

SECTION III:E

REQUIREMENTS FOR PRE-SHIPMENT INSPECTION OF CARGO

1 SCOPE

- 1.1 The following are the minimum requirements for the pre-shipment inspection of cargo to be consigned to New Zealand. The activities covered are:
- (a) Requirement for a written service agreement between the supplier and New Zealand importer or organisation requesting this service;
 - (b) liaison with appropriate overseas authorities;
 - (c) requirement for specific process procedures for the inspection and post inspection security until loading aboard the vessel;
 - (d) selection of inspectors;
 - (e) resources and costs;
 - (f) indemnity; and
 - (g) biosecurity clearance.
- 1.2 The service consists of assessment and/or inspection overseas of cargo which is to be shipped to New Zealand and ensuring that the goods inspected overseas are the ones presented for biosecurity clearance in New Zealand.
- 1.3 The requirements in this document do not include pre-shipment inspection of produce (these are contained in MAF RA Standard 152.03).

2 REFERENCES

- 2.1 The following Acts and Regulations are applicable to the implementation of these requirements:
- (a) Biosecurity Act 1993;
 - (b) Biosecurity (Costs) Regulations 1993.
- 2.2 The following standards and requirements are relevant to the delivery of this service:

- (a) SECTION I: *Requirements for Border Inspection Quality Management and Administration*; and
- (b) Import health standards issued by the Director-General of MAF.

3 DEFINITIONS

In the context of this part of Section III:

MAFRA

Ministry of Agriculture, Regulatory Authority.

Pre-shipment inspection

An assessment undertaken overseas as to whether cargo (sea or air) will be eligible for a biosecurity clearance when /if the cargo arrives in New Zealand.

Supplier

The supplier of quarantine inspection services at the border. Currently the MAF Quarantine Service, MAF Quality Management.

4 SERVICE REQUIREMENTS

- 4.1 When undertaking shipment inspection the supplier of pre-shipment inspection services at the border is required to undertake them with these requirements, other relevant MAF RA requirements, and import health standards issued by the Director-General of MAF.
- 4.2 Where a situation arises during the process of pre-shipment inspection which is not covered by these requirements and which can be assumed to have implications for the plant, animal or human health status of New Zealand then the supplier of services shall immediately report the situation to the NA (BI). In cases where a situation is of significance to forestry biosecurity, the NA(BI) will contact the GMO's designate in accordance with the MAF RA/MoF memorandum of understanding. Similarly for human health, the NA(BI) will contact the appropriate person in the Public Health Policy and Regulation of Ministry of Health.
- 4.3 Should it arise that a requirement is not legally sustainable or enforceable then the Management Representative of the supplier shall advise the NA (BI).

5 TECHNICAL REQUIREMENTS

5.1 PRE-CLEARANCE INSPECTION TO BE EQUITABLE

5.1.1 Any agreement to undertake pre-shipment inspection of commodity for any importer or exporter is required to be available for any other importer/exporter upon request and the same procedures and service agreement conditions used. That is to say, if the supplier undertakes pre-shipment inspection for one importer/exporter for a country commodity class then it may not be refused to subsequent applicants when it is to be undertaken on the same basis as the first.

5.1.2 The supplier may decline to undertake pre-shipment inspection for any commodity/country combination or where a material condition of a service agreement is not complied with.

5.2 WRITTEN CONTRACT REQUIRED

5.2.1 The supplier shall enter into a written service agreement with the importer/exporter which shall take account of the following points:

- the activities the supplier will carry out
- the requirements the importer/exporter is to carry out
- responsibilities for costs.

5.3 LIAISON WITH OVERSEAS AUTHORITIES

5.3.1 Where the service to be provided is a new commodity/country combination or the service has not been conducted during the past two years then the supplier shall notify the NA (BI) of details sufficient to check with the relevant authorities in the country where the inspection is to be undertaken. The NA(BI) will check the requirements of the authorities of that country e.g. visa's notifications, liaison, etc, and advise the Management Representative.

5.4 PROCESS PROCEDURES

Required from the Supplier

5.4.1 The pre-shipment inspections shall be conducted according to documented process procedures that are part of the supplier's quality system. These procedures require MAF RA accreditation prior to implementation.

For the Organisation requesting the Pre-shipment Inspection

- 5.4.2 An organisation requesting pre-shipment inspection must provide a draft set of procedures to the supplier outlining the equipment and methods that will be used to ensure that a thorough inspection can take place. In addition the procedures shall address post inspection security until the cargo is discharged at the New Zealand port/airport. The draft procedures shall be detailed enough for the supplier to make an initial assessment that the pre-shipment inspection is feasible.
- 5.4.3 Unless exempted by the Management Representative exporter's procedures must be accredited/approved before the service commences. An inspector shall (on the initial visit) assess the adequacy of the procedures, and in the case of an exemption, suggest amendments as required.

If the procedures are not satisfactory corrective action is to be requested. If this does not ensure compliance the pre-shipment inspection is not to take place.

5.5 SELECTION OF INSPECTORS/STAFF

- 5.5.1 Staff undertaking pre-shipment inspection are to be carefully selected taking into account, competence, experience, training, ability to work without supervision and cultural understanding.

5.6 RESOURCES AND COSTS

- 5.6.1 The provision of staff for pre-shipment inspection shall not adversely impact on the New Zealand operation of the supplier by causing a lack of experienced staff for the provision of border services.
- 5.6.2 The importer is responsible for the payment of all costs associated with the pre-shipment inspection including travel, accommodation and living expenses. No charge for a pre-shipment inspection may be attributed to the Crown. Any New Zealand component of cost recovery will be in accordance with the Biosecurity (Costs) Regulations 1993.

5.7 INSPECTION

- 5.7.1 The pre shipment inspection shall parallel the inspection as if it were taking place in New Zealand. Full account is to be taken of the relevant import health standard for the type of cargo being inspected.
- 5.7.2 The organisation requesting the service is responsible for the provision of any facilities, tools, labour or other things specified in the service agreements.
- 5.7.3 At the completion of the inspection there shall be a means of identification affixed to the cargo (if not already identifiable) and a written record to the effect that the identifiable cargo has undergone an inspection. This system must be robust enough to allow reconciliation in New Zealand.

5.7.4 Details of the written record are to be forwarded directly by the inspector overseas to the supplier independently of the organisation requesting the service.

6. BIOSECURITY CLEARANCE

6.1 On arrival in New Zealand the cargo is to be reconciled physically with the records supplied from overseas by the inspector. If the cargo and the records are congruent and there are no other requirements, then the cargo may be given biosecurity clearance.

6.2 Where necessary a percentage of cargo shall be reinspected on arrival in New Zealand to audit compliance with the standards and procedures.

7. GENERAL

7.1 The above requirements are for **pre-shipment** inspection and do not constitute **pre-clearance**. Biosecurity clearance can only be given in New Zealand by an inspector under the Biosecurity Act 1993. The supplier shall ensure that the importer is aware that a pre-shipment inspection **does not constitute a biosecurity clearance**.

7.2 MAF RA reserves the right to require that any cargo arriving in New Zealand whether pre-shipment inspected or not be inspected on arrival.

7.3 Applications to undertake pre-shipment inspections should be made to:

The National Manager
MAF Quarantine Service
PO Box 1254
AUCKLAND

Fax 09 302 0527