Standard for

General Transitional Facilities for Uncleared Goods

Requirements for Facilities and Operators

BNZ-STD-TFGEN

Ministry of Agriculture and Forestry
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Wellington
New Zealand

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BIOSECURITY NEW ZEALAND

NEW ZEALAND FOOD SAFETY AUTHORITY

The Ministry of Agriculture and Forestry, in accordance with section 39 of the Biosecurity Act 1993, approves this Standard – **General Transitional Facilities for Uncleared Goods, BNZ-STD-TFGEN** as a Standard for Transitional Facilities.

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Date

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Foreword

The Ministry of Agriculture and Forestry (MAF), is the lead agency in New Zealand's biosecurity system. It is responsible for enforcing the provisions of the Biosecurity Act 1993.

Under section 39(3) of the Act, the Director-General of MAF may approve a place as a Transitional Facility. Under section 40(3) of the Act, the Director-General may approve a person as an Operator. This document sets out the minimum requirements for building, maintaining and operating Transitional Facilities, and describes the process for approval of a facility and Operator.

This standard – *General Transitional Facilities for Uncleared Goods, BNZ-STD-TFGEN*, is a MAF standard prepared by MAF (Biosecurity Operational Standards and Systems Group) and cancels and replaces the following MAF standards:

- 152.04.03.F: 1998 – Requirements for holding and processing facilities (Class: Transitional Facilities) for uncleared risk goods;
- BNZ-STD-TFSCO – MAF Standard: Requirements for Transitional Facilities for sea containers;
- PBC-NZ-STD-FACIL-FLIGHT – MAF Biosecurity Authority Facility and Operator Standard: Requirements for flight kitchens (Class: Transitional Facilities);
- PBC-NZ-STD-FACIL-REFUSE – Requirements for incineration/ sterilisation facilities (Class: Transitional Facilities) for quarantine refuse or uncleared risk goods, and;
- 154.02.18 – Transitional Facilities for Animal Products.

This Standard is issued by the Director-General or authorised delegate under section 39(1) of the Biosecurity Act 1993 and is effective from 1 February 2009. Any new applications after this date must comply with this Standard. Transitional Facilities previously approved to MAF Standards and now included under this Standard (refer to list above) will be audited against this standard from 1 February 2009. If facilities can not meet the requirements of this Standard within timeframes as allocated by the MAF Inspector, facility approval may be cancelled.

Review and Amendment

This Standard is subject to review and amendment at any time, to ensure that it continues to meet biosecurity objectives. Operators must ensure that the most recent version of this Standard is used.

Amendment No.	Date	Reference
1	August 2009	Section 7
2	June 2011	Section 2, 3.2.1, 4.1, 4.12, 4.14 & various minor amendments

This Standard is accessible online at http://www.biosecurity.govt.nz/regs/trans/stds.

Contact Persons

For all matters relating to the operation of this Standard, contact a MAF Inspector in the MAF Operations and Facilities Group:

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Definitions

Act	Biosecurity Act 1993
IHS	Import Health Standard
MAF	Ministry of Agriculture and Forestry
MAF Inspector	A person appointed under the Biosecurity Act 1993 to enforce the provisions of the Act

1 Introduction

The Biosecurity Act 1993 (the Act) prescribes requirements for the exclusion, eradication and effective management of pests and unwanted organisms in New Zealand. These organisms have the potential to cause harm to natural and physical resources and human health in New Zealand. As such, any imported risk goods must receive biosecurity clearance before they can officially enter New Zealand. As a part of this process uncleared risk goods must go to a Transitional Facility upon arrival, and be held there until clearance is obtained. Transitional Facilities hold uncleared risk goods for inspection, secure storage or treatment until they receive biosecurity clearance or are re-shipped or destroyed.

This Standard states the requirements for the construction, maintenance, operation and approval of Transitional Facilities and Operators of Transitional Facilities. Further information on management of a Transitional Facility is contained in the Guidance document that accompanies this Standard. The Guidance document outlines processes that meet the required level of biosecurity practice that a Facility and Operator should follow, and provides examples of how this Standard can be met. Further guidance on how best to manage specialised facilities are contained in the annexes to the guidance document. The outcomes required by this standard must be met or exceeded, using either the examples provided in the Guidance document or approved equivalent measures.

It is expected that facilities will also meet the requirements of local governing bodies and any other relevant legislation, such as the Resource Management Act 1991, and any requirements of a relevant Import Health Standard.

2 Scope

This Standard includes the minimum requirements for **general facilities** dealing with:

- risk material for analysis/testing (e.g. water, soil or sand);
- plant fibre;
- uncleared goods at deconsolidation facilities;
- uncleared goods in transit to other Transitional Facilities or for re-export;
- risk goods requiring holding, sampling or inspection at the border;
- wood or forestry products including sawn timber;
- wood packaging;
- seed for sowing;
- stored plant products including seeds for consumption or processing;
- stock feed meals;
- holding and inspecting live animals at approved Places of First Arrival.

and the minimum requirements for general facilities dealing with **specialised** imports of:

- air and sea containers;
- decontamination facilities;
- fumigation and other treatment facilities;
- personal effects inspection;
- fresh produce and nursery stock inspection;
- animal products including hides, meat, skins and fibres;
- biological products (inspection of packaging and holding only);
- facilities for holding, disposal and/or processing of quarantine refuse;
- incineration and sterilisation facilities;
- international mail inspection;
- inanimate material in containers (e.g. machinery and parts including: agricultural and forestry equipment, aircraft, car parts, scrap metal, tyres, and used vehicles);
- biosecurity control areas;
- holding and inspecting live animals at approved Places of First Arrival.

The scope of this Standard does **not** include the minimum requirements that must be met for the operation and management of Transitional Facilities used for the inspection, storage, treatment, quarantine, holding, or destruction of animals requiring higher levels of biosecurity, plants and plant products requiring higher levels of biosecurity[1], or the inspection, treatment, processing or destruction of biological products[2] (holding of biological products is covered under this Standard, see Annex G of the Guidance document for more details).

[1] As required by a specific IHS or permit to import - http://www.biosecurity.govt.nz/regs/imports/ihs.
[2] These requirements are specified in MAF Standard 154.02.17 – Transitional Facilities for Biological Products - http://www.biosecurity.govt.nz/border/transitional-facilities/animals/154-02-17.htm

3 Approval of Facilities and Operators

3.1 APPROVAL OF A FACILITY

3.1.1 General Provisions and Requirements

Transitional Facilities must be approved in accordance with section 39(3) of the Act. They must have an approved Operator and be constructed and operated in accordance with this Standard, as well as any additional requirements specified in:

- a relevant HIS;
- a relevant permit to import;
- any notification from a chief technical officer (CTO) relevant to a specific risk good.

Any person wishing to have a place approved as a Transitional Facility should follow the procedure outlined in the Guidance document that accompanies this Standard.

3.1.2 Changes to an Approved Facility

A facility is approved for specific purposes and activities related to the goods included in the scope of the operating manual. Any changes or modifications to these must be approved by a MAF Inspector. Depending on the extent of change, a new approval may be required. For more information on changes to facilities refer to the Guidance document that accompanies this Standard.

3.1.3 Leased Facilities

Any lease agreements must not interfere with a facility's ability to meet the requirements of this Standard. If a facility, or part of a facility is leased, the lease contract (or non-gratia arrangement) with the owner must clearly identify the business and the operational arrangements contracted with the owner for meeting the requirements of the Standard.

For more information on lease agreements refer to the Guidance document that accompanies this Standard.

3.2 APPROVAL OF AN OPERATOR

3.2.1 General Provisions and Requirements

An Operator is a person, normally an individual, but may be the Crown, a corporation sole, or a body of persons (corporate or unincorporated). If the Operator is the Crown, corporation sole, or a body of persons, then an individual must be nominated who has delegated and written authority for the resourcing and operation of the facility. This individual will nominally be the Operator.

The facility Operator is responsible for ensuring that:

- the facility meets the requirements of this Standard;
- the facility is used for the purpose specified in the operating manual;
- resources are in place for maintaining the facility, and;
- the requirements of the operating manual and any Quality Management System can be met.

An Operator will be approved by the Director-General in accordance with section 40(6) of the Act, if the Director-General is satisfied that the applicant is a fit and proper person to operate

the facility, has the authority to resource and operate the facility and has the technical and financial resources in place to maintain that facility.

Any person wishing to be approved as an Operator of a facility should follow the procedure outlined in the Guidance document that accompanies this Standard.

3.2.2 Deputy Operators

The Operator may nominate individuals to be Deputy Operators. A Deputy Operator must be appointed for a facility where the Operator responsible for that facility is located at a separate site. A Deputy Operator must have the authority to act as a second Operator of the Facility, nominally when the Operator is absent. To gain approval as a deputy Operator, applicants must undertake the same training as Operators. A Deputy Operator may also be required where it is the opinion of the Inspector that a deputy is needed due to the complexities and particular operating factors of a facility.

3.2.3 Operator Training

Operators and Deputy Operators must successfully complete the Operator training course prior to receiving approval. Refresher training must be undertaken every four years in order to maintain approval. Details of this training are available from a MAF Inspector and on the MAF website (at http://www.biosecurity.govt.nz/regs/trans/req).

3.2.4 Changes to Operator

The MAF Inspector must be notified of any proposed changes to the Operator or Deputy Operator(s). Prospective new Operators must complete an application according to the requirements in this Standard. It is illegal for a facility to operate without an approved Operator.

3.3 CANCELLATION OF APPROVAL OF A FACILITY OR OPERATOR

A facility's approval may be cancelled in accordance with section 39 of the Act if the facility no longer complies with any of the requirements of this Standard; or the Director-General is satisfied that the facility is no longer used for the purpose(s) specified in the operating manual. Notice of cancellation will be given in writing.

An Operator's approval may be cancelled in accordance with section 40 of the Act, if the Director-General is satisfied that the Operator is no longer operating the facility according to this Standard, has ceased to act as Operator of the facility, or is no longer a fit and proper person to operate the facility. Before an approval for a Transitional Facility or Operator is cancelled, the Operator will be given a reasonable opportunity to provide comments to MAF. Notice of cancellation will be given in writing.

Where approval of a facility is no longer required for any reason, the Operator must contact a MAF Inspector who will ensure that all biosecurity risks are dealt with before facility closure.

3.4 PERSONAL INFORMATION ON INDIVIDUALS

In accordance with Principle 3 of the Privacy Act 1993, all information collected on applicants, identifying, or capable of identifying, an individual person is personal information. The information is collected for purposes relating to the approval of a facility under section 39 of the Biosecurity Act 1993 and approval as an Operator under section 40 of the Biosecurity Act 1993. The recipient of this information, which is also the agency that will collect and hold the information, is the Ministry of Agriculture and Forestry. Failure to provide this information will result in the Director-General declining an application for

approval of a facility or Operator. An individual has the right of access to, and correction of, any personal information that has been provided.

4 Requirements for Operating a Facility

4.1 OPERATING MANUAL

An operating manual must be prepared for each facility. This manual must be approved before a facility can be approved. The approval of the facility will be limited to the purpose and scope of activities listed in the operating manual. A current hard copy of the operating manual must be readily accessible to staff and a MAF Inspector at all times.

If a facility intends to change its operations to activities outside the approved scope of the operating manual, a MAF Inspector must be informed as a revised manual or new approval may be required. For information on what an operating manual should contain, refer to the Guidance document that accompanies this Standard.

4.2 FACILITY LOCATION

Facilities must be located in areas that can provide services and systems to ensure that the biosecurity of uncleared goods is maintained and that adequate provision can be made for the management of contingencies in the event of an incident or containment breach (e.g. access to public sewer and mains power). For more information on facility location, refer to the Guidance document that accompanies this Standard.

4.3 RECEIPT AND TRANSFER OF UNCLEARED GOODS

Uncleared goods must be managed in such a way that the biosecurity risks arising from the goods are eliminated or minimised. They must be unloaded within the Transitional Facility. The Operator is responsible for all uncleared goods upon arrival at the facility and must have authority from MAF to receive, transfer to another facility, or re-ship goods from New Zealand. The facility may only receive goods within the scope of their approval.

Where goods arrive without correct MAF documentation, the MAF Inspector must be notified immediately, and the goods held securely until authority from MAF is received as to further actions to be taken.

Any transfer of uncleared goods must be in a secure and contained manner to prevent spillage or contamination of the transporting vehicle, other cargo or environment. If spillage occurs during transport, the transporting vehicle or container must be cleaned and waste must be disposed of as specified by a MAF Inspector. The Operator must report any spillage or leakage of uncleared goods likely to constitute a biosecurity risk to a MAF Inspector.

For more information on the management of uncleared goods refer to the guidance document that accompanies this Standard.

4.4 INTERNET ACCESS

Facilities are encouraged to have access to an on-line computer and Operators should ensure that staff are familiar with electronic communication. For more information on internet access refer to the Guidance document that accompanies this Standard.

4.5 FACILITY ACCESS AND SECURITY OF GOODS

A facility must have a system of controlling access to ensure the security of uncleared goods. Only persons permitted by the Operator are allowed in the facility while uncleared goods are present. Visitors must adhere to access procedures and where possible be accompanied by a

staff member while in the facility. The instructions of the Operator or MAF Inspector are to be followed at all times. The Operator must provide access to the facility for a MAF Inspector at any reasonable time.

Prior to inspection, uncleared goods must not be moved from the facility and must remain secure and intact (parts or items may not be removed) unless authorisation is obtained from a MAF Inspector. Uncleared goods must be held in such a manner that organisms (e.g. insects) can not escape from the Transitional Facility and that other goods will not become contaminated.

The facility must use a system for tracking uncleared goods in and out of the facility that can be audited by a MAF Inspector. For more information on facility access and security of goods, refer to the guidance document that accompanies this Standard.

4.6 SEGREGATION OF UNCLEARED GOODS

Uncleared goods must be effectively segregated from all other goods to prevent possible cross contamination. The operating manual must stipulate how this will be achieved, monitored and maintained, and must be based on the likely risks posed by the risk goods. Cleared or other goods that become contaminated or are suspected of being contaminated from contact with uncleared goods must be regarded as a biosecurity risk and handled in the same manner as uncleared goods. For more information on segregation of goods refer to the guidance document that accompanies this Standard.

When a facility is not being used for the purpose of the approval it may be used for other purposes between consignments. This must not compromise the ability to meet the requirements of this Standard when the facility is being used for the approved purpose.

4.7 RECORD KEEPING

The Operator must implement and maintain an effective record keeping system that allows easy access to records for relevant staff and the MAF Inspector. Records must be legible, readily identifiable, and must be kept for a minimum of seven years from receipt, preparation or amendment. For more information on the types of records that should be kept, refer to the Guidance document that accompanies this Standard.

4.8 HYGIENE REQUIREMENTS

Facilities must have a hygiene system in place that ensures they are kept clean at all times. The operating manual must specify hygiene procedures that will be used in the facility to achieve this. Hygiene requirements must take into account prevention of accumulation of waste and debris, prevention of possible refuge areas for pests and the disposal of used packaging, sweepings, dunnage or any other waste that might pose a biosecurity risk. For more information on hygiene requirements, refer to the Guidance document that accompanies this Standard.

4.9 PEST, WEED AND VERMIN CONTROL

Operators must ensure that pests, weeds and vermin are effectively controlled. The operating manual must describe the process that will be undertaken. Live animals and plants that are not part of a consignment being imported into New Zealand are not permitted in the Transitional Facility when uncleared goods are present.

It is every person's duty to inform MAF as soon as practicable of the presence of any organism not normally seen or otherwise detected in New Zealand, in accordance with Section 44 of the Act.

4.10 INTERNAL ASSESSMENT OF FACILITY

The Operator must carry out regular self assessments of the facility activities to verify that activities continue to follow the procedures outlined in the operating manual. This should occur at a minimum once per year. Depending on the types of goods being imported a higher frequency of self assessments may be required. The operating manual itself should also be reviewed on an annual basis by the facility Operator to ensure its continuing suitability and effectiveness and to introduce any necessary changes or improvements. Any changes must first be approved by a MAF Inspector.

All self assessment and review findings and any corrective actions that arise from them must be documented.

For more information on internal assessments of facilities refer to the guidance document that accompanies this Standard.

4.11 INSPECTION AND TREATMENT OF IDENTIFIED BIOSECURITY RISK

If biosecurity risks are identified or suspected in uncleared goods, the goods must be treated, destroyed, or re-shipped as directed by a MAF Inspector. Goods directed for treatment must either be securely transported to a Transitional Facility approved to provide treatments, or treated on site at the importing facility by a MAF approved treatment provider (a list of approved treatment suppliers can be found at http://www.biosecurity.govt.nz/regs/trans/treat/approved).

4.12 SIGNAGE

A facility must have a prominent sign or signs identifying the area as a transitional facility under the Act. Signs must warn that entry is restricted to permitted persons only. For an example of a sign refer to the Guidance document that accompanies this Standard. Signs are not permitted to display the MAF logo or the acronyms ‘MAF’ as per the Flags, Emblems, and Names Protection Act 1981.

4.13 INSPECTION FACILITIES

Pursuant to the risk goods being imported, an area or room must be identified for MAF Inspectors to use when inspecting goods. This area must be approved by MAF prior to first use and be identified in the operating manual site map. This area must be of a sufficient size to enable the inspections to be conducted effectively and safely and have the ability to contain any associated biosecurity risk. The area must not be subjected to extreme temperatures, and must be adequately lit and ventilated. The facility must provide any fit for purpose equipment (e.g. inspection benches, microscopes), storage or labour as required by a MAF Inspector to help with inspections. The inspection area is to have the same segregation requirements as an uncleared goods holding area. For more information on Inspection facilities refer to the Guidance document that accompanies this Standard.

4.14 CONTINGENCY PLANS

The Operator must ensure that contingency plans are in place to manage all identified biosecurity risks associated with the facility including possible breaches of security (for example; essential equipment malfunction or loss of electrical power or arrival of non-compliant live animals). These must be included in the operating manual.

4.15 STAFF TRAINING

Facilities must nominate a person or position responsible for training of staff. The operating manual must describe how the training programme is to be implemented, and the time scales for implementation and refresher courses.

Training must be available to new and existing staff. Documents of training records for all staff must be held for MAF Inspection at the time of MAF audit.

5 Systems of Equivalence

Where a Transitional Facility develops a customised system that meets the level of compliance required by this Standard, they may, on verification and approval by MAF, include such a system in their operation manual as a 'system of equivalence'.

6 External MAF Assessment

Transitional Facilities are assessed by a MAF Inspector to ensure the requirements specified in this Standard are met.

Where a facility is not compliant with this Standard, the MAF Inspector may recommend that approval for that facility and Operator be cancelled. Where non-compliances are found but cancellation is not initially recommended, audit frequencies will increase until the MAF Inspector is confident the facility is compliant. Conversely, MAF may grant audit dispensation to facilities that are continually performing well in audits and are not incurring non-compliances. A system for this is outlined in the Guidance document that accompanies this Standard.

The Operator must provide MAF Inspectors access to the facility, records and documents for inspection and audit to confirm compliance with this Standard or to investigate non-compliances in accordance with the Act. The Operator or deputy must be present to assist and ensure that all relevant procedures and records are made available. MAF reserves the right to audit at any time and audits may be unscheduled. Should a facility Operator and/ or deputy display a lack of sufficient knowledge leading to failure of an audit, a MAF Inspector may require the Operator or deputy to re-take the relevant training course.

Under section 122 of the Act, Inspectors have the power to give directions regarding Transitional Facilities or risk goods. Failure to act on a lawful direction from a MAF Inspector may lead to cancellation of approval for the facility and/ or Operator and prosecution under the Act.

For more information on audits refer to the guidance document that accompanies this Standard.

7 Accredited Persons for Sea Containers

Facilities approved for receiving and/ or unpacking sea containers must have MAF approved Accredited Persons present upon delivery and unpacking of a container. The Accredited Person must have undertaken the MAF approved Accredited Persons training course within the past two years and be registered as a current Accredited Person by MAF. Re-training must be undertaken every two years. Further information is contained in the Guidance document that accompanies this Standard, in Annex A for facilities for sea containers.

8 Costs

The applicant is required to pay for all costs associated with an application for approval of a Transitional Facility and Operator including a processing fee, and for time spent reviewing the application (including the manual) by MAF. Facilities are also required to pay any subsequent costs associated with the ongoing approval of the facility or Operator, such as for audits (this includes a MAF Inspectors time and travel). Fees will be charged according to the current Biosecurity Cost Regulations.