

PEST AND DISEASE FREE AREAS – ARTICLE 6

**UPDATE OF ACTIVITIES OF THE INTERNATIONAL PLANT PROTECTION
CONVENTION (IPPC) - JUNE 2005 – JANUARY 2006**

Statement by the IPPC at the Informal Meeting on Regionalization of 30 January 2006

The following communication, received on 23 January 2006, is being circulated at the request of the IPPC.

Introduction

1. At the thirty-third meeting of the Committee on Sanitary and Phytosanitary Measures June 2005, the IPPC Secretariat reported that regionalization had been discussed at the 7th Meeting of the Interim Commission on Phytosanitary Measures (ICPM) held in Rome (April 2005) where it was decided that a concept standard "Guidelines for the recognition of the establishment of pest free areas and area of low pest prevalence" be urgently developed. The international standard for phytosanitary measures (ISPM) would provide general guidance on the recognition process but would not provide timelines in addressing issues of regionalization.

2. The ICPM also decided that a feasibility study be undertaken on the international recognition of pest free areas, which would take into account legal, technical and economical factors and assess feasibility and sustainability of such system. A proposal for the composition of a working group and its terms of reference would be prepared by a Focus Group (June/July 2005) for submission, through the IPPC Strategic Planning and Technical Assistance group, to the next session of the ICPM in 2006.

ISPM# Guidelines for the recognition of the establishment of pest free areas and areas of low pest prevalence

3. An expert working group on the recognition of pest free areas (PFAs) and areas of low pest prevalence (ALPPs) met in Rome, 3-7 October 2005 and produced a draft standard. During drafting, a number of issues were raised *inter alia*:

- **Use of the term "regionalization"**

4. The Expert Working Group agreed that the term "recognition" was sufficient to cover the technical and administrative process to reach acceptance of phytosanitary status of a delimited area and decided that it was not necessary to include a new term or to define "recognition of PFAs and ALPPs".

- **Undue delay**

5. The group considered that it was important to provide guidance stating that the recognition process should be undertaken without undue delay.

- **Pest free areas with no records of pests**

6. The Expert Working Group recognized that where a pest had not been recorded from an area, it was not always necessary to go through a complex recognition procedure. However, it was also recognized that in some cases, depending on the pest and technical justification, importing contracting parties may wish to verify information supporting pest free area status.

- **Quantitative and qualitative data**

7. The Expert Working Group noted that qualitative and quantitative data may be presented and assessed.

- **Procedure for recognition of PFAs and ALPPs**

8. The Expert Working Group produced a recommended procedure for recognition, which comprised a series of steps involving:

- submission of a request by the National Plant Protection Organization (NPPO) of the exporting contracting party (CP) for recognition together with relevant information (information package) on the area of concern;
- acknowledgement from the NPPO of the importing CP and identification of major omissions in the information supplied;
- description of the recognition process to be used by the NPPO of the importing CP, ideally with a provisional timetable;
- assessment of the technical information and, if necessary, requests for further information or a site visit to verify pest status;
- communication of the result of the assessment to the NPPO of the exporting CP
- official recognition by the importing CP, if successful.

9. The Expert Working Group also recommended that the working group on the feasibility of international recognition of pest free areas consider that a database be set up within the IPPC international phytosanitary portal (IPP) to collect data on recognized pest free areas and areas of low pest prevalence. The database should list the PFAs and ALPPs, the pests and commodity concerned, the countries that recognized them, date of recognition and contact point.

10. The draft ISPM will be considered by the Commission on Phytosanitary Measures (CPM) Standards Committee (April/May 2006) and following modification (if required) will be sent out for country consultation and possible approval at the CPM meeting in 2007.

Feasibility Study on the international recognition of pest free areas

11. The Focus Group met in July 2005. Various issues were identified when developing the terms of reference. These included:

- International recognition of a PFA was unclear and should be defined

- The benefits of an international recognition system needed to be identified. The benefits would include those for importing and exporting countries, developing and least-developed countries, and international trade in general.
- The role of the IPPC in the recognition of PFAs needed to be investigated. It was thought that the IPPC could be directly involved in the recognition process, could identify the body to carry out the recognition or could certify the results of the recognition process.
- It felt that an understanding of the World Organization for Animal Health (OIE) experience would be helpful for the feasibility study and thought that a member of OIE could be invited to the working group meeting.
- Funding the process of recognition.
- The liability and responsibility of the recognition of PFAs. In cases of error, it would be important to know at which stage of the recognition process the fault laid. Assurance and verification could also be important for this reason.

Terms of Reference for the working group on the feasibility on international recognition of pest free areas

12. The questions that the Focus Group felt the working group should answer and the issues they deemed to be important were used to construct Terms of Reference (Annex 1).

Composition of the working group

13. The Focus Group felt that the working group should be small and should include a representative from each of the FAO regions, plus the Bureau. The members of the working group should have phytosanitary experience, and knowledge of PFAs and accreditation and auditing systems. The composition of the working group is part of the Terms of Reference, provided in Annex 1.

Discussion by the Strategic Planning and Technical Assistance group

14. The report of the Focus Group and the database suggestion of the Expert Working Group on the ISPM for the *Recognition of pest free areas and areas of low pest prevalence* were considered by the Strategic Planning and Technical Assistance group (SPTA).

15. The SPTA also felt that modifications/additions needed to be made to the Terms of Reference covering economic issues, ecological issues, liability, evidence provided by the supply country and re-accreditation, and these were modified accordingly in Annex 1.

16. The SPTA discussed the funding of the study in line with the anticipated budget and whether the working group should undertake the study in 2006 or in 2007 (data could be assembled in 2006). Recognizing the needs of the WTO-SPS Committee, the SPTA felt that, by utilizing the international experience of some countries with fruit flies, information could be gathered in 2006 and the feasibility study undertaken in 2007.

Annex 1

Terms of Reference

Working group on the feasibility of international recognition of pest free areas

1. The working group is to carry out a **feasibility study** on the international recognition of pest free areas, taking into account legal, technical and economic factors and assess the feasibility and sustainability of such a system.
2. The study will consider the following elements. The results of the study should be presented in the form of a report. The report should contain clear conclusions and make recommendations.

Legal issues:

- What international recognition of a PFA means.
- Which international organization(s) or individuals could take part in the international recognition process or could provide international recognition of a PFA. If other than the IPPC how would they relate to the IPPC or which role they would play (e.g. IPPC recognized experts, IPPC recognized organizations, other organizations).
- Whether the international recognition body carries any legal responsibility in relation to its international recognition process, what its obligations are in relation to reporting recognition or denial of recognition of a PFA.
- Whether a disclaimer of responsibility can be part of the international recognition process.
- What the obligations of contracting parties to the IPPC will be in regard to an internationally recognized PFA.
- Whether international recognition of PFAs will increase the likelihood of acceptance by contracting parties of the concept of PFAs.
- Whether international recognition of a PFA will reduce undue delays in the recognition of that PFA by trading partners.
- Which organizations or entities can request the international recognition of a PFA, e.g. the NPPO of the exporting contracting party in which the PFA is located (to facilitate exports), the NPPO of the importing contracting party (to recognize a PFA in an exporting country), industry representatives (to facilitate exports and/or imports), the NPPO of the importing contracting party in which the PFA is located (to recognize the PFA in its territory, to justify import requirements), a RPPO on behalf of one or more of its NPPOs.
- Whether liability insurance should be necessary.

Technical issues:

- Whether the international recognition of a PFA should result in a statement from the international body that the area is free of the specific pest, or whether it should result in an assurance that the criteria for the establishment and maintenance of a PFA have been applied.
- Whether international recognition of a PFA can only take place if there is a specific ISPM for the establishment and maintenance of a PFA for that specific pest or group of pests.

- Whether, once a PFA has received international recognition, such recognition needs to be renewed on a regular basis, or whether the recognition is valid until the PFA status changes.
- Whether the process of international recognition of PFAs, if such a process is developed, could be applied to areas of low pest prevalence, pest free production sites and pest free places of production.
- Whether a process for the international recognition of PFAs could be put in place for many pests, or only for a limited number of globally relevant pests. If it is determined that such a process could only apply to a limited number of globally relevant pests, what criteria should be used to identify these pests.
- The elements of the international recognition process, including, but not limited to, the assurance and verification procedures and the requirements (including evidence required) to be fulfilled by the country where the PFA is located.
- Whether pest specific ISPMs should recognize that different ecological conditions and associated risk levels may exist in different areas, and therefore the requirements for the establishment and maintenance of the specific PFA may differ. As a result of this, whether the international recognition body should apply judgment in the recognition process.
- Whether there should be specific requirements covering the reinstatement of an area that had lost its are freedom status.

Economic issues:

- The benefits and disadvantages of international recognition of a PFA, including, but not limited to:
 - importing countries;
 - exporting countries;
 - developing and least developed countries (either importing or exporting);
 - market access issues (imports and exports);
 - implementation of the IPPC;
 - technical assistance.
- The financial costs of an international recognition system c.f. the current approach of bilateral recognition.
- The source(s) and methods of funding for an international recognition system.

Other issues:

- Whether a pilot project, to test the international recognition process for a PFA, would be beneficial. If so, what would the parameters be for such a pilot project, e.g., for a pest for which a pest specific ISPM is available, for a pest for which there are bilaterally recognized PFAs, or for a pest-commodity combination that has international trade significance and for which there is already considerable experience available, etc.

3. The following areas of expertise should be available in the working group which will carry out the feasibility study:

- general phytosanitary administrative expertise;
- knowledge of ISPMs, especially those on PFAs, ALPPs, etc.;
- knowledge of operation and maintenance of PFAs in their country;

- knowledge of accreditation and audit systems;
 - legal expertise in phytosanitary issues;
 - OIE experience in international recognition of PFAs.
4. Data on existing PFAs (e.g., recognized areas, size of area recognized, recognized by whom, commodity involved, pest involved) should be considered.
5. The expert working group should have seven members, preferably one from each region, plus three Bureau members.
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