



Röhlig Australia Customs Update - August 2023

CUSTOMS

The Brown Marmorated Stink Bug 2023/24 Seasonal Measures begin

The BMSB (*Halyomorpha halys*) is a brown insect with a shield-like appearance, native to Japan, China, Taiwan and Korea. It was believed to have been accidentally introduced into the United States in the early 1990s (having been discovered for the first time in Allentown, Pennsylvania), where it soon gained its reputation as a pest.

Why must we keep it out?

The BMSB feeds on around 300 crops, including critical Australian crops including but not limited to apple, citrus, soybean, tomato and corn. BMSB can cause severe damage to these crops, including the malformation of tree fruit and the stoppage of seed development. The introduction of the BMSB in Australia would be catastrophic to Australia's agriculture and horticulture industries.

How do we keep it out?

The Department of Agriculture, Fisheries and Forestry implement measures during the risk seasons to ensure BMSB do not make their way into Australia.

When is the BMSB season?

For the Brown Marmorated Stink Bug (BMSB) risk season the BMSB seasonal measures will apply to:

- targeted goods manufactured in and/or shipped from target risk countries between 1 September and 30 April (inclusive).
- vessels that berth, load or tranship from target risk countries within this period.

Note: The 'shipped on board date' (as indicated on the Ocean Bill of Lading) will be used to determine when goods have been shipped. 'Gate in' dates and times will not be accepted.

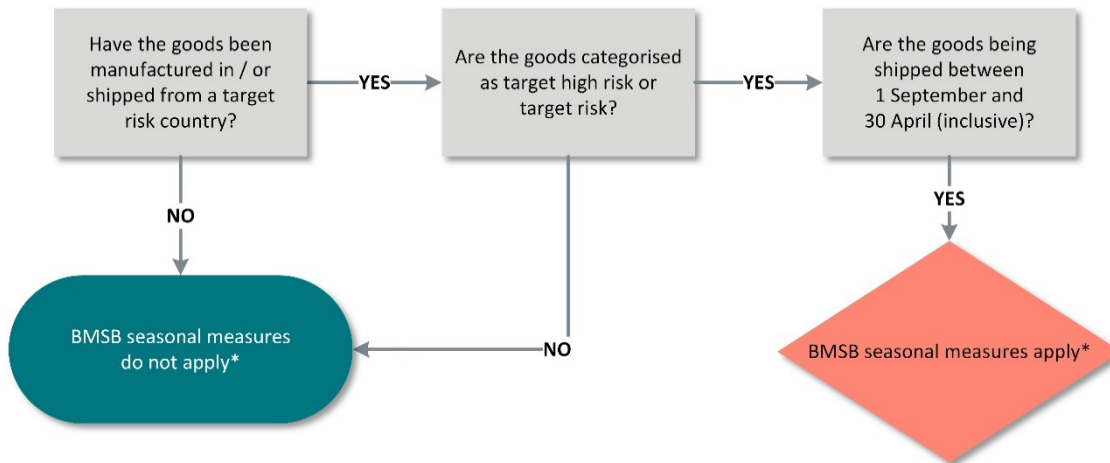
Are you prepared to Import during the BMSB season?

Check if your goods need to comply with the BMSB seasonal measures

If you answer yes to all of the following questions, then the BMSB seasonal measures will apply to your goods:

- Will the goods be shipped between 1 September and 30 April (inclusive)?
- Will the goods be shipped as sea cargo?
- Have the goods been manufactured in or shipped from a [target risk country](#)?
- Are the goods categorised as [target high risk](#) or [target risk goods](#)?

Determining if goods comply to BMSB measures



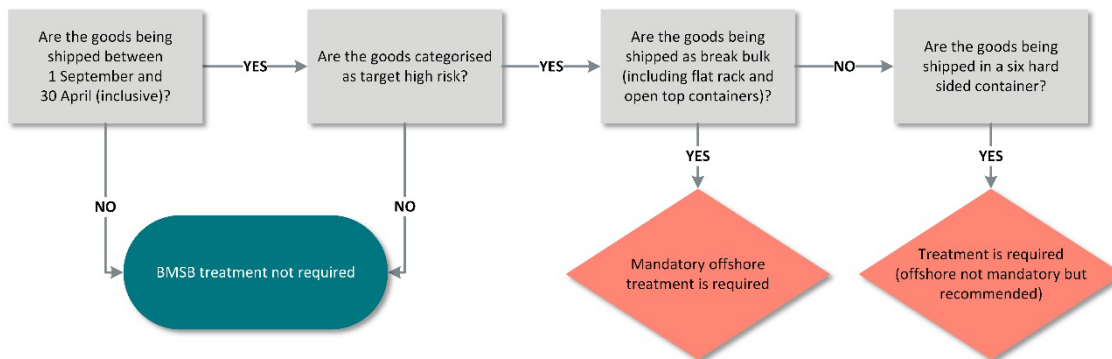
*Please refer to the main BMSB webpage for more detailed information

Check if your goods require mandatory offshore treatment.

If you answer yes to all questions, your goods must be treated offshore before arrival. Untreated target high risk goods that arrive as break bulk, in open top containers or on flat rack containers will be denied discharge and directed for export.

- Are the goods categorised as target high risk goods?
- Are the goods shipped as break bulk, in open top containers, or on flat rack containers?
- Will the goods be shipped between 1 September and 30 April (inclusive)?
- Have the goods been manufactured in, or shipped from, a [target risk country](#)?

Determining if goods require mandatory treatment



Cargo arriving in sealed hard six-sided containers with target high risk goods can be treated offshore or onshore. Deconsolidation or removal of goods from the container will not be permitted before onshore treatment.

Treatment requirements

Mandatory offshore treatment of break bulk consignments

Mandatory offshore treatment of target high risk goods shipped as break bulk cargo will be required, including goods shipped in open top containers or on flat rack containers or modified containers that are no longer sealed. Untreated cargo of this type will be directed for export. Where these goods are identified before a vessel's arrival into Australia, they will be denied discharge from that vessel.

Target high risk goods requiring mandatory offshore treatment that arrive untreated or treated by an unapproved treatment provider in a target risk country, will be directed for export on arrival.

Containerised Cargo - mandatory offshore or onshore treatment

Mandatory offshore or onshore treatment of target high risk goods shipped in sealed 6 hard sided containers will be required. Deconsolidation or segregation of goods will not be permitted.

Containerised cargo shipped as Less than Container Load (LCL) and Freight of All Kinds (FAK) containers also require mandatory offshore and/or onshore treatment of target high risk goods.

Less than Container Load (LCL) and Freight of All Kinds (FAK) containers with target high risk goods and will be managed at the container level for BMSB risk before deconsolidation.

To assist with container clearance, the department recommends early reporting by Master Consolidators.

Containers treated offshore will encounter reduced delays at the wharf and will be permitted to deconsolidate.

Containers seeking onshore treatment will be permitted to move to an Approved Arrangement site for treatment.

Deconsolidation or segregation of goods will not be permitted.

Consideration must be given to ensure containers are packed in a manner that will enable effective onshore treatment if required, to avoid possible export of goods.

Treatment options

The approved treatment options for BMSB risk are heat treatment, methyl bromide fumigation, and sulfuryl fluoride fumigation. Treatment rates can be found [here](#).

Offshore treatments

All goods subject to BMSB measures must be treated by a treatment provider listed as 'approved' on the list of treatment providers. Treatment providers from target risk countries that wish to become registered to conduct BMSB treatments can do so under the scheme.

Treatment providers in other countries who intend to conduct BMSB treatments for goods that are manufactured in or shipped from any of the target risk countries are encouraged to register under an offshore treatment assurance scheme.

Treatment providers registered under one of our offshore treatment assurance schemes, who intend conducting BMSB treatments, are encouraged to lodge their treatment certificates in the certificate lodgement portal. If you require access to the certificate lodgement portal, please contact the Offshore Treatments Team.

Offshore treatment providers – suspension

Treatment certificates from target risk countries will not be accepted from unregistered treatment providers or treatment providers listed as 'suspended', 'withdrawn' or 'under review' on the list of treatment providers. Goods will be subject to onshore treatment (if permitted) or directed for export.

Treatment certificates issued by a treatment provider in non-target risk country will be accepted unless the:

- treatment provider is listed as 'suspended', 'withdrawn' or 'under review' on the list of treatment providers; or
- unregistered treatment provider is listed as 'unacceptable' or 'under review' on our webpage.

Post treatment window of 120 hours

A post treatment window applies to goods after they have been treated offshore. Goods must either be loaded into a container and sealed or loaded onto a vessel for export from the target risk country within 120 hours.

It is important all goods are managed to prevent re-contamination or cross-contamination after treatment.

Goods treated on/or after 1 December, are not subject to the post treatment window requirement of 120 hours.

Further information on 120 hour post treatment windows can be found [here](#).

Documentary and evidence requirements

BMSB sealing declarations

This document can be used to demonstrate that goods were sealed inside a container before 1 September or after treatment. This document is required where:

- Goods were packed and sealed in a container before 1 September but shipped after this date.
- The bill of lading does not state the 'shipped on board date'.

- Target high risk goods were manufactured, packed and sealed in a container in a non-target risk country but have been shipped from a target risk country.
- Goods were sealed inside a container within 120 hours of treatment occurring offshore.

BMSB 120 hour tranship declarations by road and by sea

These documents can be used to demonstrate the amount of time spent in a target risk country for break bulk, open top or flat rack containers subject to BMSB measures. These documents are required where:

- Goods were treated in a target risk country and shipped to a non-target risk country within 120 hours of treatment.
- Goods were treated in a non-target risk country but transhipped through a target risk country within 120 hours of treatment.
- Goods were shipped from a non-target risk country, transhipped through a target risk country, but did not spend longer than 120 hours in the target risk country.

Who can make BMSB declarations?

Declaration templates must be completed by either the exporter, freight forwarder, shipping company, offshore treatment provider or manufacturer at the port of origin.

Declarations made by Australian based importer/brokers will not be accepted by the department.

Note: Container tracking information may be used as a supplementary means of confirming 'shipped on board date'. It cannot be used as the primary form of evidence. Container tracking information is insufficient for demonstrating when goods were sealed in a container.

New, unused, and not field-tested goods

Under the BMSB seasonal measures, certain goods that meet all the new, unused and not field-tested criteria will not be subject to mandatory treatment. The criteria include goods classified **under tariff chapters 82, 84, 85, 86, 87, 88 and 89 only** that are manufactured on or after 1 December. Goods must be accompanied by relevant supporting evidence.

Unaccompanied household goods and personal effects

Household goods and personal effects imported as unaccompanied personal effects, and that are categorised as target high risk goods, will not be subject to mandatory treatment requirements if they are imported under the B534 form.

However, goods that are required to be reported under a Full Import Declaration (for example motor vehicles and motorbikes), will require mandatory BMSB treatment either offshore for breakbulk, open top or flat rack containers or onshore for goods shipped in sealed 6 hard sided containers.

Mixed pathways

The measures apply to certain goods arriving into Australia as sea cargo. If target high risk and risk goods are shipped from a target risk country with a mixture of pathways (for example, air cargo to a non-target risk country and then shipped as sea cargo to Australia), seasonal measures will apply. Goods arriving through other pathways will be monitored for BMSB risk.

Treating for both commodity and BMSB risk

If your consignment has goods that require treatment for both commodity and BMSB risk, you may be able to treat the goods at the highest rate to meet both requirements. To meet the requirements for offshore treatment, the treatment provider must be registered under the Offshore BMSB Treatment Providers Scheme, and you must still provide treatment certificates (and phytosanitary certificates if required) as evidence the treatment has been completed.

Appropriate treatment space when packing containers

Consideration must be given to ensure containers are packed in a manner that will enable effective offshore/onshore treatment. Containers not able to be treated onshore (either as FCL or under a class 4.7 approved arrangement) will be subject to re-export.

Consignment suitability factsheets can be found on our webpage.

See. Secure. Report.

Seen something unusual? Report it, even if you are not sure.

Pests and diseases can spread quickly over large distances, so it is essential that you report what you find as soon as possible.

If you see something that could have entered Australia with imported goods, secure the goods and report it by phoning **1800 798 636** or completing the online form available on agriculture.gov.au.

For more Information on BMSB or Rohlig's routing and treatment options, please see our [BMSB flyer](#) and contact your local Rohlig Key account manager.

The Departments website also contains excellent reference material, including a list of FAQ's:
<https://www.agriculture.gov.au/biosecurity-trade/import/before/brown-marmorated-stink-bugs>