

## LEGAL

A CTO decision is required, under section 27(1)(d)(iii) of the Biosecurity Act, to give directions or guidelines to the MPI Inspector that certain measures, different from those set out in the current IHS, be applied to manage the risks set out in the IHS to enable biosecurity clearance.

## DECISION

These plants do not meet the import requirements of the standard and should not be allowed entry to New Zealand. However, as alternative treatments have been identified, it is proposed that on this **one** occasion the Hydrangea and Loropetalum plants in importer will be allowed to apply the MiteMec and Chloropyrifos treatments at the label rate as dips under the supervision of a treatment supplier or MPI inspector and this will be considered to be an equivalent treatment to the required pre-export dicofol treatment listed in both the

Hydrangea and the Tricyrtis schedules in the Importation of Nursery stock standard, will effectively manage the risks identified in the IHS dicofol treatment and declaration.

If future consignments of Hydrangea or Loropetalum are imported into New Zealand without the compulsory dicofol treatment and declaration they will be deemed as not meeting the schedule and biosecurity requirements for import and will not be given biosecurity clearance. The importer will be given the choice of reshipment or destruction.

## RECOMMENDATION

It is recommended that you accept the proposal described below.

1. That the two consignments C2013/335430 and C2013/335192 can be given the equivalent treatment described in the 'decision' section of this document on arrival in New Zealand

AGREE / DISAGREE

2. That the identified chemical treatments MiteMec and Chloropyrifos are equivalent to the required pre-export dicofol treatment listed in both the Hydrangea and the Tricyrtis schedules in the Importation of Nursery stock standard and can be applied at label rate as dips under the supervision of a Treatment supplier or MPI Inspector.

AGREE / DISAGREE

3. That a letter regarding this non-compliance be written to the NPPO of Australia as soon as practicable

AGREE / DISAGREE

Team Manager – Plant and Forestry Imports  
Acting pursuant to delegated Chief Technical Officer authority

Date 5/11/2013.

*CTO plants: 20130011*