



**RESPONSE TO SUBMISSIONS:**

**DRAFT CRAFT RISK MANAGEMENT  
STANDARD VESSELS**

**JULY 2017**



## Ministry for Primary Industries

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### **RESPONSE TO SUBMISSIONS ON:**

**DRAFT CRAFT RISK MANAGEMENT STANDARD  
VESSELS**

July 2017

Approved for general release

A handwritten signature in black ink, appearing to read 'Peter Thomson', with a long horizontal flourish extending to the right.

**Peter Thomson**

Director Plants, Food & Environment  
Ministry for Primary Industries



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## Introduction

The Ministry for Primary Industries (MPI) consulted with interested parties from 13<sup>th</sup> June 2016 to 5<sup>th</sup> August 2016, on the draft Craft Risk Management Standard (CRMS) for Vessels in accordance with Section 24F of the Biosecurity Act (1993) and MPI's consultation policy.

MPI received 2 submissions on the draft CRMS from the following stakeholders:

Environment and Border Team	The New Zealand Ministry of Health	4 August 2016
Morris van Voornveld	Member of the Shipping New Zealand Executive	5 August 2016

MPI received 2 enquiries on the draft CRMS from the following stakeholders:

Department of Conservation	4 August 2016
Maritime New Zealand	5 August 2016

MPI has chosen to include these enquiries as they were pertinent and lead to minor alternations in wording of these documents.

This document summarizes the comments/points raised in the submission and presents MPI's responses.

## Acronyms used in the document

CRMS	Craft Risk Management Standard
CTO	Chief Technical Officer
IHS	Import Health Standard
MPI	Ministry for Primary Industries
RMP	Risk Management Proposal

## Summary and responses to submissions

**Submitter:** Environment and Border Team, the New Zealand Ministry of Health

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1. We note, and strongly support, the identification of rodents and mosquitoes (including larvae in standing water) as regulated pests that need to be reported and mitigated. We see MPI controls on these threats through the risk management of the craft as essential supplements to the existing health surveillance and control measures.
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**MPI Response:**

MPI appreciates the Ministry's support and will continue to work collaboratively to ensure the most effective border measures are in place.

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2. Where possible we would like to see the vessels master's responsibilities to mitigate standing water on craft (including on decks and in holds) strengthened and including areas, structures and goods where there may be ponding.
- 

**MPI Response:**

With the proposed requirements MPI seeks to minimise the presence of standing water on vessels, while appreciating that it is not possible to prevent all standing water. Also, MPI is concerned about fresh standing or pooling water, so is not seeking to manage standing or pooling sea water on vessels.

In the proposed requirements, standing water is managed through the definition of biosecurity contaminant.

The generic risk management requirements in the CRMS requires operators or persons in charge of any vessel to take every reasonable step to ensure that the vessel enters New Zealand Territory and arrives at a New Zealand port substantially free of biosecurity contamination. This includes standing water. MPI considers this to be the most practical way of ensuring the operators or persons in charge of vessels take responsibility for the removal of standing water without creating requirements that are not achievable or enforceable.

MPI also specifically mentions removing standing water in the guidance box within the CRMS directly under the generic requirement and the guidance document also put emphases on removing standing water.

MPI appreciates that these links can be made clearer and have made the following changes to the definition in the standard:

**Biosecurity Contamination:** any organic material, other thing or substance that (by reasons of its nature, origin or other relevant factor) it is reasonable to suspect harbours or contains a regulated pest (or parts thereof) and where such material, other thing or substance is not intended for biosecurity clearance under the Act. For the purposes of this CRMS the following are examples of biosecurity contamination that are managed by this CRMS:

- a) Domestic waste and the vacuums from cabin, deck, hold and other internal areas;
  - b) Animals and plants and parts thereof (for example, fruit, house plants, floral arrangements, animal and plant waste);
  - c) Soil
  - d) Standing water;
  - e) Spillage from previous cargo in the hold; and
  - f) Pests material such as nests or egg masses
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3. We note that Appendix 4 of the Risk Management Proposal does not identify standing water as a risk. We believe that this should be included and the existing procedures outlined, and any proposed enhanced requirements detailed.
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**MPI Response:**



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As a supporting document for the CRMS consultation the Risk Management Proposal itself was not open for consultation. However, MPI appreciates the Ministry's comments and would like to provide the following clarification.

Appendices 3 and 4 summarise the current procedures for arriving vessels. These appendices do not go into great detail regarding the risks these procedures are managing, with the exception of AGM. However, they do mention that the current requirements for vessel holds and deck are in place to reduce the presence of regulated pests and biosecurity contaminants and include mosquitoes in the listed examples of such pests and contaminants. Although these appendices do not directly mention removing standing water from the decks and holds of vessels, in mentioning mosquitoes MPI is drawing attention to the specific risk they pose. It was not MPI's intention for these appendices to outline each specific biosecurity risks posed by the arriving of vessels, but rather to summarise existing procedures and highlight how the proposed requirements are similar to or different from the current procedures.

In the body of the Risk Management Proposal, MPI draws attention to the risk posed by mosquitoes as hitchhikers and links managing this risk within the proposed CRMS by requiring operators and persons in charge of vessels to take every reasonable step to reduce biosecurity contaminants on the vessel (which are defined to include standing water) prior to entering NZT. MPI considers that specifically mentioning mosquitoes in the summary of the above-water biosecurity risks section of the Risk Management Proposal to be sufficient to highlight the biosecurity concerns of mosquitoes.

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4. We strongly support strengthening mechanisms to enhance management, surveillance and controls on the risk pathway for mosquitoes particularly for first porting yachts and small vessels. This could be done by categorising these as medium or high risk vessels as outlined in the Guidance Document to the CRMS for Vessels. The number and frequency of these vessel movements is increasing, especially into Northland and Auckland and these craft are exempt from health clearance (pratique) processes and ship sanitation inspections.

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**MPI Response:**

MPI undertakes a risk assessment for all vessels that enter NZT and arrive at a NZ port, based on all the information provided by the vessel operator and any previous compliance history. It is at this stage that MPI will determine the level of risk the vessel poses and the corresponding actions to be taken by MPI staff.

MPI appreciates the Ministry's concerns regarding the risk posed by mosquitoes and their random or unpredictable association with vessels. MPI has always and will continue to treat these risks seriously, including those associated the small or recreational vessels. MPI would like to highlight that the information provided in the Guidance Document, although correct, is not designed to provide a step by step outline of what will occur to all arriving vessels under all circumstances. Rather it gives an indication of what operators can generally expect.

MPI's operational procedures, including risk assessments, determine how MPI will assess a risk and any action to reduce or remove that risk. The Guidance Document for this standard is a tool provided by MPI to explain the intent of the standard and outline some of MPI's general procedures. Mosquitoes and standing water are mentioned in several sections of the guidance document providing operators with a clear indication that the presence of standing water is considered a biosecurity risk and sets the expectation that MPI will require action if it is found on-board.

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5. In addition requirements for vessels to empty holding tanks before entering NZ waters does not appear to be covered. Again this is of particular concern for yachts and small vessels as they are not subject to wider IMO controls. There is potential for contamination of commercial shellfish beds if discharges occur within harbours. This could be addressed in some part by adding a question regarding holding tanks under 1.4 (3) "voyage details" and then providing supporting information in the guidance document.
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**MPI Response:**

In developing the proposed standard, MPI undertook a review of the biosecurity risk associated with vessels and did not consider that treated effluent within holding tanks posed a sufficient enough biosecurity risk to warrant specific requirements. In addition, effluent disposal is managed under the Maritime New Zealand rules which ensure that effluent is disposed of at safe distances from the shore and any aquaculture.

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6. We strongly support requirements for all craft to have and implement a pest management plan therefore we support gathering information on this as detailed on page 6 of the Standard.

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**MPI Response:**

MPI appreciates the Ministry's support.

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7. We note that the references listed in the Risk Management Proposal do not include any of the work undertaken as part of the Southern Salt Marsh Eradication Programme. We believe this work should be considered in the risk assessment. I have also attached our data on mosquito interceptions associated with the maritime pathway since 1998 as you may find this useful evidence to support the risk assessment.

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**MPI Response:**

MPI acknowledges that the Risk Management Proposal for Vessels does not directly reference Southern Salt Marsh Eradication Programme. However, two of the supporting documents that underpin the Risk Management Proposal for Vessels considered data on Southern Saltmarsh Mosquito. MPI's assessments of the biosecurity risks posed by hitchhiker species are thorough but presented at the level where the risk can be best identified at risk profiling and inspection of a vessel. In the case of mosquitos, MPI does not consider it practical to identify mosquitos to the species level at the border, so have presented the risks posed by mosquitos at a Family level. At the border, MPI's risk management mitigation options are the same for all species of mosquitos.

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**Submitter:** Morris van Voornveld, Member of the Shipping New Zealand Executive

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1. Frequent reference to your website is of concern for two reasons:
    - a. Which website are you referring to Biosecurity or MPI? The MPI website is not user friendly for shipping and it is not straight forward to locate the relevant information
    - b. The apparent lack of understanding of international shipping, most cargo vessels either have none or extremely limited access to looking up websites such as the MPI one. Relevant information needs to be easily accessible and as compact as possible (the smallest practical KB size) to fit within the attachment size limits many vessels have on emails they receive.
- 

**MPI Response:**

MPI has now moved away from the Biosecurity website and has transferred information to the new MPI website. The Biosecurity website has been deactivated.

MPI appreciates your feedback regarding the user friendliness of the new website and we will pass this feedback onto the appropriate people within MPI.

MPI appreciates that stakeholders do not always have access to our website, so we are investigating additional methods of making all the relevant information available in one easy location.

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2. The list of approved ports of call needs to be an appendix, referring to list on your website is not acceptable.
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**MPI Response:**

MPI appreciates that having all the relevant information in one location or standard would be ideal for our stakeholders, and MPI is working towards making our website such an information source. However, there are several legal requirements (both international and domestic) relating to how standards are written and amended that make having changeable lists (such as the approved ports of call) unadvisable and impractical. The status of a port as a Place of First Arrival under the Biosecurity Act can change in a very short timeframe and our stakeholders would need to see this information as rapidly as possible. If the list is located as an appendix in a standard, the amendment process for the standard under the Biosecurity Act does not enable such rapid amendments and therefore the information in the standard would be incorrect and unlawful.

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3. In various sections of the information there are references to 'approved systems', how do people check what is an 'approved system'?
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**MPI Response:**

MPI is currently working towards having some of the approved systems listed on the new website.

Generally, the services offered to arriving vessels at a port approved as a Place of First Arrival have to be an approved system. Ports approved as a Place of First Arrival are also audited by MPI at regular intervals to ensure all processes on the port are operated to standard. Should an operator of a vessel want assurances that there are appropriate services at the port approved as a Place of First Arrival, then contacting the relevant MPI office is the most appropriate way of getting confirmation. This can be done directly or via their agents.

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4. Currently it is possible in some cases to land non-food refuse (after inspection by a quarantine inspector), such as cardboard packaging from a vessel that has been kept separate for either disposal or recycling as non-quarantine refuse, will this no longer be possible?
- 

**MPI Response:**

Under the Biosecurity Act, any item, material or good inspected by a Quarantine Officer can be given biosecurity clearance when the Quarantine Officer is satisfied that they can do so, this includes recycling etc. MPI will not change these processes with the proposed standard.

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# Summary and responses to enquiries

**From:** Department of Conservation

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1. Overall, we consider that cumulatively these documents provide a good basis for addressing risks above the waterline.

We note that vessel holds were identified as the area that is most likely to be contaminated, and has the highest level of contamination. Is there a specific cleaning or inspection regime standard for this area or is it included in the long stay vessel inspection?

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**MPI Response:**

MPI appreciates the Departments overall support for the standard and its supporting documents.

Whether the holds of short stay vessels are inspected will depend on the risk assessment of the vessel and what Quarantine Officers deems necessary once on-board the vessel. For long stay vessels, yes the holds will be inspected as part of the verification of compliance.

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2. The Risk Management Proposal and the Guidance Document refer to short stay vessels as those in NZ territory for 20 days or under; the Standard states 21 consecutive days or longer. It would be useful to make these consistent for clarity.
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**MPI Response:**

Vessels classed as Short stay vessels stay no more than 20 consecutive days and long stay vessels are those vessels that stay 21 consecutive days or more. The standard only refers to the 21 days or more as the trigger to becoming a long stay vessel – all other vessels are classed as short stay vessels by default.

As you mentioned, the Guidance Document mentions both timeframes. This was done in hope of clarifying the difference between the two classes of vessels. MPI appreciates the Department's feedback and reviewed the wording in the Guidance Document.

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**From:** Maritime New Zealand

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1. The Guidance Document to the CRMS:

- a. On page 5 – Bullet point 5. I would recommend changing within to “at least” in the maritime sector “within” implies that they only have to give notice in that time. What I understand from the actual Draft CRMS is an “at least” is what is expected.
  - b. We were confused when reading the CRMS versus the guidance with regards food waste that is not covered by the standard. In section 7.1.2 of the Guidance it suggests food waste would have to be ground up to 200microns or less to not be considered a risk good. This size fraction is substantially smaller than the 25 millimetre communter gap size permitted in MARPOL and associated marine protection rules (170.6). In the actual CRMS though you state that food waste that meets the criteria set out in Rule 170.6 is not considered a risk good for the purposes of the CRMS. To our reading this seems to be a conflict. Another point for MPI to consider is that rule 170.6 does not apply within the territorial sea of New Zealand. You may wish to refer to the RMA (Marine Pollution) regulations, although the reference to 170.6 is to the criteria so this may still be acceptable.
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**MPI Response:**

MPI appreciates MNZ feedback regarding the inconsistency of the screen size. MPI has corrected this to ensure that the screen size is aligned with those of the MARPOL rules.

Bullet point 5 has been amended appropriately.

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2. CRMS - Page 8 – There is reference to clause 1.7 and yet there is no clause 1.7 in the CRMS. This may need further elaboration if referring to a different document.

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**MPI Response:**

MPI appreciates MNZ's feedback, and the document has been reviewed to ensure that all references are accurate.

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## **Appendix A - Copy of submissions received.**

Environment and Border Team, the New Zealand Ministry of Health

Morris van Voornveld, Member of the Shipping New Zealand Executive

To Whom it May Concern –

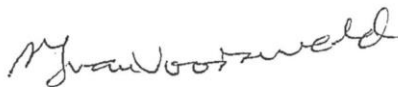
Submission on the new Craft Risk Management Standard for Vessels

This submission is made on behalf of Shipping New Zealand which is the operating name of the New Zealand Association of Ship Owners and Agents.

Our membership represents the owners and agents of almost all international vessels calling at New Zealand ports.

We would make the following comments –

- Frequent reference to your website is of concern for two reasons :
  - Which website are you referring to Biosecurity or MPI? The MPI website is not user friendly for shipping and it is not straight forward to locate the relevant information.
  - The apparent lack of understanding of international shipping, most cargo vessels either have none or extremely limited access to looking up websites such as the MPI one. Relevant information needs to be easily accessible and as compact as possible (the smallest practical KB size) to fit within the attachment size limits many vessels have on emails they receive.
- The list of approved ports of call needs to be an appendix, referring to list on your website is not acceptable.
- In various sections of the information there are references to ‘approved system’, how do people check what is an ‘approved system’?
- Currently it is possible in some cases to land non-food refuse (after inspection by a quarantine inspector), such as cardboard packaging from a vessel that has been kept separate for either disposal or recycling as non-quarantine refuse, will this no longer be possible?



Morris van Voornveld

Member of the Shipping New Zealand Executive.



**From:** Sally\_Giles@moh.govt.nz [mailto:Sally\_Giles@moh.govt.nz]  
**Sent:** Thursday, 4 August 2016 10:03 a.m.  
**To:** Standards <Standards@mpi.govt.nz>  
**Cc:** Sally Gilbert - MOH <Sally\_Gilbert@moh.govt.nz>  
**Subject:** Consultation on Craft Risk Management Standard for Vessels (Submission)

Thank you for the opportunity to provide comment on the Craft Risk Management Standard: Vessels and supporting documents (Guidance Document and the Risk Management Proposal).

This submission is from the Environment and Border Team, Ministry of Health.

We make the following comments:

1. We note, and strongly support, the identification of rodents and mosquitoes (including larvae in standing water) as regulated pests that need to be reported and mitigated. We see the MPI controls on these threats through the risk management of craft as essential supplements to the existing public health surveillance and control measures.
2. Where possible we would like to see the vessels masters responsibilities to mitigate standing water on craft (including on decks and in holds) strengthened and including areas, structures and goods where there may be ponding.
3. We note that Appendix 4 of the Risk Management Proposal does not identify standing water as a risk. We believe that this should be included and the existing procedures outlined, and any proposed enhanced requirements detailed.
4. We strongly support strengthening mechanisms to enhance management, surveillance and controls on the risk pathway for mosquitoes particularly for first porting yachts and small vessels. This could be done by categorising these as medium or high risk vessels as outlined in the Guidance Document to the CRMS for Vessels. The number and frequency of these vessel movements is increasing, especially into Northland and Auckland and these craft are exempt from health clearance (pratique) processes and ship sanitation inspections.
5. In addition requirements for vessels to empty holding tanks before entering NZ waters does not appear to be covered. Again this is of particular concern for yachts and small vessels as they are not subject to wider IMO controls. There is potential for contamination of commercial shellfish beds if discharges occur within harbours. This could be addressed in some part by adding a question regarding holding tanks under 1.4 (3) "voyage details". and then providing supporting information in the guidance document.
6. We strongly support requirements for all craft to have and implement a pest management plan therefore we support gathering information on this as detailed on page 6 of the Standard.
7. We note that the references listed in the Risk Management Proposal do not include any of the work undertaken as part of the Southern Salt Marsh Eradication Programme. We believe this work should be considered in the risk assessment. I have also attached our data on mosquito interceptions associated with the maritime pathway since 1998 as you may find this useful evidence to support the risk assessment.

If you have any questions or queries about these points please don't hesitate to contact me.

Sally			Giles
Senior			Advisor
Environmental	and	Border	Health
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