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**Important Information for Exporters
for Shipments by Seafreight or Airfreight
to New Zealand !**

 Hamburg · Bremen · Hannover · Freiberg
 Rotterdam · Antwerpen · Barcelona

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Unsere Ref.: HB / 01 / 186447

Hamburg, 26.07.2019

Seasonal Treatment Requirements against Brown Marmorated Stink Bug (BMSB Measures) for certain types of goods when shipped by seafreight or airfreight to New Zealand from 01.09.2019 to 30.04.2020

Dear Ladies and Gentlemen,

The New Zealand Ministry for Primary Industries (MPI) has again established a temporary **treatment obligation for certain types of goods** that are shipped by sea or air freight from certain risk countries to New Zealand. Between 1 September 2019 and 30 April 2020, based on the date of shipment, goods belonging to these categories of goods must be fumigated or heat treated in order to facilitate the importation of the New Zealand Ecosystem Hazardous Marmorated Bug (BMSB) prevent. These import regulations must be strictly adhered to. In the absence of a correct **BMSB - Treatment Certificate**, the New Zealand authorities may order the treatment or destruction of the product on the spot in New Zealand or the return shipment at the expense of the goods. For binding information on Brown Marmorated Stink Bug Requirements, visit the Ministry of Primary Industries (MPI) website:

<https://www.biosecurity.govt.nz/importing/vehicles-and-machinery/requirements-documents-for-importing-vehicles-machinery-or-equipment/brown-marmorated-stink-bug-requirements/>

Important aspects of these New Zealand Import regulations are summarized below:

Germany, Belgium, Netherlands and Spain belong to the 33 “Target BMSB-risk countries“:

Germany	Belgium	Netherlands	Luxembourg	Austria
Switzerland	France	Spain	Italy	Czech Republic
Slovakia	Croatia	Slovenia	Hungary	Greece
plus further 18 „Schedule 3 BMSB-risk countries“				

Types of goods for the following are among the "Target BMSB-risk goods“:

New and used vehicles	New and used machinery	New and used Parts or equipment
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“The definition of vehicles, machinery and parts is broad – check which goods are included for BMSB requirements in the IHS by using the specific definitions provided.”

Sitz und Gerichtsstand in Hamburg · Registergericht Hamburg B 59688 · USt.-IdNr.: DE 811908626 · Steuernummer: 46/746/00823
 Vorsitzender des Aufsichtsrates: Kay A. Espey · Vorstand: Remo Stork (Vorsitzender) und Dr. Volker Steinmeyer
 Wir arbeiten ausschließlich auf Grundlage der Allgemeinen Deutschen Spediteurbedingungen 2017 (ADSp 2017).

Die ADSp 2017 können Sie im Internet unter www.navis-ag.com/agn einsehen.

Hinweis: Die ADSp 2017 weichen in Ziffer 23 hinsichtlich des Haftungshöchstbetrages für Güterschäden (§ 431 HGB) vom Gesetz ab, indem sie die Haftung bei multimodalen Transporten unter Einschluss einer Seebeförderung und bei unbekanntem Schadenort auf 2 SZR/kg und im Übrigen die Regelhaftung von 8,33 SZR/kg zusätzlich auf 1,25 Millionen Euro je Schadenfall sowie 2,5 Millionen Euro je Schadenereignis, mindestens aber 2 SZR/kg, beschränken.

Unsere Datenschutzerklärung kann unter <https://www.navis-ag.com/datenschutz/> eingesehen werden.

Exempt goods:

The following goods don't require MPI-approved treatment (using fumigation, heat or insecticides):

1. **All new air-freighted risk goods** (excluding entire vehicles or large machinery from Japan and Schedule 3 countries during the risk season).
2. **New (not field-tested) items in the exempt list below that are packaged:**
 - a) in cartons or on pallets immediately after manufacture, or
 - b) in impervious packaging at a subsequent packing point under the direct control of the manufacturer and shipped in sea containers for direct sale. Items repackaged at a separate location that isn't controlled by the manufacturing company aren't exempt because cross-contamination with BMSB could occur.

Exempt items for #2 above include:

- bakery, food processing and restaurant equipment
- bicycles and bicycle parts (including electric units)
- boat parts
- car parts
- children's sports equipment/toys (for example, scooters, in-line or roller skates, skateboards)
- exercise equipment (for example, exercycles, rowing machines, and treadmills)
- filters (for example, air conditioning or automotive)
- hand tools and hardware and home handyman items
- household appliances and their parts (for example, dishwashers, dryers, ovens, vacuums, washing machines, or waste disposal units for domestic use)
- laboratory equipment
- motorbikes, motor scooters, quad bikes, side-by-side racers/vehicles (whether electric or liquid fuelled) and parts of these items
- tyres (new and containerised)
- power tools for domestic or home handyman use.

BMSB measures for target BMSB-risk goods:

- must be cleaned and treated to control BMSB if from Schedule 3 BMSB-risk countries
- may be inspected on arrival in New Zealand if from a country of concern for BMSB.

You (Importer) must provide documentation to MPI showing your goods meet the requirements of the IHS for Vehicles, Machinery and Parts or Equipment.

"Target BMSB-risk goods" must be handled as follows, depending on the type of shipment:

1.) LCL-Shipments and Groupage Containers (FAK):

For LCL shipments that are loaded in Groupage Containers to New Zealand, it say: „Goods treated before being placed in a FAK container must be: a) Treated and then loaded into a container and closed within 120 hours; and b) Segregated from untreated goods between treatment and loading into the container; and c) The container must remain closed and exported within 21 days”

2.) FCL shipments per 20' Standard / 40' Standard and 40' HC Containers:

Vehicles and machinery shipped as FCL (full container load) and FCX (full container load from multiple suppliers) must meet the same requirements as break bulk goods. For Schedule 3 countries, they must be treated before they arrive or may be treated on arrival. This applies to all target goods except those under MPI-approved systems or safeguarding arrangements. Treatment of cargo in fully sealable shipping containers may be up to 21 days before shipping.

3.) Shipments per Open Top Container, Flat Rack Container, by Break Bulk or of Vehicles:

These shipments must be handled before shipped from Germany or Europe to New Zealand:
“We class **flat racks, open top, and soft-top containers** as break bulk because BMSB could escape from them. If these arrive untreated, they may not be allowed off the ship and are likely to be reshipped.

Targeted risk goods shipped as **break bulk** (not in containers) during the BMSB season from Schedule 3 countries and Japan must meet requirements in the IHS for Vehicles, Machinery, and Equipment. This applies unless they are under an MPI-approved system or safeguarding arrangements. Break-bulk goods must be treated within 120 hours of loading for shipment from Schedule 3 countries.

The following treatments are authorized at the same time in New Zealand and in the EU:

- a) Heat Treatment
- b) Sulfuryl Fluoride Fumigation at a temperature of 10°C or above.

European treatment companies must be approved by the New Zealand authorities:

Treatment of the goods by fumigation or heat treatment may only be performed by companies previously approved by the New Zealand Ministry for Primary Industries (MPI). All treatment companies approved in the 2018/2019 BMSB season must reapply for the 2019/2020 season. "**Approved offshore treatment provider**" will be released at the Australian Website <http://www.agriculture.gov.au/import/before/brown-marmorated-stink-bugs>

In addition, an ambient temperature in the container of at least plus 10 degrees Celsius must be present throughout the fumigation. In the European winter months this can lead to some companies not being able to fumigate.

Consequences of BMSB regulations for Export Sea shipments to New Zealand:

1.) Both in Europe and in New Zealand, the capacities for the treatment of goods are very limited, especially as in the 2019/2020 season currently 33 countries instead of the previous 10 countries are among the "target risk countries".

2.) The usual smooth transport process of affected goods ex works to the seaport and the loading on the seagoing ship to New Zealand is no longer possible due to the BMSB regulations. LCL shipments and loaded FCL containers have to be taken over earlier at the domestic loading point, so that the affected goods can be treated in good time before the delivery deadline for the respective seagoing vessel. The temporal coordination of the handling of the container and the timely reach of the cut off date at the seaport terminal for a certain vessel can not be guaranteed due to limited capacity for the BMSB treatment.

3.) In addition to the previously generally fixed transport costs ex works to FOB shipping port or to CFR New Zealand's port of destination, due to the BMSB regulations, costs for the treatment of the goods are added. These costs include: treatment of the LCL consignment or container, transfer of the container to the approved treatment center and then transfer to the port terminal of the ship. In addition, additional costs for container detention, container demurrage and container storage at the port terminal may arise due to the time required to handle the containers. The shipping companies and port terminals only allow a window of a few days without such additional costs. As part of the transportation planning, NAVIS will try to avoid creating or minimizing these additional costs. It is not possible to guarantee in advance that these additional costs will not be incurred.

What is to be done for exporters in Europe ?

- 1.) Check carefully, if your goods count as "**Target BMSB-risk goods**".
- 2.) If so, promptly inform your customer in New Zealand about the "Seasonal Measures for BMSB" and the resulting delays in delivery, as well as the increased costs due to Mandatory Treatment for BMSB.
- 3.) Only arrange a sea freight shipment to New Zealand if you are sure that the strict BMSB requirements for your shipment can be met.
- 4.) Stay in close contact with your **contact person at NAVIS** to clarify if and when BMSB treatment prior to shipment is possible for your "Target BMSB-risk Goods" shipment.