



# Fresh Dragon Fruit for Consumption

*Hylocereus spp.*

24 April 2014

## **TITLE**

Import Health Standard: Fresh Dragon Fruit for Consumption

## **COMMENCEMENT**

This Import Health Standard comes into force on the date of issue.

## **ISSUING AUTHORITY**

This Import Health Standard is issued under section 24A of the Biosecurity Act 1993.

Dated at Wellington this 24<sup>th</sup> day of April 2014.

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(acting under delegated authority of the Director General)  
A copy of the instrument of delegation may be inspected at the Director General's office.

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## Introduction

This introduction is not part of the Import Health Standard, but is intended to indicate its general effect.

## Purpose

This Import Health Standard specifies the requirements for the importation of fresh dragon fruit (*Hylocereus* spp.) for consumption into New Zealand from specified countries listed in the Schedules.

## Background

The New Zealand Biosecurity Act 1993 (the Act) provides the legal basis for excluding, eradicating and effectively managing pests and unwanted organisms.

Each Import Health Standard (IHS) issued under the Act specifies requirements to be met for the effective management of risks associated with importing goods that may pose a biosecurity threat to New Zealand. This IHS includes requirements that must be met in the exporting country, during transit and importation, and post clearance, if specified, before biosecurity clearance can be given.

Additional information to the requirements is included in guidance text boxes.

## Who should read this Import Health Standard?

This standard applies to importers of fresh dragon fruit (*Hylocereus* spp.) imported for consumption to New Zealand from specified countries listed in the Schedules.

Frozen, cooked, pickled, pureed or dried dragon fruit may be imported but are covered by MPI Import Health Standard BNZ.NPP.HUMAN: Importation into New Zealand of stored plant products intended for human consumption.

## Why is it important?

Importers must take all reasonable steps to ensure that the goods comply with this IHS (section 16B of the Act).

Non-compliance with the IHS may result in clearance not being given and the goods may be treated, reshipped or destroyed. In addition, the pathway may be suspended, depending on the non-compliance.

## Equivalence

MPI may consider a pre-export application for an equivalent phytosanitary measure to be approved, different from that provided for in this IHS, to maintain at least the same level of protection assured by the current measures in this IHS. Equivalence will be considered with reference to the International Standard for Phytosanitary Measures (ISPM), Publication No. 24: *Guidelines for the determination and recognition of equivalence of phytosanitary measures* (2011).

## Part 1: General import requirements for fresh produce

### 1.1 The outcome this standard is seeking to achieve

- (1) The outcome this IHS is seeking to achieve is the effective management of biosecurity risks associated with the import of fresh dragon fruit.

#### Guidance

- MPI will inspect documentation, and may inspect the consignment to determine whether the outcome has been met in accordance with official MPI procedures. Where an inspection is conducted, a sample will be taken.
- A biosecurity clearance, under section 26 of the Act, may be issued when the products meet all the requirements of this IHS, provided the applicable requirements of section 27 of the Act are met.

### 1.2 Incorporation of material by reference

- (1) The following documents are incorporated by reference under section 142M of the Act;

FAO IPPC International Standards for Phytosanitary Measures (ISPMs)

MPI's Biosecurity Organisms Register for Imported Commodities (BORIC)

MPI's Schedule of Regulated (Quarantine) Weed Seeds

Under section 142O(3) of the Act it is declared that section 142O(1) does not apply, that is, a notice under section 142O(2) of the Act is not required to be published before material that amends or replaces any material incorporated by reference has legal effect as part of those documents.

### 1.3 General Provisions

- (1) All fresh produce (fruit and vegetables) are prohibited entry into New Zealand unless they are covered by a valid import health standard.
- (2) The importer must ensure that a completed phytosanitary certificate issued by the exporting country's National Plant Protection Organisation (NPPO), in accordance with ISPM 7: *Phytosanitary certification system* (2012) and ISPM 12: *Phytosanitary certificates* (2012) and ISPM 23: *Guidelines for inspection* (2013), accompanies each consignment.
- (3) The phytosanitary certificate must contain information in accordance with the model phytosanitary certificate in ISPM 12, including the country/place of origin and additional declarations, and must contain the following certification statement:

*"This is to certify that the plants, plant products or other regulated articles described herein have been inspected and/or tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the current phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests."*

- (4) All fresh produce consignments must be free from viable regulated pests.
- (5) Goods are imported for consumption and must not be used for other end purposes (such as propagation).

**Guidance**

- Pests are classified as regulated or non-regulated by MPI and can be found by searching MPI's BORIC database.
- If organisms are found which are not listed in the IHS, the exporting NPPO must establish their regulatory status by:
  - a) Consulting the MPI's BORIC database.
 OR
  - b) Contacting MPI to establish the regulatory status of the organism.
- A phytosanitary certificate should not be issued if viable regulated pest(s) are detected, unless the consignment is treated in order to eliminate these. Country/place of origin is defined under IPPC as; country of origin; country where the plants, from which the plant products are derived, were grown or place of origin; where the commodity was grown or produced.
- If any regulated pests are intercepted in a sample on arrival in New Zealand, the consignment will be treated, resorted, reshipped or destroyed. In addition, the pathway may be suspended, depending on the regulated pest intercepted. ISPM 13: *Guidelines for the notification of non-compliance and emergency action* (2011) outlines non compliance criteria to which the NPPO of the exporting country is to provide actions to resolve the issue. MPI will provide advice of any non-compliance to the exporting country.
- Actions would not normally be taken if non-regulated pests are intercepted on arrival.
- Consignments without certification, or accompanied by incorrect certification, will be held in a transitional facility until correct documentation is presented.

**1.3.1 Transport Requirements**

- (1) All fresh produce must be packaged and shipped in a manner to prevent contamination by regulated pests.
- (2) The importer must notify the Director-General of the details of each consignment within 48 hours prior to arrival of the consignment in New Zealand.
- (3) If a consignment of fresh produce is either opened, stored, split up or has its packaging changed while in any other country en route to New Zealand, a 'phytosanitary certificate for re-export' in accordance with ISPM 12 is required to accompany each consignment.

**Guidance**

- A 'phytosanitary certificate for re-export' is not required where a consignment is held under bond, as a result of the need to change conveyances, and is kept in the original shipping/air container and packaging.
- Fresh produce covered by correct documentation may be transhipped within New Zealand provided they are packaged in sealed pest proof containers and transported directly to a MPI approved transitional facility for final MPI clearance.
- Fresh produce in-transit to another country may be off loaded at the international airports and seaports of New Zealand for reloading onto another aircraft or vessel provided that the following conditions are met:
  - a) The fresh fruit/vegetables are held in pest proof containers.
  - b) The consignment shall be stored separately from other plant material to the satisfaction of an inspector.
  - c) The consignment shall remain at the airport or wharf of arrival.

## Part 2: Specific import requirements for fresh dragon fruit

**Scientific name:** *Hylocereus* spp.

**Approved countries:** Vietnam

### 2.1 Vietnam

#### 2.1.1 Phytosanitary Certificate – Additional declarations

- (1) In addition to the certifying statement as per section 1.3 (3) of this standard, if satisfied that the pre-shipment phytosanitary measures have been undertaken effectively, Vietnam's NPPO must confirm this by providing the following additional declarations to the phytosanitary certificate:
- a) The dragon fruit in this consignment have:
- i) been produced in accordance with terms of, and treated as per Appendix 3 of the official assurance programme between the New Zealand Ministry for Primary Industries (MPI) and the Ministry of Agriculture and Rural Development (MARD) of Vietnam.

*List of Appendices (MPI/MARD official assurance programme for the export of approved fresh commodities from Vietnam to New Zealand)*

APPENDIX NUMBER	MEASURE	SPECIFICATION
3	Vapour Heat Treatment	Temperature raised until the fruit core reaches at least 46.5°C (by all probes) for at least 40 minutes.

#### 2.1.2 Other information

- (1) Full details of the vapour heat treatment, including temperature and duration, must be included in the "Disinfestation and /Disinfection Treatment" area of the phytosanitary certificate.
- (2) Schedule approved: 24 April 2014

#### 2.1.3 Regulated pest list

The regulated pest list for dragon fruit from Vietnam can be found here:

<http://www.biosecurity.govt.nz/files/ihs/regulated-pest-list-dragon-fruit-vietnam.pdf>

## Appendix 1 – Definitions

Definitions have the same meaning as defined by the Act and ISPM 5: *Glossary of Phytosanitary Terms* (2012), unless set out below:

### **BORIC**

Biosecurity Organisms Register for Imported Commodities: MPI database which informs on the quarantine status for an organism as either regulated or non-regulated for New Zealand.

### **BQA**

bilateral quarantine agreement.

### **Consignment**

One or more lots imported by one importer, on one conveyance at one time, and covered by one phytosanitary certificate.

Note 1: Commercial consignments are unaccompanied consignments covered by an airway bill/bill of lading intended for resale.

Note 2: Private consignments are accompanied consignments imported as personal property.

### **FAO**

Food and Agriculture Organization of the United Nations.

### **IPPC**

International Plant Protection Convention.

### **ISPM**

International Standards for Phytosanitary Measures (IPPC).

### **NPPO**

National Plant Protection Organisation – the official organisation established by a government to discharge the functions specified by the IPPC.

### **Non-regulated pest**

Non-regulated organisms are those organisms for which phytosanitary actions would not be undertaken if they were intercepted/ detected. These may include new organisms which could not establish in New Zealand.

### **OAP**

official assurance programme.

### **Pathway**

A series of activities that, when carried out according to documented procedures, form a discrete and traceable export system.

### **Pest**

Any species, strain or biotype of plant, animal or pathogenic agent injurious to plant or plant products [IPPC].

### **Regulated pest**

A quarantine pest or a regulated non-quarantine pest and an organism listed in BORIC as being regulated for New Zealand.

Note: If an intercepted organism is not listed in BORIC, the NPPO must contact MPI to establish the regulatory status.

### **Unit**

An individual piece of fruit or vegetable

### **Viable**

Any organism that is capable of development and/or reproduction, including insects, plants, seeds and other organisms that have not been through a de-vitalisation or sterilisation treatment.