

**PROCEDURES FOR RECOGNITION OF PEST- OR DISEASE-FREE AREA
OR AREAS OF LOW PEST PREVALENCE UNDER ARTICLE 6**

Comparison of Standards developed by the International Standard-setting Bodies

Communication from New Zealand

Revision

The following communication, received on 19 June 2006, is being circulated at the request of the Delegation of New Zealand.

I. INTRODUCTION

1. The Secretariat prepared a background document (G/SPS/GEN/640) for the March 2006 meeting of the SPS Committee ("the Committee"). This provided a summary of:

- the issues discussed in the Committee regarding regionalization,
- Members' experiences,
- the work of the international standard-setting organizations, and
- proposals for typical steps for administrative procedures for recognition.

2. New Zealand undertook to prepare a paper at the last meeting of the SPS Committee comparing the work of the international standard setting bodies (ISSBs) with the elements identified in section IV of the Secretariat's paper (G/SPS/GEN/640). This paper is without prejudice to New Zealand's position that work related to the development of normative rules in the form of international standards, guidelines and recommendations is the responsibility of the ISSBs and that the SPS Committee should avoid duplication of effort in this regard.

3. The paper noted that there were common or recurrent elements in Members' proposals regarding the administrative process for recognising pest- or disease-freedom. These elements were listed in section IV of the paper, "Typical steps for administrative procedures for recognition: summary of proposals".

4. At the March 2006 meeting of the Committee it was agreed that these elements form a useful basis for discussion. Members noted though that ISSB recognition should not be seen as a required step prior to bilateral recognition by a trading partner.

5. For purposes of illustration, New Zealand has adapted these steps into a flowchart as follows:

Figure 1 – Typical steps for administrative procedures for recognition:
summary of proposals (taken from G/SPS/GEN/640)



6. New Zealand notes that the procedural steps depicted in Figure 1 are very similar to those developed by the OIE and under consideration by the IPPC. We believe it is important to avoid duplication that cuts across work done in the standard setting bodies or that may lead to conflicting requirements. We therefore provide the following analysis comparing the elements proposed by Members against the standards developed by the ISSBs in the recognition of regionalisation. This analysis is presented without prejudice.

II. WORK OF THE STANDARD SETTING BODIES ON RECOGNITION OF REGIONALISATION

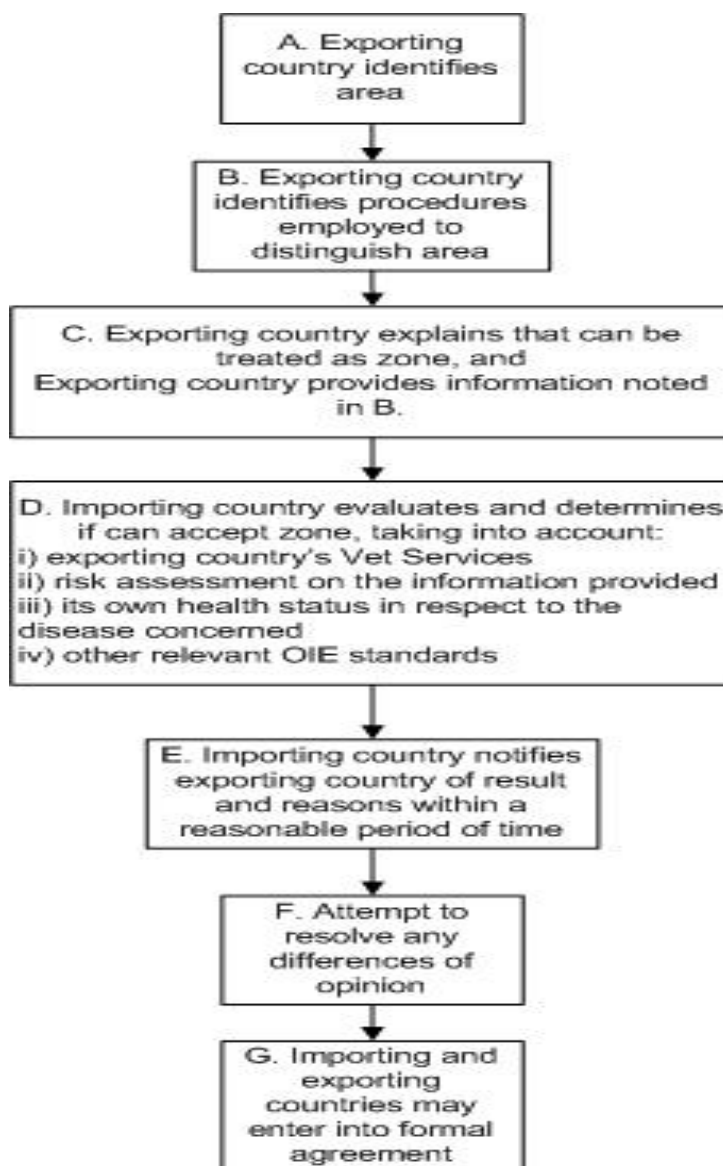
A. OIE

7. In response to concerns raised by its Members, the OIE revised its chapter on zoning and compartmentalization (i.e. regionalization) at the last General Session in May 2005. Revisions of the chapter, on which all OIE Members had an opportunity to comment, provide more guidance to Members on the procedures for regionalization. A number of these additions can be classified as "administrative", encompassing the process of requesting recognition, information exchange, evaluation, notification "within a reasonable period of time", dispute resolution and formal agreements between parties.

8. Some additional small changes are being proposed for the next General Session in May 2006. Again all members of the OIE have had the opportunity to provide comment on these proposed changes.

9. For the purposes of illustration, New Zealand has adapted article 1.3.5.5, which indicates the steps for zoning, into a flowchart (see Figure 2 below). The steps for compartmentalization are similar to the steps for zoning so these have not been illustrated.

Figure 2 – Steps for zoning under the OIE Article 1.3.5.5



B. IPPC

10. The IPPC has developed three standards in the area of pest-free areas and areas of low pest prevalence (i.e. regionalization); requirements for the establishment of:

- pest-free areas (ISPM No. 4),
- pest-free places of production and production sites (ISPM No. 10), and
- areas of low pest prevalence (ISPM No. 22).

11. The IPPC has also recognized the need to develop a standard for the process to be followed in the recognition of such areas. Through this standard it aims to outline the criteria and procedures for the bilateral recognition of such areas and provide guidance on the activities required to ensure there is not undue delay in the process, while maintaining the importing country's ALOP.

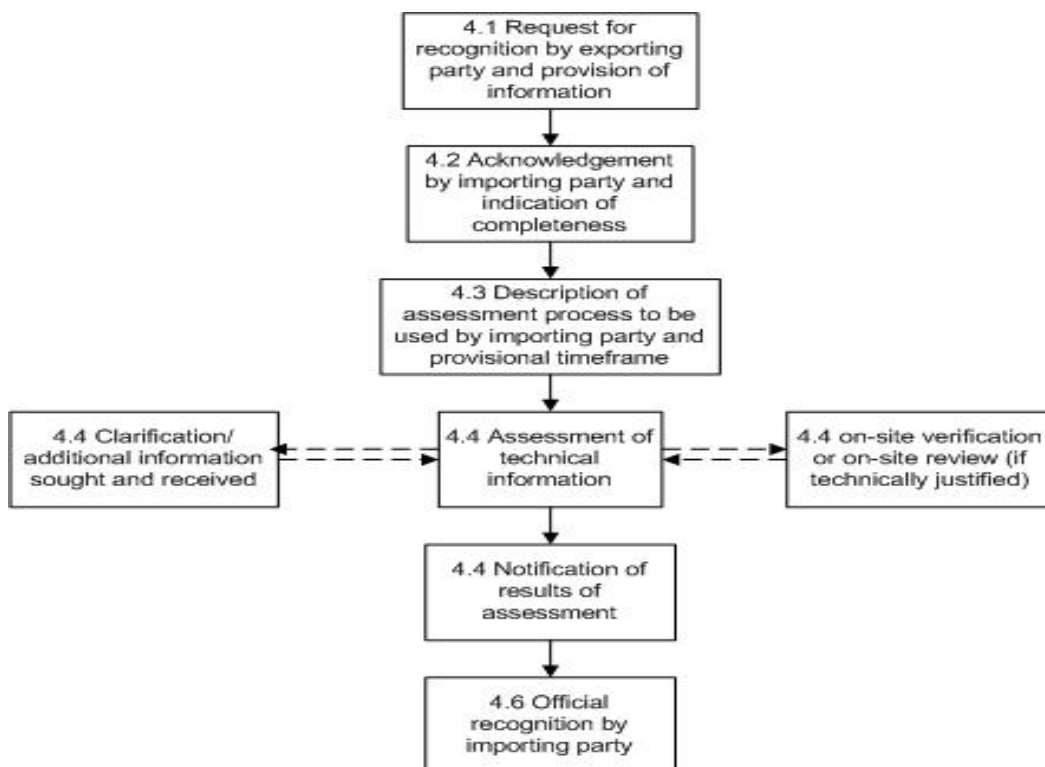
12. An Expert Working Group developed a draft standard ("Guidelines for the recognition of pest-free areas and areas of low pest prevalence") that was considered by the Standards Committee in May 2006. This standard has now been circulated for country consideration, providing all contracting parties of the IPPC the opportunity to comment on its content. The standard could be adopted at the CPM meeting scheduled for April 2007.

13. Many of the elements in this standard can be classified as "administrative", covering processes of requesting recognition, identification of requirements and assessment process to be used, transparency, timeliness, notification and official recognition.

14. The issues of predictability and the avoidance of undue delay are explicitly discussed in the standard.

15. For the purposes of illustration, New Zealand has adapted section 4 of the draft standard into a flowchart (see Figure 3 below). The standard also has a flowchart appended that outlines the steps for recognition.

Figure 3 – Procedure for the recognition of pest-free areas and areas of low pest prevalence under section 4 of the IPPC draft standard



III. COMPARISON OF PROPOSED STEPS AND ISSB STANDARDS

16. New Zealand has taken the elements proposed by Members in G/SPS/GEN/640 and compared these to the appropriate standards developed by the OIE and IPPC addressing the recognition of regionalization. The resulting matrix can be seen in Table 1 below.

Table 1 – Comparisons between elements included in G/SPS/GEN/640 with OIE and IPPC standards

G/SPS/GEN/640	OIE – article 1.3.5.5	IPPC – section 4, draft IPSM
a. Exporting member requests bilateral recognition	c. Exporting country explains that can be treated as a zone	4.1 Request for recognition by the NPPO of the exporting contracting party (includes sample request form)
b. Importing member clarifies requirements		4.3 Description of assessment process to be used by importing contracting party
c. Exporting member provides documentation	c. Exporting country provides information (as listed in standard)	4.1 (2nd sentence) Exporting contracting party provides a technical information package based on ISPM No. 4 or 22, which may include information listed in article.
d. Importing member evaluates documentation/additional information	d. Importing country evaluates and determines if can accept zone, taking into account:	4.4 Assessment of the technical information. Includes: - paragraph 3: exporting party responds to technical concerns raised by importing party by providing information to facilitate completion of assessment - paragraph 4: if technically justified, on-site verification or on-site review of operational procedures
e. Exporting member responds to comments	i) exporting country's Vet Services	
f. Importing member evaluates documentation	ii) risk assessment on the information provided	
g. Importing member conducts on-site evaluation	iii) its own health status in respect to the disease concerned iv) other relevant OIE standards	
h. Exporting member responds to inspection report		
i. Importing member rejects or authorises	e. Importing country notifies exporting country of result and reasons within a reasonable period of time	4.5 Notification of results of assessment, and 4.6 Official recognition

IV. CONCLUSION

17. As can be seen from the table above, the ISSBs have been very responsive to the concerns of the Committee on the issue of regionalization and considerable progress has been made to date.

18. Both the OIE and IPPC stress the need to avoid undue delay and deliver an outcome within a reasonable period of time. Both encourage transparency and the importance of communication throughout the process between importing and exporting countries. The "administrative" guidance developed by these bodies mirrors quite closely the elements identified by the Members of the SPS Committee as important in the recognition of regionalization.

19. New Zealand considers that it is important for Members to actively contribute to the OIE and IPPC standard setting process by submitting comments when draft standards are circulated. We would therefore urge all Members to participate in this standard setting process.
