department recommends that it should not be the same Inspector carrying out the external audit all the time. There is a potential to develop familiarity.

### Annex A

#### A2 Operating Requirements

Paragraph two allows a minimum separation distance of one metre between uncleared and cleared containers. This is different from the requirements for other places covered by the draft standard (heading 7.6). We realise that the separation distance can be limited by the lack of space at ports. However, are there other mitigation measures that could be put in place to reduce the potential for cross contamination (i.e. spraying with residual insecticide)?

22. NZ Timber Importers Association  
M. R. Scott

**N.Z. TIMBER IMPORTERS**  
ASSOCIATION INC



23 January 2007

Operational Standards Team  
Biosecurity New Zealand  
Ministry of Agriculture and Forestry  
P O Box 2526  
Wellington.

Dear Sirs/ Mdm

Transitional Facility Review ... For Uncleared Risk Goods.

The NZ Timber Importers Association has met to consider the Draft Standard and wishes to make the following comment:

In general, the draft appears to be logical and reasonably practical, and we would do our best to follow it in all respects. However we have some questions which we raise in the order in which they presented in the draft.

Item 6.2

Is there a separate course for "Operators", as distinct from the course a staff member or "accredited person", might attend. If so why? Who would run the course and who would monitor costs and value as well as appropriateness of content?

Police checks. Existing employees could well take exception to police checks at any level of seniority. In the timber industry police checks at yard level would be few and far between even for new recruits. How critical are police checks in this role, given that volume imported timber consignments can hardly be hidden from view and generally involve several staff and management persons ...?

Item 7.5

There is some interest in getting more advice/technical methodology as to how to contain migrating insects on a floor. Tarpaulins would obviously contain a large percentage of flying beasts...what about crawling ants and such like?

We are aware of residual insect spray, tarpaulins, shutting container doors, maintaining distance between loads, any further suggestions welcomed.

Item 7.6

Item 7.6

The efficacy of the inspection and containment practice depends significantly on the co-operation, capability, knowledge and experience of those people involved.

In the event of a dispute, or disagreement between the operator and the inspector, we believe there should be prompt access to senior MAF staff, so that a Right of Appeal is available. A process should be in place for disputes. We think that this is only fair, given the wide variation of circumstances and experience of all the different operators and inspectors. Differences of opinion between participants could happen, and therefore we believe there should be a fast track right of review / appeal, should such occasions arise.

We are concerned that cost structure should be kept to an economic levels (please note the "Carter Model" of incursion detection costs V efficacy) , and we believe there needs to be some limits to the "rotation policy" so that MAF officers become reasonably exper in this particular field, rather than being generalists and pedantic incurring unnecessary delays and costs .

Please note that Messrs Wiffen and Scott of the NZTIA will be visiting other MAF personnel in Wellington on Wednesday 31 January and would be pleased to meet up with the appropriate officers managing this Review at about 3pm on that day .

We await your comment .

Yours faithfully

M R Scott  
Secretary  
NZTIA  
Auckland