

NEW REQUIREMENTS FOR IMPORTED SEA CONTAINERS FROM 1 MARCH 2010

MAF Biosecurity New Zealand (MAFBNZ) has made a number of changes to the Sea Container Import Health Standard. These changes will become law on 1 March 2010, and while they are straight forward, it is critical that the changes are fully understood and adhered to.

The changes are listed below. For more detailed information please go to: www.biosecurity.govt.nz/imports/non-organic/standards/seaco.htm

What has changed?

1. If Quarantine Declaration requirements for loaded and empty sea containers have not been met MAFBNZ will classify them as High Regulatory Interest (HRI) and require a six-sided inspection on arrival. Currently a four-sided inspection is required for containers that do not comply.
2. The introduction of a "12 hour rule" for submission of sea container information. Import entries for Full Container Load (FCL) containers, MAF Biosecurity Authorisation/Clearance Certificate (BACC) applications for Freight All Kinds (FAK) and personal effect containers must be submitted no later than 12 hours before the estimated time of arrival (ETA) of the vessel.
3. Additional MAFBNZ coastal container transshipment requirements (see section on Transshipment).

Why has it changed?

Containers without Quarantine Declarations pose a higher risk

MAFBNZ will better manage biosecurity risk for containers imported without a Quarantine Declaration by classifying them as High Regulatory Interest. A HRI classification triggers the requirement for six-sided inspection.

Empty containers processed through "on wharf" MAFBNZ approved container depots will not require a six sided inspection if no Quarantine Declaration is presented as there are other processes in place to manage the risk.

The 12 hour rule will allow MAFBNZ to:

1. Assess the biosecurity risks associated with imported sea containers before they land in New Zealand.
2. Inform port companies about containers that require further intervention at the port before being discharged. This will reduce the need to move additional containers from stacks to get to the containers MAFBNZ is interested in.
3. Speed up the processing and delivery of containerised sea freight.
4. Improve control around the practice of "hubbing" containers, (where containers land at one New Zealand port and are transhipped to another New Zealand port).

What does this mean?

12 hour rule

- Sea container arrival will be taken as the estimated vessel arrival time.
- MAFBNZ is seeking high levels of voluntary compliance with the 12 hour rule and will work with industry prior to 31 March 2010 to help them comply.
- Levels of voluntary compliance will be reviewed after 31 March 2010. Where persistent non-compliance is occurring MAFBNZ will take steps to achieve compliance, including directing ports to stop containers.
- MAFBNZ will notify industry before the conclusion of the voluntary compliance period.
- Additional delays and costs will be incurred where customs brokers/importers fail to submit their import entries 12 hours before vessel arrival. Such costs will include additional MAFBNZ charges for document processing and associated clearance of containers.

Transhipments

- MAFBNZ will ask ports to hold imported sea containers that have been transhipped from their first port of arrival until evidence of their MAFBNZ clearance status has been received.
- The import entry for coastal transhipment of loaded sea containers should be lodged within 12 hours of vessel ETA and the first port of discharge used in the applicable customs import entry field.
- Where transhipment from another New Zealand port occurs, customs brokers and importers should ensure that the customs delivery order (that meets the "12-hour rule") is presented to the final delivery port to avoid delays in container release. The nomination of the first port of discharge in the import entry means that the release "message" from NZ Customs will not be sent to the final port.
- MAFBNZ will require ports loading sea containers for transhipment to advise the next port of discharge of the MAFBNZ (and Customs) clearance status of the containers they are sending. Where such advice has not been received by the next port of discharge, the container must be held until its status can be confirmed.
- If a transhipping container is classified as HRI it can move to the port of delivery if its "dwell time" on the first port of arrival is 12 hours or less.
- Transhipping containers moving within 12 hours of discharge will require six-sided inspection at the port of discharge if they have originated from a HRI country.
- Where HRI containers have dwell times in excess of 12 hours at the first port of discharge, they will require a six-sided inspection before transhipment.

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