



Australian Government
**Department of Agriculture,
Water and the Environment**

Ministry for Primary Industries
Manatū Ahu Matua



Offshore Brown Marmorated Stink Bug Treatment Providers Scheme

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Department of Agriculture, Water and the Environment

Postal address GPO Box 858 Canberra ACT 2601

Telephone 1800 900 090

Web agriculture.gov.au

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1. Purpose

Australia and New Zealand have biosecurity measures to prevent the arrival and establishment of the Brown Marmorated Stink Bug (BMSB). The *Offshore Brown Marmorated Stink Bug Treatment Providers Scheme* (the scheme) establishes minimum standards for biosecurity treatments for BMSB conducted outside of Australia and New Zealand.

Australia and New Zealand have aligned their BMSB biosecurity treatment [minimum standards](#). The *Offshore Brown Marmorated Stink Bug Treatment Providers Scheme*, aims to:

- 1.1 set out the process for Australia and New Zealand to determine suitability of the offshore BMSB treatment providers (providers) to perform offshore BMSB treatments of goods to be imported into Australia and/or New Zealand.
- 1.2 effectively manage biosecurity risks of BMSB risk goods imported into Australia or New Zealand.
- 1.3 define the provider's ongoing compliance requirements.
- 1.4 set out the ways in which Australia and New Zealand will cooperate, share information, and make decisions about offshore BMSB treatments.

2. Definitions

- 2.1 The provider means a biosecurity treatment provider registered under the process set out in this scheme.
- 2.2 The department means the Australian Government Department of Agriculture, Water and the Environment.
- 2.3 NZ MPI means the New Zealand Ministry for Primary Industries.
- 2.4 Terms used in this document are defined in the [Approved arrangements glossary](#) on the department's website.

3. Scope

- 3.1 The scheme applies to:
 - registered offshore BMSB treatment providers
 - the treatment of goods where the department and/or NZ MPI require biosecurity treatments for BMSB.

4. Responsibilities

- 4.1 The provider is responsible for the treatment of goods in accordance with the requirements set out in this policy.
- 4.2 The provider is responsible for ensuring that operations comply with any relevant domestic and international regulatory requirements.
- 4.3 All documentation must be provided in English. If the original documentation is not written in English, both the original version and an English translated version must be provided.

- 4.4 All communications with the department or NZ MPI regarding a providers' participation in the scheme must be made directly by the provider.

5. Application for registration

- 5.1 To be considered for registration, the provider must complete an [Offshore Brown Marmorated Stink Bug Treatment Providers Scheme application](#).

6. Registration

- 6.1 The provider's suitability for registration under the scheme will be determined through assessment of an application form, any supplementary documentation, compliance history where relevant and the results of any remote or on-site compliance verification where relevant.
- 6.2 A remote or on-site compliance assessment may be conducted to confirm that the provider's facilities and procedures, including all equipment and operating procedures, meet the requirements as per Section 9 of this document. This will be conducted at the provider's expense as per Section 14 of this document.
- 6.3 If the provider is deemed unsuitable, they will be notified in writing.
- 6.4 Where a relevant treatment scheme managed by the department or NZ MPI already exists in the provider's country, the provider must be registered on that scheme prior to being considered for registration onto the Offshore BMSB Treatment Providers Scheme.
- 6.5 If the provider is deemed suitable, it will be required to sign a letter of agreement acknowledging its obligations under the scheme.
- 6.6 Once the provider has signed and returned the letter of agreement, it will be added to the acceptable offshore BMSB treatment providers list on the department and NZ MPI's websites and be allocated an Entity Identifier (AEI).
- 6.7 Re-registration will be required annually. The information required for re-registration may vary depending on previous compliance.
- 6.8 If the provider ceases to operate, it must notify the department and NZ MPI in writing. The provider will be listed as withdrawn from the acceptable offshore BMSB treatment providers list.

7. Treatment and certification

- 7.1 BMSB treatments conducted under this scheme must comply with the requirements of the scheme, the BMSB treatment schedules/rates and the relevant treatment methodology from the following list:
- Methyl bromide fumigation methodology
 - Sulfuryl fluoride fumigation methodology
 - Heat treatment methodology.

Treatment methodologies are available at:

www.agriculture.gov.au/import/arrival/treatments/treatments-fumigants or
www.mpi.govt.nz/importing/border-clearance/transitional-and-containment-facilities/find-treatment-options-and-suppliers/

- 7.2 Accurate treatment certification must be created for each treatment.
- 7.3 The treatment provider's AEI must be clearly recorded on all certification.
- 7.4 All BMSB treatment certification for Australian bound goods must be provided to the department within 14 days of the treatment being completed – see appendix 1.

8. Records management

- 8.1 The provider must ensure that the following documents are made available to the department and/or NZ MPI within 3 working days of request:
- signed letter of agreement as per Section 6 of this document
 - individual treatment records, data and certification
 - equipment and consumables purchase records
 - equipment calibration records.
- 8.2 All records must be maintained for a minimum of two years.

9. Compliance management

- 9.1 The department and NZ MPI may conduct remote or on-site compliance assessments.
- 9.2 Remote or on-site compliance assessments may be required:
- for initial scheme registration
 - for the extension of existing scheme registration
 - for reinstatement following a period of suspension or withdrawal
 - for compliance verification – random or targeted.
- 9.3 Remote or on-site compliance assessments will be conducted by department or NZ MPI officers, or their agent.
- 9.4 Remote or on-site compliance assessments can include, but are not limited to, the assessment of the provider's:
- equipment and site suitability
 - operating procedures
 - treatment records and treatment certification
 - equipment suitability and calibration
 - records management
 - treatment practices
 - compliance requirements knowledge and understanding.
- 9.5 The department and NZ MPI may consider any relevant information or documentation, including in relation to regulatory compliance performance outside of the scheme, in determining the provider's suitability to maintain active registration.
- 9.6 All costs incurred by the department and/or NZ MPI in conducting remote or on-site compliance assessments will be charged to the provider, unless otherwise notified.
- 9.7 For on-site compliance assessments the provider must provide a safe working environment at all times during a compliance assessment.
- 9.8 The department and NZ MPI may require the provider to complete and pass online or face-to-face BMSB training.

- 9.9 BMSB training may be required:
- as part of the provider's registration
 - ongoing compliance management.

10. Non-compliance

- 10.1 The department or NZ MPI may refer consignments treated by the provider for onshore verification.
- 10.2 The provider will be notified if a non-compliance is detected.
- 10.3 Following the identification of non-compliance, the department and/or NZ MPI may refer any consignments treated by the provider for any action considered reasonable.

11. Suspension

- 11.1 The department and/or NZ MPI may suspend the provider for failure to comply with the scheme.
- 11.2 The provider may be suspended when:
- live pests are detected that indicate the provider is at fault
 - non-compliance is identified and the department and/or NZ MPI loses confidence in the provider's capacity to conduct effective treatments
 - during an on-site or remote compliance assessment, the provider cannot demonstrate compliance with the scheme.
- 11.3 In response to a suspension, the department and NZ MPI will take measures to manage the potential biosecurity risk of any goods treated by a suspended provider. e.g. goods 'in-transit' will require retreatment on arrival.
- 11.4 If suspended, the provider must demonstrate compliance before being eligible for reinstatement.
- 11.5 Where a treatment provider is suspended from the scheme or another scheme managed by the department or NZ MPI, the suspension may be applied across all schemes.
- 11.6 Following reinstatement after a period of suspension, the department and/or NZ MPI may refer any consignments treated by the provider for any action it considers reasonable to verify compliance.

12. Withdrawal

- 12.1 The provider can withdraw from the scheme voluntarily.
- 12.2 The department and/or NZ MPI may withdraw the provider for failure to comply with the scheme.
- 12.3 The provider may be withdrawn when:
- it notifies the department or NZ MPI that it no longer wishes to participate in the scheme
 - it fails to provide records requested by the department and/or NZ MPI within 3 working days
 - it fails to comply with any non-treatment related scheme compliance requirements, e.g., online, or face-to-face training.

- 12.4 In response to a withdrawal, the department and NZ MPI may take measures to manage the potential biosecurity risk of any goods treated by a withdrawn provider. e.g., goods ‘in-transit’ may require retreatment on arrival.
- 12.5 If withdrawn, the provider must successfully complete the registration process before being eligible for reinstatement.
- 12.6 Following reinstatement after a period of withdrawal, the department and/or NZ MPI may refer any consignments treated by the provider for any action it considers reasonable to verify compliance.
- 12.7 Where a treatment provider is withdrawn from the scheme or another scheme managed by the department or NZ MPI, the withdrawal may be applied across all schemes.

13. Change in circumstance

- 13.1 The provider must notify the department and NZ MPI in writing within 14 days of any significant changes to its operational circumstances. This includes changes in:
- ownership
 - facilities location
 - contact details
 - operating procedures
 - business closure
 - national or international regulatory agency registration.

14. Fees and chargeable items

- 14.1 Compliance assessments will be charged in accordance with the approved arrangements section of the [department’s charging guidelines](#) or the NZ MPI’s [offshore systems charges](#).
- 14.2 All services will be provided in accordance with standards applying to services undertaken in Australia and/or New Zealand.
- 14.3 In calculating the applicable rate, all time spent travelling to the provider’s facilities shall form part of the services and be charged at the daily or weekly rate regardless of the time of day travel is undertaken.
- 14.4 In addition to fees for service, all direct costs associated with compliance assessments will be charged to the provider. These costs include, but are not limited to:
- third-party agent assessor charges (if required)
 - airfares (business class)
 - visa costs
 - airport taxes/duties and insurance
 - accommodation costs (four-star accommodation or equivalent)
 - transport to and from site of inspection
 - travel allowance (meals and incidentals)
 - interpreter/representative (if required).

15. Privacy Notice – Australia

- 15.1 'Personal information' means information or an opinion about an identified, or reasonably identifiable, individual. By agreeing to the scheme's requirements, you consent to the collection of all personal information related to the Offshore Brown Marmorated Stink Bug Treatment Providers Scheme.
- 15.2 The Australian Department of Agriculture, Water and the Environment collects your personal information (as defined in the Australian *Privacy Act 1988*) in relation to the Offshore Brown Marmorated Stink Bug Treatment Providers Scheme for the purposes of assessing your compliance with the scheme and related purposes. If you fail to provide some or all of the personal information requested, the department may not authorise you, or may suspend your authorisation, to conduct BMSB treatments.
- 15.3 The Australian Department of Agriculture, Water and the Environment may disclose your personal information to the persons or organisations where necessary for the purposes described, provided the disclosure is consistent with relevant laws, particularly the Privacy Act. Your personal information will be used and stored in accordance with the Australian Privacy Principles. It will be disclosed overseas. In every case it will only be disclosed if authorised by the Australian *Biosecurity Act 2015*.
- 15.4 The Australian Department of Agriculture, Water and the Environment collects your 'protected information' including personal, commercial-in-confidence (as defined in section 15 of the Australian *Biosecurity Act 2015*) and sensitive information in relation your participation in the Offshore Brown Marmorated Stink Bug Offshore Treatment Providers Scheme under the Australian *Biosecurity Act 2015* for the purposes of assessing your compliance with the scheme and related purposes. If you fail to provide some or all of the relevant personal information requested as part of the scheme, the department may be unable to authorise you or may suspend your authorisation to conduct biosecurity treatments under the scheme. Information collected by the department will only be used or disclosed as authorised under the Australian *Biosecurity Act 2015*.

16. Privacy Notice – New Zealand

- 16.1 The relevant personal information obtained is personal information for the purposes of New Zealand's *Privacy Act 1993*. This information is collected for the purpose of registering as a treatment provider.
- 16.2 An agreement between NZ MPI and the Australian Department of Agriculture, Water and the Environment has been reached as to methods, including joint audits offshore to align and cobrand the BMSB treatment programme. This will mean sharing of information and joint management.

17. Information sharing

- 17.1 The department may use personal and protected information obtained from NZ MPI or other Australian Government agencies for the purpose of assessing and exercising compliance and enforcement functions in relation to the scheme. In every case, the department will only use personal and protected information if authorised by the Australian *Biosecurity Act 2015*.

- 17.2 The department may disclose personal and protected information to NZ MPI or other Australian Government agencies for the purpose of assessing and exercising compliance and enforcement functions in relation to the scheme.
- 17.3 To facilitate implementation of this agreement, NZ MPI will provide the Australian Department of Agriculture, Water and the Environment with information obtained under the scheme.

18. APPENDIX 1: BMSB treatment certification reporting

Australian BMSB treatment reporting details

A copy of all BMSB treatment certification issued for Australian bound BMSB consignments treated by treatment providers registered onto this scheme is required to be reported to the department.

This BMSB treatment certification reporting is in addition to providing BMSB treatment certification to clients.

Reporting BMSB treatment certification to the department allows for the verification of the authenticity of BMSB treatment certification presented to the department by importers and/or customs brokers, as well as provide for reduced on arrival intervention for BMSB consignments treated by treatment providers registered onto this scheme.

Australian bound BMSB consignments treated by registered treatment providers that have not had their BMSB treatment certification reported to the department will not be accepted by the department and will require retreatment on arrival (if allowed) or re-exported.

Upon completion of registration, BMSB treatment providers will be provided with access to the department's online treatment reporting portal and receive instructions on how to report their BMSB treatment certification to the department.

New Zealand BMSB treatment certificates

BMSB treatment certification issued for New Zealand bound BMSB consignments treated by treatment providers registered onto this scheme is NOT required to be sent directly to NZ MPI.

BMSB treatment certification are to be presented to NZ MPI by importers and/or customs brokers.

General enquires can be made to BMSB@mpi.govt.nz.