

**DECISIONS FROM THE THIRD SESSION
OF THE COMMISSION ON PHYTOSANITARY MEASURES
(ROME, 7-11 APRIL 2008)**

Submission by the International Plant Protection Convention (IPPC)

The following communication, dated 16 June 2008, is being circulated at the request of the IPPC.

1. The Third Session of the Commission on Phytosanitary Measures (CPM-3) took place in Rome, 7-11 April 2008. Three hundred and twenty-one participants registered, representing 129 Members of the Commission (i.e. contracting parties to the IPPC), plus five countries who were not contracting parties and 15 observer organizations. The Session was opened by the Deputy Director-General of the FAO.

GOAL 1: A ROBUST INTERNATIONAL STANDARD SETTING AND IMPLEMENTATION PROGRAMME

A. ADOPTION OF INTERNATIONAL STANDARDS FOR PHYTOSANITARY MEASURES

2. The Secretariat introduced four draft texts for consideration by the CPM, which consisted of three proposed new standards (*Establishment of areas of low pest prevalence for fruit flies (Tephritidae)*, *Methodologies for sampling of consignments* and *Replacement or reduction of methyl bromide as a phytosanitary measure*) and some amendments to ISPM No. 5 (*Glossary of phytosanitary terms*).

Establishment of areas of low pest prevalence for fruit flies (Tephritidae)

3. This standard provides guidelines for the establishment and maintenance of areas of low pest prevalence for fruit flies (FF-ALPPs) by a NPPO. Such areas may be utilized as official pest risk management measures alone, or as part of a systems approach, to facilitate trade of fruit fly host products, or to minimize the spread of regulated fruit flies within an area. This standard applies to fruit flies (Tephritidae) of economic importance.

4. The CPM:

- Adopted as ISPM No. 30: *Establishment of areas of low pest prevalence for fruit flies (Tephritidae)*, contained in Appendix 4.

Methodologies for sampling of consignments

5. This standard provides guidance to National Plant Protection Organizations (NPPOs) in selecting appropriate sampling methodologies for inspection or testing of consignments to verify compliance with phytosanitary requirements. It was noted that it was a very technical standard and that an explanatory document should be urgently developed.

6. The CPM:

- *Adopted* as ISPM No. 31: *Methodologies for sampling of consignments*, contained in Appendix 5;
- *Requested* the Standards Committee to develop urgently an explanatory document for the standard.

Replacement or reduction of methyl bromide as a phytosanitary measure

7. This document is an IPPC Recommendation as provided for in the IPPC (1997) (Article XI.2.g), which outlines areas for action and guidelines to replace or reduce the use of methyl bromide as a phytosanitary measure. With the overall aim of reducing release of methyl bromide into the atmosphere, NPPOs may consider methods of reducing the quantities of methyl bromide used, reducing methyl bromide emissions by physical means, and promoting and implementing phytosanitary measures that are economically and technically feasible as viable alternatives to the use of methyl bromide. The IPPC Recommendation also provides guidance on recording the use of methyl bromide

8. The CPM:

- *Adopted* IPPC Recommendation: *Replacement or reduction of the use of methyl bromide as a phytosanitary measure* (Appendix 6), and *agreed* that its format would be reviewed once criteria for IPPC recommendations were available.

B. PROCEDURE AND CRITERIA FOR IDENTIFYING TOPICS FOR INCLUSION IN THE IPPC STANDARD SETTING WORK PROGRAMME

C. IPPC STANDARD SETTING PROCEDURE

D. TERMS OF REFERENCE AND RULES OF PROCEDURE FOR TECHNICAL PANELS

9. The above three procedures and Terms of Reference were discussed and revised by a CPM Focus Group meeting in July 2007 and reviewed by the CPM Informal Working group on Strategic Planning and Technical Assistance (SPTA) and the CPM Standards Committee (SC). The CPM discussed the procedures and following some modifications, they were adopted.

E. IPPC STANDARD SETTING WORK PROGRAMME

10. The Secretariat introduced the IPPC standard setting work programme, indicating the status of topics under development. The topics and subjects that the technical panels were working on were also presented. It was noted that a call for new topics for the work programme had been carried out in 2007. The SPTA had provided strategic priorities on the submissions to the SC, who then had reviewed the submissions and made recommendations for additions to the work programme.

11. The CPM:

- *Endorsed* the addition of topics, and their associated priorities;

- *Removed* the topic of the development of Annex 1 of ISPM No. 18 from the work programme, noting that the irradiation treatments stayed in the work programme as a topic under the work of the Technical Panel on Phytosanitary Treatments.

F. REPORT ON THE IPPC BARK SURVEY CONDUCTED ON ISPM NO. 15 MARKED WOOD IN 2007

12. A member of the Technical Panel on Forest Quarantine (TPFQ) presented the results of the survey conducted on bark on wood packaging material marked in accordance with ISPM No. 15 (*Guidelines for regulating wood packaging material in international trade*). He highlighted that the survey and the additional data served as a valuable contribution to the revision of ISPM No. 15.

13. Some members invited the Secretariat to comment on the current status of the revision of ISPM No. 15. The Secretariat indicated that a draft revision of ISPM No. 15 would be presented to the SC in May 2008 and, depending on the decision of the SC, may go forward for member consultation in June.

GOAL 2: INFORMATION EXCHANGE SYSTEMS APPROPRIATE TO MEET IPPC OBLIGATIONS

14. Additional information and statistics related to the use of the IPP were made available. It was noted that some countries met their reporting obligations through means other than the IPP and that this should be considered when looking at the implementation of the IPPC and ISPMs.

GOAL 3: EFFECTIVE DISPUTE SETTLEMENT SYSTEMS

A. REPORT ON DISPUTE SETTLEMENT ACTIVITIES SINCE CPM-2

15. The Secretariat noted that several inquiries had been made in 2007 regarding disputes, in particular regarding the interpretation of the term "public officers" in ISPMs Nos. 7 and 12.

16. Several members expressed concern that private standards, many of which had no scientific justification, adversely affected export markets and requested that the CPM discuss the implications of these private standards. Some countries were concerned with the approach by private retailers, by which more stringent and scientifically unjustified private standards were imposed on small scale farmers, especially in least developed and developing countries. It was suggested that this issue should be of concern to the IPPC and should be discussed with relevant international organizations with a view to removing any areas of conflict with the SPS Agreement. This was especially true for the "GlobalGAP" standard which included phytosanitary considerations as it was based on a value-chain approach.

B. OUTCOME OF THE OPEN-ENDED WORKING GROUP ON A POSSIBLE IPPC COMPLIANCE MECHANISM

17. The OEWG agreed that a compliance (enforcement) process was believed to be contrary to the objectives and philosophy of the CPM and FAO. Rather, the OEWG developed the "IPPC Implementation Review and Support System" (IRSS), which built on existing, or planned, processes already approved by the CPM, with the primary objective of facilitating and promoting the implementation of the IPPC and ISPMs. The IRSS could help in avoiding future disputes.

18. Advantages of the IRSS included: the ability to monitor, encourage and support the harmonized implementation of the IPPC and its ISPMs by contracting parties; and a means to identify and address emerging and potential implementation problems before they became disputes, through

an assistance-based and non-confrontational process. (This would address a number of recommendations from the independent evaluation of the IPPC, specifically the review of the state of plant protection in the world and the development of procedures to monitor the implementation of standards.)

19. The CPM:

- *Agreed* that the focus of the IRSS should be implementation rather than compliance, that the establishment of the "IPPC Help Desk" was very important to the success of the IRSS and that the outcome of the IRSS would be used to adjust the Business and Operational Plans of the CPM;
- *Requested* that the IRSS be incorporated into the CPM Capacity Building Strategy and that the Secretary pursue all reasonable options to ensure the post of a standards implementation officer (as foreseen in the IPPC Business Plan) be established as soon as practically possible.

GOAL 4: IMPROVED PHYTOSANITARY CAPACITY OF MEMBERS

A. ANALYSIS OF THE APPLICATION OF THE PCE TOOL

20. The CPM discussed the recommendations made by the SPTA, regarding the recommendations made by CABI Africa in its report to CPM-2 on the analysis of the application of the PCE tool. The need for a comprehensive capacity building strategy to address the needs of developing countries was highlighted. It was noted that the recommendations could be considered in the development of the capacity building strategy and it was proposed that an open-ended working group undertake the task rather than a focus group, in order to allow for broad participation.

21. The CPM:

- *Noted* that the SPTA agreed that a phytosanitary capacity building strategy was required and recommended that an open-ended working group be established to develop a draft strategy for consideration by the SPTA for presentation to CPM-4.

B. PROPOSED WORK PROGRAMME 2008-2009 FOR IMPROVED CAPACITY-BUILDING OF MEMBERS

22. The Secretariat presented a summary of the planned capacity building activities for the year, noting that most regional workshops on draft ISPMs were on hold pending available funding and encouraged donor support for these activities.

23. Information was provided on a project proposal for addressing the fruit fly problem in East Africa. Members from West and Northern Africa and the Near East were assured that similar proposals were being considered for their regions.

C. DEVELOPMENT OF A CPM TECHNICAL ASSISTANCE STRATEGY FOR PHYTOSANITARY CAPACITY BUILDING

24. A document was presented on developing a strategy for capacity building, noting that adequate capacity and infrastructure for contracting parties played a critical role in achieving the objectives of the IPPC. It was noted that Article XX of the IPPC and the CPM Business Plan (2007-2011) both promoted technical assistance but that a clear strategy to guide CPM capacity building activities was not in place.

25. The Independent Evaluation of the IPPC and the report from CABI-Africa both had recommended the development of a comprehensive technical assistance strategy in support of capacity building. This recommendation for the development of such a strategy was strongly

endorsed by the Extraordinary meeting of the SPTA, the Informal Working Group on Technical Assistance, the Technical Consultation among Regional Plant Protection Organisations and the SPTA. It was noted that a strategy would benefit from a broad understanding of technical assistance, avoiding overlap and taking advantage of synergies.

26. The CPM welcomed the initiative. It discussed the proposal to develop a concept paper on phytosanitary capacity building that could be closely linked to the development of a capacity building strategy.

27. The CPM:

- *Confirmed* the intention to have a national capacity building programme coordinated by the IPPC Secretariat;
- *Established* an Open-ended working group on Building National Phytosanitary Capacity to develop:
 - (i) A concept paper on national phytosanitary capacity for consideration by the SPTA in 2008 for presentation to the CPM-4;
 - (ii) A draft strategy for national phytosanitary capacity building for consideration by the SPTA for presentation to CPM;
 - (iii) A proposed operational plan for implementing the strategy over the first six years of its operation.

GOAL 5: SUSTAINABLE IMPLEMENTATION OF THE IPPC

A. ACCEPTANCE OF DOCUMENTS IN ELECTRONIC FORMAT

28. The Secretariat presented a document on the acceptance of electronic correspondence and noted that few members had chosen that option.

29. The CPM:

- *Encouraged* members to opt to receive electronic correspondence only, either by choosing that option on the IPP or by sending the model text in Appendix 16 to the Secretariat.

B. CPM OPERATIONAL PLAN FOR 2008

30. The Secretariat presented the operational plan, which was based on the business plan and described the activities that would be carried out by the Secretariat in 2008 using the resources from the FAO regular programme and various trust funds. Due to insufficient resources, activities had been prioritized by the SPTA and some would need to remain on hold unless additional funding became available. The proposed activities under each of the seven goals were detailed.

C. BUDGET FOR THE TRUST FUND FOR THE IPPC FOR 2008

31. The Secretariat presented the budget for 2008 for the Trust Fund for the IPPC. At the time of the CPM no indication had been received of any new contributions for 2008.

32. The CPM:

- *Noted* that as at March 2008, the Secretariat had received no indication from any contracting party of an intention to contribute to the Trust Fund for 2008;
- *Actively encouraged* contracting parties to contribute to the Trust Fund for the IPPC.

D. PROJECT-ORIENTED PLANNING FOR THE MULTILATERAL IPPC TRUST FUND

33. CPM-2 had agreed to develop project-oriented planning for the multilateral trust fund. The objective of the Trust Fund for the IPPC, to provide resources to benefit developing countries, was also applicable for project-oriented planning. Five projects were proposed.

34. The CPM:

- *Adopted* the proposed project-planning under the Trust Fund for the IPPC.

E. PROMOTION STRATEGY FOR THE TRUST FUND FOR THE IPPC

35. The independent evaluation of the IPPC had urged the Secretariat to formulate a funding mobilisation strategy. To assist with this the Government of Canada had released an officer to work on this strategy, which was still in its initial stages. The promotion strategy would consist of several parts to assist in the solicitation of funds, such as an information kit, outlining opportunities for contribution and training to contracting parties on how to strive for sustainability. An additional part of the strategy was to conduct a review of similar conventions to identify best management practices and innovative mechanisms for resource donations.

F. PROPOSAL FOR THE ADOPTION OF CPM RECOMMENDATIONS

36. A proposal was introduced suggesting how decisions could be presented in a consistent manner and numbered in a way that could be tracked for later review, change or deletion. Currently decisions were contained in CPM reports and report appendices, which could be hard to track. (Procedural decisions would not fall into the category of recommendations and would continue to be added to the Procedural Manual.)

37. The CPM:

- *Considered* the format for CPM recommendations regarding long term operational and administrative recommendations;
- *Requested* the further development of the proposal and format, taking into consideration the comments made by the CPM.

G. ISPM NO. 15 SYMBOL – STATUS OF REGISTRATION AND PROCEDURES AND ESTIMATED COSTS FOR REGISTRATION IN COUNTRIES WHERE IT IS NOT YET REGISTERED

38. The difference between the ISPM No. 15 mark and symbol was explained by the Secretariat. Confusion might be caused by the registration nomenclature in national intellectual property laws such as certification mark (collective mark or guarantee mark) and trade mark. To date the symbol had been registered on behalf of FAO in 96 countries, leaving it unregistered in approximately 110 countries. The Secretariat indicated that it would continue this registration in the countries that had recently joined the Madrid system and in two regional organizations and later proceed with the remaining national registrations.

39. Members were reminded that since the FAO owned the symbol, any registration of the symbol would be done on behalf of FAO and in its name.

40. One important issue raised was how would unauthorized use be dealt with? FAO Legal Office advised that in the event of such an eventuality, FAO, being an intergovernmental organization, would liaise with the NPPO of the country where the infringement had occurred, to assist the country to take the necessary administrative actions.

GOAL 6: INTERNATIONAL PROMOTION OF THE IPPC AND COOPERATION WITH RELEVANT REGIONAL AND INTERNATIONAL ORGANIZATIONS**A. REPORT ON PROMOTION OF THE IPPC AND COOPERATION WITH RELEVANT INTERNATIONAL ORGANIZATIONS**

41. The Secretariat provided a brief overview of cooperation with relevant international organizations. Such cooperation involved, in particular, CAB International; Codex Alimentarius Commission; Convention on Biological Diversity (CBD); International Atomic Energy Agency (IAEA); International Forestry Quarantine Research Group; Standards and Trade Development Facility (STDF); WTO SPS Committee; World Organisation for Animal Health (OIE) and the Montreal Protocol.

42. Informal cooperation continued with Codex Alimentarius and the OIE. The IPPC Secretariat had attended all formal and informal meetings of the WTO SPS Committee and the STDF working group.

43. The Secretariat noted that the Joint FAO/IAEA Division provided financial and administrative support for the 2007 meeting of the Technical panel on pest free areas and systems approaches for fruit flies (TPFF), including providing secretariat service and travel funding for some participants (including the Secretariat).

B. REPORT OF THE INTERNATIONAL FOREST QUARANTINE RESEARCH GROUP

44. The Chairperson of the International Forest Quarantine Research Group (IFQRG) outlined the evolving relationship between IFQRG and the Technical Panel on Forest Quarantine (TPFQ), through which the TPFQ identified gaps in research and requested IFQRG to undertake that work. Much of the work related to establishing scientifically-based criteria for evaluation of new treatments for inclusion in ISPM No. 15, which would be particularly relevant in the context of the recently adopted recommendation on reducing the use of methyl bromide. The Chairperson encouraged scientists from other contracting parties to participate in the work of IFQRG.

GOAL 7: REVIEW OF THE STATUS OF PLANT PROTECTION IN THE WORLD

45. A scientific presentation on "Climate Change and Plant Pests: Preparing the Contracting Parties" was given by Mr. Ian Campbell of the Canadian Food Inspection Agency. The presentation summarized the consensus findings of the Intergovernmental Panel on Climate Change, in that human-caused climate changes were resulting in statistically detectable global warming, increases in frequencies of extreme weather such as precipitation, drought, and storms. The changes would very likely affect pest distribution and pest impact directly through changes in range and host plant condition and indirectly, by changes in pest movements through trade. New and better pest risk assessments incorporating climate change models would be needed to refine risk management and appropriate new measures.
