Biosecurity New Zealand
Ministry for Primary Industries
Manatū Ahu Matua

Co-Management System (CMS)

Business Rules and Agreement

For (Insert TF name and #) to manage empty sea containers on behalf of Biosecurity New Zealand.

For further information contact:
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Document Version History

Version	Date
Version 2	August 2015
Version 3	November 2017
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Version 5	April 2019
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Glossary

Abbreviation/Word	Definition/Description
BNZ	Biosecurity New Zealand (a business unit of Ministry for Primary Industries (MPI)
Co-management	A third party carrying out activities to mitigate biosecurity risk on behalf of BNZ.
CMS trained AP	A BNZ approved Accredited Person (AP), trained in identifying biosecurity risks and carrying out decontamination processes as per the CMS agreement.
Co-Management System (CMS)	A BNZ approved and documented process with a valid signed operating agreement for a facility to manage biosecurity risks associated with empty containers at a port of first arrival.
Co-Management Operator	The facility operator and signatory responsible for overseeing the CMS.
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 determined as in appendix 4.
Corrective Action Report (CAR)	A BNZ issued document outlining the details of a non-compliance, the action required and the timeframe for these actions to be completed.
BNZ Officer	A person appointed as an inspector under section 103 of the Biosecurity Act 1993.
Verification Checks	A check by BNZ on 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 BNZ set standard of risk management. (appendix 3).
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 Biosecurity New Zealand (BNZ) at the port of first arrival.

A 3rd party can use this document to assist in the implementation of a CMS to process empty sea containers from variable risk countries that are on a 20% or less intervention rate at the border.

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 applies to BNZ (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 CMS Operator. The CMS can then 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 BNZ are, but not limited to:
1. The CMS Operator is responsible for overviewing 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 BNZ of these).
5. Must be a BNZ transitional facility (provide TF number).
6. Accredited persons (APs) are trained by approved training providers.
7. APs must complete a training session by BNZ to understand the CMS inspection and contamination threshold requirements.

3.1 Inspection Data

The CMS will provide the container inspection results to BNZ (as per prior agreement). These results can be either provided daily (directly to the local BNZ office), or electronically using bulk upload csv files via email (at least fortnightly). BNZ must ensure all inspection results are entered into the BNZ database by the 10th of the following month. All inspection results must be available for auditing purposes.

3.2 CMS Trained APs

CMS trained APs (signed off by BNZ) must receive a minimum of two verification checks (VCs) by BNZ between yearly audits and/or one between 6 monthly audits. BNZ is only required to conduct a monthly VC if an AP requires verification.

However, where a CMS trained AP meets the below criteria, as determined by BCS, the AP will only require one VC per annum.

1. The CMS has consistently provided BNZ inspection results for all empty containers directed to their facility, using the CMS contamination guidelines.
2. All CMS inspection results in BNZ systems are linked to the inspecting AP so that BNZ can monitor individual AP compliance.
3. The CMS trained AP has been inspecting CMS containers for two or more years from their completed training date.

If an AP fails a VC or the CMS facility is non-compliant, BNZ have the right to review the VC and audit frequency.

3.3 Audit and Verification

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

- The end-to-end system as per the CMS 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 annual audits.
- Non-compliance can result in more frequent audits or system suspension.
- BNZ is to provide an audit report to the 3rd party within 4 working weeks.
- BNZ must save all audit reports and related documentation to the BNZ internal filing system.

Verification checks will be completed by local BNZ officers as per the Training Records Schedule and will provide a copy of the CMS Verification Check to the CMS facility and associated BNZ Chief Quarantine Officer within 2 working days.

The check is to verify that 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 must be reported if a critical, major, or minor non-compliance is identified during an audit or VC. BNZ will issue a Corrective Action Report (CAR) to the CMS Operator. This will outline details of the non-compliance and the timeframes for corrective actions to be completed. BNZ may suspend the CMS 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 VCs and audits will be recovered from the 3rd party as per the Biosecurity (Costs) Regulations 2010 unless otherwise agreed.

Audit costs may include time for preparation and conducting the audit, reporting the audit results, and travel from the nearest local BNZ office. VC costs may include time spent conducting the VC and travel from the nearest local BNZ office. To minimise travel costs BNZ officers will endeavour to conduct the VCs along with other routine visits to the port. Time spent on data entry of container inspection results will be cost recovered (only applies to manual data entry by local officers not bulk upload from csv files).

5. Record Keeping

The following records must be kept on file and available on request by BNZ (audit requirement):
- Copy of signed operating agreement.
- Process overview documents.
- Monthly container inspection results where bulk upload csv files are not sent.
- 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 Biosecurity New Zealand through a Co-Management System.

Appendix 2: Co-Management System (CMS) Operating Agreement.

Appendix 3: Non-compliance Definitions and CMS Examples.

Appendix 4: CMS Contaminant Threshold Guidelines

Appendix 5: Container Inspection Result Templates.

Appendix 1: Application for a 3ʳᵈ party to manage empty sea containers on behalf of the Biosecurity New Zealand through a Co-Management System.

Co-Management System (CMS) Application:	
Name of Transitional Facility:	
Physical Address:	
Postal Address (if different from above):	
Contact Name (Person responsible for overseeing the CMS system):	
Contact Phone No:	
Email Address:	
Transitional Facility and CMS document details:	
Transitional Facility approval Number:	
Documents & supporting evidence submitted with this application will be kept on file by both the Facility and BNZ	
Document Names:	Attached (Y/N)
AP names and training records:	Attached (Y/N)
Declaration:	
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 BNZ. I have read and understand the relevant BNZ Co-Management System (CMS) Business Rules and Agreement and have included documents as required. Name: Signature: Date:	

Please send completed application to:
National Programmes
Border Clearance Services
PO Box 39, Auckland 1010
New Zealand
Email: Seacontainer.systems@mpi.govt.nz

Appendix 2: Co-Management System (CMS) Operating Agreement

Co-Management System (CMS) Operating Agreement

Approval of *(Facility Name)* for the operation of a co-management system to manage biosecurity risks of empty sea containers from variable risk countries that are on a 20% or less intervention rate at the border.

Scope:

The scope this agreement covers is:

- Un-cleared low risk empty sea containers.
- Arriving at *(Facility Name)*.
- Inspection of all exterior and interior surfaces of all empty container types.

Agreement:

Biosecurity New Zealand (BNZ) and *(Facility Name)* have agreed to meet all the requirements outlined in the Co-Management System (CMS) Business Rules and Agreement and the *(Facility Name)* 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.

Signature: Signature:

………………………………………………   …………………………………………….

Name: Name:

Title: Title:

                                                Facility:

Date: Date:

Appendix 3: Non-Compliance Definitions and CMS Examples

Non-Compliance	Definition	Examples of CMS non-compliances include but are not limited to:
Critical	Failure in a CMS 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 CMS. 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.	• Allowing uncleared containers to be released without biosecurity inspection / clearance • Allowing uncleared containers to be transferred to non-approved premises • Operating a CMS without trained staff or a person overseeing the system • Making significant modifications to the CMS without BNZ approval
Major	Failure in a CMS that caused or could have caused a major biosecurity risk. 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.	• Failure to operate the CMS 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	Non-compliance that does not represent a major failure to a CMS but that does require correction. Resolution will be monitored in subsequent audits. Noted in audit and/or verification check.	• 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 BNZ in the required timeframes
Recommendations	Suggestions for actions that could improve the current system to prevent potential non-compliances.	

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 BNZ reserves the right to change them at any time.	AP Action
No Risk (Record as Compliant)		• 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	• 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	• Less than 10 units of desiccated plant-based contamination including seeds.	
	Pest	• Any spider (except red back and widow spiders) • Cockroaches	Remove/treat on site in < 30 seconds.
High Risk (Record as HIGH)	Soil	• 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 BNZ if unsure. Re-inspect. Release container
	Plant material	• 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	• Any live organism or life stage that would take longer than 30 seconds to remove by hand on site. • Any snails • Ants • 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 BNZ office immediately or Call BNZ hotline on 0800 809 966 Follow the directions

Appendix 5: Container Inspection Result Templates

1. Manually entered results form for manual uploads

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

2. CSV file results form for bulk uploads

	TF code*	AP code*	TSW Ref #*	Container Number*	Inspection Date*	Contaminated?*	Type*	Description	MPI Notified?	Interior	Exterior	Top	Bottom
			Consignment Details				Contamination Details			Contamination Location*			

APC4
Container_Checks_Bul