



# SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



## Bugs Creating a Stink for Importers

Importers on both sides of the Tasman are having to adapt to heightened brown marmorated stink bug (BMSB) management measures introduced this season by both the Australian Department of Agriculture and New Zealand's Ministry for Primary Industries (MPI).

Both jurisdictions are placing an ever-higher priority on ensuring the pest does not enter their shores, with the Australian Department of Agriculture warning: "If established here, BMSB could severely impact our agricultural industries as they feed on, and severely damage, fruit and vegetable crops, rendering them unsellable or reducing production yields."

It adds that adult BMSB would also prove a public nuisance, "entering vehicles, homes and factories en masse for shelter over winter".

The seriousness of the issue to shippers was brought home in an advisory to members issued this month by Global marine insurance provider Skuld.

"Members with vessels trading to Australia and New Zealand should ensure that the crew onboard are aware and familiar with the BMSB seasonal management measures," it states.

"Treatment or cleaning of cargos onboard in the country of origin may be required. Crew should report any presence of BMSB and other exotic insects upon detections onboard to the relevant quarantine authorities at the port of destination. There are significant consequences if stink bugs are found or intercepted, and in some cases vessels have been turned away from ports or even the territorial waters.

"BMSB, or *Halyomorpha halys*, getting into New Zealand and Australia are a serious pest for agriculture and horticulture and can be a social nuisance. Like the Asian Gypsy Moth, the BMSB is considered a hitchhiker pest that can spread via oceangoing vessels. They seek shelter from cold weather during winter season and find their way into equipment, vehicles, machinery and other types of cargo."

Among measures announced by the Australian Department of Agriculture this season are:

- all roll-on/roll-off and pure car truck carrying (PCTC) vessels will be subject to thorough inspection
- mandatory treatment for BMSB target high-risk goods/cargos
- goods exported from one of the target risk countries on or after September 1 and that arrive in Australia before May 1 will be subject to BMSB inspections
- cargoes identified as target risk goods will be subjected to random inspections onshore

Skuld is also advising stakeholders to consult the Australian Government's Website for further information, particularly via [Seasonal measures for Brown marmorated stink bug \(BMSB\)](#) and [Treatment requirements for the 2019-20 Brown marmorated stink bug \(BMSB\) risk season](#).

Biosecurity New Zealand, a division of MPI, recently published a revised vehicle and sea container import health standard ahead of the BMSB season.

Vehicle importers must now comply with/note:

- [IHS for Vehicles, Machinery, and Parts](#)
- [Guidance document for Vehicles, Machinery, and Parts](#)

Sea container importers must now comply with/note:

- [IHS for Sea Containers from All Countries](#)
- [Guidance document for the IHS for Sea Containers from All Countries](#)

“Importers of targeted vehicles, machinery or parts from the following countries must meet MPI’s requirements to manage the risk of BMSB getting into New Zealand,” continues Skuld.

“Importers must provide documentation to MPI showing that the cargo meets the requirements of the IHS for Vehicles, Machinery and Parts. If the cargo requires BMSB management under the Standard there is the option of MPI-Approved System management or treatment with an MPI-Approved Treatment before the cargo arrives in New Zealand.”

Among other measures in New Zealand, over 100 new quarantine officers have been employed and biosecurity officers now have powers to directly fine vessel operators that do not provide notice of arrival or respond to an official request to declare compliance with risk management requirements.

While in Australia, among other measures, biosecurity officers are working with researchers at the University of New England to retrain detector dogs to detect BMSB.

According to a recent edition of the E-newsletter *Biosecurity Matters*, biosecurity detector dog programme head Jessica Mitchell says the aim is to “modernise our existing detector dog capabilities to combat the growing threat of exotic plant pests”.

“Biosecurity detector dogs have been helping protect Australia from pests and diseases since 1992, but they only currently screen for biosecurity risks in airline traveller and mail pathways,” says Ms Mitchell.

“The success of the BMSB detector dog research means we can deploy our existing detector dog capability to better protect Australia from a broader range of biosecurity threats.

“As part of this project, we’ve trialled detector dog screening for incoming sea cargo in Brisbane, which is a first for biosecurity in Australia.”

### **Consequences**

However, with the heightened biosecurity measures consequently posing disruptions beyond the control of importers, the Container Transport Alliance Australia (CTAA) has warned that transport operators will be reviewing transport cost and container detention liability policies.



*Australian Department of Agriculture biosecurity officer Kyndall Christie and detector dog Asha in training to screen cars for BMSB*

“Additional costs caused by delays cannot be absorbed fully by transport operators, nor can unrealistic container detention claims due to the level of delays in empty import container de-hire which are likely to occur again this peak season,” it stated in a recently notice to industry.

“With the expansion of the number of target risk countries for BMSB mandatory risk intervention, the Department of Agriculture has estimated a 12% to 15% increase in containerised cargoes which will be subjected to BMSB seasonal measures.”

While reports are also emerging of some serious issues for New Zealand importers – particularly related to shipments originating from Italy – one group that is actually embracing the heightened measures is the Imported Motor Vehicle Industry Association.

Taking the position that “nothing is more important than this biosecurity issue”, Imported Motor Vehicle Industry Association chief executive David Vinsen says his members began moving proactively in this area almost two years ago.

“We have to do whatever we have to do – and when I saw ‘we’, I am talking about ‘NZ Inc’,” he says.

“So we have been working closely with the Government on this and in fact we’ve led the charge – we’ve done things before they’ve been required by law.”

Mr Vinsen observes that previously, despite members of the association spending “a truck load” to establish heat treatment and other facilities in Japan, the vessels carrying those imports would also collect cargo from other jurisdictions where “the standards are different”.

“So we welcome the fact that there is going to be alignment between different jurisdictions and that more countries who are source markets for supplying vehicles and other things for New Zealand are going to be aligned with our requirements.”

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