

IMPLEMENTATION REVIEW AND SUPPORT SYSTEM  
OF THE  
INTERNATIONAL PLANT PROTECTION CONVENTION

Analysis of survey results  
on implementation of  
ISPM13:2001 – *Guidelines  
on the notification of non-  
compliance and  
emergency action*

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Cataloguing Challenges and Opportunities

International Plant Protection Convention  
Food and Agriculture Organization of the United Nations  
Via delle Terme di Caracalla 00153  
Rome, Italy

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## Implementation Review and Support System

### Report on analysis of ISPM No. 13 (2001): *Guidelines for the notification of non-compliance and emergency action*

#### Background

ISPM No.13 (2001): *Guidelines for the notification of non-compliance and emergency action* was first adopted by the 3rd session of the Interim Commission on Phytosanitary Measures (ICPM) in April 2001. The standard describes the actions to be taken by contracting parties regarding the notification of

- a significant instance of failure of an imported consignment to comply with specified phytosanitary requirements, including the detection of specified regulated pests
- a significant instance of failure of an imported consignment to comply with documentary requirements for phytosanitary certification
- an emergency action taken on the detection in an imported consignment of a regulated pest not listed as being associated with the commodity from the exporting country
- an emergency action taken on the detection in an imported consignment of organisms posing a potential phytosanitary threat.

The IPPC Subsidiary Body on Dispute Settlement (SBDS) requested a study of contracting parties' experiences implementing ISPM 13:2001. This was a response to concerns raised at CPM-6 (2011) in regards to communication weaknesses in notifications of non-compliance exchanges between contracting parties. The purpose of this IRSS study will be to contribute to the SBDS' review of its roles and functions as proposed by the SBDS and agreed to by the Bureau. The IRSS collaborated with the SBDS and the IPPC to develop a questionnaire that was sent to all IPPC Contact Points. The questionnaire was also sent to the 9 Regional Plant Protection Organizations and shared with FAO regional plant protection officers and other FAO staff that work on plant protection issues.

The findings of this review have been presented to the Capacity Development Committee (CDC), the Standards Committee, and the Subsidiary Body on Dispute Settlement for review and/or future action.

#### Scope of the Questionnaire

The questionnaire was derived from sections of the text of ISPM13:2001. The questionnaire also requested information on perceived constraints to implementation, and factors affecting countries' reactions, actions and investigations in regard to notifications. It also sought information on the ways countries determine significant instances of non-compliance, actions taken to resume trade, and formal mechanisms employed for contentious issues that have not been solved bilaterally.

Feedback was received from the following 68 contracting parties:

- **Africa:** Cameroon, Eritrea, Ghana, Guinea-Bissau, Kenya, Madagascar, Morocco, Malawi, Namibia, Nigeria, South Africa, Togo, Tunisia, Uganda
- **Asia:** China, Indonesia, Japan, Korea (Republic of) , Malaysia, Philippines, Singapore, Thailand
- **Europe:** Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Czech Republic, Estonia, France, Malta, The Netherlands, Poland, Switzerland, Turkey, United Kingdom
- **Latin America and the Caribbean:** Antigua and Barbuda, Argentina, Belize, Chile, Costa Rica, Dominican Republic, Guyana, Jamaica, Mexico, Panama, Peru, St. Kitts and Nevis, St. Vincent and the Grenadines, Uruguay

- **Near East:** Egypt, Jordan, Oman, Iran, Iraq, Lebanon, Syria, Qatar
- **North America:** Canada, United States of America
- **South-West Pacific:** Australia, Cook Islands, New Caledonia, Niue, New Zealand, Solomon Islands, Tonga

This report presents global information from the data captured by the following sections (i) General Procedures, (ii) Use of Notification, (iii) Bilateral Exchanges, (iv) Phytosanitary Measures, (v) Documented Procedures, and (vi) Open-Ended Feedback. Tables 1, 2 and 3 compile open-ended feedback responses and categorize responses by thematic area. Annex I of this report presents the Questionnaire for ISPM13 (2001): *Guidelines for the notification of non-compliance and emergency action*.

### A. General Procedures

Over half of survey respondents indicated that their National Plant Protection Organizations (NPPOs) have clear legal authority to take necessary actions to address significant instances of non-compliance. However, ten percent of the respondents indicated that the notifications of non-compliance they receive from importing countries do not indicate the channel of communication or the authority to whom a response should be addressed. Furthermore most respondents indicated that in cases where the channels of communication and authority are listed in the notification received, the contact details were not the same as the official Contact Point information listed in the IPP. For those cases where the communication and acting authority listed in the notification is not the official IPPC Contact Point, NPPOs are not provided with alternative contact points or alternative arrangements for responding to notifications.

Significant features regarding ISPM 13:2001 General Procedures are presented in figures 1-3. In addition some other notable conclusions from analysis of the survey results include:

- Importing countries' phytosanitary requirements are not easily accessible nor clearly communicated to exporting countries' NPPOs when requested .
- In those cases where importing countries phytosanitary requirements are easily communicated to the exporting countries, 27 percent of respondents indicated that they are not clearly explained to the exporters prior to production or commercialization of the concerned commodities or regulated articles.
- Notifications received do not allow sufficient time for exporting countries to respond in order to avoid loss of products/markets (for 31 percent of survey respondents).
- Of the 82% of respondents who report having generic processes in place for reporting or responding to notifications of instances of non-compliance, 67% of those report having standardized processes in place and 31% report having Ad-hoc processes in place.

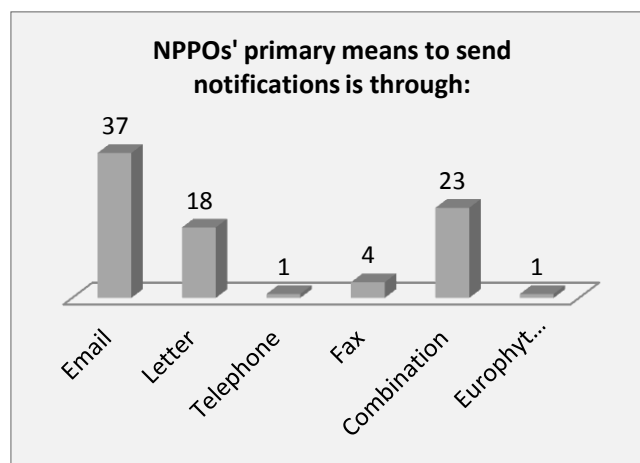
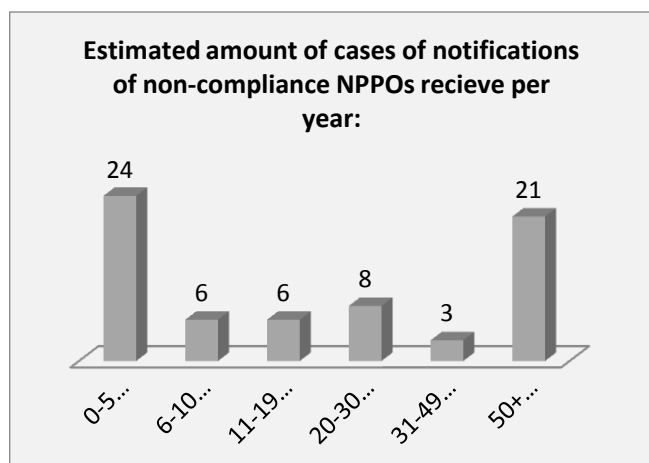


Figure. 1

Figure. 2

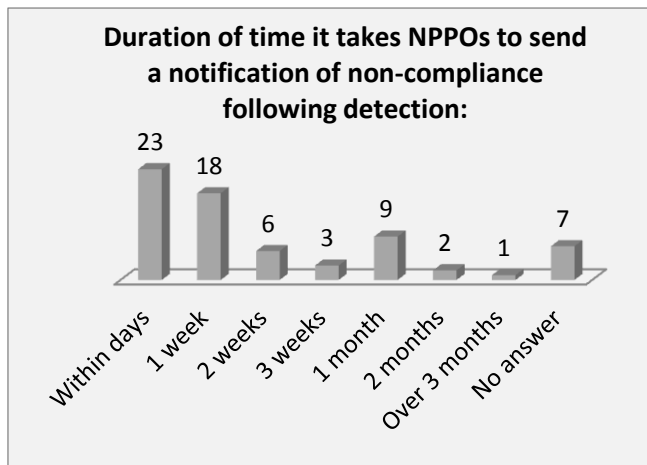


Figure. 3

### B. Use of Notification

Respondents reported that when reporting cases of non-compliance to the exporting country and cases of new phytosanitary measures, NPPOs mostly report to The IPPC Contact Points (over fifty percent of the time) and Certifying Authorities (Under 27 percent of the time).

Significant notification features are presented in figures 4-8. In addition some other notable conclusions from the survey results include:

- 35% of NPPOs noted that they do not follow-up on notifications with the notifying NPPO in cases where the notification deviates significantly from the provisions outlined in ISPM 13:2001)
- 27% of respondents indicated that the notifications received by their NPPOs are not detailed enough to enable any investigative action or to take corrective measures/actions
- Notifications are made to NPPOs of exporting countries primarily concerning:
  1. Interception of pests (39%);
  2. Cases of non-compliance (34%);and
  3. Interceptions of consignments (27%).

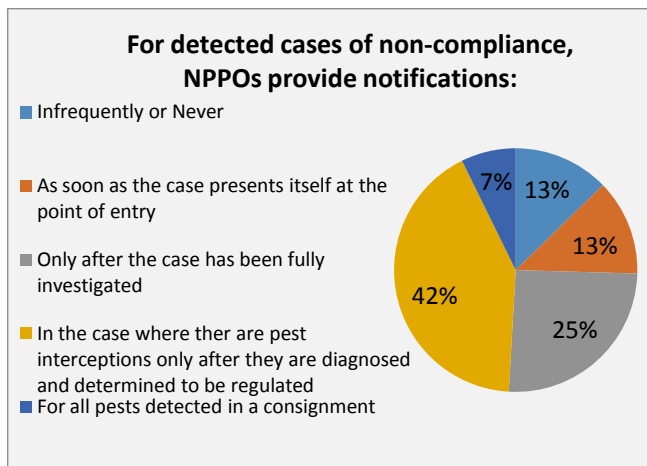


Figure. 4

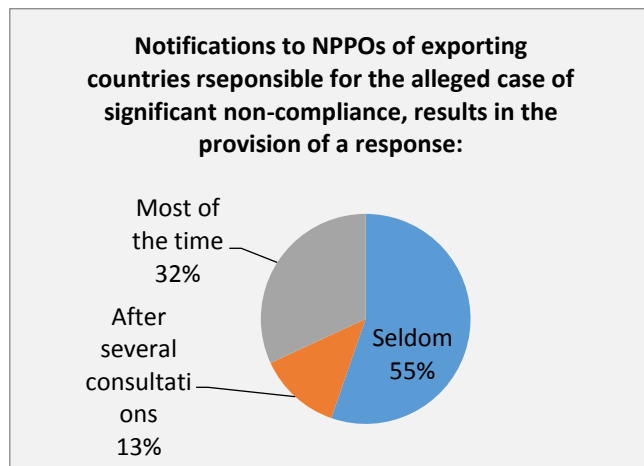


Figure. 5

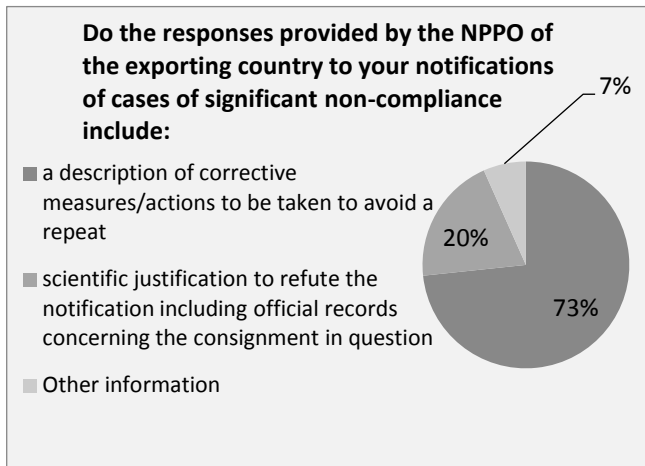


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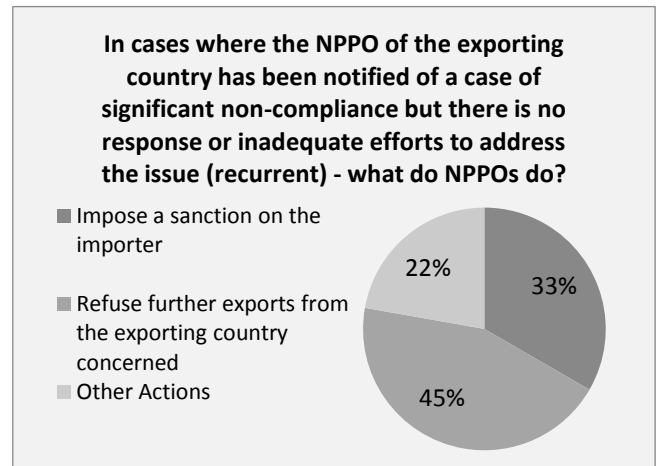


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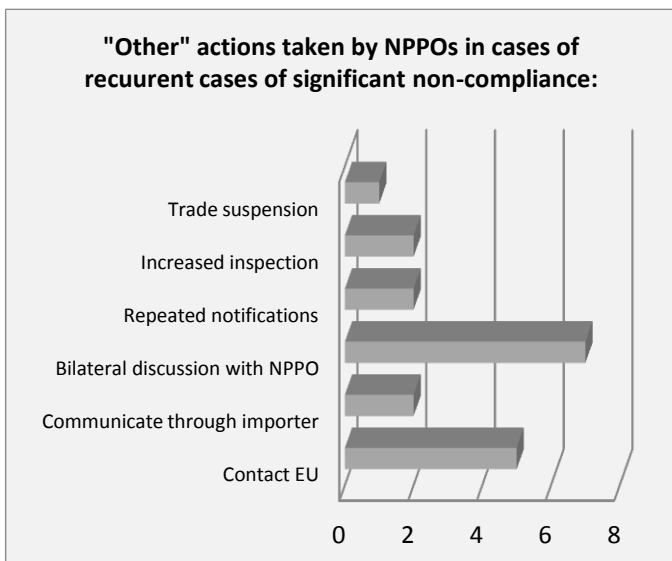


Figure. 8

### C. Bilateral Exchanges

According to country responses, sixty-one percent noted that bilateral agreements are in place for reporting and responding to instances of significant non-compliance. Thirty-one percent of respondents indicated that their NPPOs have received notifications of non-compliance caused by a pest that was known to be present in the importing country/territory but not subjected to official control, meaning that according to the provisions in ISPM 13:2001 a notification should not have been issued. Forty-five percent of respondents indicated that their NPPOs have received notifications of non-compliance caused by the presence in consignments of a pest that is not present in their territory.

The respondents reported the following issues as the most frequent reasons for detected non-compliance notifications:

1. The detection of regulated pests,
2. Failure to comply with documentary procedures, and
3. The absence of phytosanitary certificates.

Issues of non-compliance that were reported to have been detected least frequently were:

1. Fraudulent phytosanitary certificates, and
2. Uncertified changes to phytosanitary certificates.

In addition some other notable responses are highlighted in figures 9-12.

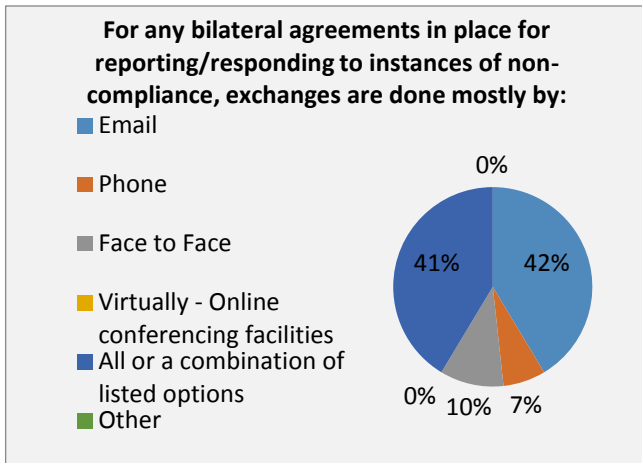


Figure. 9

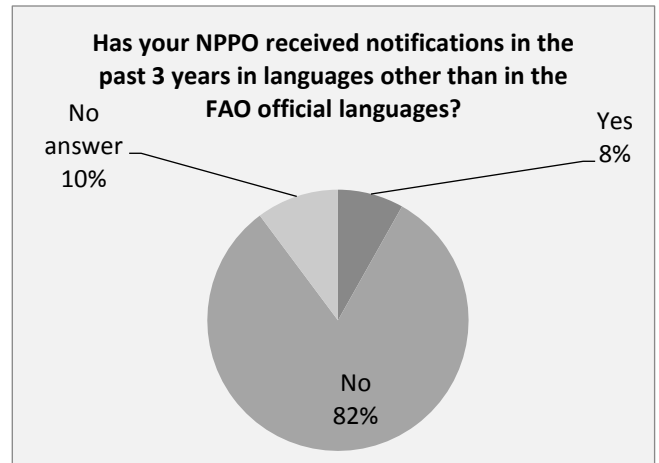


Figure. 10

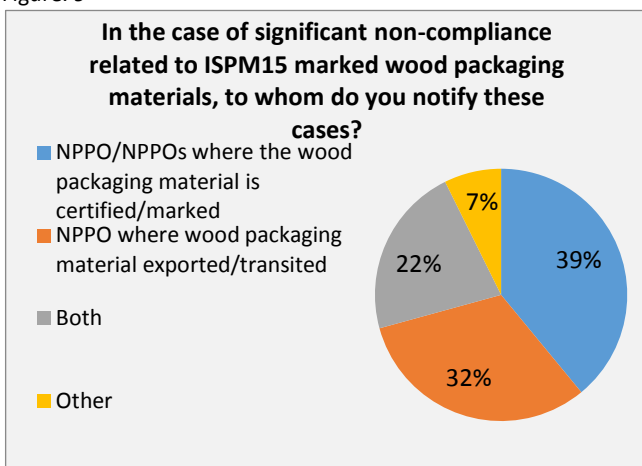


Figure. 11

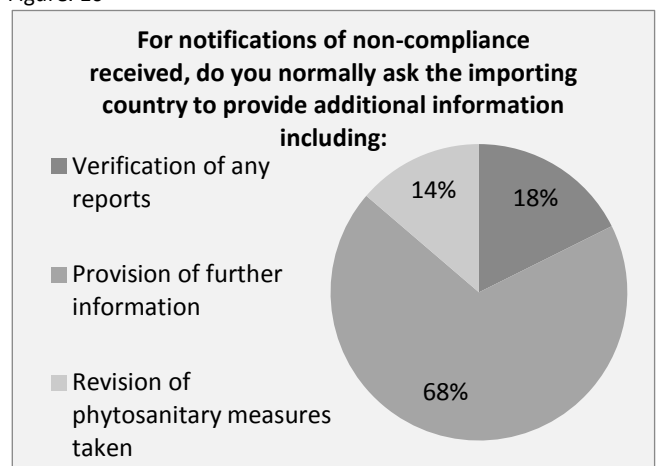


Figure. 12

#### D. Phytosanitary Measures

Survey responses indicate that in general NPPOs have well-developed notification systems to communicate changes in phytosanitary import requirements. According to 74 percent of the responses, changes are formally notified to exporting countries' IPPC Contact Points. In addition to IPPC Contact Points, other bodies that NPPOs notify include:

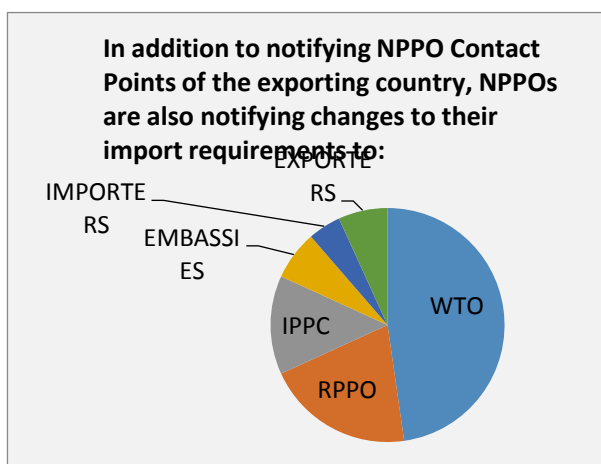


Figure. 13

Table 1 below shows the common responses (compiled based on frequency of responses) when asked which actions they would normally take for specific examples of non-compliance.

**Table 1.**

Examples of non compliance	Actions
Failure to comply with phytosanitary import requirements	Reject Consignment
Detection of Regulated Pests	Reject Consignment
Prohibited Consignments	Reject Consignment
Prohibited Articles in consignments ie. soil	Reject Consignment
Evidence of failure of specified treatments	Treat
Repeated instances of prohibited articles carried by passengers or sent by mail	Destroy

In addition, some other notable responses to questions posed are presented in Figures 14-17.

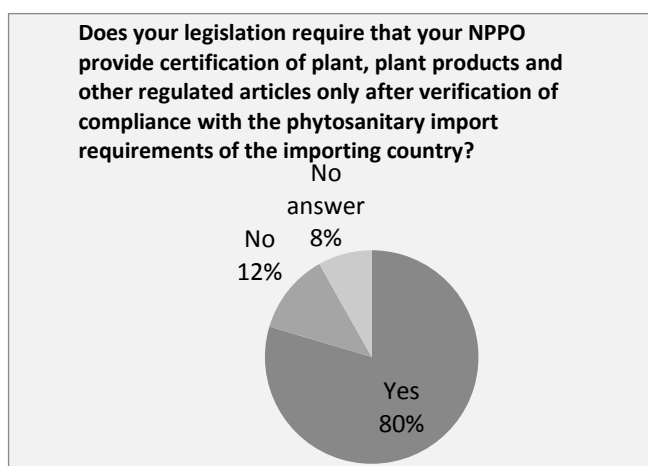


Figure. 14

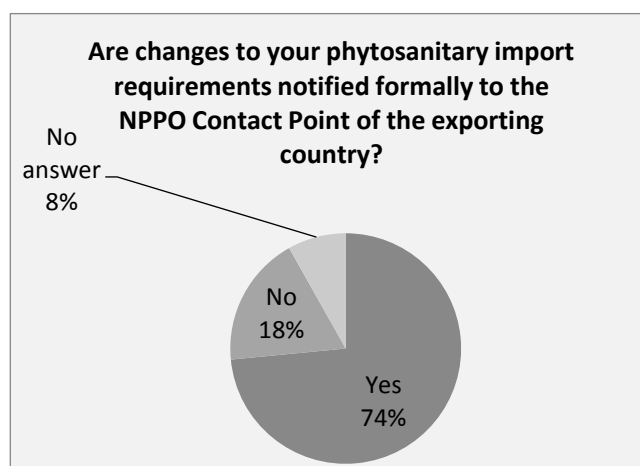


Figure. 15

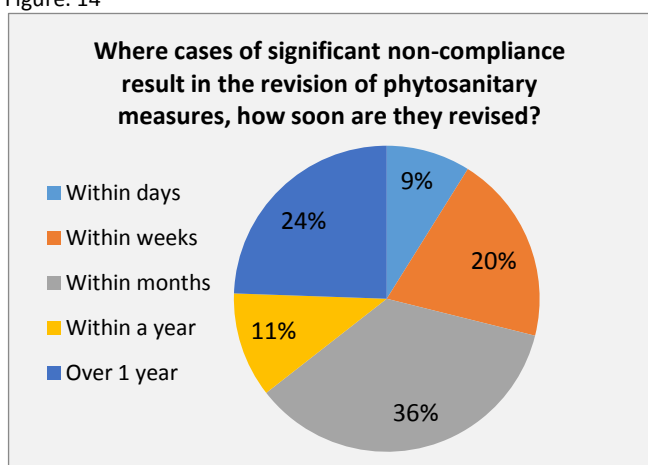


Figure. 16

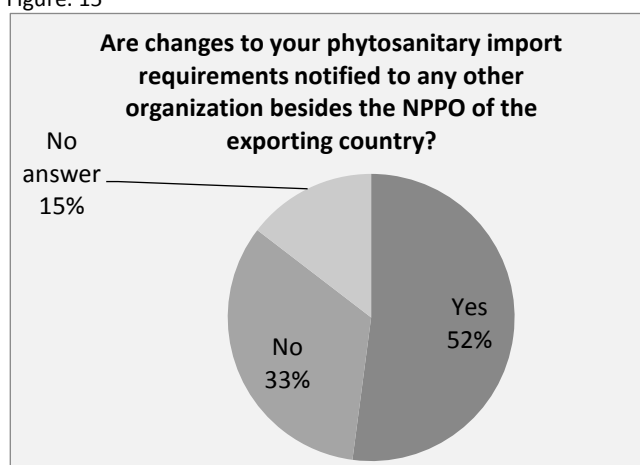


Figure. 17

## E. Documented Procedures

In seventy-one percent of countries NPPOs have written procedures for internally reporting interceptions, instances of non-compliance and emergency actions. Figure 18 shows the breakdown based on responses received. Seventy-eight percent of NPPOs indicated that they have comprehensive record-keeping and information retrieval systems for exports in place. Fifty percent indicate that they all the requisite documented procedures and work instructions for compliance checks for imports. Figure 19 shows a general breakdown based on all country responses. Fifty

percent of countries have written procedures to periodically review the cases of non-compliance and emergency actions taken in the past. Sixty-nine per cent of respondents indicated that their NPPOs have procedures to ensure the confidentiality of information between the parties involved.

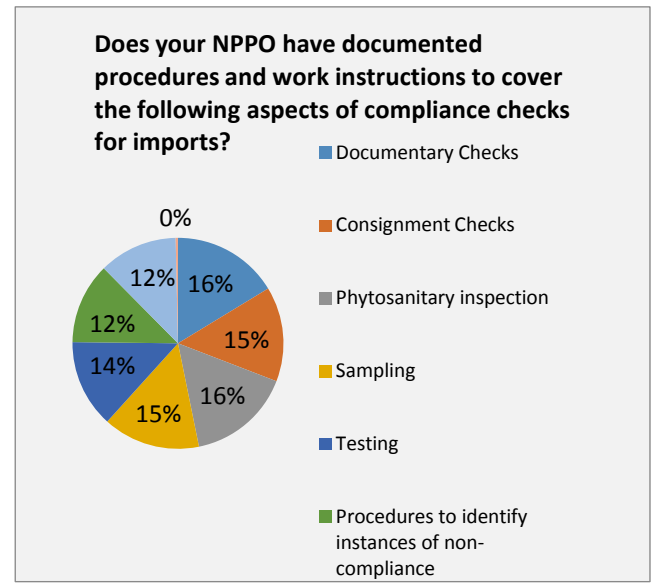
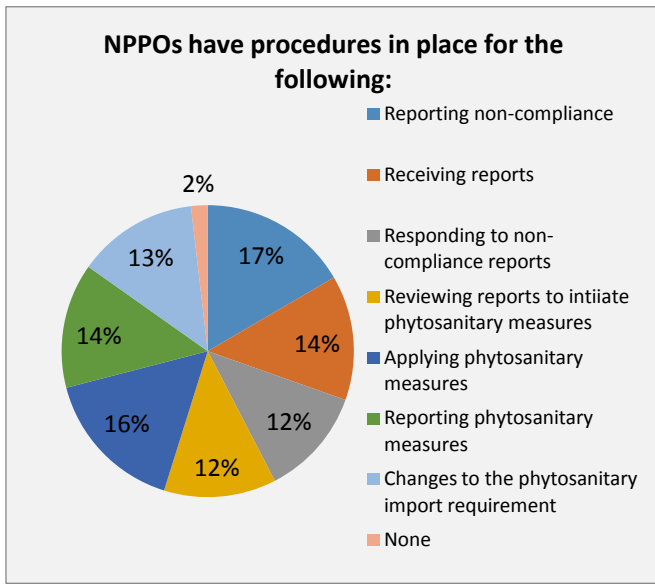


Figure. 18

Figure. 19

### F. Open-Ended Questions

Respondents reported that major limiting factors in notifying cases of significant non-compliance are weak communication and information exchange between NPPOs, weak technical capabilities to perceive cases of significant non-compliance, and weak operational systems to notify cases of significant non-compliance (Figure 20). Tables 2, 3, and 4 below detail survey results regarding factors that affect NPPOs ability to react and investigate notifications of instances of non-compliance, as well as NPPOs ability to take corrective actions on non-compliance when needed. Delayed timing, a lack of information, limited resources, poor traceability and poor information exchange were all factors respondents reported as limiting factors in fully implementing this standard.

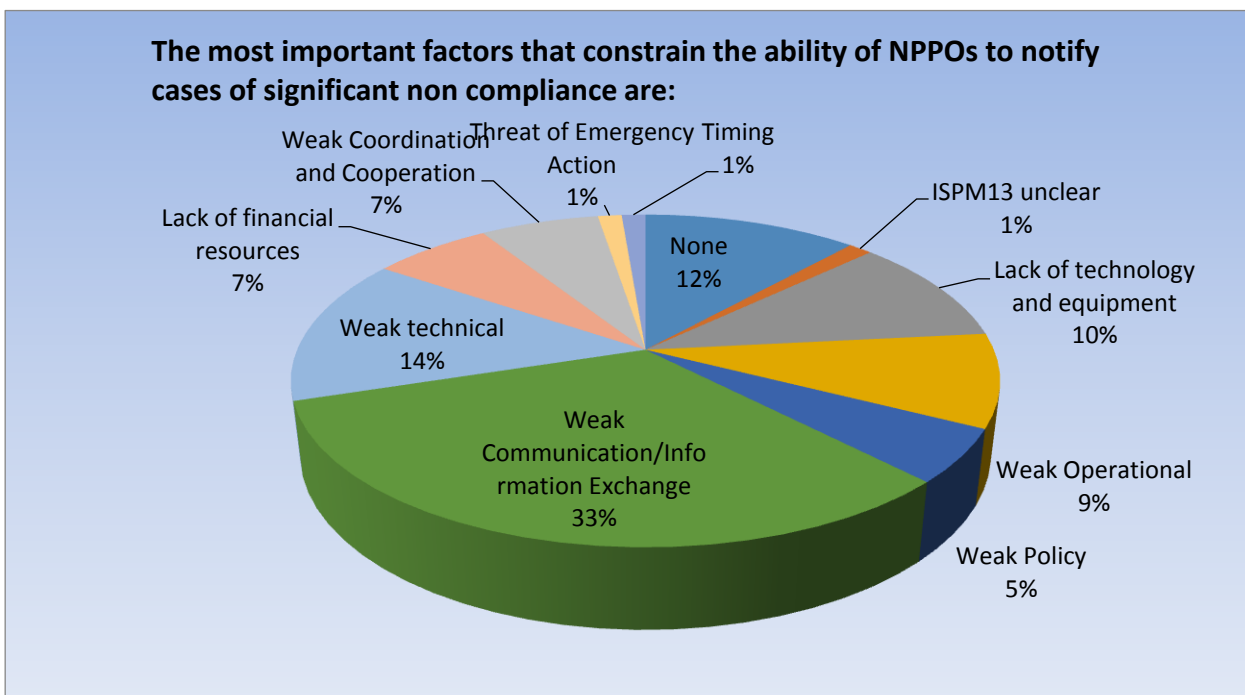


Figure 20



## **G. Conclusion**

Overall, country feedback generally indicates that weak communication between countries is a major limiting factor in notifying cases of significant non-compliance. NPPOs are not giving each other sufficient time to respond to notifications of significant non-compliance when received from the importing country and the information within the notification is not detailed enough to enable exporting countries to investigate further or take corrective actions. While a significant number of countries had reported that bilateral agreements were not in place for reporting or responding to significant cases of non-compliance, country feedback strongly indicated that NPPOs generally resume normal trade between their countries through an informal yet effective bilateral communication system, in particular in instances of recurrent cases of significant non-compliance. Results show that a significant number of countries are receiving notifications of non-compliance caused by the presence in consignments of a pest that is not present in their own territory. Also, countries are receiving notifications of non-compliance caused by a pest that is known to be present in the importing country/territory but not subjected to official control. These results may indicate a misinterpretation of the standard and/or use of the standard as a barrier to trade. NPPOs report that, in spite of the use of notifications in instances of significant non-compliance, and the usefulness of the standard, countries are not providing sufficiently detailed information, notifications have weak traceability, and NPPOs are receiving late notifications without sufficient time to react.

**Table 2:** Responses to the survey question requesting the most important factors that affect the ability of NPPOs to *react* to notifications of cases of significant non-compliance (categorized by salient thematic areas observed in NPPO feedback).

Thematic Area	Country Feedback	IPPC Sec Suggested Actions
<b>Timing</b>	<ul style="list-style-type: none"> <li>late notification (2 - 3 months); Time of receiving NNC; late dispatch of the notification; late notifications; late notifications. sometimes notifications are received when the affected crop is already out of farm especially for propagation materials; Notification not sent promptly by importing NPPO upon pest interception; time constraints depending on the period for the response and the information required to fulfill the request; time; NPPOs eagerness to institute corrective measures to prevent re-occurrence before responding to the notifying NPPO; receiving FNNC months after issuance; time factor for further concrete scientific analysis in case of a pest; absence of information that delays the reaction of the notification; receipt notifications as late</li> </ul>	<ul style="list-style-type: none"> <li>Compile/develop/promote examples of incentives for prompt notification (Why timing matters – campaign for cooperation)</li> <li>High-level support for prompt response</li> </ul>
<b>Language Barrier</b>	<ul style="list-style-type: none"> <li>notification in a FAO language that we may not be understanding;; Language</li> </ul>	<ul style="list-style-type: none"> <li>Exporters have liaison person in place – speaks language of main trading partner country</li> </ul>
<b>Organizational Management</b>	<ul style="list-style-type: none"> <li>Internal structure of organization; bureaucracy; Need to get full authority of Cabinet/director before any action is taken; internal weakness to responding to the notifications; strong bureaucracy; Inspectors Efficiency; absence of information that delays the reaction of the notification</li> </ul>	<ul style="list-style-type: none"> <li>Clear guidance on information regarding internal support advocacy on the impact of delays/benefits of prompt response</li> </ul>
<b>Lack of information</b>	<ul style="list-style-type: none"> <li>address of exporter not provided; number of PC not listed in the notification; serious deficiencies in the information of the notification; Unclear communications, from NPPOs that do not provide adequate information; Wrong PC no quoted in the notification; Difficulty in trace-back as exporters information was not provided in the notification notice. Shipper/forwarded information was given instead.; Lack of sufficient information; insufficient information; Weak communication; Very late notifications from importers; Insufficient information or notifications; incomplete FNNCs (ie. not enough information to act on); insufficient details provided on the notification ex. number of</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

	<p>the phytosanitary certificate, name of exporter, information on the regulated pest found, etc ; Lack of detailed information in the communication; do not have information about the detected pests (including biology, host range, pathways, global distribution, detection and identification methods); . incomplete information in order to take a decision</p>	
<b>Resources</b>	<ul style="list-style-type: none"> <li>limited number of staff; lack of internet; Slow communication methods such as phone lines are yet to be updated especially for an island like Niue; lack of training as resources are limited; . lack of adequate equipments; Verification of notifications received are delayed due to lack of physical capacity; human resource limitation due to multiplicity of task assigned to individual officers'; specialized staff; staff; capacity constraints and finances; poor comprehension of non compliance by stakeholders; inadequate resources to address non compliance holistically; 1. personal capacitated; workload; not enough training; staff; finance; Lack of staff dedicated to notifications</li> </ul>	<ul style="list-style-type: none"> <li>Advocacy for strong sustainable institutions</li> </ul>
<b>Policy</b>	<ul style="list-style-type: none"> <li>Policy; No written procedures</li> </ul>	<ul style="list-style-type: none"> <li>Development of guide for SOPs – projects related to policy development</li> </ul>
<b>Deemed insignificant</b>	<ul style="list-style-type: none"> <li>non significance; non commercial exports - private entities (postal)</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
<b>Technical capacity</b>	<ul style="list-style-type: none"> <li>limited exposure on how to make notifications; technical capacity in the area of diagnostics; appropriate taxonomic expertise not available</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
<b>Traceability</b>	<ul style="list-style-type: none"> <li>Notifications on products that are exported without exporters channeling the same through NPPO. This includes products that may be carried in baggage of travelers as gifts; Traceability is still lacking at the production level; lack of traceability (cartons, pallets, vessels); Sometimes notifications sent to exporters are not to NPPOs; NPPO of the exporting country was not involved in the certification for which the notification is issued for - lack of collaboration from commercial parties and/or NPPO; limited communication internally</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

<b>Cooperation</b>	<ul style="list-style-type: none"> <li>there is no answer of the NPPO of the importing country when the exporting country NPPO requests more information to clarify these cases</li> </ul>	<ul style="list-style-type: none"> <li>Advocacy on the benefits of the spirit of cooperation in relation to ISPM13 – why this ISPM is important; who benefits</li> </ul>
<b>None</b>	<ul style="list-style-type: none"> <li>None; Not sure; None; n.a.; none; no factors</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

**Table 3:** Responses to the survey question requesting the most important factors that *hinder* the ability of NPPOs to *investigate* notifications of cases of significant non-compliance (categorized by strongest thematic areas observed in NPPO feedback).

<b>Thematic Areas</b>	<b>Country Feedback</b>	<b>IPPC Sec Suggested Actions</b>
<b>Information Exchange</b>	<ul style="list-style-type: none"> <li>Lack of information to identify exporter; Not sure; lack of information; lack of information; No phytosanitary certificate number; incorrect phytosanitary certificate number; when product is not documented by NPPO, ie. exported without reference to NPPO; When information of exporter is not provided; Lack of sufficient information; provision of incorrect information on notified consignments; lack of information in notification; lack of well defined traceability systems in commodities which were non compliant; informacion poco clara; no contar con sistemas de trazabilidad; notificacion sin la informacion necesaria; Lack of sufficient information; Lack of traceability; receiving FNNC months after issuance; incomplete FNNCs (ie. not enough information to act on); delay in obtaining the notification; - lack of information - insufficient details on the notification; Lack of detailed information in the communication; absence of information; . incomplete information received</li> </ul>	<ul style="list-style-type: none"> <li>Regional/global information exchange workshops</li> <li>Awareness-raising showcasing how sharing information benefits all (why is this ISPM important; who benefits)</li> </ul>
<b>Timing</b>	<ul style="list-style-type: none"> <li>1. late notification (2 - 3 months); Time of receiving NNC; Received late notification from entry points; different time zones; . late notifications; When the notification is received when the crop from which export was derived is already not in cultivation; , time; delay of a notification; Time; receipt notifications as late</li> </ul>	
<b>Language Barrier</b>	<ul style="list-style-type: none"> <li>notification in a FAO language that we may not be understanding; staff</li> </ul>	

<b>Organization Management</b>	<ul style="list-style-type: none"> <li>Internal structure of organization, Too much bureaucracy</li> </ul>	
<b>Resources</b>	<ul style="list-style-type: none"> <li>limited number of staff; Insufficient authorities; . poor infrastructure; lack of training as resources are limited; lack of adequate equipments; . Physical constraint; insufficient human resources; specialist in relevant areas; finance; staff; lack of traceability on notified consignments (cartons, pallets, vessels); finances skills and lack of capacity; limited resources ie. funds; workload; Laboratories not well equipped ; Shortage of specialized personnel; finance; capacity building; resources in monetary or equipment; at national level not to have enough personnel to do inspections</li> </ul>	
<b>Policy</b>	<ul style="list-style-type: none"> <li>Policy; Legislation, we need an updated legislation to combat this problem as the current legislation is outdated and some clauses within do not comply with what must be done to combat the problem at this present time</li> </ul>	<ul style="list-style-type: none"> <li>Same as Table 1</li> </ul>
<b>Technical</b>	<ul style="list-style-type: none"> <li>limited diagnostic capacity; technical capacity in the area of diagnostics; technical constraint; access to taxonomic services</li> </ul>	<ul style="list-style-type: none"> <li>Same as Table 1</li> </ul>
<b>Traceability</b>	<ul style="list-style-type: none"> <li>NPPO of exporting country was not involved in the certification for which the notification is issued for; cooperation from affected stakeholders; the SPS system of the country is not integrated into a single institution</li> </ul>	<ul style="list-style-type: none"> <li>Same as Table 1</li> </ul>
<b>Cooperation</b>	<ul style="list-style-type: none"> <li>there is no answer of the NPPO of the importing country when the NPPO of Mexico (as exporting country), request for more information to clarify these cases; no response from country issue the notification; poor clarification of information in the notification; no response;</li> </ul>	<ul style="list-style-type: none"> <li>Same as Table 1</li> </ul>
<b>None</b>	<ul style="list-style-type: none"> <li>none; none; none; no factors</li> </ul>	

Table 4: Responses to the survey question requesting the most important factors that *hinder* the ability of NPPOs to *take corrective actions* on cases of significant non-compliance if needed (categorized by salient thematic areas observed in NPPO feedback).

Thematic Areas	Country Feedback	IPPC Sec Suggested Actions
<b>Information</b>	<ul style="list-style-type: none"> <li>notification in a FAO language that we may not be understanding; Address of exporter not provided; lack of information in the notification; when information of exporter is not provided; Corrective actions require monitoring and surveillance which requires a specific time frame to complete; lack of definitive information; A lack of the details on the reason of notification; weak communication; Lack of required treatments and infrastructure.; incomplete FNNCs (ie. not enough information to act on); . lack of information; Lack of detailed information in the communication; scientific evidence; absence of information; . incomplete information provided in the non compliance notifications in order to take a decision</li> </ul>	<ul style="list-style-type: none"> <li>Compile illustrated examples and disseminate best examples of ‘technical resources’</li> </ul>
<b>Timing</b>	<ul style="list-style-type: none"> <li>late notification (2 - 3 months); Time of receiving NNC; Delay in response; late dispatch of the notification; late notifications; When the notification is received when the crop from which export was derived is already not in cultivation; . recibir notificaciones a destiempo; receiving FNNC months after issuance; Time and Efficiency; receipt of notifications as late</li> </ul>	
<b>Resources</b>	<ul style="list-style-type: none"> <li>Insufficient authorities; limited resources; Lack of resources; no lab; lack of appropriate facilities; lack of training as resources are limited; lack of adequate equipments; Corrective actions require the eradication of endemic pests which is extremely difficult to achieve; finance; . lack of specialized treatment facilities;, cost of treatment relative to volume of trade; human resources capacity; finances; skills and lack of capacity; resources; human factors; limited resources ie. funds; falta de personal y recursos; lack of well trained inspectors not well equipped labs; staff, finance; at national level not ot have enough personnel to deal with cases</li> </ul>	<ul style="list-style-type: none"> <li>Advocacy for institutional development</li> <li>Advocacy resources on institutions – benefits, what’s required; threats without</li> </ul>
<b>Coordination</b>	<ul style="list-style-type: none"> <li>exported without NPPO knowledge; when product is not documented by NPPO, ie. exported without reference to NPPO; Coordination problems with other agencies concerned; Need for a joint with other EU member states; stakeholders are very impatient and non cooperative most of the time; need to work with a very large number of stakeholders; Poor collaboration from exporters; lack of collaboration from commercial parties; receiving a notification for a commodity that did not originate from our country but from which it was re-exported; cooperation from all stakeholders</li> </ul>	
<b>Organizational Management</b>	<ul style="list-style-type: none"> <li>Internal structure of organization; To bureaucracy</li> </ul>	

<b>Technical</b>	<ul style="list-style-type: none"> <li>limited technical capacity; lack of diagnostic capacity and specialized staff to precisely identify pests (Entomologist, Plant Pathology laboratory); technical capacity in the area of diagnostics; Resistance to chemicals renders treatment ineffective. Chemical toxicity to organisms eg. fishes; lack of effective treatments (e.g. fumigation)</li> </ul>	
<b>Awareness</b>	<ul style="list-style-type: none"> <li>Industry lobbying; insufficient knowledge of the rules of exporters</li> </ul>	<ul style="list-style-type: none"> <li>Examples of opportunities to partner with industry, leverage their money and importance of improving system with fees – Compile example model systems of cost recovery – public private partnerships</li> </ul>
<b>None</b>	<ul style="list-style-type: none"> <li>None; None; none; no factors; in all cases action is taken (no factors)</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>





# Implementation Review and Support System (IRSS)

## Questionnaire : ISPM 13 Guidelines for the notification of non-compliance and emergency action

The Subsidiary Body on Dispute Settlement (SBDS) requested IRSS support for an initiative it is conducting in reviewing its role and functions. The SBDS initiative is being conducted in response to issues raised at CPM6. In this regard, the SBDS needs more information to understand NPPO processes to address issues on implementation of ISPM13, dispute settlement and analysis of the implementation of non-compliance and emergency actions of NPPOs. These issues are seen as logical precursors to any dispute actions by contracting parties. The Bureau agreed that the IRSS would formally review and identify challenges related to ISPM13 implementation and provide an overall baseline analysis report to the IPPC SBDS by July 2012.

As a way to assist in conducting this review you are invited to complete this 6 part questionnaire.

### IMPORTANT:

- This questionnaire is to be completed by the NPPO
- You may also complete the questionnaire online at:

<https://www.surveymonkey.com/s/ISPM13review>

- Edit this form using Microsoft Word 2003 or above.
- Return completed form to: [Nadia.Villasenor@fao.org](mailto:Nadia.Villasenor@fao.org) or [ippc@fao.org](mailto:ippc@fao.org) and in the Subject Line of the email please enter: [your COUNTRY name] "IRSS ISPM13 response"

**THANK YOU FOR PARTICIPATING IN THIS IRSS SURVEY**

### A. General Procedures

1	Does your NPPO have clear legal authority to notify or to take actions necessary to address cases of significant non-compliance?	YES <input type="checkbox"/> NO <input type="checkbox"/>
2	For instances of non-compliance, does the importing countries' notification received by your NPPO indicate the channel of communication/the authority to whom your response should be addressed?	YES <input type="checkbox"/> NO <input type="checkbox"/>
3	For instances of non-compliance, is the channel of communication/authority listed in the notification, received by your NPPO the same as the official IPPC contact point in the IPP?	YES <input type="checkbox"/> NO <input type="checkbox"/>
4	In general, if the communication/authority is not the official IPPC Contact Point, has your NPPO provided an alternative contact point or made an alternative arrangement?	YES <input type="checkbox"/> NO <input type="checkbox"/>
5	In general, are importing countries' phytosanitary import requirements easily accessible and clearly communicated to your NPPO when you request them?	YES <input type="checkbox"/> NO <input type="checkbox"/>
6	In general, are those phytosanitary import requirements clearly explained to your exporters prior to production or commercialization of the concerned commodities/regulated articles?	YES <input type="checkbox"/> NO <input type="checkbox"/>
7a	Do you have generic processes in place for reporting <u>or</u> responding to notifications of instances of non-compliance?	YES <input type="checkbox"/> NO <input type="checkbox"/>
7b	If YES, are these:	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> Standardized <input type="checkbox"/> Ad Hoc <input type="checkbox"/> Other
8	On average, estimate how many cases of notifications of non-compliance your NPPO <u>receives</u> per year?	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> 0 – 5 <input type="checkbox"/> 6 – 10 <input type="checkbox"/> 11 – 19 <input type="checkbox"/> 20 – 30 <input type="checkbox"/> 31 – 49 <input type="checkbox"/> 50+
9	On average, estimate how many cases of notifications of non-compliance your NPPO <u>investigates</u> per year?	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> 0 – 5 <input type="checkbox"/> 6 – 10 <input type="checkbox"/> 11 – 19 <input type="checkbox"/> 20 – 30 <input type="checkbox"/> 31 – 49 <input type="checkbox"/> 50+
10a	On average, estimate how many notifications of non-compliance your NPPO <u>issues</u> per year?	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> 0 – 49 <input type="checkbox"/> 50 – 199 <input type="checkbox"/> 200 – 499 <input type="checkbox"/> 500 – 999 <input type="checkbox"/> 1000 – 2999 <input type="checkbox"/> 3000 +
10b	What is the primary means to send them?	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> Email <input type="checkbox"/> Letter <input type="checkbox"/> Telephone <input type="checkbox"/> Fax <input type="checkbox"/> Combination of several of the above

11	On average, in cases of significant non-compliance how long does it take to <u>send</u> a notification after detection?	Please specify: .....
12	In general, do the notifications received by your NPPO allow sufficient time for you to respond in order to avoid loss of product or markets?	YES [ ] NO[ ] Please Explain:

## B. Use of Notification

1	<b>Who does your NPPO notify in the exporting country in cases of non-compliance?</b>	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> Diplomats in the importing country <input type="checkbox"/> The IPPC Contact Points <input type="checkbox"/> Exporter <input type="checkbox"/> Importer <input type="checkbox"/> Certifying Authority <input type="checkbox"/> Other (please specify):
2	<b>Who does your NPPO notify in the exporting country in the case of new phytosanitary measures resulting from recurrent instances of non-compliance?</b>	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> Diplomats in the importing country <input type="checkbox"/> The IPPC Contact Points <input type="checkbox"/> Exporter <input type="checkbox"/> Importer <input type="checkbox"/> Certifying Authority <input type="checkbox"/> Other (please specify):
3	<b>In general, does your NPPO provide notification to the NPPO of the exporting country concerning:</b>	<b>Check all that apply:</b> <input type="checkbox"/> Interception of pests <input type="checkbox"/> Cases of non-compliance <input type="checkbox"/> Interceptions of consignments
4	<b>For detected cases of non-compliance, does your NPPO provide notifications:</b>	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> Infrequently or Never <input type="checkbox"/> As soon as the case presents itself at the point of entry <input type="checkbox"/> Only after the case has been fully investigated <input type="checkbox"/> In the case where there are pest interceptions only after they are diagnosed and determined to be regulated <input type="checkbox"/> For all pests detected in a consignment <input type="checkbox"/> None of the above
5	<b>How often do notifications to the NPPOs of exporting countries, that are responsible for the alleged case of significant non-compliance, result in the provision of a response?</b>	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> Seldom <input type="checkbox"/> After several consultations <input type="checkbox"/> Most of the time
6	<b>What does your NPPO do in cases where the NPPO of the exporting country has been notified of a case of significant non-compliance but there is no response or inadequate efforts to address the issue (e.g. recurrent non-compliance)?</b>	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> Impose a sanction on the importer <input type="checkbox"/> Refuse further exports from the exporting country concerned <input type="checkbox"/> Other Actions- please describe:
7	<b>Do the responses provided by the NPPO of the exporting country to your notifications of cases of significant non-compliance include:</b>	<b>Check the MOST appropriate response e.g. [ X ]</b> <input type="checkbox"/> a description of corrective measures/actions to be taken to avoid a repeat <input type="checkbox"/> scientific justification to refute the notification including official records concerning the consignment in question <input type="checkbox"/> Other information – Please describe:
8	<b>In general, does your NPPO follow-up on any notifications with the notifying NPPO in cases where there are significant deviations on how the notification is prepared with respect to the provisions in ISPM 13?</b>	YES <input type="checkbox"/> NO <input type="checkbox"/> Please Explain:
9	<b>In general, are the notifications received by your NPPO detailed enough to enable you to investigate or take corrective actions/measures:</b>	YES <input type="checkbox"/> NO <input type="checkbox"/> Please Explain:

### C. Bilateral Exchanges

1a	Do you have any bilateral agreements in place for reporting <u>or</u> responding to instances of non-compliance?	YES[ ] NO[ ]
1b	If you answered YES to the question above, are those exchanges done by	<b>Check all that apply e.g. [X]</b> <input type="checkbox"/> Mostly by email communication <input type="checkbox"/> Mostly by phone <input type="checkbox"/> Face to face <input type="checkbox"/> Virtually using online video conferencing facilities <input type="checkbox"/> All or a combination of several of the above <input type="checkbox"/> Other – Please describe:
2	Has your NPPO received any notifications of non-compliance caused by the presence in your consignment of a pest that is not present in your territory?	YES [ ] NO[ ] Please Explain:
3	Has your NPPO sent any notifications of non-compliance caused by a pest that is present in your country and not subjected to official control?	YES [ ] NO [ ] Please Explain:
4	Has your NPPO received any notifications of non-compliance caused by a pest that you know is present in the importing country/territory and is not subjected to official control?	YES[ ] NO[ ] Please Explain:
5a	Has your NPPO received notifications in the past 3 years in languages other than in the FAO official languages?	YES[ ] NO[ ]
5b	How has your NPPO dealt with notifications written in languages not understood by your staff?	<b>Please describe:</b>
6	In order of frequency, please rank non-compliance issues that you detect from MOST frequently detected to LEAST frequently detected.	<b>Please rank from 1-12, 1 being the MOST frequent, and 12 being the LEAST frequent:</b> <input type="checkbox"/> Failure to comply with phytosanitary import requirements <input type="checkbox"/> Detection of regulated pests <input type="checkbox"/> Failure to comply with documentary requirements <input type="checkbox"/> Absence of phytosanitary certificates <input type="checkbox"/> Uncertified changes to phytosanitary certificates <input type="checkbox"/> Serious deficiencies in information on phytosanitary certificates <input type="checkbox"/> Fraudulent Phytosanitary certificates <input type="checkbox"/> Prohibited Consignments <input type="checkbox"/> Prohibited Articles in consignments e.g. soil <input type="checkbox"/> Evidence of failure of specified treatments <input type="checkbox"/> Repeated instances of prohibited articles carried by passengers or sent by mail <input type="checkbox"/> Other – please specify
7	For notifications of non-compliance received, do you normally ask the importing country to provide additional information including:	<b>Check the MOST appropriate response e.g. [X]</b> <input type="checkbox"/> Verification of any reports <input type="checkbox"/> Provision of further information <input type="checkbox"/> Revision of phytosanitary measures taken
8	In the case of significant non-compliance related to ISPM15 marked wood packaging materials, to whom do you notify these cases?	<b>Check the MOST appropriate response e.g. [X]</b> <input type="checkbox"/> NPPO/NPPOs where the wood packaging material is certified/marked <input type="checkbox"/> NPPO where wood packaging material exported/transited <input type="checkbox"/> Both <input type="checkbox"/> Other

**D. Phytosanitary Measures**

1	Does the legislation require that the NPPO provide certification of plant, plant products and other regulated articles only after verification of compliance with the phytosanitary import requirements of the importing country?	YES[ ] NO[ ]
2	On average, where cases of significant non-compliance result in the revision of phytosanitary measures, how soon are they revised:	<p>Check the <b>MOST</b> appropriate response e.g. [X]</p> <p>[ ] Within a few days          [ ] Within weeks          [ ] Within months          [ ] Within a year          [ ] Over 1 year</p>
3a	In general, are changes to your phytosanitary import requirements notified formally to the NPPO Contact Point of the exporting country?	YES[ ] NO[ ]
3b	If your answer to question 3A above is YES, are these changes notified to any other organization other than the NPPO?	YES[ ] NO[ ]
3c	If YES, to whom are changes usually notified?	Please list:
4	For the following examples of non-compliance, indicate the phytosanitary measures you would normally take:	<p>For each event described below, please select either:</p> <p><b>1 - Reject Consignment</b>  <b>2 - Treat</b>  <b>3 - Destroy</b>  <b>4 - Other Actions</b>  <b>5 - A combination of the above</b>  <b>6 - All</b></p> <p>[ ] Failure to comply with phytosanitary import requirements          [ ] Detection of regulated pests          [ ] Prohibited Consignments          [ ] Prohibited Articles in consignments e.g. soil          [ ] Evidence of failure of specified treatments          [ ] Repeated instances of prohibited articles carried by passengers or sent by mail</p>
5	Please describe actions you would take in the case of failure to comply with documentary requirements where the issue is:	
	the " <i>absence of phytosanitary certificates</i> "	Please Explain:
	the " <i>uncertified alterations or erasures to phytosanitary certificates</i> "	Please Explain:
	" <i>serious deficiencies in information to phytosanitary certificates</i> "	Please Explain:
	" <i>phytosanitary certificates that are fraudulent</i> "	Please Explain:

### E. Documented procedures

1	Does your NPPO have a comprehensive record keeping and information retrieval system concerning exports which enable it to provide appropriate information to relevant parties in cases of non-compliance?	YES [ ] NO [ ]
2	Do you have procedures in place for the following:	<b>Check the MOST appropriate e.g. [X]</b> <input type="checkbox"/> Reporting non-compliance <input type="checkbox"/> Receiving reports <input type="checkbox"/> Responding to non-compliance reports <input type="checkbox"/> Reviewing reports to initiate phytosanitary measures <input type="checkbox"/> Applying phytosanitary measures <input type="checkbox"/> Reporting phytosanitary measures <input type="checkbox"/> Changes to the phytosanitary import requirements <input type="checkbox"/> None of the above
3	Does your NPPO have documented procedures and work instructions to cover the following aspects of compliance checks for imports?	<b>Check the appropriate response(s) e.g. [X]</b> <input type="checkbox"/> Documentary checks <input type="checkbox"/> Consignment identity checks <input type="checkbox"/> Phytosanitary inspection <input type="checkbox"/> Sampling <input type="checkbox"/> Testing <input type="checkbox"/> Procedures to identify instances of non-compliance <input type="checkbox"/> Emergency actions <input type="checkbox"/> None of the above
4	Does your NPPO have written procedures for internally reporting interceptions, instances of non-compliance and emergency actions?	YES [ ] NO [ ]
5	Does your NPPO have written procedures to periodically review the cases of non-compliance and emergency actions taken?	YES [ ] NO [ ]
6	Does your NPPO have written procedures to ensure that the notification and information of notifications are distributed in the first instance only to the NPPO of the exporting country?	YES [ ] NO [ ]
7	Does your NPPO have procedures in place to ensure the confidentiality of the information between the parties involved?	YES [ ] NO [ ]

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### F. Open-Ended Feedback

1	<b>What criteria does your NPPO use to determine cases of significant non-compliance for notification?</b>	<b>Please describe:</b>
2	<b>After a case of significant non-compliance is determined to have occurred and affected trade, please list a few actions your NPPO has taken to resume normal trade between your country and the other trading partner country.</b>	<b>Please list:</b>
3	<b>What are the three most important factors that constrain the ability of your NPPO to notify cases of significant non-compliance?</b>	1. 2. 3.
4	<b>List the three most important factors that affect the ability of your NPPO to <i>react</i> to notifications?</b>	1. 2. 3.
5	<b>What are the three most important factors that hinder your NPPOs ability to <i>investigate</i> notifications of instances of non-compliance?</b>	1. 2. 3.
6	<b>What are the three most important factors that hinder your NPPOs ability to <i>take corrective actions</i> on non-compliance if needed?</b>	1. 2. 3.
7	<b>If after applying all the provisions established in ISPM13 you still have contentious issues that have not been solved bilaterally, what formal mechanisms have you employed to address them?</b>	<b>Please describe:</b>

Thank you for taking the time to complete this survey

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