



MPI Recognised System (MRS)

Business Rules and Agreement

For Shipping Lines and associated Offshore Cleaning Facilities wanting to import compliant empty sea containers to NZ which qualify for a lower intervention rate at the border.

New Zealand Ministry for Primary Industries:
Plants, Food and Environment Directorate &
Biosecurity New Zealand

For further information contact:
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Document Version History

Version	Date
Version 1	February 2019

Glossary

Abbreviation/Word	Definition/Description
BNZ	Biosecurity New Zealand (MPI)
Co-Management System (CMS)	An MPI approved and documented process with a valid signed operating agreement for a facility to manage biosecurity risks associated with un-cleared empty containers at a port of first arrival.
CMS trained AP	An Accredited Person (AP), trained by MPI in identifying biosecurity risks and carrying out decontamination processes as per the CMS agreement.
Contamination	Includes but not limited to: soil, plant matter, animal products, snails, ants and any other regulated pests.
Contamination Threshold	The maximum allowable level of contamination allowed for each container. High contamination is defined when the contamination equals, or is above, the threshold? (Appendix 4).
Corrective Action Report (CAR)	An MPI issued document outlining the details of a non-compliance, the action required and the timeframe for these actions to be completed.
Intervention Rate	The rate at which each sea container risk profile is sampled for any given 6 month period.
Operating Agreement	A signed agreement between BNZ and the local NZ shipping line agent/representative.
MPI	Ministry for Primary Industries.
MPI Recognised System (MRS)	A BNZ recognised system to provide clean, contaminant free empty containers for import into New Zealand with a valid signed contract or agreement between a 3 rd party and an offshore cleaning facility.
MRS#	A four digit number assigned to the MRS upon system approval by BNZ.
Non-Compliance	Not matching or reaching the BNZ set standard of risk management (Appendix 5).
Risk Profile	A risk pathway defined by a consignment of containers imported into NZ from a single load port for a single shipping line.
3 rd Party	Any shipping line or agency with a physical New Zealand office and senior staff member that can take responsibility for a MRS.

1. Scope and Purpose

A 3rd party can use this Information pack to assist with the implementation of a Ministry for Primary Industries (MPI) Recognised System (MRS) to import un-cleared empty sea containers into New Zealand (NZ).

An approved MRS number (MRS#) can be used to declare empty containers from low risk load ports as having been inspected and found to meet the MPI's Import Health Standard (IHS): Sea Containers SEACO –Sea Containers from All Countries.

2. Recognition process

The recognition of a MRS consists of:

1. Initial engagement between Biosecurity New Zealand (BNZ) and 3rd party to discuss the IHS requirements and criteria for managing empty sea containers.
2. A 3rd party submits an application (appendix 1) with documents and supporting evidence showing how they will meet the criteria outlined in this document.
3. BNZ evaluates the application and will provide feedback on the application where necessary.
4. If recognition is given, BNZ will assign a MRS# to the 3rd party and associated offshore cleaning facility, and the MRS can be implemented.

3. Requirements and Criteria

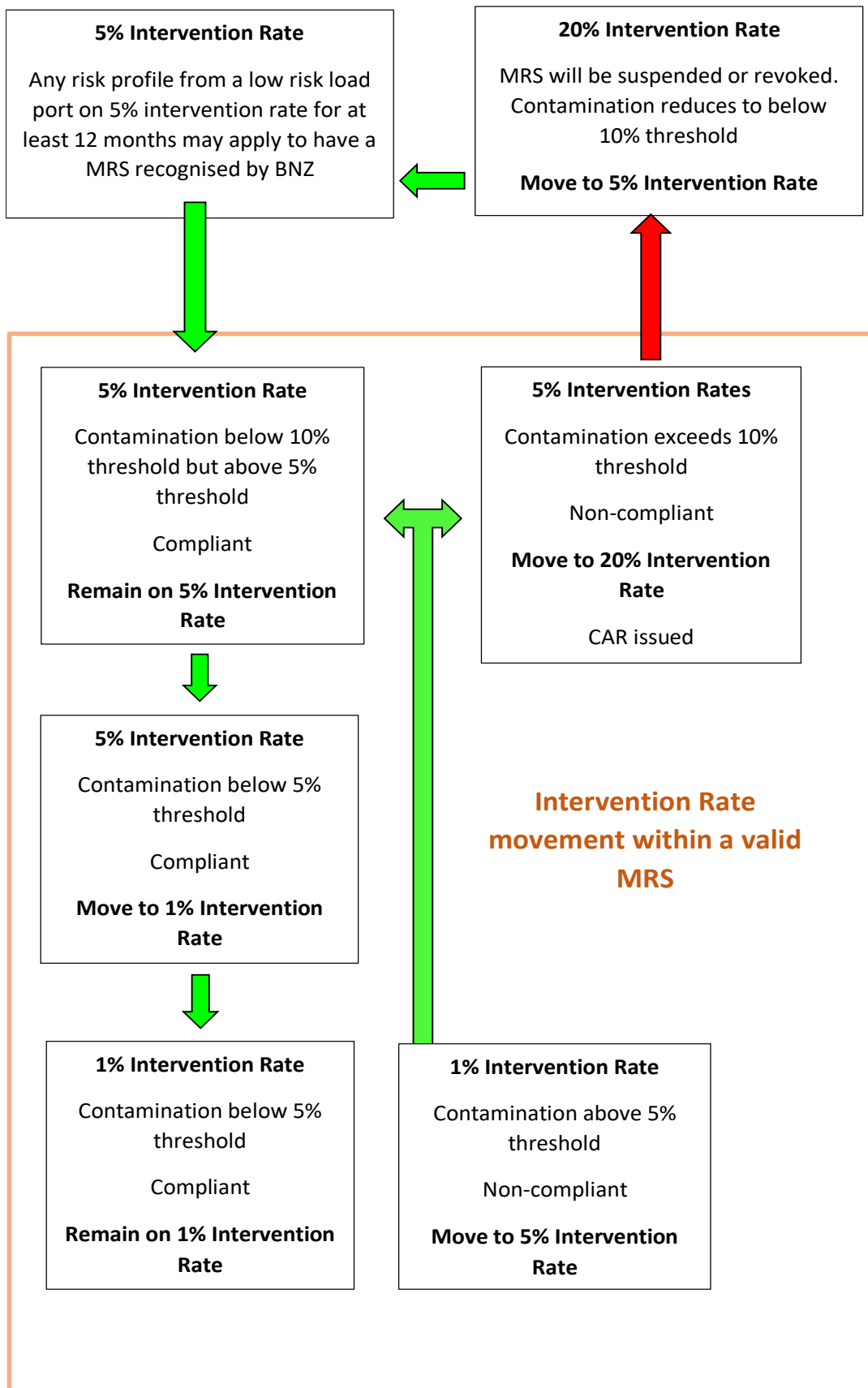
The minimum criteria for implementing and maintaining a MRS for managing un-cleared empty sea containers from low risk load ports are, but not limited to:

1. The associated 3rd Party must have a NZ contact person responsible for over viewing the system.
2. A signed contract or agreement between the shipping line and the offshore cleaning facility that outlines the intent to import conforming empty sea containers into NZ.
3. The risk profile must have been on an intervention rate of 5% or less for at least 12 months.
4. BNZ must be contacted immediately if any event occurs that would result in; containers being unable to be inspected prior to, or becoming contaminated during, shipment to NZ.
5. Only those containers managed under a MRS are to be identified and declared on the BACC application discharge list or via the Trade Single Window ICR message using the unique MRS#.
6. Contamination must not exceed the BNZ threshold during each monthly review period.

4. Verification and Reporting

An intervention rate of 1% or 5% will be applied to all risk profiles using an approved MRS # based on compliance. Inspections will be conducted at the first port of arrival in NZ by a BNZ Officer or a CMS AP).

Table 1. Intervention rate movement within a valid MRS



Monthly reports will be issued to the associated shipping line and offshore facility for all empty containers that are inspected with an associated MRS# within a calendar month. If a critical or major non-compliance is identified a BNZ Corrective Action Report (CAR) will be issued to the associated 3rd Party.

BNZ may revoke or suspend a MRS and increase the intervention rate until the non-compliance is resolved.

5. Charges

All empty container inspection charges will be recovered as per the MPI Cost Regulations. These will be charged to the account number supplied with the empty sea container application or TSW entry.

6. Record Keeping

The following records should be kept on file by BNZ and 3rd Party:

- Copy of the MRS recognition agreement.
- Copy of the agreement between the 3rd Party and offshore cleaning facility.
- Any CAR's and the action taken to remedy them.
- Monthly verification records.
- Six monthly profile reviews.

7. Appendices

- Appendix 1: Application for a MRS Agreement.
- Appendix 2: MRS Recognition Agreement.
- Appendix 3: Shipping / Line Facility Agreement Guidelines.
- Appendix 4: Contaminant Threshold Levels used by BNZ.
- Appendix 5: Non Compliance Definitions and Examples.

Appendix 1:

Application: MPI Recognition System (MRS) for Importing Compliant Empty Sea Containers from Low Risk Ports

3rd Party Details (NZ)	
Name of Company: _____	
Physical Address: _____	
Postal Address: (if different from above) _____	
Contact Name and Position in Company: (Person responsible for system) _____	
Phone No.: _____ () _____	Mobile: _____
Email Address for MPI Communications: _____	
Offshore Cleaning Facility details (Name and Load Port)	
Documents & supporting evidence submitted with this application. (Please attach)	
Document Name:	Attached (Y / N)
Inspection/Cleaning Process overview document	
3 rd Party / Facility Agreement document	
Declaration	
<p><i>I declare that, to the best of my knowledge, the above information is true and correct. I understand that failure to complete any of the above information may result in rejection of my application by BNZ. I have read and understand the relevant MRS information pack and Import Health Standard and have included documents as required.</i></p>	
Name: _____	
Signature: _____	Date: _____

Please email completed application to:
 Biosecurity New Zealand
 Border Clearance Services
 Email: Seacontainer.systems@mpi.govt.nz

Ministry for Primary Industries (MPI) Recognised System (MRS) Agreement

Outcome:

Recognition of [3rd party] and [offshore cleaning facility] to import empty sea containers from a low risk port, [load port, 5 letter short code], into New Zealand using the MRS number, [2XXX].

Scope:

The goods covered by this agreement are:

- Un-cleared low risk empty sea containers that have been inspected and declared to conform to the MPI Import Health Standard for sea containers from all countries and
- Where a signed agreement of intent between the 3rd party and offshore cleaning facility has been provided to Biosecurity New Zealand.

Agreement:

Biosecurity New Zealand (BNZ) and [3rd Party] have agreed to meet the requirements outlined in the MRS information pack. The intent to import compliant empty sea containers is detailed in the supplied agreement between the [3rd Party] and [offshore cleaning facility].

All parties agree to notify the other in advance of any changes to this document.

Either party can terminate the agreement by giving 30 days' notice in writing to the other party.

.....

.....

[Name:]

[Name:]

Operations, Biosecurity New Zealand

[Title:]

Ministry for Primary Industries

[3rd Party:]

Date.....

Date.....

Shipping Line / Cleaning Facility Agreement Guidelines

Any agreement between a 3rd Party and an offshore cleaning facility will need to **declare the intention to import clean empty sea containers into New Zealand as outlined in the Import Health Standard**. It must also give BNZ confidence that both parties are aware of, and have implemented, the required actions offshore to effectively and efficiently manage any biosecurity pests and contamination associated with empty sea containers.

The below list of accepted processes and procedures can be used as a guide when formatting the agreement.

Processes and Procedures	Notes
1. All empty containers associated with the MRS will be imported into New Zealand clean and free of pests and biosecurity contamination as per the SEACO Import Health Standard.	https://www.biosecurity.govt.nz/law-and-policy/requirements/ihs-import-health-standards/ Use the word SEACO to filter for the sea container Import Health Standard.
2. Offshore Inspections/wash (internally and externally, including any compartments) at the cleaning facility will take place to verify the compliance of each listed container.	A detailed work instruction of how these inspections take place may also be provided by the facility.
3. If contamination is present during an offshore inspection it will be treated and/or removed before being re-inspected and only conforming containers will be declared under the MRS.	
4. Conforming empty containers will be stored and shipped in such a way as to minimise the risk of re-contamination.	
5. Only those empty containers that have received an inspection/wash and found to conform will be declared to BNZ under a MRS.	
6. If for any reason the facility is unable to inspect /wash containers or there has been an event that could result in contaminated containers being imported under the MRS, BNZ will be notified immediately via the Sea Container Systems Officer.	
7. Reporting MRS information to BNZ <ul style="list-style-type: none"> • Supplying an excel format discharge list to the Sea Container Systems Officer. • Legacy system, BACC application and discharge list. • Directly into TSW. 	For each MRS profile to be correctly sampled at 1%, the 4 digit MRS number must be correctly entered in the appropriate field.
Other comments	

MPI Sea Container Contamination Threshold Guidelines			
Risk	Contamination Type	Criteria: The threshold guidelines are the maximum levels of contamination permitted on/in each sea container. The validity of these levels will be kept under review and MPI reserves the right to change them at any time.	Action
No Risk (Record as Compliant)		<ul style="list-style-type: none"> • Non-organic mineral substances, gravel, fine silica, sand, crushed coral, tar, etc. • Dead invertebrates • Splash/road film: Thin film of soil adhering to the container but free of organic matter and <1mm depth • Less than 20g of soil • Plant material that is effectively contained, e.g. embedded in tar 	Release container
Low Risk (Record as LOW)	Soil	<ul style="list-style-type: none"> • Soil found in one location or in 1-2 clumps up to 200g 	Remove and bag on site in < 30 seconds , Release container
	Plant material	<ul style="list-style-type: none"> • Less than 10 units of desiccated plant-based contamination including seeds 	
	Pest	<ul style="list-style-type: none"> • Any spider (except red back and widow spiders) • <4 individual ants, not RIFA, and not associated with a nest • Any egg mass (except suspect Lymantriid egg masses) • Cockroaches 	Remove/treat on site in < 30 seconds.
High Risk (Record as HIGH)	Soil	<ul style="list-style-type: none"> • No obvious attempt at cleaning has occurred • Soil in more than 2 clumps, greater than 20g • Soil in 1-2 clumps greater than 200g • Would take >30 sec to remove by hand on site • Is embedded or attached to a degree that requires removal by industrial means 	Send for approved treatment
	Plant material	<ul style="list-style-type: none"> • Greater than 10 units of desiccated plant-based contamination • Any green material or pine needles • Would take longer than 30 seconds to remove by hand on site 	
	Pest	<ul style="list-style-type: none"> • Any snails • >4 ants or suspect nest • Any termites • Any pupae • Any live organism perceived to be venomous • Any suspect Lymantriid egg mass • Any live organism or life stage that cannot be removed by the inspector by hand in <30 seconds • Any suspect Red Imported Fire Ant (RIFA) (hold all containers until confirmed) • Any Brown Marmorated Stink Bugs (dead or alive) • Any mosquitoes (dead or alive) 	

Non-Compliance Definitions and MRS Examples		
Non-Compliance	Definition	Examples of MRS non-compliances include but are not limited to:
Critical	<p>Failure in a MRS that caused or could have caused a serious risk to biosecurity, the environment, or the health and safety of people.</p> <p>A corrective action report will be issued. It can lead to cancellation or suspension of a MRS.</p> <p>Critical non-compliances may be created by escalation of outstanding issues from previous verification checks.</p>	<ul style="list-style-type: none"> • Allowing containers that have not been processed under the MRS agreement to be declared using a MRS#. • Not notifying BNZ of any event that would disqualify system containers from being imported using the MRS#. • Making significant modifications to the MRS process as outlined in the intent agreement without notifying MPI.
Major	<p>Failure in a MRS that caused or could have caused a major biosecurity risk.</p> <p>Corrective action report will be issued and timeframes will be agreed upon. The effectiveness of corrective actions will be checked in subsequent verification checks.</p>	<ul style="list-style-type: none"> • Failure to operate the MRS to the specifications outlined process intent document. • Failure of the offshore staff to detect significant and obvious contamination. • Failure of the person responsible for over viewing the system to rectify non-compliances from previous verification checks.
Minor	<p>Non-compliance that does not represent a major failure to a MRS but that does require correction.</p> <p>Resolution will be monitored in subsequent verification checks.</p>	
Recommendations	<p>Suggestions of actions that could improve the current system to prevent potential non-compliances.</p>	