

Minimum documentary and import declaration requirements policy

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Contents

Introdu	ıction	4
Pur	pose	4
Background Key outcomes		4
Policy		12
1	Overarching document requirements	
2	Document format requirements	14
3	Original documents and certificates or certified copies	
4	Consignment-specific documentation	16
5	Imported food inspection scheme documents	25
6	Overarching Import declaration requirements	26
7	Broker approved arrangement import declaration requirements	29
8	Imported Food Inspection Scheme (IFIS) import declaration requirements	29
9	Other considerations	30
10	Related documents/information	32

Introduction

Purpose

This document defines the minimum documentary and import declaration requirements that must be met when lodging an import declaration to the Department of Agriculture, Water and the Environment (the department) to support risk assessment of imported goods, whether for biosecurity purpose or the Imported Food Inspection Scheme.

Background

The department uses a range of measures to assess the biosecurity risk posed by imported goods and to administer the Imported Food Inspection Scheme. A key measure is the assessment of declarations, documentation and certification that accompanies imported goods. This documentation and certification is based on a range of government and commercial sources and in some instances is based on documents issued by the department.

Imported goods may be released or directed for subsequent action based on a biosecurity officer's assessment of documentation and the information in an import declaration. Customs brokers, operating under an approved arrangement with the department, determine the assessment outcome to release goods or direct goods for subsequent biosecurity assessment or management outcomes based on the documentation available to them.

For the Imported Food Inspection Scheme, additional documents are required to identify the goods that require inspection, to determine the amount of samples that may be required for analytical testing and to nominate a laboratory to test the samples.

This policy ensures a consistent approach to assessing documentation and import declarations presented to the department.

This document refers to AQIS where AQIS remains current in IT systems and approved arrangements. AQIS (the Australian Quarantine and inspection Service) was the former name of the department.

Key outcomes

The key outcomes of this policy are to establish clear:

- minimum requirements for determining whether documents presented for assessment meet departmental requirements
- parameters to determine whether documents presented for assessment are linked to a consignment
- parameters to determine whether documents presented for assessment are linked to each other
- parameters to determine if government certification presented for assessment has been acceptably issued and endorsed
- minimum requirements for import declarations lodged with the department.

Definitions

Acceptable treatment provider

The department maintains lists of <u>treatment providers</u>, which are organised into acceptable and unacceptable by country.

Some offshore treatments can only be performed by treatment providers registered under recognised overseas government programmes. This is identified in the treatment options listed in the

applicable BICON case.

Air waybill A non-negotiable document issued by the carrier (airline or freight

forwarder) that serves as a receipt to the consignor for the goods. Air waybills contain the conditions of transport and the details of the $\,$

consignee.

Appointed analyst A laboratory appointed as an analyst under section 34 of the

<u>Imported Food Control Act 1992</u> to conduct testing on samples of imported food under the Imported Food Inspection Scheme.

Approved arrangement

Is an arrangement between the Department of Agriculture, Water and the Environment and another entity (known as a biosecurity industry participant) to permit the other entity to carry out specified biosecurity activities to manage biosecurity risks associated with

specified goods, premises or other things.

AQIS document number field

The field in the Integrated Cargo System where the number of a

government issued certificate is recorded.

AQIS document type
The field in the Integrated Cargo System where the type of

government issued document is recorded.

AQIS Commodity Code

(ACC)

This code is utilised by the department to refine tariff classifications of goods subject to biosecurity control. Use of the code facilitates the

clearance of the goods.

AQIS Entity Identifier

(AEI)

The AEI is the treatment provider number for certain offshore

treatment providers.

AQIS Entity Identifier

(AEI) field

The field in the Integrated Cargo System available to record the

treatment provider number.

AQIS Identification Number (AIN) The AIN is the treatment provider number for companies approved by the department who are registered for the Ethylene Oxide

Offshore Treatment Providers Scheme.

AQIS producer code

field

The field in the Integrated Cargo System where details of the producer of an imported food are lodged in an import declaration. For imported food that requires a Food Safety Management Certificate (FSMC), the details of the producer shown on the FSMC must match the details recorded in the ICS producer fields.

Australian Fumigation Accreditation Scheme (AFAS) AFAS is a scheme based on intergovernmental arrangements under which the department recognises treatment providers registered by an overseas government as being acceptable treatment providers.

Authorised Officer

Is either the Secretary of the Department of Agriculture, Water and Environment; or a person who has been appointed by the Secretary pursuant to subsections 40(1) or 40(2) of the *Imported Food Control*

Act 1992.

Beneficiary certificate A certificate issued by an exporter to certify that specific

requirements have been complied with.

BICON BICON is the department's Biosecurity Import Conditions system.

BICON allows clients to obtain import conditions for specific commodities without having to contact the department.

Bill of lading A bill of lading is issued by the shipping line or freight forwarder. It

serves as a receipt to the consignor for the goods, as evidence of the contract of transport containing the conditions of transport and as a

document of title by which possession of the goods can be

transferred.

Biosecurity Industry

Participant

Is a person who is the holder of the approval of an approved

arrangement.

Biosecurity Officer Means a person who is authorised under section 545 of the

Biosecurity Act 2015 to be a biosecurity officer.

Certificate of origin A certificate of origin states the place of origin of the goods.

Certificates of origin may be issued by the seller, manufacturer or a

chamber of commerce in the place of origin.

Clearance letter A document issued by the department to allow for an alternative

intervention (or exemption) for a particular pathway or commodity.

Commercial consignments

A consignment that is imported by or for commercial entities.

Commercial invoice A document issued by the seller, addressed to the buyer, giving

 $details \ of \ the \ individual \ transaction, including \ complete \ description$

of the goods, prices, currency, delivery and payment terms.

Community protection

profile question

Community protection profile questions are asked as part of the import declaration lodgement process. These questions help the

department to identify risks associated with imported goods.

Company address Physical address of the company unless stated otherwise.

Company name The registered business name and/or trading name of an entity.

Company title Is the title or position of an employee within a company or business.

Country of Export Is the country where the goods were exported from.

Note: Refer to the definition of "Export" in this section.

Customs broker

(broker)

A person or corporation licensed under Part XI of the <u>Customs Act</u> <u>1901</u> to handle the process of clearing goods through customs on

behalf of importers.

Customs entry

threshold

Where goods have a customs value equal to or greater than the entry

threshold as defined in section 68 of the Customs Act 1901.

Department of Agriculture, Water and the Environment approved seed testing laboratory A laboratory that is recognised by the department to conduct seed purity testing and determination of other seeds. The list of department approved seed purity testing laboratories are listed in BICON or the relevant import permit, but can include:

- (i) an <u>International Seed Testing Association accredited</u>
 <u>laboratory</u> that is recognised by the department, or
- (ii) a laboratory that is accredited under the <u>Naktuinbouw</u> <u>Accredited Laboratory (NAL) arrangement</u>.

eCert

An eCert is an electronic certificate that is sent directly from one overseas government to another in a digital format via a secure electronic system. eCerts can be issued for government certificates, including phytosanitary and sanitary certificates.

An eCert is an original certificate and contains the same information as paper government certificates. eCerts are not an electronic form of a document (e.g. pdf) and cannot be emailed.

Electronic signature

A method used in an electronic communication to identify an individual and to indicate their acknowledgement of the content in the document.

Examples of acceptable electronic signatures include but are not limited to:

- licensed signatures (for example, Adobe Acrobat or DocuSign)
- electronic text as generated by a software programme
- electronic stamps
- typed names
- signature blocks, as used in email programmes

Export

A consignment is considered to be exported either:

- 1) when it is lodged with the freight forwarder, shipping company/airline, charter operator or an appointed agent in the place of origin, for ultimate destination in an Australian territory, or
- 2) when it is shipped on board the vessel for an ultimate destination in an Australian territory, or
- 3) when it is packed in a container and sealed in preparation for transport for an ultimate destination in an Australia territory.

Note: Refer to section 9.1 of this policy for details about how to declare the date of export.

Exporter

A person/entity who initiates the export of goods from one country to a person/entity in an Australian territory. A supplier may also be considered to be an exporter of goods.

Foreign Government Certificate (FGC)

A FGC is issued by the national competent authority or National Plant Protection Organisation (NPPO) of a country exporting goods to

Australia. The FGC may be issued to meet sanitary or phytosanitary requirements under the <u>Biosecurity Act 2015</u> or the <u>Imported Food</u> Control Act 1992.

Food control certificate (FCC)

An Imported Food Inspection Scheme document issued under section 12 of the *Imported Food Control Act 1992* that specifies food identified in an import declaration that must be assessed, inspected, or inspected and sampled by an Authorised Officer. The FCC may contain additional information about the inspection or instructions to the importer.

Food Safety Management Certificate (FSMC) A <u>FSMC</u> is a certificate issued in accordance with the determination made by the Secretary under section 18A of the *Imported Food Control Act 1992*. The certificate is required for food identified in the <u>Imported Food Control Order 2019</u> as requiring a FSMC.

Freight forwarder

A person or corporation who arranges transport of goods on behalf of either the seller or buyer. A freight forwarder will often consolidate several small shipments into one larger shipment to take advantage of better freight rates. In most cases the freight forwarder will assume the legal liabilities of acting as a carrier.

Full declaration format SAC (SCL)

A type of import declaration that is lodged via the Integrated Cargo System for goods not exceeding the customs entry threshold. This type of declaration is also known as a long form self-assessed clearance declaration (SCL).

Full import declaration (FID)

A type of import declaration that is lodged in the Integrated Cargo System for goods exceeding the customs entry threshold.

Integrated Cargo System (ICS) The ICS is the electronic system used to lodge import declarations with the Department of Immigration and Border Protection.

Import conditions

The requirements which must be satisfied for biosecurity (as outlined in BICON or on an individual import permit) and for imported foods (as required by the *Imported Food Control Act 1992* and the supporting Regulations and Order).

Import declaration

All goods that are subject to biosecurity control must be referred to the department on an import declaration. An import declaration can be:

- lodged directly into the ICS
- lodged into the ICS by a broker/importer via third party software.

Import permit

Certain classes of goods have been assessed as posing a biosecurity risk and must not be brought or imported into an Australian territory unless specified conditions are complied with. Some of these goods may only be imported into Australian territory if the department grants an import permit. The department may grant an import permit following application by a permit applicant.

Imported Food Inspection Scheme (IFIS) The <u>Imported Food Control Act 1992</u> is the legal basis for the department to administer the Imported Food Inspection Scheme and inspect commercial consignments of imported food for food safety and compliance with the <u>Australia New Zealand Food Standards</u> Code.

Imported Food
Inspection Scheme
(IFIS) importer
declaration

An <u>importer declaration</u> that is made by importers and brokers for some types of food imported into Australia and are mandatory for some types of food.

IFIS importer declarations enable the department to determine:

- whether a particular type of food is permitted for import into Australia
- what border verification testing is appropriate for a particular type of food, for example, which *Listeria monocytogenes* test to apply.

Importer

For the purposes of this policy the importer is the person or company importing the goods. The importer is also the owner of the goods.

International Seed Testing Authority (ISTA) The <u>International Seed Testing Authority</u> produces internationally agreed rules for seed sampling and testing. It accredits laboratories, promotes research, provides international seed analysis certificates and training, and disseminates knowledge in seed science and technology.

International Standards

Are the standards which have been adopted internationally by Commissions responsible for sanitary and phytosanitary measures.

ISPM 12

International Standards for Phytosanitary Measures No. 12—Guidelines for phytosanitary certificates located on the International

Plant Protection Convention website.

ISPM 15

International Standards for Phytosanitary Measures No. 15—Guidelines for regulating wood packaging material in international trade located on the International Plant Protection Convention website.

Letter of credit

A conditional order, issued by a buyer's bank, guaranteeing to pay the seller following presentation of stipulated documents. A letter of credit is also known as a documentary credit.

Lot

A quantity of food of a particular kind prepared under the same general conditions, from a particular packing or preparation unit, during a particular period (usually a 24-hour period of production). A lot may be identified by marks or codes devised by the manufacturer. Use-by or packing dates may satisfy this requirement when in day/month/year format.

Lot code list

A list of all lot codes within a consignment that identifies the number of cartons or quantity per lot for each type of food (batch). For example, lot 2004/07 is 100 cartons x 24 x 375g cans of tomatoes.

Manufacturer

A manufacturer is the entity that has made/manufactured/produced/processed the goods that are being imported.

Marks and numbers

Batch numbers, serial numbers or other consignment specific codes on the goods or packaging of goods, which enable them to be

identified.

Non-commercial consignments

A consignment that is imported for private or personal use (that is, not commercial, retail or sample purposes or specified differently by

the relevant provision in the Biosecurity (Conditionally Nonprohibited Goods) Determinations 2016, BICON case or import permit conditions).

For the Imported Food Inspection Scheme, consignments for private use are determined based on section 7 of the Imported Food Control Regulations 2019.

Import conditions for some goods stipulate maximum quantities that may be imported for personal use.

Non-manipulation certificate

Is a government to government certificate issued by the competent government authority of the exporting country that provides assurance that goods being exported from that country but were produced or manufactured in an alternative country have not been manipulated since the goods were originally manufactured or produced.

Offshore Treatment **Provider Scheme**

An arrangement established by the department with an overseas government agency (counterpart agency) or directly with commercial treatment providers to register eligible providers to improve individual treatment verification and treatment provider accountability.

Packer

A packer is an entity who packs the goods into a container or observes the container being packed for export to an Australian territory. In some instances, the packer may also be the supplier or exporter of the goods.

Prescribed information

Information required by import conditions or other departmental policies.

Producer

The producer of an imported food is the commercial or individual's premises or area in the country of origin where the goods were grown, caught, manufactured or processed. The producer may also be referred to as the manufacturer, processer, packer or establishment.

Phytosanitary Certificate

Is a plant health certificate which is issued in accordance the International Standards for Phytosanitary Measures No. 12— Guidelines for Phytosanitary Certificates.

Place of Origin

As defined under Section 5 of the Biosecurity Regulation 2016.

Short format selfassessed clearance (SAC) declaration

A type of import declaration that is lodged in the Integrated Cargo System for goods not exceeding the customs entry threshold. SAC declarations may also be lodged as a cargo report self-assessed declaration (CRS) declaration.

Signature

A method used to identify an individual and to indicate their acknowledgement of the content in the document. A signature includes an electronic signature.

Stamp/seal (also known as chop stamps)

A method used to identify an individual or company and to indicate their acknowledgement of the content in the document.

Examples of acceptable stamps include but are not limited to company stamp/seal or an individual stamp.

A company stamp/seal must contain:

• the name of the company

• the address of the company (if being used in lieu of a letterhead).

An individual stamp must identify the individual who is applying the stamp/seal. An individual may identify themselves using a stamp that includes any or all of the following:

- signed name
- printed name
- mark or character that is significant to an individual
- unique identification number.

Individual stamps and printed names do not need to be in English. Stamps that contain both individual and company details must meet both company and individual stamp requirements.

A supplier is the person/company who initiates the sending of goods to a person/company in an Australian territory. An exporter may

also be considered to be a supplier of goods.

Goods that have been unloaded from a vessel/aircraft at a landing place or port in an Australian territory.

Supplier

Unloaded

Policy

1 Overarching document requirements

All documentation must meet the following general requirements when presented to the department as part of the import process.

1.1 Complete

All prescribed information required to be on a document must be present and complete.

1.2 Legible

All prescribed information required to be on a document must be legible.

1.3 Valid

Many documents, such as import permits, are subject to a validity period. Presented documents must comply with the validity requirements specified for that class of document.

1.4 In English

All prescribed information required to be on a document must be in English. Exceptions to this rule include:

- company letterheads do not need to be translated into English but must be in English characters (Roman Alphabet)
- commercial, transport and government certification that are required to comply with international standard formats
- signatures and names of individuals.

Where a document cannot be provided in English, an affidavit will be accepted from either:

- that country's consulate in Australia
- the Australian embassy in the place of origin
- a translator accredited by the National Accreditation Authority for Translators and Interpreters Ltd.

1.5 Free from erasures and non-certified alterations

All prescribed information on a document must be free from erasures and alterations unless endorsed by an employee of the company who issued the document, or an authorised government official from the government department who issued a certificate. The only acceptable endorsement is a company stamp or seal signed by the company employee (including printed name) or a government stamp or seal signed by a government employee (including printed name) applied adjacent to the alteration.

1.6 Multiple paged documents

Multi paged documents must:

• include a consignment-specific link on all pages of the document. For example, commercial invoices (or similar) must contain the document's individual reference number (e.g. invoice number) or a numerical link on each page of the document

• contain an endorsement on the final page of the document, following the information that is being endorsed.

Where a government issued document has noted attachments, the attachments can follow the endorsement. Where an international standard relating to the issuing of veterinary, government or phytosanitary certification does not explicitly require a link on each page of a multiple page certificate, the department will accept the document linkage on the first page of the certificate. For further information about international standards for veterinary, government and phytosanitary certificates please refer to sections 4.3.3, 4.3.4 and 4.3.5 of this Policy.

Where a non-government issued document has noted attachments, the attachments are required to meet all of the overarching document requirements contained in section 1 of this policy inclusive of endorsement.

1.7 Endorsed

Unless otherwise stated in BICON, on an import permit or on the <u>department's website</u> for food subject to the Imported Food Inspection Scheme, all documents must be endorsed by an employee of the organisation, corporation, or government authority issuing the document. An endorsement must:

- be an acceptable signature, electronic signature or stamp as defined in the Definitions section of this policy
- appear after the information that the signatory is endorsing.

Note: Where a document has noted attachments, the endorsement can be made before the attachments – refer to section 1.6 of this Policy.

1.8 Date of issue

All documents must identify the date the document was issued including the day, month and year. Packing declarations may contain vessel/voyage number, which can be used if a date of issue is not present on the document.

1.9 Consignment-specific link

All documents that are relied on to assesses the level of biosecurity risk must have a unique consignment-specific link. Examples of consignment identification include:

- container numbers
- bill numbers
- commercial invoice numbers
- lot codes
- preferential tariff certificate numbers
- packing list numbers
- letter of credit numbers.

Where a document does not contain one of the accepted forms of consignment identification, a numerical link to another document that does contain appropriate consignment identification must be present.

Examples of acceptable numerical links include:

- order numbers
- reference numbers
- any other internal reference numbers used by overseas companies
- vessel/voyage references.
- flight number and arrival date.

Numerical links alone cannot be used as consignment identification links.

Unacceptable numerical links are references that could be present in previous or subsequent consignments and relate to a model, type or standardised item number. Examples of unacceptable numerical links include:

- number of packages
- weights
- dates
- stockkeeping unit
- · item codes.

Note¹: Annual packing declarations and <u>Imported Food Inspection Scheme importer</u> <u>declarations</u> are exempt from having consignment-specific links.

Note²: For acceptable consignment identification on phytosanitary certificates refer to sections 4 and 5 of <u>ISPM 12</u>.

1.10 Conflicting information on documents

Where there is conflicting information contained within a document, the document must not be accepted. Conflicting information occurs when prescribed information on one part of the document conflicts with other prescribed information on the same document.

2 Document format requirements

2.1 International trade documentation

International trade documents include commercial and transport documents used in international trade and official government certification issued for animal or plant health.

These classes of document include, but are not limited to:

- bills of lading
- air waybills
- commercial invoices
- preferential tariff certificates
- phytosanitary certificates
- public health certificates

- · animal health certificates
- veterinary certificates
- bovine spongiform encephalopathy (BSE) certificates
- ISTA seed analysis certification.

Note¹: The above classes of documents are the most frequently used commercial and transport documents types. BICON, import permits, or the <u>department's website</u> for food subject to the Imported Food Inspection Scheme may state other document types may be used to meet import conditions.

2.1.1 Letterhead/company stamp or seal

Documents required by the department that are not covered by international standards must be provided on the issuing company's letterhead. The only acceptable substitute for a letterhead is the issuing company's stamp or seal. The letterhead, company stamp or seal must include the company's name and address.

Documents to be presented in line with this requirement include:

- packing declarations (including annual packing declarations)
- container cleanliness declarations
- treatment certificates
- manufacturers' declarations
- beneficiary certificates
- exporter declarations
- importer declarations (excluding <u>Imported Food Inspection Scheme importer declarations</u>)
- supplier declarations
- · vessel cleanliness certificates
- vessel cleanliness inspection reports.

Note: Packing list/sheet/slips do not need to be on a letterhead; however, the company that issued the documentation must be identifiable on the document.

Imported Food Inspection Scheme importer declarations are exempt from these requirements, as they have a prescribed format. The declaration forms can be downloaded from the department's website.

3 Original documents and certificates or certified copies

The department reserves the right to request original documentation and certificates to be presented. If the original document or certificate cannot be presented, certified copies are acceptable and must be signed by a representative of the issuing organisation or corporation.

The original certificate or certified copy must be presented to a departmental office to be verified by a biosecurity officer who will perform the document assessment process.

4 Consignment-specific documentation

The department relies on consignment-specific documentation to support risk assessments for imported goods. Each line declared on an import declaration must link to the commercial documentation in section 4.2 of this policy. In addition to this any lines subject to biosecurity or the Imported Food Inspection Scheme may require commodity-specific information and supporting documentation. These commodity-specific requirements are outlined in BICON and individual import permits. Import requirements for food subject to the Imported Food Inspection Scheme are found on the department's website.

Each class of document has specified minimum requirements that must be met for the document to be accepted by the department. The requirements for each document are outlined in this section.

4.1 Transport documentation

4.1.1 General information for a bill of lading (including interim bill of lading)

A bill of lading (or interim bill of lading) must be in accordance with the standard international trade requirements as specified by the International Chamber of Shipping.

A bill of lading must include:

- individual bill of lading number
- shipping line's details
- consignor/shipper/export details (including name and address)
- consignee details (may be 'to order')
- vessel and voyage details
- load port and discharge port
- weight, volume and description of the goods.

A bill of lading may also include:

- container or seal numbers (if goods are containerised)
- commercial reference numbers, such as invoice or order numbers
- shipped on board date
- marks and numbers to identify goods
- serial numbers
- batch or lot code numbers.

4.1.2 General information for an air waybill

In line with the standard international trade requirements as specified by the <u>International Air Transport Association</u>, an air waybill must contain:

- individual air waybill number
- consignor details (including name and address)
- consignee details (may be 'to order')
- flight carrier and flight number
- airport of departure (address of first carrier) and requested routing
- airport of destination
- weight, volume and description of the goods.

An air waybill may also include:

- commercial reference numbers, such as invoice or order numbers
- marks and numbers to identify goods, such as serial numbers or batch numbers.

Air waybills are also acceptable in electronic format (e-AWB).

4.2 Commercial documentation

4.2.1 General information for a commercial invoice

In line with standard international trade requirements and practice, a commercial invoice or receipt of sale from the supplier must contain:

- supplier and purchaser details (including name and physical exporting and importing addresses)
- commercial reference numbers, such as invoice or order numbers
- quantity and description of the goods
- Note: Where it is a requirement under the IFIS, an import condition on an import permit, or a
 BICON case states that a certain requirement can be produced, provided or stated on a
 commercial invoice, then the invoice must meet the overarching documentary and letterhead
 requirements of this policy. This includes, but is not limited to; mosquito declarations, new
 and unused field-testing declarations, and lot codes.

4.2.2 General information for a packing list/sheet/slip

A packing list must contain:

- supplier and purchaser details
- commercial reference numbers, such as invoice or order numbers
- description and quantity of the goods
- consignment-specific marks and numbers.

4.3 Government-to-government documentation

Further to the overarching international standards the department has additional requirements for government-to-government certification.

The certificate must:

- have been issued and dated within the past six months of arrival into an Australian territory unless otherwise specified in BICON, import permit conditions, or the Imported Food Inspection Scheme
- contain the correct statements and information as required by BICON, import permit conditions, or the Imported Food Inspection Scheme
- be compliant with any international standards where required
- endorsed with the stamp/seal/embossed mark of the issuing national competent authority. The stamp may be printed on the certificate or added by the issuing official after the form is completed.

4.3.1 Government certificates received as an electronic certificate (eCert)

Where the department has an agreed arrangement with a foreign government that allows for government certification to be received as an eCert, the physical document is not required to be presented to the department.

Government certificates received as an eCert are not required to be endorsed with a stamp or seal of the issuing national competent authority. Details on ECert requirements are located on the <u>department's website</u>.

4.3.2 Authentication of paper issued government certificates

The department regularly receives information from government authorities about security features that have been added to a certificate that allow international governments to identify legitimate certification.

The department reserves the right to request original certification to be presented if there is reason to believe that the certification is not genuine based on security features. If there is any question regarding the authenticity of a government certificate, the department will use a range of methods to verify the authenticity of the certificate.

4.3.3 Information for veterinary/government certification

International standards for veterinary/government certification are outlined on <u>the World Organisation for Animal Health (OIE) website</u>, according to species of origin:

- for veterinary certificates for terrestrial animals and their products, refer to Chapter 5.2 of the <u>OIE Terrestrial Code Certification Procedures</u>
- for veterinary certificates for aquatic animals and their products, refer to Chapter 5.2 of the OIE Aquatic Code Certification Procedures.

4.3.4 Information for a phytosanitary certificate

International standards for phytosanitary certification are outlined on the <u>International Plant Protection Convention website</u> in the International Standards for Phytosanitary Measures (ISPM) No. 12: Guidelines for phytosanitary certificates.

When details of methyl bromide treatment are included on a phytosanitary certificate, the department does not require plastic wrapping declarations as outlined in section 4.6.6 of this policy.

Note: It is not a requirement for the AEI or AIN treatment provider's number to be recorded on a phytosanitary certificate where the phytosanitary certificate is utilised to record a treatment.

4.3.5 Information for foreign government certification under the *Imported Food Control*Act 1992

Under section 18 of the *Imported Food Control Act 1992* the department can enter into a government-to-government certification arrangement with the national competent authority of a country exporting food to Australia. Information about these arrangements is outlined on the department's website.

4.3.6 Information for certification issued by Non-Government Organisations under the *Imported Food Control Act 1992*.

Under section 18A of the <u>Imported Food Control Act 1992</u>, the department publishes guidance for the acceptance of a <u>Food Safety Management Certification</u> issued by recognised food safety certification body.

4.3.7 Information for bovine spongiform encephalopathy (BSE) food safety requirements for imported bovine products for human consumption

All consignments of bovine products for human consumption imported into Australia must comply with the biosecurity and BSE food safety requirements. Australia's biosecurity requirements for beef and beef products can be obtained from BICON or an import permit. Information about BSE food safety requirements are outlined on the <u>department's website</u>.

4.4 Documentation issued by the department

4.4.1 Import permits

An import permit must only be used by (or on behalf of) the person or entity named as the holder of the permit and must be valid at the time the goods are brought or imported into an Australian territory.

Conditions stated on an import permit take precedence over any conditions stated in BICON. Permit conditions may include additional requirements for evidence in the form of specific statements on commercial documentation or government issued documentation.

Import permits are not required to be presented for documentary assessment; the broker or importer must supply the permit number to the department for documentary assessment.

4.4.2 Clearance letter

A clearance letter must only be used by (or on behalf of) the person or entity named in the letter and must be valid at the time the goods are brought or imported into an Australian territory.

Clearance letters will only be accepted if issued by a national policy section of the Department of Agriculture, Water and Environment.

Note: The clearance letter must contain an internal Department of Agriculture, Water and the Environment file reference number.

4.5 Non-commodity documentation

4.5.1 Information requirement for all non-commodity documentation

Required statements for non-commodity concerns are identified by cargo type in the <u>Non-commodity information requirements policy</u>.

Non-commodity documents on which these statements may appear are:

- packing declarations (annual or consignment-specific)
- container cleanliness declarations
- vessel cleanliness inspection reports
- vessel cleanliness certificates

Container cleanliness declarations may be made on the packing declaration.

4.5.2 Information requirement for annual packing declarations

Annual packing declarations must:

- contain all statements required by the Non-commodity information requirements policy
- be issued by the exporter, supplier or packer who packed the goods into the container
- be endorsed by an employee of the company issuing the annual packing declaration. This includes the name and signature of the employee.

4.5.3 Validity requirements

Annual packing declarations are valid for 12 months from the date of issue by the packer, supplier or exporter and must be valid at the time the shipping container is exported to an Australian territory.

4.5.4 Consignment link

All documents must be linked to the imported consignment by a unique identifiable link. Because annual packing declarations are intended to cover a number of consignments over the year, this link cannot be consignment specific. The department allows the importer name and exporter name as the unique identifiable link.

4.5.5 Documentation information for consignment-specific packing declarations

Packing declarations must:

- contain all statements required by the Non-commodity information requirements policy
- be issued by the exporter, supplier or packer who packed the goods into the container
- be endorsed by an employee of the company issuing the packing declaration. This includes the name and signature of the employee.

4.5.6 Documentation information for container cleanliness declarations

Container cleanliness declarations must:

• contain all statements required by the Non-commodity information requirements policy

- be issued by the packer, supplier or exporter of the goods
- be endorsed by an employee of the company issuing the cleanliness declaration. This includes the name and signature of the employee.

4.5.7 General information for a vessel cleanliness inspection report

A vessel inspection cleanliness report must:

- contain a completed hold cleanliness checklist (as found in the <u>Imported Inorganic Bulk</u>
 Cargo Fertiliser Assessment and Management Policy—Attachment 5)
- contain the vessel name and call sign
- contain the inspection time and date
- contain the statement 'we hereby certify that we have carried out the pre-load vessel cleanliness survey inspection as per the hold cleanliness checklist and guidelines and to the specifications of the charterer'
- be issued by a qualified marine surveyor
- be endorsed by qualified marine surveyor. This includes the name and signature of the qualified marine surveyor.

4.5.8 General information for a vessel cleanliness certificate

A vessel inspection cleanliness certificate must:

- contain the vessel name and call sign
- contain the inspection time and date
- contain a statement indicating that 'all vessel holds were inspected and found clean and dry with no previous residues and suitable to load the intended goods
- be issued by a qualified marine surveyor
- be endorsed by qualified marine surveyor. This includes the name and signature of the qualified marine surveyor.

4.6 Other documentation

4.6.1 General information for a manufacturer's, supplier's or exporter's declaration

Manufacturer's declarations will only be accepted from the company that manufactured/produced the goods and must be issued by either the individual manufacturing site or head office within the country of manufacture unless a valid import permit or BICON case states otherwise. Declarations made by wholesalers or other parties may be accepted if the relevant import permit or BICON case permits.

Exporter's declarations will only be accepted from the company that exported the goods. A supplier may also be considered the exporter where the supplier is the entity declared on the import declaration.

A manufacturer's, supplier's or exporter's declaration must:

- unless otherwise specified in import conditions or approved arrangements requirements have been issued no more than six months prior to arrival into Australian territory
- contain the correct statement/s as required by the import conditions
- be specific to the goods and consignment unless otherwise stated in BICON, an import permit, or the <u>department's website</u> for food subject to the Imported Food Inspection Scheme
- include the employee name and their title within the company of the person issuing the document
- Be endorsed as per the overarching document requirements section and section 2.1.1 of this policy.

Where an ingredients list is provided to demonstrate compliance with import conditions, it must meet the requirements for a manufacturer's declaration.

Note: Declarations accompanying non-commercial/personal consignments do not need to be specific to the consignment.

4.6.2 General information for importer's declaration

An importer's declaration will only be accepted from the company/individual that is importing the goods and will be ultimately in control of the goods.

An importer's declaration must:

- contain the correct statement/s as required by the import conditions
- be specific to the product and consignment
- include the individual's name and their title within the company of the person issuing the document
- Be endorsed as per the overarching document requirements section and section 2.1.1 of this policy.

4.6.3 General information for a government-endorsed declaration

In addition to other requirements, where a declaration is required to be endorsed by the government of the exporting country, the declaration must also:

- be signed and dated by a government officer within the past six months (unless otherwise specified)
- include the government officer's name and title
- be sealed with the stamp/seal of the applicable government department.

4.6.4 General information for treatment certificates

Certificates attesting to offshore treatments are required to meet the overarching requirements outlined in section 4 of this policy.

All certificates must contain:

• treatment provider's letterhead including name and physical address

- description of goods/packaging treated
- quantity/volume of goods/packaging treated
- date treatment was performed
- any statement as required by the import conditions.

Where the department has an offshore treatment provider scheme (such as AFAS) with overseas governments or directly with treatment providers (such as the BMSB treatment providers scheme), treatment certificates must include:

- the offshore treatment provider scheme under which the treatment provider has been registered
- the treatment provider's registration number.

4.6.5 Validity requirements

All treatments must be performed by an acceptable treatment provider within the mandated timeframe before export as outlined in the applicable import conditions.

4.6.6 Information requirements by treatment type

Below are the information requirements for each treatment type.

Fumigations:

- name of fumigant/chemical
- dosage expressed as mass per volume; for example, grams per cubic metre
- duration/exposure period; for example, hours or minutes
- minimum temperature
- maximum pressure (if applicable for fumigations performed under vacuum)
- date the treatment was completed
- additional requirements for **methyl bromide** fumigations:
 - o for treatment providers that are registered under AFAS, treatment certificates must include the information required by Appendix 3 of the Methyl Bromide Fumigation Methyl Bromide Fumigation
 - for treatment providers that are not registered under AFAS, treatment certificates must include sufficient evidence to support that the goods and/or packaging have been fumigated to the requirements of section 1.4, 1.5, and 1.6 of the Methyl Bromide Fumigation Methodology. A statement confirming that the target of the fumigation conforms to the plastic wrapping, impervious surface and timber thickness requirements at the time of fumigation, as per Appendix 3 of the Methyl Bromide Fumigation Methodology is required.
 - o for treatment providers that are registered under the BMSB treatment providers scheme, treatment certificates must include information required by the department outlined in the BMSB methyl bromide fumigation certificate requirement.
- additional requirements for **sulfuryl fluoride** fumigations:

- o for treatment providers that are registered under an offshore treatment management scheme, treatment certificates must include the information specified by the requirements for participation in that scheme.
- treatment certificates must include sufficient evidence to support that the goods and/or packaging have been fumigated to the requirements of section 1.4 and 1.5 of the <u>Sulfuryl Fluoride Fumigation Methodology</u>. A statement confirming that the target of the fumigation conforms to the plastic wrapping, impervious surface and timber thickness requirements at the time of fumigation, as per Appendix 2a of the <u>Sulfuryl Fluoride</u> <u>Fumigation Methodology</u> is required.
- o for treatment providers that are registered under the BMSB treatment providers scheme, treatment certificates must include information required by the department outlined in the BMSB sulfuryl fluoride fumigation certificate requirement.
- additional requirements for **ethylene oxide** fumigations:
 - o for treatment providers that are registered under the department's Ethylene Oxide
 Offshore Treatment Providers Scheme, the treatment certificate must contain the AQIS identification Number (AIN) issued to the treatment provider under that scheme.

Note: An AIN is not required to be declared where a phytosanitary certificate is utilised to endorse the treatment.

Permanent preservative treatments:

- statement attesting to treatment in accordance with the department's requirements as outlined in the applicable import conditions
- name of preservative (where required)
- chemical composition of preservative
- loading of preservative expressed as: percentage mass/mass based on oven dried mass of treated wood, or mass per volume (net dry salt retention).

Irradiation:

- dosage in Gy, kGy, rad, or Mrad
- radiation source (gamma, x-ray or electron beam)
- <u>Offshore Irradiation Treatment Provider Scheme</u> registration number for gamma irradiation facility.

Heat treatments:

- statement to reflect temperature was measured at the core of the product where an applicable import condition requires such a statement
- temperature in °Celsius or °Fahrenheit
- statement that the required temperature was maintained for the minimum duration as defined in BICON or import permit.

Kiln drying:

- statement to reflect temperature was measured at the core of the product
- temperature in °Celsius or °Fahrenheit
- statement that the required temperature was maintained for the minimum duration as defined in BICON or import permit
- timber thickness.

Insecticide treatments:

- statement indicating that the treatment was conducted prior to the goods being loaded and while the container was empty
- The treatment must be conducted, and the Insecticide Treatment Certificate issued, in accordance with the department's Insecticide Treatment Methodology.

Further information about a particular treatment is available on the <u>department's website</u>.

4.6.7 General information for a seed analysis certificate

Seed analysis certificates must be issued in accordance with ISTA or NAL requirements. Seed analysis certificates must contain relevant information and statements as stated in import conditions contained within BICON or on an import permit.

4.6.8 Validity requirement for a seed analysis certificate

Seed analysis certificates will only be accepted if issued by a <u>departmental approved seed testing laboratory.</u>

4.6.9 General information for a preferential tariff certificate/certificate of origin

Preferential tariff certificates/certificates of origin may contain:

- exporter details
- consignee details
- description of the goods.

4.6.10 General information for a letter of credit

Letters of credit may contain:

- issuing bank details
- buyer details
- seller details
- value of the credit
- description of the goods.

5 Imported Food Inspection Scheme documents

5.1 Laboratory nomination form

Analytical testing of imported food samples can only be performed by a laboratory that is an appointed analyst under section 34 of the *Imported Food Control Act 1992*. The customs broker

or importer must nominate an appointed analyst on a laboratory nomination form when submitting documentation using the process outlined on the <u>department's website</u>.

5.2 Lot code list

A lot code list must be provided at the time of processing the FID and also presented to an authorised officer or biosecurity officer at the time of inspection. The lot code list must be provided for each type of food (batch) in the FID. If a lot code list is not available from the supplier or producer then the information must be presented on an importer's declaration.

The lot code list must have company letterhead exporter/importer and numerical linkages to the consignment. The lot code list is used to estimate the time required for an inspection and to determine the number of samples that will required for analytical testing.

5.3 Imported Food Inspection Scheme importer declarations

Imported Food Inspection Scheme (IFIS) importer declarations can be lodged by importers and brokers for some types of food imported into Australia and are mandatory for some types of food.

<u>IFIS importer declarations</u> have a prescribed format and can be downloaded from the department's website.

IFIS importer declarations enable the department to determine:

- whether a particular type of food is permitted for import into Australia
- what border verification testing is appropriate for a particular type of food, for example, which *Listeria monocytogenes* test to apply.

Completed IFIS importer declarations are valid for 12 months from the date it is signed by the importer.

Refer to the department's website for the current requirements, including food that may or must be lodged with an IFIS importer declaration.

5.4 Recognised Food Safety Management Certificate (FSMC)

Under section 16(2)(a)(ii)(a) of the *Imported Food Control Act 1992*, the Minister may make an order requiring a FSMC for particular kinds of imported food. Foods requiring a FSMC are identified in the *Imported Food Control Order 2019*. The FSMC enables a producer or importer to demonstrate assurance that foods identified in the order have been produced using certified food quality and safety management systems. More information of FSMC is available on the <u>department's website</u>.

6 Overarching import declaration requirements

The department assesses the information lodged in an import declaration, the supporting commercial documentation and any government or non-government certification to assess the biosecurity or imported food risk and determine if the goods can be released, or directed for subsequent action.

All import declarations must meet the following general requirements when lodged to the department as part of the import process.

6.1 Accurate information

The information in an import declaration must accurately reflect the consignment. Failure to declare a consignment correctly may result in goods that pose a biosecurity concern or foods that pose a risk to public health and safety not being referred to the department for assessment. Additionally, incorrect information may result in delays in processing the import declaration or unnecessary intervention, inspection, treatment or sample testing. Customs brokers and importers are responsible for having sufficient documentary evidence to ensure that the import declaration is true and accurate.

Some fields in an import declaration are specific to biosecurity or the Imported Food Inspection Scheme only and are not used or required by other government agencies. When the department believes any of the information in these fields is incorrect or incomplete, the client will be requested to amend the import declaration.

Note: A person may commit an offence or contravene a civil penalty provisions if the person provides false or misleading information or documents to a Commonwealth official (see sections 137.1 and 137.2 of the <u>Criminal Code Act 1995</u> and sections 532 and 533 of the <u>Biosecurity Act 2015</u>).

6.2 Community protection (CP) profile questions

When a customs broker or importer is prompted to answer the department's community protection profile questions about the risk of the consignment as part of the import declaration lodgement process, they are required to answer these questions accurately using the evidence that is available to them.

The customs broker or importer is responsible for keeping evidence that supports the decision to downgrade the profile or make alterations to the original import declaration; this evidence may be required to be presented to the department.

Where the department identifies that a customs broker or importer is lodging incorrect information in an import declaration, this will be viewed as a non-compliance and the details will be recorded. The customs broker, importer and consignment details may also be referred to the department's Enforcement and Sanctions Branch for further action.

Note: A person may commit an offence or contravene a civil penalty provisions if the person provides false or misleading information or documents to a Commonwealth official (see sections 137.1 and 137.2 of the *Criminal Code Act 1995* and sections 532 and 533 of the *Biosecurity Act* 2015).

6.3 Line identification and documentary linkage

A document such as an invoice, packing list or lot code list must be provided that references each line in the import declaration to each type of goods on the commercial documentation.

Processing of the import declaration will be delayed if no documents are provided or the documents provided are not sufficient to link each line in the import declaration to each type of goods on the commercial documentation.

6.4 Line/container association—for consignments with multiple lines and/or containers

In some instances, lines or containers may be held for intervention by the department and others may be deemed impediment free.

To facilitate partial release of these types of consignments, the department is able to assess and manage biosecurity risks if the client has associated each active line with at least one container and all containers with at least one line.

If a client chooses not to associate lines with containers, the department may request that an import declaration is amended and ask that all tariff lines and containers are accurately associated.

If the import declaration is not lodged with all lines being associated with each container, it may cause the entire consignment to be held. Import declarations lodged under the AEPCOMM or AEPNCCC approved arrangement, declared lines of goods must be associated with each container(s) in order for the import declaration to be processed successfully through the AEP business rules.

Biosecurity officers are not permitted to associate lines with containers for these types of consignments. The customs broker is responsible for ensuring declarations are accurately lodged for entry processing. Entries cannot be amended once directions are applied to the entry.

Note: Although not a mandatory requirement, it does assist biosecurity officers if packing lists can demonstrate which goods are packed in which container if multiple containers are used.

6.5 Declaring the AQIS entity identifier (AEI)

The AQIS entity identifier must be declared for all FID/SCL consignments that:

- have an accompanying AFAS or non-AFAS methyl bromide treatment certificate
- have an accompanying BMSB treatment certificate
- have an accompanying sulfuryl fluoride treatment certificate
- have an accompanying offshore irradiation treatment providers scheme treatment certificate
- have a requirement to enter data in the field under other <u>departmental arrangements</u>.

AEI details can be entered directly into the AEI field in the ICS or in the customs broker's third party software by selecting the appropriate AEI or AEIs from the list provided, ensuring that the company name in the second column matches the company name on the certificate. Details on how to enter <u>AEI details</u> can be found on the department's website.

Note: An AEI number is not required to be declared where a phytosanitary certificate is utilised to endorse the treatment.

6.6 Declaring the AQIS commodity code (ACC)

The tariff classification and statistical code requirements for goods is not always suitable for assessing biosecurity risk. For this reason, the department has defined specific criteria known as AQIS Commodity Codes (ACC) to operate in conjunction with the tariff classification system.

ACC details can be entered directly into the ACC field in the ICS or in the customs broker's third-party software by selecting the appropriate ACC from the list provided should an entity wish to

utilise this function. Schemes or approved arrangements that have ACC recording requirements include:

- Requirements and conditions for approved arrangement Class 19.2 Automatic entry processing for commodities
- Compliance Based Intervention Scheme (CBIS)

6.7 Declaring eCert information

The foreign government certificate number must be declared in the FID/SCL for eCert. Ensuring that the correct certificate number and document type are entered in the AQIS document number and AQIS document type fields in the ICS or relevant customs broker's third party software assists the department in linking the electronic certificate to the consignment.

For goods covered by an eCert which are declared under a SAC or CRS declaration, the foreign government certificate number must be supplied manually to the department when lodging all other documents relating to the consignment. There are no fields within the ICS to report the certificate number when lodging a SAC or CRS declaration.

6.8 Vehicle identification Number (VIN)

VIN or other unique identification numbers allow the department to identify each vehicle in a consignment and assess and manage biosecurity risks specific to each vehicle. Failure to provide VIN or other unique identification numbers for each vehicle when lodging an import declaration may cause delays with releasing a consignment from biosecurity control. VIN or other unique identifiers must be entered in the VIN field or goods description field within the ICS for the following commodities:

- new and used non-passenger vehicles, inclusive of machinery
- used passenger vehicles.

7 Broker approved arrangement import declaration requirements

Further to the overarching import declaration requirements noted in section 5.4, import declarations lodged under the <u>Class 19.1 Non commodity for containerised cargo clearance</u> (NCCC) and <u>Class 19.2 Automatic entry processing for commodities (AEPCOMM)</u> approved arrangements are required to answer questions and record information in specific fields of the import declaration to comply with the arrangements.

8 Imported Food Inspection Scheme (IFIS) import declaration requirements

Further to the overarching import declaration requirements noted in section 5.4, import declarations lodged for assessment under the Imported Food Inspection Scheme must meet the requirements outlined in this section.

The department assesses the information lodged in an import declaration, the supporting commercial documentation, any required government-to-government certification or non-government certification to ensure the correct rates of inspection and analysis are applied to

each consignment. All information relating to the lodgement of an import declaration for food must be accurate and correct.

When incorrect information is identified in an import declaration that has been referred to the Imported Food Inspection Scheme, the department will issue a food control certificate to advise the customs broker or importer that an amendment must be made to one or more fields.

The department may request the customs broker to make an amendment to the following fields in an import declaration:

- AQIS producer code
- AQIS document type
- AQIS document number
- IFIS community protection questions.

The goods must remain on hold and the import declaration will not be processed or an inspection booked until the amended import declaration is received in the department's system.

Note: Officers do not have access to amend any of the fields in an import declaration and cannot manually adjust departmental records to accommodate or rectify incorrect information that has been lodged in an import declaration.

8.1 IFIS community protection (CP) profile questions

Where the department identifies a person has provided false or misleading information in an import declaration or has answered the IFIS community protection profile questions incorrectly, the actions of that person may constitute an offence under the section 137.1 of the *Criminal Code Act 1995*. The details of such an incident may be referred to the department's Enforcement and Sanction Branch for further action.

For further information about <u>Imported Food Inspection Scheme</u> lodgement and answering community protection profile questions please refer to the department's website.

8.2 Declaring the producer of imported food

The producer must be declared for all imported food consignments that are lodged in an import declaration.

The producer is used to determine the appropriate rate of inspection for an imported food, based on the compliance of previous consignments referred to the Imported Food Inspection Scheme. The producer information is also used to verify a FSMC associated with the FID. The producer information declared in the FID must match the producer information shown on the FSMC.

More information about declaring the producer of imported food is available on the <u>department's website</u>.

9 Other considerations

9.1 Declaring the date of export

Import conditions for certain classes of goods stipulate that offshore treatments must have been conducted in the place of origin/manufacture within a specified time period prior to export. The

date of export is also required to meet a range of import conditions for various commodity and non-commodity requirements. The department requires documentary evidence confirming that the consignment has met these requirements.

To demonstrate the date of export, in accordance with the definition of export:

- when a consignment is lodged with the freight forwarder, shipping company/airline, charter operator or an appointed agent in the place of origin, for ultimate destination in an Australia territory either:
 - o provide a declaration on the bill of lading/airway bill stating the date the container/goods were lodged with/received by the freight forwarder
 - o a bill of lading/airway bill stating the date the container was received
 - o a gate in gate out certificate
 - o a forwarders cargo receipt.
- when a consignment is shipped on board the vessel
 - o provide a shipped-on board date on the bill of lading.
- when a consignment is packed in a container and sealed in preparation for export
 - o provide a declaration from the freight forwarder stating:
 - o the container/s number
 - o the date the container/s was packed
 - o the date the container/s was sealed noting the seal number/s.
 - o The location and country the container was sealed.

This freight forwarder declaration must accompany a bill of lading linked with the container number/s.

9.2 Previously accepted documents

Where application of this policy would prevent a previously acceptable document from being accepted, the biosecurity officer is to consult their supervisor/manager before contacting the Compliance Policy Branch for clarification.

9.3 New document class

When a new document class or type is created, the department will review it against and incorporate it into this policy to ensure the requirements of the policy can continue to be met.

9.4 Periodic review

The department will review this policy every three years or as required.

The department welcomes feedback at any time and may conduct a review earlier if required to ensure the requirements outlined in this document reflect current business practices.

9.5 Consultation

All changes made to this policy are subject to consultation with departmental policy and Assessment Services staff as well as with key industry stakeholders.

10 Related documents/information

10.1 Non-commodity information requirements

Applicable statements for non-commodity concerns must be as per the <u>Non-commodity</u> <u>information requirements policy</u>. Example templates of acceptable documentation are provided on the <u>Acceptable documentation templates</u> page of the department's website.

10.2 Approved arrangement documentation

This policy document should be read in conjunction with the following approved arrangement requirements:

- Requirements and conditions for approved arrangement Class 19.1 Non-commodity for containerised cargo clearance
- Requirements and conditions for approved arrangement Class 19.2 Automatic entry processing for commodities.