Overseas Market Access Requirements Notification - Animal Products Act 1999

Regulation & Assurance Branch, Animal and Animal Products Directorate, Ministry for Primary Industries

Ref: AE-EU-25
Date: 20 May 2016

BEEANI.EU 25 MAY 2016 – LIVE BEES (*APIS MELLIFERA* AND *BOMBUS* SPP.) TO THE EUROPEAN UNION

1. Statutory authority

Pursuant to section 60, section 60A, section 62(1) and section 167 of the Animal Products Act 1999 I notify the following:

(i) the issue under section 60 of the export requirements for live bees (*Apis mellifera* and *Bombus* spp.) to the European Union BEEANI.EU dated 25 May 2016;

(ii) the revocation and replacement of LIVEBEESEC.EU live bees (*Apis mellifera* and *Bombus* spp.) to the European Union dated 12 January 2011;

(iii) the determination under section 62(1) of the format and content of the official assurance for live bees (*Apis mellifera* and *Bombus* spp.) to the European Union.

This notice takes effect from the 25th of May 2016.

Dated at Wellington this 25th day of May 2016.

Signed: Howard Pharo
Manager Import & Export Animals
Animal & Animal Products Directorate
Regulation & Assurance Branch
(acting under delegated authority)

2. European Union requirements

Bees exported from New Zealand to the European Union must be accompanied by an official assurance in the form of a completed zoosanitary certificate.

The zoosanitary certificate as specified below must be completed and certified, after due enquiry, by an Official Veterinarian of the Ministry for Primary Industries.

Explanatory note:

If the zoosanitary certificate is not certified then the bees do not satisfy the conditions in the notice. Likewise, if the bees do not satisfy the zoosanitary requirements in the certificate, then the certificate will not be certified.

NEW ZEALAND MINISTRY FOR PRIMARY INDUSTRIES

Animal Health Certificate for live bees (*Apis mellifera* and *Bombus* spp.) to the European Union

COUNTRY: NEW ZEALAND **VETERINARY CERTIFICATE TO THE EU**

Part I: Details of dispatched consignment

I.1. Consignor Name Address Tel.			I.2. Certificate reference No	I.2.a.
			I.3. Central competent authority	
			I.4. Local competent authority	
I.5. Consignee Name Address Country			I.6. Person responsible for the consignment in EU	
I.7. Country of origin	ISO code	I.8. Region of origin	I.9. Country of destination	ISO code	I.10.Region of destination
I.11. Place of origin Name Approval number Address			I.12. Place of destination Name Approval number Address Postal code	
I.13. Place of loading Name Postal code/Region			I.14. Date of departure	
I.15. Means of transport Aeroplane ☐ Ship ☐ Railway wagon ☐ Road vehicle ☐ Other ☐ Identification Number(s)			I.16. Entry BIP in EU	
			I.17.	
I.18.			I.19. Total Gross weight	
			I.20. Total number of packages	
I.21. Seal/Container number(s)				
I.22. Commodities certified for: Breeding ☐ Other ☐				
I.23. For transit through EU to 3rd Country ☐ 3rd country ISO code			I.24. For import or admission into EU ☐	
I.25. Identification of the commodities Custom code and title: Species (Scientific name) Number of animals Number of packages				

II. **Health attestation**	II.a. **Certificate reference No**	II.b.

Part II: Certification

I, the undersigned, official veterinarian of **New Zealand** certify that:

The live animals(s) or animal product(s) herein described, complies/y with the relevant New Zealand standards and requirements which have been recognised as equivalent to the European Union standards and requirements as prescribed in the European Union/New Zealand Agreement on sanitary measures (Council Decision 97/132/EC).

III. Additional health attestation

III.1. The live animal(s) or animal product(s) herein described, complies/y with the relevant special conditions laid down in Subchapter 28 of Section 5 of Annex V of Council Decision 97/132/EC:

III.1.1. The (4)[bees]/ (4)[bumble bees], with attendants(7), herein described:

III.1.1.1. come from a breeding apiary, which is supervised and controlled by the competent authority;

III.1.1.2. in the case of honey bees, hives come from an area which is not subject to any restrictions associated with an occurrence of American foul brood (the period of prohibition has been continued for at least 30 days following the last recorded case and the date of which all hives within a radius of three kilometres have been checked by the competent authority and all infected hives burned or treated and inspected to the satisfaction of the said competent authority);

III.1.1.3. are from hives or come from hives or colonies (in the case of bumble bees), which were inspected immediately prior to dispatch (normally within 24 hours) and show no clinical signs or suspicion of disease including infestations affecting bees.

III.1.1.4. The packaging material, queen cages, accompanying products and food are new and have not been in contact with diseased bees or brood-combs, and all precautions have been taken to prevent contamination with agents causing diseases or infestations of bees.

II. **Health attestation**	II.a. **Certificate reference No**	II.b.

Notes

This health certificate is for veterinary purposes only.

Part I

Box I.6: Complete only in case of transit throught the Union.

Box I.8: Region of origin: if applicable, otherwise must be crossed out: for animal species or for products affected by the regionalisation measures or by the setting up of approved zones in accordance with Union decisions.

Box I.12: Complete only in case of storage of products in transit: name and address (street, town and postal code) and the approval or registration number of the warehouse in a free zone, the customs warehouse or the ship supplier.

Box I.14: For animal products: indicate the date of departure of the means of transport (aeroplane, ship, railway or road vehicle).

Box I.18: Complete only in case of animal products.

Box I.19: Enter the 'Total gross weight (kg)' and 'Total net weight (kg)'.

Box I.21: If applicable, enter the identification number of the container and the seal number.

Box I.22: Enter the purpose of import of live animals or intended use for animal products (the available options will vary in accordance with the specific certificate in the Union import requirements).

Box I.23: Complete only in case of transit through the Union.

Box I.24: Complete only in case of importation or temporary admission to the Union.

Box I.25: Use the appropriate Harmonised System (HS) code under the following headings: **0106 41 00**

Part II

(4) Delete as appropriate.

(7) The packages contain
(i) individual queen honey bees (each accompanied by up to 20 attendant workers) or
(ii) a queen honey bee accompanied by some 15 000 attendant workers or
(iii) individual queen bumble bees or
(iv) colonies of bumble bees (each container contains around 200 adult bumble bees).

- The signature and the stamp must be in a different colour to that of the printing.

Official veterinarian

Name (in capital letters): Qualification and title:

Date: Signature:

Stamp:

EXPORT CERTIFICATION

(This is not part of the official certification)

COMMODITY: LIVE BEES and BUMBLE BEES (*Apis mellifera* and *Bombus* spp.)

COUNTRY: EUROPEAN UNION

NOTES: This export certificate replaces the previous certificate dated 1 March 2013. The changes include the layout of the 'details of dispatched consignment' page.

The updated Part I "Details of dispatched consignment" is based on Commission Implementing Decision (EU) 2015/1901 of 20 October 2015 laying down certification rules and a model health certificate for importation into the Union of consignments of live animals and of animal products from New Zealand and repealing Decision 2003/56/EC.

1 With regards to Section III.1.1.3: The inspection of the hive is to occur within 24 hours prior to or at the time of packaging the bees from the hive of origin, ensuring that, during any following transportation and storage until the final consolidation for export, the packaged bees have no direct contact with other bees or food sources not of the same health status, with up to a maximum of 72 hours time frame from the time of initial packaging to the expected time of dispatch from the port. Where the dispatch of an export consignment is delayed at the last minute (e.g. flight availability), the time frame may be extended by an additional 7 days, provided that the Official Veterinarian is satisfied that the health status of the bees has not changed.

2 Honey bees must originate from a hive that is registered under the American foul brood (AFB) National Pest Management Strategy (NPMS) and approved by New Zealand Ministry for Primary Industries. Bumble bees must originate from a facility that is approved by New Zealand Ministry for Primary Industries. Approved hives/facilities are listed on the New Zealand Ministry for Primary Industries website.

3 The approval process of hives for export of live bees to the EU is:

3.1 Exporter sends a request for approval to AsureQuality Limited. The exporter provides their contact details and the locations of the hives that will be providing bees for exporting to the EU.

3.2 AsureQuality Limited checks on their database that all the hives within the 3 km radius have not had a case of AFB within the previous 30 days.

3.3 AsureQuality Limited provides a list of beekeepers which have registered apiaries within a 3 km radius of the source hive(s), to the exporter. The exporter will then have to ensure that declarations as specified in **Appendix 1** are completed by all beekeepers in a 3 km radius. These documents, once finalised, are sent to AsureQuality Limited.

3.4 AsureQuality Limited checks this information and if it is acceptable they send a completed recommendation form (see Appendix 2) to the Ministry for Primary Industries that the apiaries can be registered to supply bees for export to the EU.

3.5 The exporter details will then be uploaded onto the Ministry for Primary Industries website and an approval letter sent to the exporter.

This approval will last 6 months. For re-approval this process must be repeated.

4 The requirements ‘hives come from an area which is not the subject of any restrictions’ in relation to AFB has been interpreted as follows:

4.1 The beekeeper must declare that:

Either 4.1.1 all hives within a 3 km radius from the source hives have not had an occurrence of AFB in the past 30 days.

or 4.1.2 if a case of AFB has occurred in the past 30 days then the beekeeper needs to declare that all the hives within a radius of 3 kilometres were inspected within 30 days following the last recorded case and all infected hives burned or treated and inspected by a MPI approved beekeeper competent in the recognition of AFB.

4.2 The exporter must provide a declaration and obtain declarations from all the beekeepers that have hives within a 3 km radius (a model declaration is specified in **Appendix 1**)

4.3 These declarations must be dated within 7 days of the consignment being exported

4.4 The declarations must state that if a case of AFB occurs then the beekeeper must notify AsureQuality immediately

4.5 These declarations are to support export certification and are not to accompany the consignment.

5 If the option relating to burning or treatment and inspection is declared by the beekeeper then AsureQuality will have to verify that this has occurred.

6 AsureQuality Limited will be able to provide a list of beekeepers that operate/exist within a 3 km radius from the source hives.

7 Requests for approval from Ministry for Primary Industries must be processed by AsureQuality Limited. The exporter must provide their contact details and the locations of the hives that will be exporting to the EU. AsureQuality Limited will then check that all the hives within the 3 km radius have not had a case of AFB. The exporter will then have to ensure that declarations as specified in **Appendix 1** are supplied by all beekeepers in a 3 km radius to AsureQuality Limited. Once all information is provided, AsureQuality Limited can make a recommendation to Ministry for Primary Industries that the hives be registered to export to the EU. The exporter details will then be uploaded onto the Ministry for Primary Industries website and an approval letter sent to the exporter. This approval will last 6 months. For re-approval this process must be repeated.

8 The inspection of the hive (or colony in the case of bumble bees) prior to export must be carried out by a MPI approved beekeeper with competency in exotic disease recognition, and must not have a conflict of interest (see *MPIBNZ Conflict of Interest policy*). The inspection is to be a visual appraisal of the general health of the hive, particularly for the presence of notifiable diseases including AFB. In a hive where there are any clinical signs suspicious of AFB, the affected broodcomb must be negative using the ropiness test or an ELISA field test.

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Section 61A Animal Products Act 1999 states that 'The Crown is not liable, and nor is the Director-General or any employee of the Ministry liable, for any loss arising through the refusal or failure of the relevant authority of an overseas market to admit export animal material or animal product to that market'.

Appendix 1:

Declaration required from beekeepers supplying bees for export to the European Community and beekeepers operating within 3 kilometres of a hive supplying bees to the European Community:

I declare that,

1.1 My hives situated within the 3 kilometre radius around the hives supplying bees for export to the European Community have not had a case of American foul brood (AFB) in the past 30 days.

OR

1.2 A case of AFB has occurred in the past 30 days and all known hives within a radius of 3 kilometres were inspected by a MPI approved beekeeper within 30 days following the last recorded case and all infected hives burned or treated by a MPI approved beekeeper.

(Delete as appropriate)

2. If a case of AFB were to occur in my hives, I will notify AsureQuality immediately.

- The information that I have provided is true, correct and complete in every particular.
- I have checked the identification of the animal(s) for which I am providing this declaration.
- I am aware that this declaration is made for the purposes of supporting export certification under the Animal Products Act 1999.
- I am aware that section 127 of the Animal Products Act 1999 * makes it an offence for a person to make a false declaration under that Act.

Date: .....

Name: .....

Address: .....

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(* refer to next page)

*** Section 127 of the Animal Products Act 1999**

Any person involved in the export process must be aware of section 127(1) of the Act, which states:

"A person commits an offence who, with intent to deceive and for the purpose of obtaining any material benefit or avoiding any material detriment,—

(a) Makes any false or misleading statement or any material omission in any communication, application, record, or return for the purpose of this Act, or destroys, cancels, conceals, alters, obliterates, or fails to provide any document, record, return, or information required to be kept or communicated under this Act; or

(b) Falsifies, removes, misuses, alters, misapplies, misrepresents, or fails to apply any brand or material or product description or other form of identification of animal material or animal product required or authorised to be used under this Act; or

(c) Falsifies, removes, misuses, alters, misapplies, misrepresents, or fails to apply any identification, differentiation, or security system or device specified or approved or required under section 158; or

(d) Misrepresents, substitutes in whole or in part, adulterates, or otherwise tampers with animal material or animal product to which this Act applies so that it no longer matches or complies with its identification, description, certificate, label, or official assurance; or

(e) Falsifies, alters, or misapplies any certificate or declaration or other statutory form attached or relating to any animal material or animal product that is required or authorised to be used under this Act, or any official assurance, or tampers with any animal material or animal product that is subject to such a certificate, declaration, form, or assurance; or

(f) Falsifies, removes, suppresses, or tampers with any samples, test procedures, test results, or evidence taken or seized by an animal product officer, official assessor, or other recognised … or authorised person or body in the exercise of their functions or powers under this Act; or

(g) Falsifies, removes, suppresses, or tampers with any samples, test procedures, or test results taken by or for an operator of a registered risk management programme for the purposes of that programme or this Act, or by or for a person subject to the requirements of a regulated control scheme for the purposes of that scheme or this Act; or

(h) Aids, abets, incites, counsels, procures, or conspires with any other person to commit an offence under this section."

Appendix 2:

MODEL RECOMMENDATION FORM:

MPI registration code of beekeeper and apiary: .....

Name and address of exporter: .....

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Exporters email address: .....

Exporters telephone number and fax: .....

Location of apiary: .....

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Date of assessment of documentation: .....

Approval expiry date*: .....

Findings

1. All beekeepers within a 3 km radius have had no cases of AFB in their hives or the hives have been inspected and treated according to the EU requirements
2. Declarations obtained from all beekeepers with apiaries in 3 km radius acceptable.

Other issues: .....

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Signature of Recognised Person Date

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Name and address

* Six months after the date of assessment of documentation.