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Committee on Sanitary and Phytosanitary Measures

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## EXPLANATORY DOCUMENT ON OFFICIAL CONTROL

### Submission by the International Plant Protection Convention Secretariat (IPPC)

The attached document represents the most recent draft of the IPPC's explanatory document on Official Control. This was approved by the First Interim Standards Committee at their meeting 15-19 May. The IPPC Secretariat is currently translating the document and will immediately send it to governments for consultation. Comments from governments are to be submitted to the IPPC Secretariat before 30 October in order to be considered by the Interim Standards Committee at its next meeting 27 November to 1 December.

Approval of the document by the next meeting of the Interim Standards Committee will make it possible for the document to be submitted to the Third Session of the Interim Commission on Phytosanitary Measures for adoption in April 2001.

## GLOSSARY OF PHYTOSANITARY TERMS

Supplement No. 1

### Guidelines on the Interpretation and Application of the Concept of Official Control for Regulated Pests

#### 1. Purpose

The words "officially controlled" express an essential concept in the definition of a quarantine pest. The Glossary of Phytosanitary Terms defines "Official" as "Established, authorized or performed by an NPPO" and "Control" as "Suppression, containment or eradication of a pest population". However, for phytosanitary purposes, the concept of "official control" is not adequately expressed by the combination of these two definitions. The purpose of this guideline is to describe more precisely the interpretation of the concept of official control and its application in practice.

#### 2. Scope

This guideline refers only to the official control of regulated pests. For the purposes of this guideline, the relevant regulated pests are quarantine pests which are present in an importing country but not widely distributed, and regulated non-quarantine pests.

#### 3. Definition

Official control is defined as:

*The active enforcement of mandatory phytosanitary regulations and the application of mandatory phytosanitary procedures with the objective of eradication or containment of quarantine pests or for the management of regulated non-quarantine pests.*

#### 4. General requirements

Official control is subject to the "Principles of plant quarantine as related to international trade", in particular the principles of non-discrimination, transparency, equivalence and risk analysis.

In the case of a quarantine pest which is present but not widely distributed, and possibly in the case of certain regulated non-quarantine pests, the importing country should define infested area(s), endangered area(s) and protected area(s).

Official control includes:

- eradication and/or containment in infested area(s);
- surveillance in endangered area(s); and
- controls on movement into protected area(s) including measures applied at import.

All official control programmes have elements that are mandatory. At minimum, programme evaluation and pest surveillance are required in official control programmes to determine the need for and effect of control to justify measures applied at import for the same purpose. Measures applied at import should be consistent with the principle of non-discrimination.

For quarantine pests, eradication and containment may have an element of suppression. For regulated non-quarantine pests, suppression may be used to avoid unacceptable economic impact as it applies to the intended use of plants for planting.

## **5. Specific requirements**

### **5.1 Non-discrimination**

The principle of non-discrimination between domestic and import requirements is of fundamental importance. In particular, an exporting country must be assured that requirements for imports are not more stringent than the effect of official control in an importing country.

There must therefore be consistency between import and domestic requirements:

- import requirements should not be more stringent than domestic requirements;
- domestic and import requirements should be the same or have an equivalent effect;
- mandatory elements of domestic and import requirements should be the same;
- the intensity of inspection at import should be the same as equivalent processes in domestic control programmes;
- in the case of non-compliance, the same or equivalent actions should be taken at import as are taken domestically;
- if a tolerance is applied within a national programme, the same tolerance should be applied to equivalent imported material. In particular, if no action is taken in the official control programme if the infestation level does not exceed a particular level, then no action should be taken for an imported consignment if its infestation level does not exceed that same level. Compliance with import tolerance is generally determined by inspection or testing at entry, whereas the tolerance for domestic consignments should be determined at the last point where official control is applied.

### **5.2 Transparency**

The import and domestic requirements for official control should be documented and made available, on request.

### **5.3 Technical justification (risk analysis)**

Domestic and import requirements should be technically justified and result in non-discriminatory risk management.

### **5.4 Enforcement**

The domestic enforcement of official control programmes should be equivalent to the enforcement of import requirements. Enforcement should include:

- legal authority;
- operational implementation;
- evaluation and review;
- official action for non-compliance.

### **5.5 Mandatory nature of official control**

Official control is mandatory in the sense that all persons involved are legally bound to perform the actions required. The scope of official control programmes for quarantine pests is completely mandatory (e.g. procedures for eradication campaigns), whereas the scope for regulated non-quarantine pests is mandatory only in certain circumstances (e.g. official certification programmes).

### **5.6 Area of application**

An official control programme can be applied at national, sub-national or on an area basis. The area of application of official control measures must be specified. Any import restrictions must have the same effect as the measures applied internally for official control.

### **5.7 NPPO authority and involvement in Official Control**

Official control should:

- be established or recognized by the National Government or NPPO under appropriate legislative authority;
- be performed, managed, supervised or, at minimum, audited/reviewed by the NPPO;
- have enforcement assured by the National Government or NPPO;
- be modified, terminated, or lose official recognition as necessary according to the National Government or NPPO.

Responsibility and accountability for official control programmes rests with the National Government. Agencies other than the NPPO may be responsible for aspects of official control programmes, and certain aspects of official control programmes may be the responsibility of sub-national authorities or the private sector. However, because the NPPO is responsible for measures applied at import which may be based on official control programmes, and also responsible for official communication with other NPPOs regarding import requirements and actions taken at import, the NPPO must be fully aware of all aspects of official control programmes in their country.

### **References:**

Report of the ICPM Open Ended Working Group on Official Control (22-24 March 2000, Bordeaux, France); IPPC Secretariat, FAO, Rome.

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