

PART 2: PROCEDURE TO EXPORT MUNG BEANS

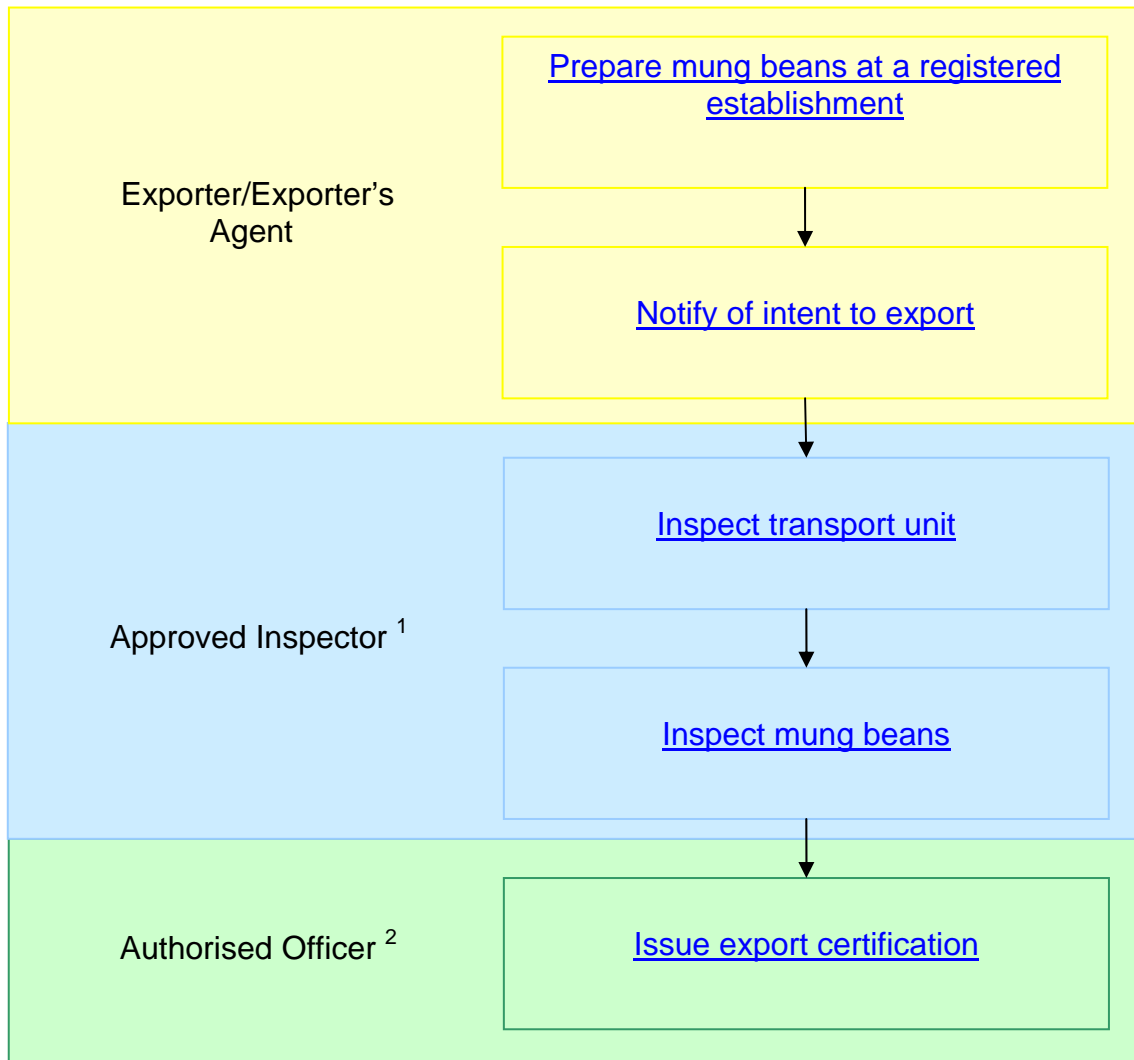
INTRODUCTION

- The *Export Control (Mung Beans) Orders* (the Mung Beans Orders) have been repealed and the requirements for the export of mung beans have been incorporated into the *Export Control (Plants and Plant Products) Orders* (the Plants and Plant Products Orders).
- **The new legislation commences on the 1 November 2007.**
- Prior to 1 November 2007, the Mung Beans Orders continue to regulate the export of mung beans. Exporters should note that the [Export Control Act](#) (the Act) and certain provisions of the [Export Control \(Prescribed Goods – General\) Order](#) (the General Order) will also continue to apply to the export of mung beans after the commencement date.
- To assist exporters and operators of registered establishments to comply with the new legislation, a simplified overview of the procedure to export mung beans is illustrated in Figure 1. For further detail, follow the links in the flowchart.
- For the purpose of the amended Plants and Plant Products Orders, 'mung beans' means whole seeds of the species *Vigna radiata* or *Vigna mungo*, including varieties, and synonyms.

NOTE:

- This document has been developed as a simplified overview to the export of mung beans and is not intended to be a comprehensive guideline to complying with the legislation.
- Exporters should read this document in conjunction with the amended legislation.

Figure 1. Flowchart of the procedure and process to export mung beans from 1 November 2007. The flowchart is divided into three sections according to who is responsible for each step in the procedure.



¹ **Approved Inspector** means:

- (a) an authorised officer; or
- (b) a suitably trained person approved to undertake inspection and certification activities under an approved arrangement.

² **Authorised Officer** means a person appointed under section 20 of the *Export Control Act*.

1. Prepare mung beans at a registered establishment

- Mung beans must be prepared for export and presented for inspection at a registered establishment.

a) Preparation of mung beans for export

- Preparation of mung beans for export includes processing, packing, storage, treatment, handling or loading.
- The preparation of mung beans for export should ensure that all importing country and legislative requirements have been met, in particular the product standards and trade description requirements outlined in Part 4 of the Plants and Plant Products Orders.

b) Requirements for registered establishments

- The general requirements that apply to registered establishments are found in Part 4 of the General Order and include:
 - How establishments become registered.
 - Renewal of registration.
 - Changes of which the Secretary must be notified.
 - Alterations to registered establishments.
 - Variation of export operations.
 - Suspension of registration.
 - Revocation of registration.
 - Suspension of operations.

- In addition, specific requirements for mung bean registered establishments are found in Schedule 3A of the Plants and Plant Products Orders and include:
 - Application for registration of an establishment.
 - Requirements for plans and specifications.
 - Alterations, extensions and rearrangements to establishments.
 - Records that are to be maintained.
 - Structural requirements for establishments preparing mung beans.
 - Operational and hygiene requirements for establishments preparing mung beans.
- To inquire about registering an establishment to prepare mung beans for export, contact the nearest [AQIS Regional Office](#).

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2. Notification of intent to export

- It is the exporter's responsibility to notify an authorised officer of the intention to export so that the mung beans can be inspected in sufficient time prior to export.
- This notification must be on a Notification of Intent (NOI) form, which can be [downloaded](#) from the AQIS website.
- The requirements for lodging an NOI are found in Part 5 (Division 3) of the Plants and Plant Products Orders.
- The NOI must be completed by the exporter or the exporter's agent.
- The NOI includes a declaration by the person giving the notice that the Orders have been complied with, the information contained in the notice is true and correct, and the conditions or restrictions imposed by the importing country have been complied with.

- The person who is named on the NOI is responsible for ensuring that the Orders that apply to the goods are complied with from the time that the declaration is made until the time of export.
- When a phytosanitary certificate is required, the exporter must provide the authorised officer with all of the information necessary to enable the certification to be issued. This information must be given at the time the NOI for the mung beans is submitted.

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3. Inspection of transport unit

a) Ships

- The ship must be surveyed by a marine surveyor prior to loading to ensure the ship is suitable for carrying the mung beans. This survey must be conducted in accordance with Part 5 (Division 1) of the Plants and Plant Products Orders.
- If the quantity of mung beans exceeds 500 tonnes, a loading permit must be applied for and:
 - An authorised officer must then inspect the ship in accordance with [Part 1](#) of Schedule 5 of the Plants and Plant Products Orders.
 - If the result of the inspection is satisfactory, a loading permit will be issued for the mung beans, which is valid for 28 days.

b) Container System Units

- If the quantity of mung beans exceeds 10 tonnes, a loading permit must be applied for and:

- An authorised officer must then inspect the container system unit in accordance with Part 5 (Division 2, Subdivision B) of the Plants and Plant Products Orders.
- If the result of the inspection is satisfactory, a loading permit will be issued for the mung beans, which is valid for 28 days.

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4. Inspection of mung beans

- After an NOI is lodged the mung beans must be inspected by an approved inspector in accordance with the procedures outlined in Schedule 6A.
- Mung beans may be presented for inspection either in bulk or in bags, for loading into a ship or into container system units.
- Inspected samples of the mung beans must be free of pests, live animals, animal carcasses and animal droppings and must meet any other phytosanitary requirements specified by the importing country authority.
- If mung beans are presented in bags, the bags must also be free of pests and contaminants. In addition the mung beans must comply with any conditions set by the importing country authority.
- If mung beans are rejected because pests or contaminants are found in inspected samples, the mung beans are not to be re-presented for inspection unless they have been treated or cleaned.
- Blending of rejected mung beans is not permitted as a treatment for insect infestation or as a method of cleaning for contaminants for which there is a nil tolerance
- Brushing the outside of bags is not permitted as a remedy to remove pests or contaminants.

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5. Issue export certification

a) Export Permit

- It is prohibited to export mung beans unless a valid export permit is in force.
- The conditions for the issue of an export permit are found in Part 5 (Division 3) of the Plants and Plant Products Orders and Part 6 of the General Order.
- Following inspection of the mung beans:
 - If the authorised officer has reasonable grounds to believe that the Orders have been complied with, he/she will certify to this effect on the NOI.
 - The NOI then becomes the export permit for the mung beans.
 - The export permit is valid for 28 days after it is issued.

b) Phytosanitary certificate

- When a phytosanitary certificate is required it is the responsibility of the exporter to:
 - Request the necessary inspection and certification.
 - Be aware of, and to comply with, the requirements of the importing country authority and the authorities of any country through which the mung beans may transit or trans ship.
- AQIS will only issue a phytosanitary certificate if required by an importing country authority.

- Phytosanitary certificates will not be issued for commercial purposes and will only contain the information requested by the importing country authority.
- The conditions for the issue of a phytosanitary certificate are found in Schedule 7 of the Plants and Plant Products Orders.

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FURTHER INFORMATION

- An overview of the changes to the legislation is provided in [Part 1](#) of this document.
- The new legislation is available for [downloading](#).
 - **Note:** A compilation of the Amendment Orders and the Plants and Plant Products Orders will be available to download after the 1 November 2007 commencement date. In the interim, the Amendment Orders will be available as a separate document and should be read in conjunction with the most recent compilation of the Plants and Plant Products Orders, which can be accessed via the above link, and then through the box marked "Amends".
- An Explanatory Statement for the new legislation can also be accessed through the above links through the box marked "ES/Supp Material". The Explanatory Statement contains further detail on how the requirements for the export of mung beans have changed.
- For further information, the first point of contact for exporters or registered establishment operators is the relevant [regional AQIS office](#).