

# Frequently asked questions about the BMSB seasonal measures

You must comply with [seasonal measures](#) for certain goods arriving from certain countries that are shipped as sea cargo to Australia between **1 September 2018** and **30 April 2019** inclusive.

## Questions relating to the seasonal measures

### Will you make mid-season changes like you did last season?

The department will continue to monitor the risk profile for BMSBs. If there is a change to the risk profile during the season, the department will review the list of target countries and goods and the appropriate actions required to minimise the risk of BMSB to an acceptable level.

### Sixteen countries in Europe are affected by BMSB, however only nine have been listed by the department. Is the list of target risk countries fixed for this season?

The target risk countries have been added to the BMSB measures because they're countries where we know BMSB has established or where we believe we are likely to see hitchhiking BMSB. We have reviewed this risk and taken a pragmatic approach. If the risk profile changes during the season, we'll review the list of target countries.

### Will the BMSB measures be expanded to include air cargo? For example, there are some goods that are shipped from target risk countries first as sea freight and then as air freight.

At present, the measures will only apply to goods entering Australia as sea cargo. The department will continue to monitor the risk status of air cargo pathway.

### What are the treatment options for LCL/FAK containerised goods?

All containerised cargo in sealed six sided containers (including LCL and FAK) with target high risk goods may be treated on arrival in Australia provided the treatment is conducted at the container level. Deconsolidation or removal of goods will not be permitted prior to treatment.

More detailed information about the process of managing LCL/FAK containers is available on the [managing LCL/FAK containers](#) page.

### How can I apply for an exemption for my target high risk goods?

To see if certain conditions exempt your target high risk goods from the measures, check the [preparing to import page](#).

There are only three conditions that may exempt your goods from the measures:

- certain manufactured goods
- certain stored goods
- certain goods may be exempt from mandatory treatment

## **Will the department compensate for costs incurred by clients as a result of the BMSB seasonal measures?**

Provision of compensation by the department is covered under the *Biosecurity Act 2015* (the Act). The compensation provisions do not provide for the payment of compensation to reimburse a cost-recovery charge for assessment and inspection activities that is due and payable under the Act. The Act also doesn't cover compensation for fees charged for storage or handling by industry or operators.

## **Questions relating to goods**

### **Why are you mandating offshore treatment for target high risk goods shipped as break bulk?**

Breakbulk goods are included as target high risk goods as they are typically used or stored in a manner that increases the likelihood of being exposed to BMSB. The lack of containment associated with breakbulk also means the risk of escape within Australia is difficult to manage. Off shore treatment provides a greater level of confidence that live BMSB will not arrive in Australia.

### **Why have certain goods been targeted for mandatory treatment this season?**

Goods that have been identified as target high risk or risk goods for BMSB measures are goods that have either been previously associated with detections of BMSB or have been assessed as having an increased likelihood of BMSB contamination. BMSB poses a high biosecurity risk to Australia because of their tendency to hitchhike on a range of goods, particularly when they seek shelter during winter in the northern hemisphere.

### **Do the same conditions apply for new and used goods that are targeted for BMSB measures?**

Yes, same conditions apply to goods targeted for BMSB measures.

### **Will the new BMSB measures apply to yachts and are they considered a target high risk good?**

The measures apply to new and used yachts. We consider yachts a high risk target good as they are most likely shipped as break bulk or in an open top container.

### **What about containers with mixed goods, including non target goods? Will they be exempt from the BMSB measures? What about goods that are made in the target risk country but shipped from a non-target risk country?**

We'll assess consignments containing mixed goods (target high risk, target risk or not covered by the measures) at the highest risk. BMSB measures will continue apply to goods manufactured in a target risk country regardless of where they're shipped from.

### **If goods are transhipped through New Zealand and the New Zealand Ministry for Primary Industries conducts an inspection for BMSB, will the department conduct another inspection on arrival in Australian territory?**

Yes, the measures are applicable for our requirements regardless of whether the New Zealand Ministry for Primary Industries (NZ MPI) has conducted an inspection. We may consider treatments conducted by NZ MPI for BMSB as acceptable, but our decision will depend on the treatment applied and documentation provided with the goods.

### **Will target high risk goods shipped in refrigerated containers (reefers) be exempted from BMSB treatment requirements?**

All target high risk goods manufactured in, or shipped from target risk countries (including goods shipped in operational or non-operational reefers) will be subject to the BMSB seasonal measures.

Please note: Refrigeration/freezing of target high risk goods is not an approved treatment method for BMSB.

### **Are medical and/or pharmaceutical goods, subject to the measures and can they be exempt?**

You need to check if your goods fall under the goods categorised as target high risk or target risk.

For example, goods under tariff chapter 90, which includes medical and surgical equipment, are not categorised as target high risk goods. These goods are not subject to BMSB measures.

If your goods are target high risk goods, they will require mandatory treatment. We understand there are glass bottles imported in the medical industry which are categorised as target high risk goods under tariff chapter 70. These will require mandatory treatment and will need to be treated with one of the available treatment options.

For more information on treatment of medical or food grade materials please refer to the Questions relating to treatment.

### **Are goods shipped as personal effects subject to BMSB measures? For example, personal computers are categorised a target high risk.**

Goods being imported as personal effects are not subject to BMSB measures. If you are shipping your electrical equipment along with the rest of your personal belongings, they will not be subject to BMSB measures if they are shipped from a target risk country during the BMSB season. Standard import conditions will apply.

### **Are ISO tanks holding target risk goods are affected by the seasonal measures?**

The seasonal measures only apply to the goods. For example, target risk goods shipped in an ISO tank do not require mandatory treatment however maybe subject to the same random onshore inspections as all other target risk goods.

### **The manufacturing of wine barrels includes heat treatment. Will you consider the heating process an effective treatment for BMSB, and exempt wine barrels from mandatory treatment?**

We understand heat treatment is part of the manufacturing process for wine barrels, that is, the heat treatment occurs during the manufacturing process when the wine barrel is incomplete. Based on this information, we don't consider this to meet our requirements for BMSB treatment. As wine barrels are target high risk goods, they will require mandatory treatment for BMSB.

If the heat treatment was conducted at the end of the manufacturing process and then loaded into a container within 120 hours, it will meet the BMSB requirements. For this to be accepted, the manufacturer will need to apply and become an approved treatment provider under the [Offshore BMSB Treatment Providers Scheme](#).

## Questions relating to packaging

### Do the BMSB measures apply to cardboard or other packaging material?

The measures apply if the goods are identified as cardboard. This does not include cardboard packaging or other packaging material that is part of the intended goods being imported. Packaging material such as wooden pallets and wrapping, are managed under non-commodity requirements.

### Do the BMSB measures apply to the glass bottles carrying wine?

The measures apply if the goods are imported under a tariff chapter that is categorised as target high risk. For example, empty wine bottles are generally imported under tariff chapter 70 and will require mandatory treatment for BMSB. Full glass bottles with wine fall under a different tariff chapter. Example chapter 22.

## Questions relating to treatment

### Some goods can't be fumigated due to the chemical used in the treatment options available. Are there alternatives such as HI-FOG treatments?

The department will continue to investigate alternatives, but at this stage only the three recognised treatment options are available.

### Do imports of food grade equipment or materials for food use, including food packaging and wine barrels have to be treated? I am concerned about treatment residues.

Treatment of target high risk goods forms an important part of the department's measures to manage the biosecurity risks posed by BMSB. One of the reasons the department specifies the use of fumigants is because they are gases at normal treatment temperatures (10° C or above). When the fumigation is completed and ventilated the gas rapidly dissipates to trace or nil levels. Any products in packaging that is impervious to air is also impervious to methyl bromide and sulphuryl fluoride so the fumigant cannot come into contact with the product itself. Heat treatment will obviously leave no residues.

### Will there be a method to treat cargo while at sea?

We will accept any of the three treatment options (heat, methyl bromide or sulfuryl fluoride) if the treatment meets our requirements. We understand that certain industry sectors are investigating options for 'in-voyage' treatment but are yet to submit any formal proposal to the department. When considering in-voyage treatment options, industry are encouraged to consider any applicable international safety requirements/obligations.

### Will new tyres that undergo a heat treatment process be exempt?

If the treatment applied meets with minimum requirements for BMSB treatment, the treatment will be considered acceptable. The goods must also be shipped within the acceptable post treatment window in order for us to consider this as an acceptable treatment.

### What are the plastic wrapping requirements for BMSB target risk goods?

Retail packaging is not required to be removed or slashed prior to treatment. For goods that are packaged for protection and this packing is part of the retail packaging, these do not require to be removed or slashed prior to treatment. Packaging for shipment purposes, such as pallet wrapping, must provide adequate access to the goods for the treatment to be effective. If it does not, slashing of the shipping packaging will be required prior to treatment.

## **My goods were treated in a target risk country, unpacked and reconsolidated in a non-target risk country. Would this void treatment?**

If your target high risk goods are treated in a target risk country it must be done using an [approved offshore treatment provider](#) and must meet the post treatment requirements. If the goods are unpacked and reconsolidated in a non-target risk country, you must provide evidence that the goods were treated in a target risk country and evidence that the goods have been unpacked and deconsolidated in a non-target risk country. Check the [preparing to import page](#) for more details about documentary evidence.

## **Due to cold weather in the northern hemisphere, some fumigations failed or were not able to be conducted. Will there be a change in treatment requirements to accommodate the winter conditions?**

The treatment types, rates and minimum temperatures are set to achieve effective treatments. The minimum treatment requirements must always be met. In many cases, this will require fumigation enclosures to be heated during treatment.

## **Will you require importers to present original copies of treatment certificates?**

No, but you will have to present a copy of the treatment certificate with the arriving goods. If certificates are not provided or are from an unapproved treatment provider, we'll assess the goods as untreated goods. The department reserves the right to request original certificates if a need to be is identified.

## **What happens if the treatment provider is blacklisted while high risk goods are en route to Australia and this results in the goods being directed for export or destruction?**

We'll work with the importer for a resolution to manage the risk.

## **Questions relating to vessels**

### **In relation to vessels, can the vessel master take some measures to contain the risk of BMSB?**

We'll manage the risk of BMSB on vessels through a heightened surveillance questionnaire, which vessel masters will complete. Vessel masters will be responsible for the submitting the questionnaire as part of the pre-arrival reporting process and we'll provide the vessel master with an assessment that may also include anchorage, inspection or treatment. The action we take will depend on the number of detections of BMSB reported.

## **Questions relating to safeguarding arrangements**

### **Will the department consider safeguarding arrangements to manage BMSB? Can shippers be accredited as free from BMSB?**

The department is not considering safeguarding arrangements for this season and instead will be developing a framework to assess safeguarding arrangements for future seasons. This applies to considerations to secure pathways and supply chains.

## Further information

### Is there a hotline for industry to contact for information on the BMSB measures?

Information on current seasonal measures are provided on our webpages: [BMSB seasonal measures for BMSB](#) and [Preparing to import during the BMSB season](#).

You can also email [airandseacargo@agriculture.gov.au](mailto:airandseacargo@agriculture.gov.au) if you have any questions about the BMSB measures.