

Billhorner Kanalstraße 69
 20539 Hamburg

 Telefon: +49 (40) 789 48 - 0
 Durchwahl: - 280
 Telefax: +49 (40) 33 78 95
 E-Mail: HB@navis-ag.com
 Internet: www.navis-ag.com

NAVIS AG · Postfach 10 48 48 · 20033 Hamburg

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

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

Kontakt: Heino Beimgraben

Unsere Ref.: HB / 01 / 186447

Hamburg, 17.08.2023

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 01.09.2023 to 30.04.2024

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 2023 (shipping date) and 30 April 2024 (arrival date)**, 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.mpi.govt.nz/import/vehicles-machinery-parts/requirement-documents-for-importing-vehicles-machinery-or-parts/brown-marmorated-stink-bug-requirements-for-importers/>

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

1.) Germany, Belgium, Netherlands and Spain belong to the 38 "Target BMSB-risk countries":

Germany	Belgium	Netherlands	Luxembourg	Austria
Switzerland	France	Spain	Italy	Czech Republic
Slovakia	Croatia	Slovenia	Hungary	Greece
plus further 23 „Schedule 3 BMSB-risk countries“				

2.) 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	New and used tyres	Wires cables and ropes attached to vehi.
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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.”

Overseas containers from **Italy** must always be handled BMSB - regardless of the type of goods.

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.

3.) Import Health Standard: Vehicles, Machinery and Parts (Version 11.August 2021):

Check if your **vehicles, machinery, or parts** require BMSB management:

If you are importing vehicles, machinery and parts to New Zealand, check the import health standard to find out if there are BMSB requirements to meet. The requirements are found under the relevant commodity sections.

<https://www.mpi.govt.nz/dmsdocument/30224-Vehicles-Machinery-and-Parts-Import-Health-Standard>

4.) "Target BMSB-risk goods" must be handled as follows:

4.1.) LCL-Shipments in FAK-container; FCL 20' Stand. / 40' Stand. / 40' HC Container (IHS 9.1.2):

For **LCL-shipments**, loaded in FAK-Groupage Container to New Zealand and for "fully enclosed FAK- or **FCL- Container**" gilt: „For all vehicle's machinery, parts and new tyres that are treated for BMSB in a country listed under Schedule 3 BMSB management, before being loaded into a fully enclosed FCL or FAK container, the following must occur: a) be treated then segregated from untreated risk goods or other sources of possible BMSB contamination; b) be loaded into the container and the container doors closed within 120 hours; and c) the container must not be reopened before export unless, for FAK containers where it is necessary to load other goods into the FAK container before reclosing immediately.”

4.2.) Shipments per Open Top Container, Flat Rack Container or Break Bulk (IHS 9.1.1):

These shipments must be handled before shipped from Germany or Europe to New Zealand:
“All vehicles machinery, parts and new tyres that have been treated for BMSB in a country listed under Schedule 3 BMSB management, and are exported as a break-bulk consignment or in a non-fully enclosed container must: a) be exported to New Zealand or moved to a non-Schedule 3 country within 120 hours of treatment; and b) be segregated from untreated risk goods or other sources of possible BMSB contamination.”

Please see further details under:

<https://www.mpi.govt.nz/dmsdocument/30224-Vehicles-Machinery-and-Parts-Import-Health-Standard>

5.) Exemption for new machinery, new tyres, new parts for a vehicle or machine

(please see Import Health Standard under: 5.3.1, 6.3.1, 7.2.1):

New parts for above commodities to which Schedule 3 BMSB management applies are **not required** to meet either Option A or Option B if:

- a) new parts are **not exported from Italy**; and
- b) new parts are **stored indoors** after manufacture until being loaded in a **fully enclosed FAK or FCL container**; or
- c) new parts have only been exposed to a necessary period of outdoor storage for movement or loading purposes, not exceeding 4 hours at one time before being loaded in a fully enclosed FAK or FCL container; and
- d) a **manufacturer's declaration** is completed and submitted to MPI, declaring the matters in a) to c) apply, prior to the arrival of the new parts in New Zealand

6.) BMSB measures for target BMSB-risk goods:

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

<https://www.mpi.govt.nz/import/vehicles-machinery-parts/ihs-requirements-tool-for-vehicles-machinery-and-parts/>

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

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

8.) 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). "**Approved offshore treatment provider**" will be released at the Australian Website [Offshore Treatment Providers - DAFF \(agriculture.gov.au\)](https://www.daff.gov.au/offshore-treatment-providers). 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.

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

9.1.) Both in Europe and in New Zealand, the capacities for the treatment of goods are very limited, especially as in the 2023 / 2024 season currently 38 countries are among the "target risk countries".

9.2.) 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.

9.3.) 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.

10.) What is to be done for exporters in Europe ?

10.1.) Check carefully, if your goods count as "**Target BMSB-risk goods**".

10.2.) 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.

10.3.) Only arrange a sea freight shipment to New Zealand if you are sure that the **strict BMSB requirements** for your shipment can be met.

10.4.) 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.