



Co-Management

Business Rules and Agreement

For a 3rd party to manage empty sea containers on behalf of the Ministry for Primary Industries.

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

For further information contact:
Biosecurity New Zealand
Email: Seacontainer.systems@mpi.govt.nz

Table of Contents

Document Version History	3
Glossary.....	3
1. Scope and Purpose	4
2. Approval process	4
3. Requirements and Criteria	4
4. Audit and Verification	5
5. Charges	5
6. Record Keeping	6
7. Appendices.....	6

Document Version History

<u>Version</u>	<u>Date</u>
Version 2	August 2015
Version 3	November 2017
Version 4	October 2018
Version 5	April 2019

Glossary

<u>Abbreviation/Word</u>	<u>Definition/Description</u>
BNZ	Biosecurity New Zealand (MPI)
Co-management	A third party carrying out activities to mitigate biosecurity risk on behalf of MPI.
CMS trained AP	An MPI approved Accredited Person (AP), trained in identifying biosecurity risks and carrying out decontamination processes as per the CMS agreement.
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.
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. Contamination is defined as low when below the threshold and high when above (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.
MPI	Ministry for Primary Industries.
MPI Officer	A person appointed as an inspector under section 103 of the Biosecurity Act 1993.
Monthly Verification Checks	A monthly check by MPI of one trained AP at the facility during six sided inspections to verify the AP's understanding of the inspection process and the actions taken for different types of contamination.
Non-Compliance	Not matching or reaching the MPI set standard of risk management. (Appendix 5).
Process Overview Document	Detailed operational processes for identifying, inspecting, washing, treating, and re-inspecting containers. As well as processes for recording and reporting, and contingency plans for system failures.

1. Scope and Purpose

A Co-management system (CMS) can be used when 3rd parties wish to manage the biosecurity risks of imported goods on behalf of the Ministry for Primary Industries (MPI).

A 3rd party can use this Co-management business rules and agreement to assist in the implementation of a CMS to process un-cleared empty sea containers at the port of first arrival on behalf of MPI.

2. Approval process

The approval of a CMS consists of:

1. Initial engagement between BNZ and the 3rd party to discuss the requirements and criteria for managing empty sea containers.
2. The 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 and complete an initial approval audit.
4. If approval is given, an operating agreement (appendix 2) is signed by BNZ and the 3rd party and the CMS can be implemented.

3. Requirements and Criteria

The minimum criteria for implementing a system for managing un-cleared empty sea containers at the port of first arrival on behalf of MPI are, but not limited to:

1. Having a person responsible for overseeing the system.
2. Process overview documentation (work instructions for container identification, movement, inspection, treatment, re-inspection, reporting, etc.). A CMS Quality and Operational Process Manual Template is available which outlines all requirements. Email Seacontainer.systems@mpi.govt.nz to request a copy.
3. Record keeping system (inspection results, reporting information to BNZ, audit results, etc.).
4. Contingency plans (system failures and when to notify MPI of these).
5. Must be an MPI transitional facility (provide TF number).
6. Accredited persons (AP) are trained by approved training providers.
7. APs must complete a training session by BNZ (appendix 3) in order to understand the CMS inspection and contamination threshold requirements.

Verification checks of CMS trained APs must be conducted monthly at the facility by BNZ. The trained CMS APs (signed off by BNZ) are not required to attend all monthly verification checks, but they must receive a minimum of two checks between yearly audits and/or one between 6 monthly audits.

APs who have not received the minimum number of verification checks, must attend a refresher

Audit and Verification

Audits will be completed by MPI auditors and are a check of:

- The end-to-end system as per the 3rd party quality and operational process manual (includes initial approval audit and ongoing 6 or 12 monthly audits).
- Documentation and records (present, current and correct).
- Staff training records.
- Contingency plans (sufficient and have been used if required).

Audit schedules are as follows:

- Initially at 6 monthly intervals.
- When 2 consecutive audits are passed, the facility moves to a 12 monthly audit.
- Non-compliance can result in more frequent audits or system suspension.
- MPI is to provide an audit report to the 3rd party within 4 working weeks.
- MPI must save all audit reports and related documentation to MPI's internal filing system.

Monthly verification checks will be completed by local BNZ officers by the 20th of every month and will provide a copy of the CMS Monthly Verification Check Sheet (Appendix 3) to the CMS facility and associate MPI Chief Quarantine officer within 2 working days.

The check is to verify that:

- The 3rd party will regularly provide the container inspection results (Appendix 6) to the local MPI office and to Seacontainer.systems@mpi.govt.nz as per agreement. All inspection results must be entered in MPI's database by the 10th of the following month. All inspection results must be available for auditing purposes.
- APs understand the difference between high and low contamination (Appendix 4) and daily processes are operating as per their Quality and Operational Process Manual.

Non-compliance

If a critical or major non-compliance is identified during an audit or verification check, BNZ will issue a Corrective Action Report (CAR) to the person who has overall responsibility for managing the CMS. This will outline details of the non-compliance and the timeframes for corrective actions to be completed.

MPI may suspend the co-management system until the non-compliance is resolved and contingency plans may be initiated. Definitions and examples of non-compliances are listed in Appendix 5.

4. Charges

All costs for verification checks and audits will be recovered from the 3rd party as per the Biosecurity (Costs) Regulations 2010 unless otherwise agreed.

Costs include time for preparation, carrying out (including travel) and reporting the results of the audit and verification checks, and data entry of container inspection results. To minimise travel costs MPI officers will endeavour to conduct monthly verification checks along with other routine visits to the port.

5. Record Keeping

The following records must be kept on file and available on request by MPI (audit requirement):

- Copy of signed operating agreement.
- Process overview documents.
- Monthly container inspection results.
- All trained AP names and numbers.
- AP training records/certificates.
- Copy of BNZ verification checks and audit reports.
- Actions taken to resolve any non-compliances or issues.

6. Appendices

- Appendix 1:** Application for a 3rd party to manage empty sea containers on behalf of the Ministry for Primary Industries through a Co management system.
- Appendix 2:** Co-management System Operating Agreement.
- Appendix 3:** Co-management System Monthly Verification Check Sheet.
- Appendix 4:** CMS Contaminant Threshold Guidelines.
- Appendix 5:** Non-compliance Definitions and CMS Examples.
- Appendix 6:** Container Inspection Result Template.

Appendix 1:

Application for a 3rd party to manage empty sea containers on behalf of the Ministry for Primary Industries through a Co management system.

3rd Party details:			
Name of 3 rd Party:			
Physical Address:			
Postal Address: (if different from above)			
Contact Name(Person responsible for system:			
Phone No.:		Mobile:	
Email Address for MPI communications:			
Transitional Facility details (Name and TF number):			
Documents & supporting evidence submitted with this application. <i>(Please attach)</i>			
Document Name:			Attached (Y / N)
Process overview document			
AP names and training records			
Declaration:			
<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 MPI. I have read and understand the relevant MPI Co-management information and Agreement pack and have included documents as required.</i>			
Name:			
Signature:			
Date:			

Please send completed application to:

Verification and Systems
Border Clearance Services
Bridget Roberts
PO Box 39,Auckland 1010
New Zealand
Email: Seacontainer.systems@mpi.govt.nz

Appendix 2:

Co-Management System (CMS) Operating Agreement

Approval of [Name of Facility] for the operation of a co-management system to manage biosecurity risks associated with empty sea containers from low-risk countries.

Scope:

The scope this agreement covers is:

- Un-cleared low risk empty sea containers.
- Arriving at [Name of Port].
- Inspection of all exterior and interior surfaces of all empty container types.

Agreement:

Biosecurity New Zealand (BNZ) and [Name of 3rd party] have agreed to meet all the requirements, outlined in the co-management information and agreement pack and the [Name of 3rd party] quality and operational process manual.

All parties agree to notify the other in advance of any changes to any of the above documents.

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

.....

.....

Name:

Name:

Director Border Clearance Services

Title:

Operations, Biosecurity New Zealand

Ministry for Primary Industries

Port:

Date.....

Date.....

Appendix 3:

Co Management System (CMS) Monthly Verification Check Sheet

AP staff trained under the CMS, for the inspection of empty containers on behalf of the Ministry for Primary Industries (MPI), must have two or more verification checks conducted by MPI annually. If this does not occur the AP must complete a refresher training course, arranged by the facility and MPI. The verification confirms ongoing competency.

Name of Accredited Person _____

CMS Facility: _____

MPI Officer: _____

Date of Verification: _____

Area of knowledge	Competent Y/N	Notes
1. How does the AP identify which containers require MPI inspection (6-sided external and internal).		
2. Verify that AP knows all areas of a container to be inspected (including internal or external compartments).		
3. If contamination is present during the verification check, does the AP understand the different contamination types? E.g. animal products, Ants, Insects, Non-ISPM15 wood, plant products, Seeds Snails, Soil, Spiders.		
4. Does the AP understand the difference between high and low contamination.		

<p>5. How would the AP action:</p> <ul style="list-style-type: none"> • Low levels of contamination (e.g. sweep/ manually remove/ release container) • High levels of contamination (e.g. send for treatment) • Live contaminants (e.g. ants. Contact MPI/ receive directions/ treat) • Who notifies MPI if live contamination is found? Are MPI contact details readily available? 		
<p>6. How do the containers get released from the port or directed for treatment.</p>		
<p>7. Reporting information to MPI</p> <ul style="list-style-type: none"> • Verify that the AP has correctly completed the results on their Inspection report. • When and who receives the completed inspection reports. 		
<p>Comments</p>		
<p>Verification check conforms Y/N If no, what further follow ups are required?</p>		

Appendix 4:

CMS 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.	AP 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 Red Imported Fire Ants (RIFA) and not associated with a nest • Cockroaches 	Remove/treat on site in < 30 seconds.
High Risk (Record as HIGH)	Soil	<ul style="list-style-type: none"> • Would take longer than 30 seconds to remove by hand on site • Soil in more than 2 clumps, greater than 20g • Soil in 1-2 clumps greater than 200g • Is embedded or attached to a degree that requires removal by industrial means 	Send for wash Contact MPI if unsure. Re-inspect. Release container
	Plant material	<ul style="list-style-type: none"> • Would take longer than 30 seconds to remove by hand on site • Greater than 10 units of desiccated plant-based contamination • Any green material or pine needles 	
	Pest	<ul style="list-style-type: none"> • Any live organism or life stage that would take longer than 30 seconds to remove by hand on site. • Any snails • >4 ants or suspect nest • Any termites • Any pupae • Any live organism perceived to be venomous • Any suspect Lymantriid egg mass • Suspect Red Imported Fire Ant (RIFA) (hold all containers until confirmed) • Brown Marmorated Stink Bugs (dead or alive) • Mosquitoes (dead or alive) 	Contact local MPI office immediately or Call MPI hotline on 0800 809 966 Follow MPI directions

Appendix 5:

Non-Compliance Definitions and CMS Examples		
Non-Compliance	Definition	Examples of CMS non-compliances include but are not limited to:
Critical	<p>Failure in a co-management system that caused or could have caused a serious risk to biosecurity, the environment, or the health and safety of people. It can lead to cancellation or suspension of a co-management system.</p> <p>A corrective action report will be issued and timeframes will be agreed upon. Critical non-compliances may be created by escalation of outstanding issues from previous audits and verification checks.</p>	<ul style="list-style-type: none"> • Allowing uncleared containers to be released without biosecurity inspection / clearance • Allowing uncleared containers to be transferred to non-approved premises • Operating a co-management system without trained staff or a person overseeing the system • Making significant modifications to the co-management system without MPI approval
Major	<p>Failure in co-management system that caused or could have caused a major biosecurity risk.</p> <p>A Corrective action reports will be issued and timeframes will be agreed upon. The effectiveness of corrective actions will be checked in subsequent audits and verification checks.</p>	<ul style="list-style-type: none"> • Failure to operate the co-management system to the specifications outlined in the process overview document • Failure of the trained staff to detect significant and obvious non-compliances • Failure of the person responsible for overseeing the system to rectify non-compliances from previous audits and verification checks • Held containers not stored in appropriately identified area
Minor	<p>Non-compliance that does not represent a major failure to a co-management system but that does require correction.</p> <p>Resolution will be monitored in subsequent audits. Noted in audit and/or verification check.</p>	<ul style="list-style-type: none"> • Process documents/ work instructions not available to trained AP staff • Targeted containers not set aside for inspection after vessel discharge • Inspection results not sent to MPI in the required timeframes
Recommendations	<p>Suggestions for actions that could improve the current system to prevent potential non-compliances.</p>	

Appendix 6:

Container Inspection Result Template.

CMS Container Inspection Report Template_ NOTE ALL containers for each vessel must be inspected or reason noted for no inspection before sending completed list to MPI.

VESSEL Voyage:

Transitional Facility Name

TF Number

AP Name	AP #	Vessel Ref	Container #	Shipping Line	Load Port	Date Inspect	Contam Y/N	High /Low	Contam Type	Contam Location	Re -inspect Required Y/N	Re- inspect Completed	Comments: Not discharged, Tranship fumigation etc.