

**PROCEDURES FOR RECOGNITION OF PEST- OR DISEASE-FREE AREAS OR
AREAS OF LOW PEST OR DISEASE PREVALENCE UNDER ARTICLE 6
OF THE SPS AGREEMENT, ON REGIONALIZATION**

Communication from Colombia

The following communication, received on 5 December 2005, is being circulated at the request of the delegation of Colombia.

1. Colombia supports the initiatives by various countries in the context of the Committee on Sanitary and Phytosanitary Measures (SPS Committee) to promote the development of administrative procedures for the practical implementation of Article 6 of the Agreement on Sanitary and Phytosanitary Measures, involving the recognition by all country Members of the World Trade Organization (WTO) of pest- or disease-free areas or areas of low pest or disease prevalence by the competent international authorities.
2. Within the SPS Committee, Colombia is seeking to ensure that the administrative aspects are considered together with the technical and scientific aspects in the process of evaluation and recognition of pest-free and disease-free areas, on the clear understanding that technical and scientific matters come within the purview of the World Organization for Animal Health (OIE), the Codex Alimentarius Commission and the FAO International Plant Protection Convention (IPPC), while administrative matters should be dealt with by the SPS Committee, with a view to determining *inter alia* the time-limits, treatments, evaluation and procedures necessary for the practical implementation of Article 6 of the SPS Agreement.
3. This is of crucial importance, especially for developing country exporters, as it represents an important incentive to improving sanitary status and reducing trade barriers. Colombia is therefore anxious to report on its regionalization experience at the next meeting of the SPS Committee and, at the same time, to submit to the latter, for its consideration, the attached document proposing a procedure to carry out the above-mentioned process.
4. Colombia believes that success in applying the principle of regionalization is closely bound up with the suitability and effectiveness of pest and disease control and sanitary surveillance measures applied in pest- and disease-free areas as well as infected areas. Such measures should guarantee both reduction of the risk of disease propagation from the infected area to the disease-free area and, where necessary, rapid detection of the pathogen and immediate implementation of adequate control measures, in order to prevent an unnecessary risk situation for importing countries.
5. Substantial investments are required to eliminate pests or diseases from particular areas. International experience has shown that it may take several years or even decades to establish pest- or disease-free areas, on account of biological, environmental, economic and related social factors, so

that once this status is obtained, it is very important for the country concerned that it be recognized by other countries with which it maintains commercial relations, and by the international community.

6. Colombia is investing heavily in the control and eradication of pests and diseases. The purpose of such investments is to establish pest- and disease-free areas with a view to eliminating losses and, above all, securing market access for agricultural products.

7. It should be noted that, in the case of developing countries like Colombia in particular, importing countries do not in some cases consider acceptable the recognition and certification provided by competent international organizations. In this connection, it should be emphasized that the administrative procedures required by some importing countries for recognition of a pest- or disease-free area or area of low prevalence are not clearly defined, are very complex, expensive and slow, and there are no precise time-limits for any response. Consequently, Colombia attaches priority to establishing a harmonized recognition procedure for regionalization purposes and for recognition of pest- or disease-free areas or areas of low prevalence, leading ultimately to the effective implementation of this principle, with established time-limits for each of the stages, which is in turn recognized by the different country Members.

8. For the declaration and recognition of pest- or disease-free areas, various factors need to be taken into account, such as the reliability and credibility of official animal or plant health services; the capacity of such official services to maintain the pest- or disease-free status; timely, systematic and accurate notification of pests and diseases; the availability and quality of scientific information; transparency and other variables such as the risk management options that exist for each case.

9. In the specific case of Colombia, the recognition of pest- and disease-free areas is especially important in view of its experience of foot-and-mouth disease, since the national agencies responsible for animal health management have carried out campaigns for the eradication of this disease, with the result that more than 50 per cent of the national territory has been declared free of foot-and-mouth disease, with vaccination, by the OIE. The attached document describes Colombia's experience with recognition of the area free of this disease.

10. Pursuant to the foregoing and in an effort to provide input for a structured debate on regionalization, Colombia offers responses to the questions raised by the informal ad hoc group, with a view to actively contributing to the debate scheduled to be held during the next meeting of the Committee on Sanitary and Phytosanitary Measures.

1. How are international recognition by the body concerned and international standards taken into account in the national standard-setting process?

In sanitary matters, Colombia bases its national standards on the guidelines of international reference bodies. Accordingly, standards are designed to protect the integrity of areas recognized as pest- and disease-free by the OIE and to further secure and extend those areas.

2. Would it be possible to address issues such as the existence of general or specific rules, lack of international recognition of reference bodies, national infrastructure and the legal framework for implementation of the regionalization principle?

We consider it important to address the above-mentioned issues, taking into account the fact that some countries do not promote this principle because of the lack of administrative procedures with established time-limits for their enforcement, and in some cases do not provide for regionalization measures in their own legislation. These countries tend not to accept the technical advice of organizations of which they are themselves members.

3. How to ensure that the measures are not more trade-restrictive than necessary?

To prevent this from happening, the technical and scientific concepts must be accompanied by international guidelines which establish harmonized administrative procedures for the practical application of the regionalization principle and which result in opportunities for genuine access to international markets for developing country products. This should be subject to support and guidance from the international reference bodies, with a view to establishing a clear distinction between purely technical and administrative procedures in the process of recognition of a specific sanitary status.

4. How could the process be made more transparent and predictable?

Attached to this document is a Colombian proposal for the recognition of pest- or disease-free areas and areas of low pest or disease prevalence. It is important to take account of the concept of a third party for the recognition of certifications, on a transparent basis.

5. How are developing countries' needs taken into account in the regionalization recognition process?

From the standpoint of the OIE requirements, there is no difference between developed and developing or least developed countries; however, actual recognition is accorded by the importing country and this is what creates difficulties for exporting countries, since in most cases no account is taken of OIE recognition or the needs of developing countries.

6. Application of regionalization measures geared to dealing with internal matters and promoting exports.

The main purpose of the regionalization measures adopted in Colombia has been to improve the country's sanitary status and promote exports, this being an essential factor for stimulating the economy and promoting the country's economic and social development, particularly in strategic areas where recognition by the international reference organizations has been achieved.

**COLOMBIAN PROPOSAL FOR THE RECOGNITION OF PEST- OR
DISEASE-FREE AREAS OR AREAS OF LOW
PEST OR DISEASE PREVALENCE**

Colombia hereby submits to the SPS Committee its proposals concerning the sequence of defining stages in the recognition process, which are intended to guarantee the sanitary safety of country Members, with time-limits of between eight (8) and seventeen (17) months.

1. Areas recognized internationally by the scientific reference organizations referred to in the SPS Agreement shall be validated by country Members using a simplified procedure and on a priority basis, so as to expedite the recognition process.
2. The exporting country shall transmit a request to the importing country for the recognition of a pest- or disease-free area or an area of low pest or disease prevalence, attaching the technical file and the resolution of the international reference agency (if it has already been recognized by any such agency). The importing country shall have three (3) months to issue a reply and request comments, if any. If recognition has been accorded previously by an international body, the importing country shall conduct a technical inspection visit, if required, within a maximum of two (2) months following receipt of the request.
3. If the response is negative, the importing country shall issue a decision rejecting the request and provide reasons therefore so that the exporting country can modify and adapt its system with a view to seeking recognition once again.
4. If the response is positive, it shall be indicated whether or not there are any comments.
5. If there are no comments and if required, the technical inspection visit shall be carried out no later than two (2) months after the affirmative reply has been given.
6. If there are any comments, the importing country shall send the request for additional information or clarification to the exporting country no later than three (3) months after receiving the request for recognition from the exporting country.
7. If comments are made, the exporting country shall have not more than three (3) months to return to the importing country the clarifications, system adjustments and supplementary information required by the latter.
8. Following due receipt of any comments made, the importing country shall if necessary conduct the technical inspection visit within a period of not more than two (2) months.
9. As a result of the technical inspection visit, the importing country shall issue an evaluation report within a maximum of two (2) months, indicating whether or not it agrees to recognition. If it does agree to recognition, it shall indicate in turn whether it has any comments or requires clarifications. If the decision is negative, the importing country shall give reasons so that the exporting country can modify and adapt its system with a view to seeking recognition once again.
10. If comments are made or clarifications required by the importing country, as a result of the technical inspection report, the exporting country shall respond within three (3) months, providing the relevant clarifications, additions or modifications.
11. If the decision is favourable, the importing country shall, within a maximum of four (4) months, effect the internal administrative changes required to eliminate the

restrictions relating to the pest or disease concerned by the recognition, so as to allow imports from the exporting country that requested recognition.

The technical file referred to in stage 2 shall contain at a minimum the following information:

- (a) Animal or plant population, as the case may be;
- (b) scientific, technical and services infrastructure within the area;
- (c) proximity to the area or areas affected and type of physical separation between high risk areas. The boundaries must be easy to identify and monitor;
- (d) types of animals and products entering risk areas;
- (e) measures applied to prevent the transfer of prohibited animals or plants and risk products;
- (f) monitoring of animal diseases or plant pests within the area;
- (g) disease control policies and veterinary infrastructure resources;
- (h) availability of equipment to deal with sanitary emergencies;
- (i) historical incidence of the disease or pest in the area;
- (j) systematic serological follow-up within and outside the affected area;
- (k) existing legislation on the establishment of restricted zones, surveillance zones and buffer zones, clearly demarcated within the regionalization area, for the application of any measures to control the movement of persons, animals and plants, as well as sanitary treatments to eradicate the disease or pest;
- (l) monitoring of restricted zones, including support by civil and military authorities under a plan agreed in advance with the veterinary authority;
- (m) in the absence of pest or disease outbreaks, continued monitoring must be demonstrated by systematic herd research.

Sequence of Necessary Steps for Implementation of the Recognition of Pest- or Disease-Free Areas or Areas of Low Pest or Disease Prevalence

