

6 November 2015



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Ministry for Primary Industries

PO Box 2526

Wellington 6140

To whom it may concern

Re: Kiwifruit industry comments on MPI's proposed amendments to the IHS for vehicles, machinery and tyres

Thank you for the opportunity to make a submission on proposed amendments to the IHS for vehicles, machinery and tyres, including the following documents:

- Draft IHS: Vehicles, Machinery and Tyres
- Draft Guidance Document: Vehicles, Machinery and Tyres
- Draft Risk Management Proposal: Review and amendment of the IHS for Vehicles, Machinery and Tyres
- MPI Technical Advice: Treatments for brown marmorated stink bug
- Technical Advice: The likelihood of establishment of brown marmorated stink bug in the New Zealand autumn/winter period

KVH welcomes opportunity to discuss any aspect of our submission with MPI, and we look forward to your careful consideration of these matters.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Barry O'Neil', is written over a light blue horizontal line.

Barry O'Neil

CE, Kiwifruit Vine Health

KVH Submission on proposed amendments to the IHS for vehicles, machinery and tyres

Overall comments on proposals

1. In relation to proposed amendments in the 'Risk Management Proposal' (RMP)¹ KVH submits:
 - In support of proposed format changes (as set out in paragraphs 13 & 14 of the RMP)
 - Against proposed changes to new pre-export treatment requirements for brown marmorated stink bug associated with vehicles and machinery from the USA during a defined risk period (paragraph 15. A. of the RMP)
 - In support of proposed changes to require mandatory offshore processing of used vehicles shipped as break bulk from Japan (paragraph 15 B. of the RMP)
 - In support of proposed changes to amend offshore requirements for used agricultural, forestry and horticultural vehicles and machinery (paragraph 15. C. of the RMP).
2. KVH acknowledges the importance of science-based risk assessments to manage the risks associated with international movements of risk goods, and shares MPI's commitment to principles of transparency and evidence-based technical justification for all phytosanitary measures.
3. While KVH supports the majority of proposed changes, at this time we are not able to support proposed changes in relation to pre-export treatment requirements for brown marmorated stink bug associated with vehicles and machinery from the USA, on the basis that these changes are not sufficiently supported by science at this time and expose New Zealand to an unacceptable level of biosecurity risk.
4. KVH does not agree with the overall conclusion that 'the likelihood that BMSB will establish in New Zealand during the proposed autumn/winter period is so low as to be considered negligible'. Rather our view is the likelihood of establishment is low (not negligible), the level of scientific uncertainty surrounding this at this time is high, and that the overall risk to NZ would be moderate given:
 - the severity of consequences should BMSB establish, including impacts on the environment, horticulture and public nuisance impacts;
 - the limited tools for post-border surveillance for BMSB; and
 - the limited options and feasibility for successful eradication of BMSB should it establish post-border.
 - The significant scientific uncertainty relating to risk of BMSB establishment.KVH believes this an unacceptable level of risk, with the level of scientific uncertainty further supporting the case for New Zealand to retain year-round pre-export treatment requirements for BMSB associated with vehicles and machinery from the USA at this time.
5. New Zealand is implementing a wide range of measures to prevent the establishment of BMSB, including considerable action and effort on the part of both MPI and industry. Our view is the current measures and effort can and should be further strengthened, and this should be progressed through joint action under GIA.
6. KVH supports the overall view and matters raised in the Horticulture NZ submission on proposed amendments to the IHS for vehicles, machinery and tyres.

Comments on proposed format changes

7. These changes usefully simplify and streamline the standard and clarify legal requirements.

¹ *Risk Management Proposal: Review and amendment of the Import Health Standard for vehicles, machinery and tyres. September 2015. MPI Consultation Document.*

Comments on proposed changes to pre-export treatment requirements for brown marmorated stink bug associated with vehicles and machinery from the USA during a defined risk period

8. KVH acknowledges the actions taken by MPI to prevent the establishment and reduce the risk posed by BMSB, including:
 - Rapid establishment of urgent measures to require pre-export treatment requirements for BMSB associated with vehicles and machinery from the USA
 - A national BMSB awareness campaign to increase the level of BMSB reporting at the border and post-border
 - A programme to train detector dogs to detect BMSB
 - A coordinated readiness programme to plan for and understand limitations associated with surveillance and response for BMSB
 - A national programme of research to improve readiness and response.
9. Horticulture industries have, likewise, invested to increase understanding of risks posed by BMSB and to implement measures to reduce that risk. For example, KVH has invested in:
 - The aforementioned national BMSB campaign (as a co-funder of this campaign)
 - An extensive kiwifruit grower campaign to raise awareness and encourage BMSB reporting to the MPI hotline, including distribution of BMSB fridge magnets to every grower.
 - A BMSB campaign at Port of Tauranga in partnership with Port of Tauranga Limited and MPI, including biosecurity training for POT personnel, distribution of BMSB collateral and inclusion of BMSB in a biosecurity calendar.
 - A BMSB campaign with the BOP Freight and Logistics Sector, including distribution of collateral as per PORT.
 - Risk assessment and off-shore research to understand the risk BMSB poses to the kiwifruit sector.
 - Participating in the MPI-led research programme to improve BMSB readiness and response capability.
10. BMSB is one of the kiwifruit industries highest risk (“most unwanted”) organisms, given its significant production impacts, that it is extremely difficult to detect early post-border and eradicate, it is a major nuisance pest, and given it’s potential to compromise NZ’s “low input” horticulture systems and associated market access advantages.
11. KVH recognises there are multiple potential pathways for entry of BMSB, including the US new and used vehicle pathway that has been demonstrated through interception data to be by far the highest risk pathway. KVH also recognises it is critical MPI and industry continue to further strengthen measures that can be applied across all of the potential pathways (this is discussed further below).
12. KVH does not agree with the overall conclusion in the proposal that ‘the likelihood that BMSB will establish in New Zealand during the proposed autumn/winter period is so low as to be considered negligible’, for the reasons set out in paragraphs 13-18 below.
13. In relation to likelihood of establishment KVH accepts that, based on NZ and Australian interception data, the propagule pressure over the proposed autumn-winter period is lower, with some but very low numbers of individuals intercepted over this period. MPI has acknowledged limitations of interception data, noting that detections are ‘ad hoc’ and that ‘in the absence of structured sampling, statistically reliable estimates of numbers are not possible’. Our experience is that if even low numbers are being intercepted some individuals will slip through the border. The reasonable conclusion in our view is that a low number of BMSB will slip through the border in the absence of treatment as proposed over the autumn-winter period, and these are more likely to be one or several individuals rather than large aggregations.

14. The experience in the US suggests that BMSB resulted from a single introduction of a small population, which could be as small as two individuals². This establishes it is possible for very low numbers of individuals slipping through our border (as low as two individuals) to successfully establish a population of BMSB.
15. The proposal acknowledges that some life stages of BMSB may arrive, survive and establish over the proposed autumn-winter period if they encounter suitable micro-climates, in particular in Northern parts of New Zealand, and including 'sheltered locations depending on the surrounding structures and the architecture of specific host plants'.
16. Considering 13-15 above together, including published evidence based on the US experience, the following conclusion reached in the paper is not supported by evidence:
'...establishment of a population will rely on multiple individuals arriving together, surviving and remaining together. Current interception data indicates that there is insufficient propagule pressure necessary for this to happen'.
17. In our view the following conclusion reached in the proposal is not sufficiently supported by sound science at this time:
'Biological data about reproductive diapause and environmental cues means that US spring/summer BMSB arriving in New Zealand are unlikely to re-enter diapause on encountering New Zealand's autumn or winter conditions'.
In relation to this conclusion the supporting information in the paper extrapolates information gathered for other Pentatomids, and acknowledges uncertainty (e.g., its use of language such as 'may have...' 'it may be possible...'), which is not reflected in the above conclusion. KVH also understands NZ scientists have identified this as a key area of uncertainty as follows:
'It's become apparent to us at B3 that issues surrounding diapause and movement from northern to southern hemispheres are not well understood' (David Teulon pers. comm. 2015).
We also understand there is evidence that BMSB does not enter into diapause in some warmer parts of the US (David Teulon pers. comm. 2015), and note this section of the MPI technical paper does not consider this.
18. Considering the above, we believe it is reasonable to conclude that the likelihood of BMSB establishing over the proposed autumn-winter period is low (not negligible), and that there remains significant scientific uncertainty at this time.
19. In our view the level of risk to NZ in the absence of treatment over the proposed autumn-winter period is moderate. This is because:
 - While the probability of establishment is low, the consequences of establishment are high in terms of economic, environmental and socio-cultural consequences.
 - 'Effective surveillance for BMSB is challenging due to the insect's wide host range and behaviour as well as the lack of an effective lure'³
 - Response options are extremely limited, given 'Forward tracing is not considered feasible...', 'Movement control is not considered a viable option...' and 'Control of BMSB in the urban NZ environment will be very challenging from a technical perspective as well as for reasons of public health and safety'³.
 - The science related to BMSB is still in its infancy, and there remain key areas of uncertainty at this time (refer to paragraph 17 above).

² Xu et al. (2014). *Tracing the origin of US brown marmorated stink bugs, Halyomorpha halys*. Biological Invasions (16: 153-166)

³ MPI Response Plan: Brown Marmorated Stink Bug. Working Draft, December 2014

20. KVH believes this is an unacceptable level of risk, with the level of scientific uncertainty further supporting the case for New Zealand to retain year-round pre-export treatment requirements for BMSB associated with vehicles and machinery from the USA at this time.
21. In relation to proposed changes to BMSB treatment measures KVH is of the view that the technical advice to support the proposed changes⁴ does not meet the science-based evidential standard requirement for the effective treatment of a pest as serious as BMSB. This is comprehensively covered in the Horticulture NZ submission, which KVH fully supports, and will not duplicate here.
22. New Zealand is implementing a wide range of measures to prevent the establishment of BMSB, including considerable action and effort on the part of both MPI and industry as outlined in paragraphs 8 and 9 above. KVH is of the view that the current measures and effort can and should be further strengthened, and this should be progressed through joint action under GIA. We propose this include:
- Capturing lessons from the upcoming MPI-led BMSB simulation to be held in December 2015
 - Initiating discussions to explore establishment of an Operational Agreement for BMSB, adopting a pan-horticulture approach as was used for fruit flies.
 - Exploring opportunity for joint-funded research (MPI and industries) to reduce the level of scientific uncertainty, including on issues relating to diapause as set out in paragraph 17.
 - Taking further opportunities to strengthen awareness and report of BMSB at the border and post-border, building on lessons from the proactive approach taken in the Bay of Plenty with the Port of Tauranga, Growers and freight and logistics sector [Noting the BOP region achieved the highest levels of suspected BMSB reporting in 2014-15, which can be substantively attributed to the proactive approach taken by industries in the BOP, supported by MPI]
 - Systematically reviewing, over time, standards and measures applied to reduce the risk of BMSB entry across all relevant pathways (as has been undertaken by MPI for fruit flies).

Comments on proposed changes to require mandatory offshore processing of used vehicles shipped as break bulk from Japan

23. This proposal serves to push risk offshore and is sound given the demonstrated high risk posed by used vehicles, large volume of used vehicles being imported from Japan (95% of total used vehicle imports) and success of the offshore cleaning and inspection programme operated under the auspices of MPI (including MPI verification that has demonstrated this programme is effective).
24. We question why the proposal is limited to vehicles shipped in break bulk from Japan? For example, is this because all used vehicles are imported from Japan in break bulk? KVH would appreciate some feedback on this point/questions? If used vehicles are, or could in the future, be imported from Japan via other pathways (e.g., in containers?), then KVH would support inclusion of these pathways by applying the new mandatory offshore process requirements to all used vehicles shipped from Japan.

Comments on proposed changes to amend offshore requirements for used agricultural, forestry and horticultural vehicles and machinery

25. KVH recognises contaminated agricultural, forestry and horticultural vehicles and machinery pose a significant risk to NZ, that the current level of compliance is inadequate, and that dealing with the risk as vehicles arrive at our Ports is not the best strategy. This proposal serves to push risk offshore by requiring thorough cleaning prior to export and provision of evidence to demonstrate this requirement is met. This represents a significant improvement and KVH fully supports this proposal.

ENDS

⁴ MPI Technical Advice: Treatments for Brown Marmorated Stink Bug, September 2015