

TREE FERNS TO EU: CUTTINGS ONLY COMPLIANCE PROGRAMME & REGISTRATION

1 Introduction

This document defines the export operational programme requirements for exporters of tree fern cuttings to enable MAF Phytosanitary certification to be issued for the entry of this plant material into the European Union.

2 Background

The European Union requires imports of plant material such as ferns to have been grown in nurseries as a feature of their import phytosanitary measures to protect their plant health security.

This compliance programme specifies equivalent risk mitigation measures to be applied to ensure similar plant health security is obtained as a means of gaining protection against the wide range of organisms which may be encountered in natural growing habitats and which would not normally be detected by visual inspection only.

Within this compliance programme the Exporter is responsible for ensuring that the plant material (i.e. tree fern cuttings) meet all of the import phytosanitary requirements of the European Union (e.g. free from plant roots, debris, flowers and fruits).

3 Compliance Programme

The following conditions for the export of tree fern “cuttings without roots” have been agreed between MAF Biosecurity New Zealand (MAF) and the import Authorities of UK Defra (an EU Member State):

- 3.1 Tree fern exporters must be registered with MAF Biosecurity New Zealand (MAFBNZ) throughASUREQuality (acting on MAF BNZ behalf);
- 3.2 Tree fern cuttings must be free of all below ground level roots, top growth & soil - (Justification/risk mitigation measure is equivalence to having to be grown in a commercial nursery);
- 3.3 The harvested tree fern cuttings are to be subjected to a mandatory pre-export inspection treatment, with the treatment being either applied under the supervision of a MAFBNZ authorized independent verification agency (IVA), or the treatment itself applied by a MAFBNZ Approved "Treatment Supplier". (Justification/risk mitigation measure is equivalence to having to be grown in a commercial nursery under a normal pest management regime);

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- 3.4 Post treatment, the tree fern cuttings presented in each export consignment is to be subjected to the following inspection regimes undertaken by MAF approved phytosanitary inspector(s):

100% visual inspection of the external surfaces of the tree ferns to ensure freedom from soil, below ground level roots, live pests, weeds and debris; and

1% sample of the tree fern cuttings in each export consignment is to be subjected to a destructive examination to confirm the effectiveness of the pre-export mandatory treatment to ensure freedom from live pests.

- 3.5 Any live pests found in either the 100% or destructive inspections must be forwarded to a MAF approved pest identifier. The name of the identified pest is to be forwarded to the importing country's plant health authorities for their decision. Only on receipt of the appropriate advice from the importing country's plant health authorities will a NZ MAF phytosanitary certificate be issued for consignments where the live pests were detected. (Justification/risk mitigation measure is equivalence to having been grown in a commercial nursery under a pest management regime).
- 3.6 **Only consignments processed under the Tree Fern Compliance programme and verified byASUREQuality as being compliant to this programme will be eligible for MAF phytosanitary certification.**

A MAF BNZ Approved Organisation, where Tree Fern cuttings are included as part of their export system, may apply to MAF BNZ Exports to extend the scope of their MAF BNZ approved system to undertake the phytosanitary activities otherwise undertaken by ASUREQuality.

4 **Additional Declarations for inclusion on the Phytosanitary Certificate.**

"Complies with Annex IV.A.I point 36.1, originates in an area free from *Thrips palmi* Karny"

"Complies with Annex IV.A.I point 39, plants have been grown in nurseries, are clean and free from flowers and fruits and have been subjected to appropriate treatment to eliminate harmful organisms."

Note: Treatment details must be inserted into the treatment Section of the Phytosanitary certificate.

"Complies with Annex IV.A.I point 46, no symptoms of Bean golden mosaic virus, Cowpea mild mottle virus, lettuce infectious yellow virus, Pepper mild tigre virus, Squash leaf curl virus and other viruses transmitted by *Bemisia tabaci* Genn have been observed on the plants during an adequate period and the plants have been subjected to an appropriate treatment aimed at eradicating *Bemisia tabaci* Genn."

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5 Registration

To ensure the above requirements are met the exporter must register with MAFBNZ through AsureQuality by completing the attached “Registration” form and agreeing to comply with the conditions provided therein.

6 Registration Fees

The registration fees associated with this programme have been designed to cover the costs incurred by New Zealand phytosanitary authorities for the administration of the programme. The registration fees are:

Per applicant \$600.00 +GST per annum

Note:

1. Genuine art products are exempt from the fee providing the plant material is rendered non-propagatable; and
2. Additional MAF BNZ authorised IVA charges will apply for any supervision of treatments and the inspection of tree fern cuttings.

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Registration Form

Forward completed registration form to:

AsureQuality Limited
PO Box 4127
Mount Maunganui South

I [<i>state authorised name of the person representing the Exporter</i>] hereby apply to be registered as an exporter of Tree Fern cuttings to the European Union.	
The Exporter: Individual, Company or Partnership Name and address:	
Telephone Number:	Fax Number:
Email Address:	

List the Genera and species of ferns that you are intending to export
If the ferns are harvested from the forest floor, state proposed dates of harvest
If the ferns are harvested from the forest floor. Physical location(s) and map of the production site(s) where plants are being grown & harvested: (Map to be attached)

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Are you are a MAF BNZ Approved Organisation for phytosanitary activities?	Yes / No
If YES, please state your MAF BNZ Contract of Approval number:	

7 TERMS of Phytosanitary Certification

In registering to export tree ferns I agree to be bound by the following terms:

- 7.1 I agree to AsureQuality Limited on behalf of MAF BNZ, making enquiries and using the information supplied by me, in connection with the Programme, and to audit my compliance to the programme;
- 7.2 I consent to publication of my status within the Programme in any publication, which may be made available to enable export certification;
- 7.3 I understand that if I fail to provide all or any of the information requested in connection with the Programme I may be removed from the Programme forthwith;
- 7.4 I understand that under the Information Privacy Principles of the Privacy Act 1993, I have rights of access to, and correction of, personal information held in connection with participation within this Programme;
- 7.5 I understand that this registration does not entitle me to automatically undertake export inspection activities on behalf of MAF Biosecurity New Zealand without first becoming formally approved as per the MAF Biosecurity New Zealand Standards;
- 7.6 I agree to notify AsureQuality Limited of any changes to the above details; and
- 7.7 I acknowledge that AsureQuality Limited normal Terms of Trade apply.

8 Exclusion of Liability

- 8.1 The exporter accepts that under no circumstances will MAF Biosecurity New Zealand, crown officers, or agents of or other persons associated with MAF Biosecurity New Zealand or crown officers, be liable for any loss, claim, action, demand, expense, inquiry, harm, or damage, however caused, arising directly or indirectly from or connected in any way to:
- 8.2 The performance, or as the case may be, non-performance of the Exporter (or any of its contractors, sub-contractors, agents, or employees that are not a party to this Contract) of any of its obligations in respect of this programme; or
- 8.3 The provision or non-provision of any inspection and/or audit and/or documentation service for MAF Biosecurity New Zealand export certification by the Exporter.



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9 Indemnity

- 9.1 The exporter will indemnify and keep indemnified MAF Biosecurity New Zealand from and against any liability, loss, damage, costs and expenses (including legal costs and any expenses of going to arbitration), which MAF Biosecurity New Zealand may suffer or incur arising directly or indirectly from;
- 9.2 The performance, or as the case may be, non-performance of the Exporter (or any of its contractors, sub-contractors, agents, or employees that are not a party to this Contract) of any of its obligations in respect of this programme; and
- 9.3 Negligent acts or omissions on the part of the exporter (or any of its contractors, sub-contractors, agents, or employees that are not a party to this Contract).

Signature of Applicant

Name

On behalf of

Date

Signature of AsureQuality representative (on behalf of MAF Biosecurity New Zealand)

Name

Title

Seal