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## **IMPORTANT CLIENT ALERT**

### **Updated Measures Announced - Brown Marmorated Stink Bug Season 2018/2019**

NOTE - Please read this client alert in conjunction with Client Alert #4 (6<sup>th</sup> August 2018).

Last week the Department of Agriculture and Water Resources updated their BMSB seasonal measures to allow for FCL (full container load) or FCX (full container consolidated) to be treated upon arrival in Australia. However we advise clients to be prepared for potential delays at Quarantine fumigation depots. And as we saw last season these delays resulted in increased container detention charges for many importers, payable to the shipping line for late return of empty containers. We suggest having these containers treated offshore if possible to avoid the potential bottleneck.

Industry groups are still lobbying the Australian Government to allow onshore treatment of LCL (less than container load), FAK (freight of all kinds), Break Bulk, Open Top and Flat Rack containers, however at this stage this has been unsuccessful.

Note these measures only apply to sea freight consignments. No measures apply (at this stage) to consignments arriving into Australia by air.

Only 2 weeks to go. From 1<sup>st</sup> September importers of Targeted High Risk Goods manufactured in or shipped from Target Risk Countries as break bulk, open top containers, flat rack containers, LCL or FAK, will need to ensure that BMSB treatment is conducted BEFORE your goods are shipped. We strongly advise that you contact your suppliers to discuss treatment options.

A list of approved methods of treatment and fumigation/treatment providers is available on the Department's website <http://www.agriculture.gov.au/import/before/pests/brown-marmorated-stink-bugs/offshore-treatment-providers>.

On the above link your suppliers can also find the relevant information to have their fumigators approved with Australian Quarantine for BMSB treatment if they are not currently on the approved list.

The implications for importers affected by measures are significant, particularly if goods arrive untreated or if offshore treatment does not meet biosecurity requirements. Australian Quarantine will order re-export or destruction. Importers will be responsible for arrangement of and all costs associated with export or destruction.

Loynes have identified our clients that have imported Targeted High Risk Goods shipped out from Target Risk Countries over the past 7 months and we will be in contact to discuss how these measures could impact any upcoming shipments or orders. However we are unable to identify consignments containing goods manufactured in a target country subsequently shipped out of a non-target country.

Please remember that this is an Australian Government biosecurity measure to protect our agricultural industries from a serious pest. Our staff are obligated to meet all requirements under Australian law.

The BMSB season runs from 1<sup>st</sup> September 2018 to 30 April 2019.

BMSB seasonal measures do not apply to goods not identified as target high risk and target risk from subject countries.

For further information or assistance please contact Hans Van Druten or Craig Hampson on 33931888.

<http://www.agriculture.gov.au/import/before/pests/brown-marmorated-stink-bugs>