Ministry for Primary Industries
Manatū Ahu Matua

CTO DECISION DOCUMENT – Equivalence for non-compliant consignment

- **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 ECMS for reporting purposes**

Decision document and CTO direction to be signed by (highlight):			
Director (PFE)	**Group Manager (PIE)**	**Team Manager** (not currently delegated)	**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** – Stephen Butcher	**Delegated CTO authority** (no delegations are currently approved)
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, different from those in the standard, that may be applied to manage effectively risks of the kind arising from the non-compliance	
The Biosecurity Act can be viewed on the website:http://www.legislation.govt.nz/act/public/1993/0095/latest/DLM314623.html Delegations under the Biosecurity Act can be searched on the following website:http://kotahi.maf.govt.nz/do/policies/view/article/1169/delegations-and-authorisations - CTO delegations can be searched under the heading 'Biosecurity (Chief Technical Officer)'		

Author:	Ken Glassey	**Team:**	PIE
Subject:	**CTO Plants: 2015 2050041**	**Due date:**	04/10/15
The unique CTO decision number can be found under the tab 'CTO27(1)(d)(iii)decisions' in the spreadsheet: http://fcs.maf.govt.nz/webtop/drl/objectId/090101b380d69fea			

Review steps	**Name**	**Team**	**Date**
Peer review	Andrew Spelman	Operations	2/10/15
Consultation with other MPI groups – legal content only	Ruby Iyer	Legal	23/09/15
External			
Review and Team Manager sign out	Joanne Wilson	B&E	7/10/15
Group Manager sign out			
Director sign out	Steve Gilbert	Border Clearance	

ECMS link to Word version of this Decision Document:
20150041 CTO Decision Document re helicopter import.doc
http://fcs/webtop/drl/objectId/090101b380e8f88a
FCS Folder Location: http://fcs/webtop/drl/objectId/0b0101b38007ad87

Insert other relevant documents here, this may include:

20141223 Recommendation document emergency measures change to Vehicle.all.pdf
http://fcs/webtop/drl/objectId/090101b380d9c745

2015 CTO Decision Document Equivalent Treatment Option.doc http://fcs/webtop/drl/objectId/090101b380db81e4

20150922 CTO Decision Document Equivalent BMSB Treatment Option Final.doc
http://fcs/webtop/drl/objectId/090101b380e8b92f

Insert copy of Decision Document here once signed
(i.e. link in ECMS or PDF attachment)

Ministry for Primary Industries
Manatū Ahu Matua

CTO DECISION DOCUMENT

Ref:

To: Steve Gilbert, Chief Technical Officer, Director, Border Services Directorate

Cc: Joanne Wilson, Manager, Biosecurity & Environment

Andrew Spelman, Manager, Central & South

From: Ken Glassey, Senior Adviser, Biosecurity & Environment

Date: 7 October 2015

Subject: **Equivalence assessment for measures applied to a helicopter imported from the USA**

ISSUE

A helicopter (1997, MD902) arriving as cargo in New Zealand on 5 October 2015 from Sacramento, California, United States of America (USA) does not meet the import health standard requirements for vehicles or machinery.

BACKGROUND

The brown marmorated stink bug (BMSB) is a regulated pest of concern to New Zealand which could have a significant impact on our horticultural industries if it were to establish.

In 2014, BMSB were detected arriving on vehicles and machinery imported from the USA. As a result, the IHS: *Vehicles, Machinery and Tyres* was urgently amended on 24 December 2014 to include emergency measures to manage BMSB. These measures were:

- methyl bromide fumigation at 48 g/m^3 for 24 hours at 10-15°C; or
- methyl bromide fumigation at 40 g/m^3 for 24 hours at 15-21°C); or
- heat treatment at 60°C for 10 minutes for vehicles weighing less than 3,000 kg; or
- heat treatment at 60°C for 20 minutes for vehicles weighing more than 3,000 kg.

On 18 February 2015, a CTO direction (2015 0038) was issued that allowed the use of sulfuryl fluoride fumigation as an additional efficacious pre-export treatment. The rates imposed were:

- sulfuryl fluoride fumigation at 32g/m^3 at 21-25°C for 24 hours; or
- sulfuryl fluoride fumigation at 40g/m^3 at 16-20°C for 24 hours within 72 hours of shipment to New Zealand)

A CTO direction (2015 0040) allowing sulfuryl fluoride fumigation at 16 g/m^3 for 12 hours at 10°C or greater with a 50% end point reading will be issued on 15 October 2015.

A helicopter and spare components from the USA is due to arrive in New Zealand as cargo on 5 October 2015. The helicopter does not meet the requirements of the IHS, however, the exporter (Redfort Group Limited) has applied measures to manage the risk posed by BMSB and has requested that these are considered as equivalent to the IHS requirements. The exporter has deviated from MPI's requirements as claims that heat treatment or fumigation treatments adversely affect the craft.

PURPOSE

To determine if measures applied to the helicopter from the USA are equivalent in effectiveness to IHS requirements for managing the risk of BMSB.

DISCUSSION

Redfort Group Limited have managed the risk of BMSB using the following approach:

1. Full visual inspection of craft including all filters opened, cleaned or replaced;
2. Physical cleaning of airframe and parts;
3. Treatment of all parts and recesses of aircraft with "1 shot" disinsection pesticide (this is a synthetic pyrethroid with residual properties that is approved for aircraft treatment under the joint New Zealand Australia aircraft disinsection procedures)
4. Cabin shrink-wrapped post-pesticide treatment to ensure pesticide retention;
5. All parts, airframe and spare components were treated again with "1 shot" following loading into a 40ft container for shipping. Container was immediately sealed;
6. The consignment was dispatched to the Port of export on the same day as loading and shipped to New Zealand within 36 hours;
7. The machine will be inspected by MPI on arrival when unpacked in a transitional facility
8. If any live insects are found it will require treatment.

There were no BMSB detected during offshore visual inspection and treatment. Any that may reside in difficult to inspect areas are likely to have been killed or flushed out by multiple pesticide spray applications.

The helicopter has not been used in rural agricultural areas and has been hangered under cover for a number of years. All take off and landings have been on sealed concrete or purpose built helipads. This information suggests that the craft has had a low risk of infestation by BMSB.

Legal

A CTO decision is required, under section 27(1)(d)(iii) of the Biosecurity Act, to the MPI Inspector that certain measures, different from those set out in the current IHS, can be applied to manage the risks set out in the IHS. The direction also informs importers of what is acceptable.

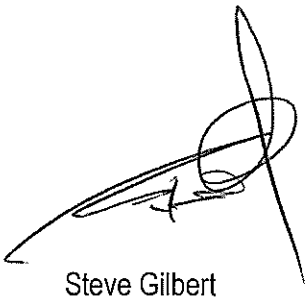
CONCLUSION

The visual inspection, cleaning and multiple pesticide treatments applied to the craft and spare components is likely to have detected and killed any BMBS that might be incidentally associated with the consignment. Therefore, this disinsection system is likely to be equivalent to measures required in the IHS.

RECOMMENDATION

I, Ken Glassey, Senior Adviser, Biosecurity and Environment, recommend that you accept the following recommendations:

(1) That the Redfort Group system for aircraft imported as cargo on the vessel ANL Bindaree (C2015/328085) from the USA of preshipment inspection, cleaning, treatment with a synthetic pyrethroid, wrapping and inspection by MPI on arrival be accepted as equivalent to the measures in the IHS for vehicles and machinery.



Steve Gilbert
Chief Technical Officer
Border Services Directorate

REFERENCES

Schedule of Aircraft disinsection procedures for flight to Australia and New Zealand.
http://www.agriculture.gov.au/biosecurity/avm/aircraft/disinsection/procedures

CTO Direction
Equivalent measures for consignments non-compliant with VEHICLE-ALL

CTO direction code for recording in Quantum: CTO Plants: 2015 0041

Pursuant to section 27(1) (d)(iii) of the Biosecurity Act 1993 I, Steve Gilbert, give the following direction for measures, different from those required by section 4.3 in the import health standard (IHS): *Vehicles, Machinery and Tyres* – VEHICLE-ALL, that may be applied to a consignment (C2015/328085) of aircraft shipped by Redfort Group Ltd sourced from the United States of America (USA). The Redfort system consists of preshipment inspection and cleaning, treatment with a synthetic pyrethroid (1-shot), wrapping and containment, and inspection by MPI on arrival.

All other relevant sections of the IHS: VEHICLE-ALL for vehicles and machinery sourced from the USA must be complied with.

This direction takes effect from the 5 October 2015, and may apply to a consignment of vehicles and machinery sourced from the USA by Redfort Group Ltd which are not compliant with the measures required by section 4.3 in the import health standard (IHS) VEHICLE-ALL. This CTO direction is valid for 1 year from the date of signing unless earlier amended or revoked.

Steve Gilbert Chief Technical Officer
Border Services Directorate
Date: