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**SUBMISSION ON
THE MPI IMPORT HEALTH STANDARD: VEHICLES, MACHINERY AND EQUIPMENT
(VEHICLE-ALL) DATED DECEMBER 2017**

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References:

- A. MPI Guidance Document for the Import Health Standard for Vehicles, Machinery and Equipment - Final Draft for public consultation December 2017
- B. MPI IHS for Vehicles, Machinery and Equipment (Vehicle-All) - Final Draft for public consultation December 2017
- C. MPI Risk Management Proposal associated with the Review and Amendment of the Import Health Standard for Vehicles, Machinery and Tyres (now Vehicles, Machinery and Equipment) – for public consultation December 2017
- D. MPI Review of Public Submissions on: Draft Import Health Standard for Vehicles, Machinery and Tyres, December 2017
- E. MPI Technical Review – Proposed treatment for BMSB (*Halyomorpha halys*), 2017
- F. MPI Guidance Document for Determining Treatment Efficacy, 2017
- G. FAO International Standard for Phytosanitary Measure (ISPM) 41: *International Movement of Vehicles, Machinery and Equipment*
- H. FAO International Standard for Phytosanitary Measure (ISPM) 13: *Guidelines for the notification of non-compliance and emergency action*

EXECUTIVE SUMMARY

1. Brown Marmorated Stink Bug (BMSB) presents significant biosecurity risk to New Zealand horticulture, is a major nuisance pest to the general public, and may negatively impact native flora and fauna. There are currently no acceptable and effective pest control options available for BMSB in New Zealand, and early-warning surveillance methods are extremely limited.
2. The commercial crops in New Zealand currently identified as a host, and therefore at risk from BMSB, have collective sales value in excess of \$4 Billion p.a. (Free on Board value for export). It is estimated that BMSB establishment in New Zealand would result in average yield losses of 26% for eighteen host crops, if not managed. This is a significant cost to the horticulture industry and New Zealand.
3. HortNZ has reviewed the proposed risk management to prevent the introduction of BMSB into New Zealand. In light of this, and as signatories or near signatories to the Government Industry Agreement for Biosecurity Readiness and Response (GIA), horticulture product groups have identified BMSB as one of their high priority pests.
4. HortNZ acknowledges the extensive work undertaken by MPI to manage the risk of BMSB, including the implementation of emergency measures for vehicles from USA and more recently Italy; a national awareness campaign; and readiness and response preparedness.
5. HortNZ's 2015 submission supported the proposed changes to the VME import requirements to manage the risk of BMSB with regard to treatment application offshore, cleaning of VME prior to export and the processing of VME in Japan. However, we expressed significant concern about the proposed BMSB treatments and the risk period of regulation, based on the lack of scientific evidence available to support risk management decisions for the import requirements and the appropriate level of protection (ALOP) required for a high impact economic pest. Interception levels have increased since the VME IHS requirements for BMSB issued in 2014, most probably related to the increased distribution and prevalence in countries of export, which increases the propagule pressure in New Zealand.
6. HortNZ strongly asserts that any future amendments, including the current consulted IHS, are done so with the intention to strengthen risk management. This includes providing the necessary detail to meet the import requirements in the IHS (as opposed to multiple documents), therefore facilitating the access to and understanding by exporting countries and importers.
7. New Zealand's horticulture industry needs to be assured that New Zealand's imports of VME are managed through technically robust import requirements clearly stated in the IHS, to manage a high impact economic pest.

BMSB RISK

8. BMSB is now considered to be established in a number of regions, including North America and Europe, in addition to being endemic to East Asia. The worldwide spread of BMSB has continued to provide challenges in association with the VME import pathway. Italy is one country where the rapid spread and proliferation of the bugs has proven to be very concerning over 2016 and 2017.
9. While analysis by MPI (Ref E) predicts that new and used vehicles from the infested areas are the most likely pathways of entry into New Zealand, this analysis is based on 2015 data which is now outdated. The data used for initial analysis is based on interception

records from two years ago when distribution and prevalence were of most concern in North America - aggregations of live BMSBs were intercepted at lower numbers and point of first arrival in New Zealand was considered to primarily be Auckland. The current import season has demonstrated these variables have now significantly changed.

HortNZ requests the interception data from the 2016 and unfinished 2017 import season to be analysed to ascertain the current risk of BMSB introduction.

10. The current measures to manage the risk of BMSB on the VME import pathway have evolved since they were first established in December 2014. This has been in response to increasing levels of non-compliance, primarily demonstrated by interceptions on shipments from exporting countries with high prevalence of BMSB.

11. In response to the changing BMSB risk profile of trading partners, MPI has sought to obtain technical information, undertake assessment and modelling analysis and engage with trading partners in an effort to collaboratively prevent the further spread of BMSB. HortNZ commends the work MPI has undertaken to date to understand the risk of BMSB on the VME import pathway, but again does not agree with MPI's 2017 analysis estimating the current level of risk given it is based on outdated information.

PROPOSED MEASURES FOR MANAGEMENT OF Asian Gypsy Moth (AGM)

12. HortNZ supports the proposed MPI-approved system to manage the risk of AGM on all used vehicles (cars and trucks), shipped as either break-bulk or containerized cargo, from Japan.

PROPOSED MEASURES FOR MANAGEMENT OF BMSB

13. In our 2015 submission HortNZ raised concerns about the proposed measures for BMSB, which we feel still have not been adequately addressed. Therefore, the basis of our submission focuses on similar areas:

- a. Efficacy of measures and Appropriate Level of Protection (ALOP)
- b. Specification of import requirements
- c. Implementation, verification and non-compliance
- d. Pathway assurance

Efficacy of measures and ALOP

14. Effective biosecurity protection using treatments, requires three elements to operate in synergy:

- a. Technically valid treatments to appropriately manage risk
- b. Effective operational application of such treatments to deliver the confidence that risk is managed
- c. Verification to ensure that such operational standards are achieved and risk is actually being managed

15. HortNZ's 2015 submission outlined inconsistencies with MPI policy for the proposed measures for the risk management of BMSB. These were primarily concerning the ALOP required for a high impact economic pest and the evidence needed to provide technical justification for any associated risk management decision. Following discussion with MPI on the modelling used to determine the level of efficacy required to effectively manage BMSB

(using different levels of precaution to address uncertainty), HortNZ agrees that treatments resulting in a probit 8 level of protection (99.9% mortality at 95% confidence) are sufficient.

16. Whilst research and trade data ultimately may demonstrate efficacy (Ref C and E) and effectiveness of treatments, it is important for MPI to verify this treatment research for consistency with New Zealand's policy position to base risk management decisions on evidence and technical justification.

17. The ALOP should also align with New Zealand's international obligations to ensure all measures are established on the principles of necessity, technical justification and non-discrimination. Additionally, the international standard for the International Movement of Vehicles, Machinery and Equipment (ISPM 41) provides guidance for countries to manage risk of BMSB and other hitchhiking pests.

HortNZ supports the proposed measures based on modelling of risk and research data. However, HortNZ requests evidence used to support justification of treatment specifications is verified by independent expert reviewers.

Specification of import requirements

18. To facilitate the appropriate implementation of import requirements, such as phytosanitary treatments, it is important that all relevant information can be easily found by exporting countries and importers. The IHS, Guidance Document, Approved Treatment Standard (MPI Approved Biosecurity Treatments – MPI-STD-ABTRT) and other associated documents generate confusion, showing inconsistency and lacking clarity for expectations of importers. The proposed measures are currently set out in three documents, providing a substantial level of difficulty to navigate for someone in the biosecurity sector, let alone trading partners.

19. The proposed IHS does not contain the treatment specifications to be used and instead refers to the MPI Approved Biosecurity Treatments standard. This standard is not specified as tertiary legislation and does not currently include one of the proposed treatment options (sulphuryl fluoride fumigation – as currently used for treatments in Europe). HortNZ asserts that treatment specifications need to be clearly available to importers by either being included in the IHS, or set out more in a treatment standard with legal status.

HortNZ requests all treatment specifications are included in the VME IHS or in a treatment standard with legal status.

20. The guidance document contains important details for the cleaning of VME prior to export that should be included in the IHS, even if only included as an appendix or information box. The use of multiple documents to contain details of import requirements is inconsistent with the purpose of the VME IHS (Ref B) to 'set out the requirements that must be met when importing vehicles, machinery and equipment (VME) into New Zealand to manage the biosecurity risk associated with them' and other MPI IHSs within the Plants Food & Environment directorate, which include specific import requirements.

HortNZ supports the proposed inclusion of a cleaning certification requirement and requests specifications are included in the VME IHS.

21. HortNZ notes that MPI has included a schedule to the IHS for a list of countries where BMSB is known to be present, therefore requiring regulation of associated exported consignments.

HortNZ supports the inclusion of the Schedule 3 – Brown Marmorated Stink Bug Countries in the VME IHS, allowing for flexibility in the changing risk situation as BMSB increases distribution within export countries that trade with New Zealand.

Implementation, verification and non-compliance

22. Implementation of treatments to include coverage of the entirety of VME remains a concern for HortNZ. The discussion on treatment rates (for both fumigants) refers to high treatment efficacy at the proposed rate for insects found on or near the VME surfaces, but acknowledges that higher doses are needed for insects partially or completely enclosed in a commodity (Ref E).

23. Anecdotally achieving high treatment efficacy on VME appears to be quite difficult, and the obligation must be on the treatment provider to achieve this (with appropriate recourse/penalty where not achieved). This rationale is used for the heat treatment option with a buffer to ensure that the coolest parts of the vehicle will reach the required temperature. However, upping the rate may not work if there are materials in cars that the fumigant cannot penetrate. It is not acceptable for the treatment to be effective for most of the risk good (the exposed surfaces), but leave pockets in enclosed spaces untreated (the type of place BMSB seeks out to overwinter). Further analysis needs to be undertaken to understand whether some parts of VME are likely to escape effective fumigation treatment unless opened prior to fumigation.

HortNZ recommends analysis of interception data on where BMSB are most often found and areas where live bugs have been seen, despite treatment, to determine penetration effectiveness of heat and fumigants. A requirement to open these specific parts could then be included in the VME IHS to ensure appropriate treatment application and effectiveness.

24. The RMP (Ref C) states that ports are unattractive places for BMSB. HortNZ requests analysis be undertaken on the location and surrounding environment of approved treatment facilities in the countries listed in Schedule 3 to determine whether they are all at ports and in low risk environments and whether goods are treated and then held elsewhere i.e. away from the fumigation site. This has an impact on the appropriate post-treatment window before shipping.

25. The proposed VME IHS (Ref B) proposes a 120hr (5 day) period between treatments and loading. Whilst HortNZ agrees with the commentary in the RMP (Ref C) about conditions for activity and flight, meaning that this storage period is sufficient in the winter time, the level of risk may vary during the overwintering season. HortNZ believes that there is a heightened risk period at the start of aggregation season (September/October in Northern Hemisphere) when BMSB are actively aggregating and moving into their overwintering spots. The difference in risk period is acknowledged by the Australian Department of Agriculture and Water Resources who specify a pre-shipping period of 96 hours from September to December. Once settled for overwintering, the risk of re-infestation lowers because there is a higher likelihood BMSB will be present at the time of treatment. HortNZ asserts that treatment 120 hrs pre-shipment may not be acceptable during the early period of the overwintering season and there remains a level of risk of post-treatment re-infestation.

HortNZ proposes splitting the risk period into aggregation (possibly September/October) and overwintering (possibly November-April), with a shorter treatment to shipping timeframe over the higher activity aggregation period.

26. Any activity undertaken or treatment applied to VME to meet the import requirements of the IHS should be supported by documentation. Certification of cleaning and treatment are essential for import verification procedures on arrival in New Zealand. The verification of shipments on the pathway should include visual inspection of all risk goods and documentation compliance.

27. Non-compliances on the VME (previously VMT) import pathway have shown an increasing upward trend since 2014. In the current unfinished risk season, there have been the highest rates of interceptions to date and large aggregations at multiple ports of first arrival. It is essential these non-compliances are reported back to trading partners (Ref H) as soon as possible and non-compliant treatment providers are removed from the pathway.

28. Mitigation actions should also be undertaken on the instances of BSMB interception, contamination, documentation non-compliance and when pre-shipping periods (specified as a maximum of 120 hours prior to export) are exceeded.

HortNZ requests MPI engage trading partners to increase awareness of import requirements and mitigation actions for non-compliance prior to each risk season. This should include agreement that non-compliant treatment providers and other actors be removed from pathway.

Pathway assurance

29. In an effort to provide assurance to key stakeholders that trading partners are aware of the import requirements on the VME import pathway and that treatment providers are aware of appropriate treatment application, HortNZ supports MPI's planned pathway assurance visit to Italy in February/March 2018, and future pathway monitoring.

30. In order to foster stakeholder confidence in the VME import pathway, and others which are known to be associated with risk of BMSB, HortNZ proposes the establishment of a coordinated engagement group when issues associated with BMSB pathways arise.

CONCLUSION

31. HortNZ continues to have significant concerns about the proposed measures for the risk management of BMSB, especially in regard to the changing risk situation as demonstrated by increasing levels of non-compliance, primarily demonstrated by interceptions on shipments from exporting countries with high prevalence of BMSB.

32. HortNZ supports the proposed measures on the VME import pathway and formally requests MPI verify the scientific evidence in support of the treatments proposed in the VME IHS.

33. HortNZ requests all treatment specifications be included in the IHS document or within a treatment standard with legal status to ensure ease of implementation to facilitate safe trade.

34. HortNZ formally requests MPI considers proposals made throughout this submission to strengthen the risk management on the VME IHS and activities that can provide key stakeholders with confidence in MPI's management of inanimate pathways.

35. HortNZ welcomes the opportunity to discuss the concerns raised together with other horticultural industry product groups.

36. This submission is supported by New Zealand Winegrowers, Kiwifruit Vine Health, Federated Farmers of New Zealand, Process Vegetables New Zealand, Vegetables New Zealand Incorporated and Tomatoes New Zealand.

37. HortNZ supports the submissions of New Zealand Winegrowers, Kiwifruit Vine Health and Federated Farmers of New Zealand.