

11 September 2023

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*Via email*

CC: Dr. Chris Locke, Deputy Secretary / Tina Hutchison, First Assistant Secretary  
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## **FTA / APSA Response - Draft CPM Recommendation on Minimising Pest Risk in the Sea Container Pathway**

Dear Gabrielle,

It is our understanding that feedback to the International Plant Protection Convention (IPPC) on the *Draft CPM Recommendation on Minimising Pest Risk in the Sea Container Pathway* is to be made via respective National Plant Protection Organisations (NPPOs).

In this capacity, we have prepared a submission for your reference [incorporating work completed by the Global Shippers Forum (GSF)] on behalf of Freight & Trade Alliance (FTA) and the Australian Peak Shippers Association (APSA). For the purposes of this submission, collectively these three leading trade bodies are referred to as “*the alliance*”.

### **ABOUT THE FTA / APSA & GSF ALLIANCE**

FTA and APSA have a hybrid membership including:

- over 500 export, import, customs broker, freight forwarder and logistics businesses (member directory available at [www.FTAlliance.com.au](http://www.FTAlliance.com.au)); and
- leading associations including the *Australian Cotton Shippers' Association*, the *Australian International Movers Association*, the *Australian Council of Wool Exporters & Processors*, the *Australian Meat Industry Council*, the *Australian Dairy Products Federation*, the *Australian Horticulture Exporters and Importers Association* and the *Tyre Stewardship Association*.

Importantly, APSA:

- is the peak body for Australia’s containerised exporters and importers under *Part X of the Competition and Consumer Act 2010* as designated by the *Federal Minister of Infrastructure and Transport*.
- has board representation on the GSF representing shippers’ (exporter and importer) interests and that of their national associations in Asia, Europe, North and South America, Africa and Australasia.

### **WORKSHOP SUCCESS**

As well as official roles at FTA and APSA, Paul Zalai is a GSF Director and had the privilege of joining industry colleagues, International Plant Protection Convention (IPPC) and NPPO representatives on the Steering Committee for the *International workshop on pest risk mitigation of sea containers and their cargoes and the facilitation of international trade - defining the way forward* hosted in Brisbane 17 – 19 July 2023.

The Department of Agriculture, Fisheries and Forestry (DAFF) and IPPC are to be commended for hosting a first-class event providing an effective platform for the sharing of content and facilitation of constructive dialogue between NPPO and industry delegates.

## OVERVIEW

Building on the experience from the IPPC Workshop in Brisbane, the alliance is grateful for the opportunity to comment on the draft Commission on Phytosanitary Measures (CPM) Recommendation on *Minimising Pest Risk in the Sea Container Pathway*, as approved by CPM 17 for consultation. This is a crucial issue for shippers which the alliance has contributed constructively to over the past five years, including the GSF as member of the IPPC *Sea Containers Task Force*.

The alliance welcomes the revised and expanded Recommendation and its stated aims. We believe this to be the optimum means of informing governments and other stakeholders of the substantial progress made on this important subject at this time.

The alliance welcomes the stated purpose of the Recommendation in providing interim guidance, with decisions on future measures to be taken by the CPM at its meeting in April 2024.

We continue to argue for a risk-based and proportionate approach in the development of any mandatory measures. The alliance endorses the emphasis made in the draft Recommendation that these must not impede the efficient flow of container movements in international trade.

The alliance continues to believe that much progress on risk reduction can be made in a short time by a concerted and coordinated effort to raise awareness of this issue amongst parties in international supply chains. Potential sources of funding to support such a campaign should be investigated.

## CUSTODIAL RESPONSIBILITY

The alliance acknowledges that there is risk of pest contamination at every stage of a container movement and that consequently, every party involved should bear their fair share of responsibility to minimise an occurrence and to remove or remediate detected instances of contamination.

The alliance advocates and recommends adoption of the principle of *'Custodial Responsibility'* for the cleanliness of containers but notes the draft Recommendation lists the affected parties as including *"but not limited to"* container depots, consignors, shippers, packers, transportation service providers, consignees, and terminals.

The alliance remains concerned at the apparent absence of vessel operators and container owners from the chain of responsibility by omission from this list. We have been assured by shipping industry representatives that they are covered by the term *"transportation service providers"*. However, for consistency, clarity, and good order the alliance requests that the list be amended to include the key parties of carrier and container operator by name.

Given its universal applicability it is therefore vital that the principle of *Custodial Responsibility*, and the obligations and actions that flow from it, are developed in consultation with representatives of the other parties involved in container logistics. Industry representation in the CPM Focus Group has thus far been limited and the alliance believes that development of any new global measures by CPM must be conducted with representatives of all the parties affected, if they are to be effective.

In line with *Custodial Responsibility* principles, FTA / APSA recommend that DAFF re-engage with industry to progress its proof-of-concept trials with various import businesses to test whether their systems and supply chain controls could be leveraged to manage biosecurity risk effectively and consistently. We understand that the trial has concluded and DAFF has been reviewing the results to inform development of a trust-based biosecurity risk management scheme (Green Lane arrangements).

Australia can set a best practice model for *Custodial Responsibility* via the Green Lane arrangements will:

- reduce regulatory intervention and costs for highly compliant importers who already invest heavily in commercial quality assurance arrangements;
- allow for biosecurity risks to be identified and mitigated before goods are shipped to Australia;
- lessen border congestion, providing benefits for other importers and the wider community, helping to drive business growth and job creation; and
- enable DAFF resources to be redirected to areas of greater risk.

Importantly, the Green Lane also delivers on the Commonwealth Biosecurity Strategy 2030 by partnering with industry to inform border operations and strengthen our biosecurity system.

## **SHIPPERS STRATEGY**

Through the GSF's *Container Cleanliness Working Group*, a Container Cleanliness Strategy has been adopted that is intended to support shippers in understanding and fulfilling their Custodial Responsibilities for container cleanliness.

In addition to ensuring this Recommendation reflects the concerns and ideas of shippers, the Strategy also makes requests of suppliers and operators of containers to make available more information to their customers about the condition and previous uses of empty containers.

It also requests that further information be developed and disseminated by NPPOs about actions to be taken by container users in the event of a discovery of pest contamination.

The Strategy also commits GSF to the production and distribution of new guidance and advice for shippers on their key responsibilities for maintaining the cleanliness of containers, especially whilst they are being packed and stored awaiting shipment. These outputs will be shared with CPM when developed as a contribution to reducing pest transfer risks in the sea container pathway.

## ENGINEERING SOLUTIONS

Whilst there is much that can be done by users of containers, the alliance believes the vulnerability of present container designs to pest contamination provides ample scope for many of the risks to be *'engineered-out'* of future production. The alliance therefore welcomes the focus in the Recommendation on container design and construction as a route to risk reduction and strongly encourages the early adoption of materials and techniques known to reduce risks by container manufacturers and operators.

Containers fitted with a wooden floor seem to be especially vulnerable to long-term harbouring of some pest species and the alliance has requested they are made identifiable to shippers to better inform their acceptance of an empty container.

## TECHNOLOGICAL SOLUTIONS

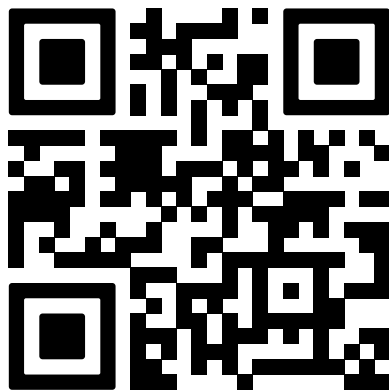
The IPPC Workshop in Brisbane showcased many impressive and potential technological solutions.

Of particular interest is the development of an interactive device application by the Wisetech Academy that can provide contextualised information on the safe and clean packing of a container, based on the user's location, time of day and year, and type of cargo being packed.

The App can be used to work through the questions posed in the Container Packing Checklist compiled by the Cargo Integrity Group. The alliance will continue to work with Wisetech Academy in the development of the App and in particular helping to raise awareness of its availability amongst shipper and container packer communities.

FTA / APSA supported the Wisetech Academy in developing user requirements and engagement with DAFF as a part of *Biosecurity Innovation Program Project No: CO7237 Digitising the CTU Code App*.

The App may be downloaded and viewed using the QR code below. (All rights remain those of Wisetech Group)



## **EXTERNAL CONTAMINATION AND NON-CARGO SOURCES OF CONTAMINATION**

The alliance believes there is an unjustified emphasis in the draft Recommendation on the internal condition of the container and an exaggerated view of the contribution that cargoes make to risks of contamination. Cargoes are unlikely to be shipped knowingly contaminated by pests, as this would be detrimental to the value of the goods.

Evidence presented at the IPPC Workshop in Brisbane suggest external contamination of containers is a more frequent occurrence and presents a higher risk of pest dispersal, than internal contamination. This is not consistent with reported experiences of NPPOs nor cargo owners. The risks of contamination on the external surfaces of containers and the precautions for its avoidance and removal should be more fully developed in the Recommendation.

## **INVASIVE ALIEN SPECIES ASSESSMENT**

According to a major new report by the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES), more than 37,000 alien species have been introduced by many human activities to regions and biomes around the world.

Prevention measures – such as border biosecurity and strictly enforced import controls – are identified by the report as having worked in many instances, such as the successes achieved in Australasia in reducing the spread of the brown marmorated stink bug (*Halyomorpha halys*).

This highlights the importance and need for better systems and processes to achieve the dual aims of biosecurity safeguards and trade facilitation.

Both are critical and not mutually exclusive and importantly are a shared responsibility between government and industry to ensure success.

## **ANNEX**

More detailed comments on the draft Recommendation, as prepared by the GSF, is available in the Annex to this submission.

The alliance looks forward to ongoing engagement with DAFF and the IPPC in further developing strategies on how to reduce pest contamination of sea containers and their cargoes.

### **Sal Milici**

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