

Guidelines for dealing with “pest” interceptions on exported consignments

1. Purpose

The purpose of this document is to provide guidance on developing the most effective approach to responding to interceptions of pests or other organisms during on-arrival inspection of exported consignments. The guideline outlines the options available to exporters, provides a process for reaching an agreed strategy, and for ensuring that lines of communication are clear.

2. Background

Consignments are often detained at ports of entry because pests or other organisms are intercepted during on-arrival phytosanitary inspection. Before the importing country can determine whether action (such as fumigation) needs to be taken, identification must be carried out to determine whether the organism is one that is regulated by the importing country. Identification can sometimes take several days to be complete. This is because some groups of insects require special processing to reveal diagnostic features, and diseases may need to be cultured in the laboratory. In other cases the specimen may be immature or damaged, making identification impossible. In addition, there are some insect groups that can only be identified by a small number of specialists, who may be in another part of the importing country or overseas.

For these reasons, (depending on the country) the importer is often given the option of fumigating the consignment instead of waiting for the pest to be fully identified. In these circumstances the decision to fumigate is a purely commercial one, made by weighing up the costs associated with waiting (and sometimes paying) for pest identification and the possibility of fumigation still being required after identification, versus the cost of opting for immediate fumigation (including impact on shelf-life).

If the importer is prepared to wait for identification, the specimen may be found to be either non-actionable and the consignment released without fumigation, or actionable and requiring fumigation (or reshipment or destruction). In other cases, following identification, the importing country authorities may make a decision that is subject to technical challenge. For example, the “pest” may not actually be a pest (it could be a beneficial insect). Or the pest may already be present in the importing country and therefore not an actionable pest.

In all of these instances it is very important that responses are coordinated and are carried out quickly. There are often many people communicating over a pest interception (exporter, freight forwarder, importer, MAF, pest identifiers, border inspection staff, head office staff, and officers of the Ministry of Foreign Affairs and Trade both in New Zealand and offshore) and it is easy for cases to be overlooked or forgotten about. This guideline is designed to assist with communications and decision making to facilitate the process and maximise the likelihood of a favourable outcome.

It should be noted that the likelihood of successfully securing the timely release of a consignment is not high. However, interceptions often occur in clusters as an importing country suddenly becomes concerned about a particular pest, or about

the incidence of a range of pests on a particular commodity. By seeking complete pest identification (rather than opting for fumigation) information on the identity of pests can be gathered and either preventative measures taken pre-export, or unjustified decisions can be challenged.

3. Roles of various agencies

Market Access Solutionz Ltd (MAS)

MAS can assist exporters or industry organisations to ascertain the cause of pest interceptions and initiate actions to resolve the problem for either current consignments or as longer-term projects. MAS works closely with the Ministry of Agriculture and Forestry and the Ministry of Foreign Affairs and Trade on such projects.

Ministry of Agriculture and Forestry (MAF)

MAF has the official role of interacting with their plant health counterparts in importing countries.

Ministry of Foreign Affairs and Trade (MFAT)

MFAT provides diplomatic representation for the New Zealand Government in importing countries. MFAT can facilitate official communications and provide local insight into the nature of interception problems.

4. Options for dealing with intercepted consignments

Where fumigation is ordered, or where the option to fumigate is offered (as an option rather than waiting for pest identification) the best option may be to accept the decision and have the consignment fumigated. This is entirely dependent on the circumstances of the consignment (perishability, market demand etc). However, importers/exporters do have a range of other options available to them.

Identification

Importers/exporters can insist that the importing country provides a complete (species level) pest identification. The importing country may resist such pressure, however they have an obligation to make decisions that are based on sound science. Accurate identification may require the specimen to be sent to a specialist, or may require time-consuming processing before it can be properly identified. MAS may be able to assist with this process by providing pest identification aids, such as keys, to assist where pests are not well known.

Challenge to quarantine pest status

When a pest has been identified to species level it may be possible to provide technical information to argue that the "pest" is not actually a pest. Beneficial organisms, or others that don't feed on plants, do not qualify as quarantine pests. Most countries do not take action on organisms that are not quarantine pests (Australia is a notable exception, taking action on most organisms that do not already occur in Australia).

Another area where technical information can usefully be provided is to show that the pest already occurs in the importing country. Sometimes, due to

miscommunication or the use of out-of-date resources, a country may not have easy access to this information and may make an incorrect decision.

Provide additional information to assist decision making

Sometimes it is impossible to know the true identity of a pest that is immature or is in some way damaged. In these instances it is sometimes possible to provide technical information to help an importing country determine the likely identity of the pest and make decisions on that basis. This approach tends to be most useful in a longer term project.

5. Process for resolving pest interceptions

MAS follows this process (refer also to the attached flowchart) when assisting exporters to resolve pest interception problems. The process is adapted on a case-by-case basis, but the general requirements are similar in most cases. Some of the detail may appear pedantic, but from past experience we are aware of the value of obtaining all information about the consignment at a very early stage.

Consignment information

The information that we need includes:

- (i) Consignment details
 - Provide details of the consignment (phytosanitary certificate number, commodity (including species name, quantity and type), the number of containers and their numbers, vessel and voyage number or flight number and date, port of discharge, date of arrival)
 - Provide a copy of the phytosanitary certificate
 - Identify if any details have changed from those identified on the phytosanitary certificate (e.g., port of entry)
- (ii) Status of consignment
 - What is the current location of the consignment?
 - What arrangements have been agreed with the importer? It is important to know precisely who has control of the consignment before it is cleared.
 - What arrangements have been agreed with importing country authorities?
- (iii) Reason for interception
 - What is the reason for the interception (what pest has been found)?
 - Have any official notifications or communications been received from the importing country authorities? If so, provide copies.

Contact details

It is important to identify the appropriate contact people in various organisations as soon as possible. It is also important to quickly determine what communications have already taken place. The type of information needed includes:

- (i) Primary contact in your organisation
 - Who is the person that is the main point of contact
 - Contact details (phone, fax, email)
 - Preferred means of communication
- (ii) New Zealand MAF contacts
 - Has there already been any contact with New Zealand MAF officials? If so, with whom?

- We will contact MAF and identify the status of their actions and the primary contact point.
- (iii) Importing country authorities
 - Have there been any direct dealings with the importing country authorities? If so, who has been contacted?
- (iv) Market Access Solutionz Ltd contact
 - We will provide contact details of the appropriate Market Access Solutionz representative.

The attached form is intended to act as a guide to the information needed.

Coordination of communications

We will discuss with the exporter and MAF the most appropriate communications strategy and reach agreement on this. The main purpose of this agreement is to ensure the maximum efficiency of communications between the exporter, MAF, the importing country authorities, ourselves, and the Ministry of Foreign Affairs and Trade (if their Wellington-based and offshore diplomatic personnel become involved in the issue).

Objectives

We will work with exporters and MAF to determine the options for intervention and the overall objective. Factors to take into account include perishability of the consignment, commercial constraints (e.g., does the importer need the consignment urgently), costs, likelihood of success.

Timeframes

We will reach agreement with MAF and the exporter (and ideally the importing country authorities) on reasonable timeframes for response. This will prevent misunderstandings relating to expected response times.

6. Enquiries

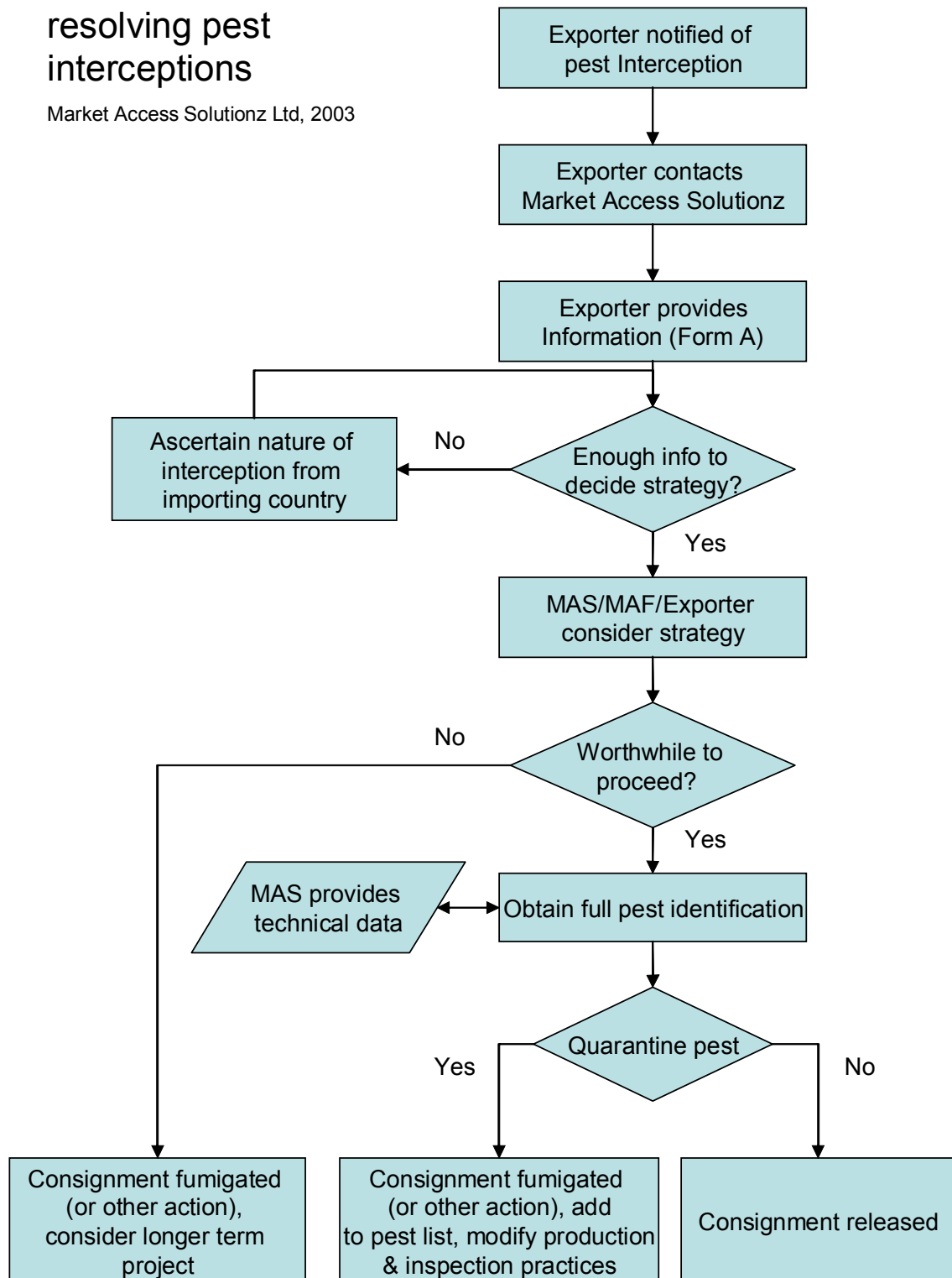
If you have any questions about this guideline, or have a pest interception problem, please call Market Access Solutionz:

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Procedure for resolving pest interceptions

Market Access Solutionz Ltd, 2003



Form A. Details of pest interception

Please complete this form and fax or email to: Market Access Solutionz
 Fax 04 473 6041
 Email stephen@solutionz.co.nz

Details of the consignment:	
Phytosanitary Certificate number(s) (attach copy):	
Commodity (include species name):	
Quantity:	
Type (e.g., fresh/frozen):	
Number of containers and container numbers:	
Flight/voyage # and date:	
Port of discharge:	
Date of arrival:	
Current status of the consignment:	
Current location of consignment:	
What arrangements have been made with the importer regarding actions?	
What arrangements have been agreed with importing country authorities?	
Reason for interception:	
What reason has been given for interception?	
Has official notification been received (please attach)?	
Contact with officials:	
Names of importing country officials contacted:	
Names of MAF officials contacted:	
Exporter contact details:	
Name:	Email:
Company:	
Phone:	Fax: