



## CHIEF TECHNICAL OFFICER DIRECTION DOCUMENT: CTOPlants2019043

- A CTO direction is required to fulfil MPIs reporting requirements - section 27(3) of the Biosecurity Act.
- The direction should not be attached to the PDF version of the permit; but must be retained in Piritahi for reporting purposes

To be signed by (highlight):			
Director (PFE)	Group Manager (PIE)	Team Manager	Senior Adviser (not currently delegated)
Under what authority is the decision being made (highlight):			
Appointed Chief Technical Officer – Peter Thomson	Appointed Deputy Chief Technical Officer – Paul Hallett	Delegated CTO authority <insert position title>	
Section of the Act the decision is being made under:	27(1)(d)(iii) - a chief technical officer has issued guidelines, or given directions, on measures, that may be applied to manage the risks from the organism effectively.		
The Biosecurity Act can be viewed on the website: <a href="http://www.legislation.govt.nz/act/public/1993/0095/latest/DLM314623.html">http://www.legislation.govt.nz/act/public/1993/0095/latest/DLM314623.html</a> Delegations under the Biosecurity Act can be searched on the following website: <a href="http://kotahi.maf.govt.nz/do/policies/view/article/1169/delegations-and-authorisations">http://kotahi.maf.govt.nz/do/policies/view/article/1169/delegations-and-authorisations</a> - CTO delegations can be searched under the heading <a href="#">Biosecurity (Chief Technical Officer)</a>			
Author:	Penny McLeod	Team:	Facilities & Pathways
Subject:	CTOPlants2019043 - Equivalent Brown Marmorated Stink Bug (BMSB) risk management measures for four new excavators and associated machinery attachments (parts) exported from Japan during the BMSB season.	Due date:	12/09/2019
The unique CTO Direction number can be found under the tab 'CTODir' in the spreadsheet: Link to <a href="#">2015-16 Plants Non-compliance Log (s27 functional).xlsx</a>			
Review steps	Name	Team	Date
Peer review	Dave Nendick	Treatments and Inanimate Pathways Team	6 09 19
Consultation with other MPI groups			
Review and Team Manager sign out	Paul Hallett	Treatments and Inanimate Pathways Team	11/09/2019
Director sign out	Peter Thomson	Plants and Pathways	
Link to Word version of this Decision Document:			
Insert other relevant documents here, this may include:			
Insert copy of CTO Dir here once signed (i.e. link in Piritahi or PDF attachment) <a href="https://piritahi.cohesion.net.nz/Sites/SAI/BGIC/IMS/VehiclesMachineryandTyres/CTOD2019043.pdf?d=w43d7c42d27b74b2caef2498986f33cb3">https://piritahi.cohesion.net.nz/Sites/SAI/BGIC/IMS/VehiclesMachineryandTyres/CTOD2019043.pdf?d=w43d7c42d27b74b2caef2498986f33cb3</a>			



## **CTO DIRECTION DOCUMENT: CTOPlants2019043 – Equivalent Brown Marmorated Stink Bug (BMSB) risk management measures for four new excavators and associated machinery attachments (parts) exported from Japan during the BMSB season.**

### **ISSUE**

FutureBud Limited (FutureBud) is a Japanese wholesaling company that has inquired with MPI about how to meet the BMSB management requirements under the Import Health Standard for Vehicles, Machinery and Parts (VEHICLE.ALL). As FutureBud is a wholesaler and not a machinery manufacturer, they are not eligible for approval of the manufacturing supply chain as an MPI-Approved New Machinery System. This is because they do not control the entire manufacturing supply chain and are unable to implement integrated BMSB management measures within it. Currently, most large machinery such as excavators cannot be treated in Japan due to a lack of suitable MPI-Approved Offshore Treatment Providers. Therefore, a Chief Technical Officer Direction (CTOD) is needed to allow equivalent management measures for four new excavators and associated attachments and parts that FutureBud wish to export to enable these goods to arrive in New Zealand for transshipment before being moved to the Cook Islands (as the final destination).

### **PURPOSE**

To determine if alternate risk management measures are equivalent to the VEHICLE.ALL requirements (MPI-Approved system management or treatment) when considering the BMSB risk associated with these goods; and at this low risk stage of the BMSB season. Equivalent measures are required and must be accepted by a CTO for these risk goods to be allowed entry into New Zealand for the purpose of transshipping to the Cook Islands (section 2.7 of VEHICLE.ALL).

### **BACKGROUND**

In August 2018, BMSB management requirements were added to VEHICLE.ALL for new and used vehicles, machinery and equipment when exported from Japan. This change in requirement was made following multiple BMSB detections which indicated that this high impact, native pest was present in Japan in sufficient numbers to pose a high risk within the wider vehicle and machinery pathway. BMSB is known to aggregate in large numbers and as a cryptic pest, it can go undetected in vehicles, machinery and parts. These risk goods (new or used) may be complex in nature and have either been used outdoors or stored outdoors at some stage during the manufacturing supply chain.

The two management options for targeted types of vehicles, machinery and parts under the newly revised VEHICLE.ALL (released on the 19<sup>th</sup> of July 2019) is either MPI-Approved Treatment by an MPI-Approved Offshore Treatment Provider before arrival or management by an MPI-Approved New Vehicle and/or Machinery System. With the revision of VEHICLE.ALL, a new requirement was added for targeted vehicles, machinery and parts arriving in New Zealand from all BMSB risk countries during the BMSB season. This was for the purpose of transshipping through New Zealand (section 2.7), without biosecurity clearance being provided. The requirement was introduced to manage the BMSB risk associated with targeted risk goods which arrive in New Zealand for a period of time and may be problematic if not treated or managed by an MPI-Approved System. As BMSB is an aggregating pest that is not effectively managed by inspection alone, MPI Quarantine Officers had reduced confidence in effective on-arrival management of BMSB risk associated with such goods transshipped through New Zealand for a brief period of time while the risk items were stored in controlled area at places of first arrival (ports).

### **DISCUSSION**

The four excavators which are planned to be exported by FutureBud are manufactured by two separate manufacturers in Japan. The main excavator body is manufactured by KATO Works Ltd which has been operating as a MPI-Approved New Machinery System since September 2018. The associated attachment or parts which are additional modifications to the manufactured excavators are manufactured by a company that is not approved as an MPI System and therefore, do not carry out BMSB risk management measures during manufacturing and storage. However, these attachments and

parts are required to be managed under the BMBS requirements of VEHICLE.ALL as they are stored outdoors, and will be exported as part of a break-bulk consignment.

As part of the exportation plan to ensure that these machines and machinery attachments and parts are managed at a risk level equivalent to MPI-Approved Treatment or System Management, the risk management measures that have been agreed by FutureBud will be carried out as follows:

- 1) The four excavators will be manufactured by KATO Works Ltd. KATO has agreed to manage these machines in the same manner as if they were managed directly under the KATO MPI-Approved System. Management is done by carrying out the following agreed measures (twice daily visual inspections including a final inspection before the excavators leave the manufacturing site).
- 2) The associated machinery attachments and parts have been delivered to the KATO manufacturing site for transport to the port along with the four excavators. KATO will not be monitoring these items as they are not manufactured by KATO and therefore, should not be held responsible for management of attachments and parts.
- 3) The excavators and the attachments and parts will be taken directly to the port of Yokohama on the 9<sup>th</sup> September 2019. To mitigate the possible BMSB risk associated with the attachments and parts (which were not managed by KATO), FutureBud have organised Automotive Technologies Limited (ATL) to inspect the four excavators the attachments and parts; and spray them with a residual insecticide once they arrive at the port. ATL are an MPI-Approved Used Vehicle and Machinery System which has considerable experience with the inspection, cleaning and management of all types of vehicles and machinery. They are also knowledgeable about BMSB management and have all the appropriate MPI-approved residual insecticide and appropriate expertise to apply them.
- 4) After inspection by ATL, Mitsui OSK Lines (MOL) will take over management of the excavators, attachments and parts by carrying out the daily inspections in the port area as they do for all new and used vehicles and parts prior to loading into their car carrier vessels. The twice daily inspection by MOL is a risk management measure acknowledged by MPI as part of Approved System Management.
- 5) The excavators, attachments and parts are due to leave Japan for transshipment through New Zealand on the 12<sup>th</sup> of September 2019 on the Tranquil Ace.

In addition to these risk management measures, the low level of BMBS risk present in early September should also be considered as important for the approval of this CTOD. MPI defines the BMSB season by risk goods being exported on or after 1 September of any year. However, the risk of BMSB aggregations remains reasonably low until late September or early October when the day length shortens and temperatures drop. The temperatures in Japan are still currently higher than average which also means the chance of BMSB aggregation remains unlikely as low temperature is one of the primary factors which influences aggregation behaviour in BMSB.

The management measures specified above, along with the reduced BMSB aggregation risk during the first two weeks on September when these excavators were newly manufacturing and being managed, should be considered as equivalent to the BMSB management requirements of VEHICLE.ALL (under part 4 and section 2.7)

## **LEGAL**

A CTO Decision is required, under Section 27(1)(d)(iii) of the Biosecurity Act, to give directions or guidelines to the MPI Inspector that certain measures, which are different from those set out in an Import Health Standard, may be applied to manage the risks set out in the Import Health Standard in order to enable biosecurity clearance.

## RECOMMENDATION

I, Penny McLeod, recommend that you accept the proposal described below along with the reduced BMSB risk for the equivalent management for four new excavators and associated attachments/parts which will be manufactured and exported from Japan by the 12<sup>th</sup> of September.

- 1) The four excavators will be manufactured by KATO Works Ltd. KATO has agreed to manage these machines in the same manner as if they were managed directly under the KATO MPI-Approved System. Management is done by carrying out the following agreed measures (twice daily visual inspections including a final inspection before the excavators leave the manufacturing site).
- 2) The associated machinery attachments and parts have been delivered to the KATO manufacturing site for transport to the port along with the four excavators. KATO will not be monitoring these items as they are not manufactured by KATO and therefore, should not be held responsible for management of attachments and parts.
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- 5) The excavators, attachments and parts are due to leave Japan for transshipment through New Zealand on the 12<sup>th</sup> of September 2019 on the Tranquil Ace.

If the actions above are followed then it is recommended:

- 6) The excavators can 'arrive' in New Zealand as goods which will be transshipped through New Zealand without Biosecurity Clearance being provided in New Zealand as per section 2.7 of the Import Health Standard for Vehicles, Machinery and Parts.
- 7) Any other on-arrival compliance verification activities considered to be necessary during the transshipment period in New Zealand is at the discretion of MPI Border Clearance Services

**AGREE / DISAGREE**

**Peter Thomson**  
**Chief Technical Officer**  
**Plants and Pathways Directorate**  
**Regulation and Assurance Branch**

**Date:**

## **CTO Direction to an MPI Inspector**

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- 1) The excavators can 'arrive' in New Zealand as goods which will be transshipped through New Zealand without Biosecurity Clearance being provided in New Zealand as per section 2.7 of the Import Health Standard for Vehicles, Machinery and Parts.
- 2) Any other on-arrival compliance verification activities considered to be necessary during the transshipment period in New Zealand is at the discretion of MPI Border Clearance Services.

This CTO Direction is only valid for the 4 excavators and machinery attachments and parts exported by FutureBud Japan on the MOL's Tranquil Ace vessel which is expected to arrive on the 5<sup>th</sup> October 2019.

**Peter Thomson  
Chief Technical Officer  
Plants and Pathways Directorate  
Regulation and Assurance Branch**

**Date**