

REPORT

Rome,
Italy,
4-8 October
1999

Second Interim Commission on Phytosanitary Measures

Food
and
Agriculture
Organization
of
the
United
Nations

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**SECOND INTERIM COMMISSION ON PHYTOSANITARY MEASURES
Rome, 4-8 October 1999**

REPORT

I. OPENING OF THE SESSION

1. The meeting was opened by Mr Duwayri, Director, Plant Production and Protection Division. He outlined the progress that had been made at the last meeting and subsequent eleven months and noted that many phytosanitary issues had been addressed since the 1st Interim Commission on Phytosanitary Measures (ICPM). He commended the ICPM for its ambitious agenda and highlighted the need for sustained efforts to ensure the IPPC's role as the primary international focus for cooperation on and harmonization in plant protection. He noted the effects of globalization, advances in technology and shifts in social values and the demonstrated ability of the IPPC to meet diverse challenges. Mr Duwayri emphasized the need for the ICPM to establish and maintain its reputation as a neutral, fair, transparent and technically sound forum.

II. REPORT BY THE CHAIRPERSON

2. Mr Hedley, Chairperson of the ICPM, reported on the activities of the ICPM over the past eleven months and noted specific issues that should be discussed during the 2nd session of the ICPM. He indicated that considerable progress had been made in the Informal Working Groups on Standard Setting and Dispute Settlement Procedures. The Chair also mentioned the importance of developing a role for the ICPM in the coordination of technical assistance and emphasized the need for the ICPM to consider its processes for strategic planning. He also noted the importance of discussions regarding pest reporting and information exchange, biosafety, invasive species, wood packing material, the work programme of the ICPM and the possibility of changing the date for the next ICPM meeting.

III. ADOPTION OF THE AGENDA

3. The agenda¹ was revised and adopted (Appendix I). Some members expressed concern about receiving the meeting documents in a timely manner. The ICPM was informed that delays occurred due to the heavy translation workload in the Organization during the summer months. Legal Counsel advised that current Rules of Procedure for the ICPM imply that documents should be dispatched six to eight weeks in advance of the meeting.

IV. STANDARD SETTING PRIORITIES

¹ ICPM 99/1 Rev. 1

4. The Secretariat presented the report on Standard Setting Priorities³. The ICPM was informed that the Secretariat had undertaken a survey of Members and RPPOs following the recommendation from the first ICPM to determine topics and priorities for international standards. The survey resulted in a good response from Members and RPPOs and provided a basis for prioritization.

5. Biosafety was noted by the Secretariat as an additional topic resulting from recent developments in the Convention on Biological Diversity (CBD) and recommendations from the 15th Session of the FAO Committee on Agriculture and the 116th Session of the FAO Council. Wood Packaging Material was noted as an additional topic arising from the request by NAPPO for consideration of their draft standard as the basis for an ISPM. The ICPM noted the report of the Secretariat and expressed general support for the work programme.

6. The Secretariat introduced the issue of biosafety in relation to genetically modified organisms (GMOs). Biosafety issues partly fall within the mandate of the IPPC but also extends beyond its mandate. The ICPM was requested to look carefully at the issue and to consider adopting a position on biosafety with respect to the scope of the New Revised Text of the IPPC. The ICPM was informed that GMOs would probably fall within the mandate of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement).

7. A number of members gave high priority to standard setting in relation to GMOs in particular to risk assessment and testing and release of GMOs. They indicated that this could be addressed within the framework of the IPPC. Others advocated a more cautious approach while some indicated the need to give sufficient priority to development of standards for plant quarantine.

8. The ICPM considered that the concept of invasive species and the work of the CBD on this topic have considerable implications for the IPPC. Coordination between concerned government agencies at national and international levels was required to avoid conflicting views in different fora. The ICPM decided that an exploratory open ended working group would address the issues of GMOs, biosafety and invasive species in relation to the IPPC and report back to the 3rd meeting of the ICPM. The terms of reference and composition of the working group are attached in Appendix IV.

9. The ICPM endorsed a modified work programme (Appendix V, VI). Items included in paragraphs 3-4 of the document ICPM99/2 were endorsed with the inclusion of Guidelines for the preparation of regulated pest lists and Guidelines for notification of interceptions and non-compliance. Draft standards for Wood Packaging Material, Official Control, Pest Reporting and Systems Approaches to Risk Management were identified as high priorities. The United States agreed to commit resources to developing international standards on official control and the exploratory working group on biosafety in relation to GMOs and invasive species. Mexico and the United States agreed on behalf of NAPPO to commit resources toward the development of an international standard on wood packaging. It was proposed that the development of diagnostic standards may be facilitated by RPPOs

³ ICPM 99/2

and relevant institutions, while standards on accreditation of laboratories, phytosanitary testing and certification, and approval of post entry quarantine facilities will be considered by the ICPM in future.

V. ADOPTION OF INTERNATIONAL STANDARDS

10. Requirements for the Establishment of Pest Free Places of Production and Pest Free Production Sites²: The ICPM discussed the text of the proposed standard *Requirements for the Establishment of Pest Free Places of Production and Pest Free Production Sites*. An informal working group proposed changes in the standard to resolve three minor issues. The ICPM accepted the changes and adopted the standard (Appendix II).

11. Revised Glossary of Phytosanitary Terms²: Several Members noted concerns with the revisions made to the Glossary. An informal working group was formed to review comments and proposals from Members. The working group reached consensus on all issues that were raised for its consideration and presented its results to the ICPM. The ICPM agreed:

- to endorse CEPM recommendations (6b-g of ICPM 99/3)
- that the Secretariat should not undertake to produce an annotated Glossary but should instead maintain adequate record of the rationale for terms, definitions, and changes.
- to replace the reference to *abbreviation* with *acronym*, noting that this should also result in corresponding changes in standards.
- to merge the core glossary (section A of ICPM 99/3 Annex II) with the terms having specific use (section B), such terms to be appropriately identified.
- that deleted terms (section C) and terms referred to the glossary group (section D) would not be part of the Glossary.
- to include terms from the newly adopted ISPM No. 10, *Requirements for the establishment of pest free places of production and pest free production sites*
- to add *transience* and *country of re-export*
- to change *pest status in an area* (CEPM, 1999) to (ICPM, 1998)
- to retain the terms *practically free*, *phytosanitary measure*, *phytosanitary regulation*, and *regulated area* in the Glossary, but also refer these terms to a glossary group for further consideration.
- to retain *pest risk assessment* and *pest risk management* in the glossary until replaced by new definitions from upcoming standards
- to consider further the term *bulbs and tubers* and *outbreak*.

Suggestions for terms to be added or review should be sent to the Secretariat. A group of French speaking members met and agreed on French terminology. The ICPM adopted the standard with the agreed changes (Appendix III).

² ICPM 99/3

12. The ICPM noted with concern the lack of consensus on the term “Official Control”. It noted that different interpretations of the term have effects on international trade. The ICPM agreed that an open-ended working group would be held in conjunction with the next session of the Glossary Group. In particular, the open-ended Working group would:

- define the term “Official Control”,
- review the concept of official control and develop guidelines, if necessary, for consistency of its application.

The ICPM agreed that a definition or standard resulting from considerations of the Open Ended Working Group would be subject to the standard setting procedure, including the consultation process.

VI. ITEMS ARISING FROM THE FIRST SESSION OF THE ICPM ON PHYTOSANITARY MEASURES

A. STANDARD SETTING PROCEDURES

13. An informal working group met in Montevideo, Uruguay, in March to discuss standard setting procedures. The ICPM considered the recommendations of the Working Group⁴. The ICPM adopted recommendations of the Working Group on the standard setting procedures, financial considerations, the role of regional plant protection organizations and transparency (Appendix VII). However, there remained different views in relation to the recommendations on the structure and membership of the Interim Standards Committee. A number of members accepted a geographical distribution of experts serving on the Committee based on the FAO regions for Council elections. Others wished to maintain a system based on experts nominated by RPPOs. Also, several members indicated that different bases for geographic distribution should be considered. It was noted that there was no clear indication in the recommendation what the nomination, clearance and confirmation procedure for the experts would be. To address the issues further, the ICPM decided to establish an informal working group with the terms of reference and composition as shown in Appendix VIII.

14. The representative of Haiti stated on behalf of GRULAC that the procedure for composing a Standards Committee has strategic importance for the countries of the region, which follow the position developed by the representatives of the countries of COSAVE during this meeting. They named a representative and an alternate for the informal working group as indicated in Appendix VIII.

15. The ICPM decided that, until the Standards Committee is established, the CEPM is adopted as the Interim Standards Committee under the ICPM.

16. The ICPM adopted the Rules of Procedures for the ICPM with the addition of the annex on standard setting procedures. It was agreed that the Standards Committee should

⁴ ICPM 99/4

be able to deviate from the procedures to facilitate editorial changes, but that in all cases changes are subject to the approval of the ICPM (Step 7).

B. DISPUTE SETTLEMENT PROCEDURES

17. The Report of the Informal Working Group on Dispute Settlement Procedures⁵ was discussed resulting in changes to several points. Annex 4 of ICPM99/5 was revised to give further clarity to the process for the approval of expert committee reports by the ICPM. The ICPM agreed that the existing informal working group on dispute settlement would further analyse the need for establishing a subsidiary body on dispute settlement and rules and procedures for the establishment of expert rosters and the selection process. The general considerations of ICPM99/ were endorsed by the ICPM and the revised IPPC Dispute Settlement Procedures were adopted (Appendix IX).

C. STRENGTH OF MEASURES

18. The Secretariat summarised the background on this topic that had been discussed at the Expert Consultation on Strength of Measures for Pests which have a Minor Biological Impact⁶. It was noted that this concept arose from the SPS Agreement and the IPPC definition of pest risk analysis, which states that the determination of strength of measures is based on the evaluation of biological or other scientific and economic evidence.

D. PEST REPORTING AND INFORMATION EXCHANGE

19. The ICPM discussed the changes in requirements for pest reporting under the New Revised Text of the IPPC⁷. The ICPM recalled that the use of official contact points for information exchange, including pest reporting, is an obligation for contracting parties under the New Revised Text. It encouraged the use of electronic forms of information exchange, including the use of the World Wide Web. It agreed that the Secretariat provides technical support, in particular to developing countries, in this respect. However, it was stressed that countries should themselves provide the information regarding pests. The ICPM agreed that reporting of occurrence outbreaks or spread of pests that may be of immediate or potential danger must be given a high priority and should be addressed in a future standard. The standard should address the issues of defining a protocol for formatting pest reports, verification of reports, and procedures that contracting parties can follow with regard to pest reporting.

20. The issue of information exchange, aside from pest reporting, was also discussed. The ICPM agreed that the Secretariat should, as a first priority, address its mandated information exchange as identified in the revised IPPC. The ICPM adopted the specific

⁵ ICPM 99/5 Rev. 1

⁶ ICPM 99/7

⁷ ICPM 99/6

recommendations regarding the role of the ICPM and the Secretariat in information exchange (Appendix X). The ICPM stressed the importance of information exchange. It suggested that Members could consider making contributions, through the Secretariat, towards assisting developing countries in accessing information via the Internet. It was noted that Members had the opportunity to contribute toward the establishment and maintenance of a server for the IPPC, as this web site provided great flexibility to the Secretariat and Members in fulfilling information exchange obligations. The ICPM noted that the FAO Global Plant Pest Information System should be continued for the benefit of the Member countries, in particular developing countries.

VII. WORK PROGRAMME FOR HARMONIZATION

A. STANDARD SETTING

21. The Secretariat reported on the status of the current work programme on standard setting⁹. It was noted that the standard on Guidelines for Phytosanitary Certificates and Pest Risk Analysis for Quarantine Pests would be submitted for country consultation before the end of the year. The draft standard on Inspection Methodology was being redrafted after receiving extensive comments from Members. A concept standard on Pest Risk Analysis was currently planned, replacing ISPM No. 2. In addition, a standard on Pest Risk Analysis for Regulated Non-Quarantine Pests was also anticipated following clarification in a concept standard.

B. STRATEGIC PLANNING

22. The working group recommended that a long-term strategic plan be developed. For this purpose, it recommended the use of a questionnaire developed by an open-ended working group. The Secretariat would solicit responses from Members as the basis for the development of a long-term strategic plan. This plan should represent an appropriate long-term vision and should include a financial plan. It was agreed that the plan should cover a period of five years. The activities should be costed, so they could be prioritized in relation to the availability of resources. The plan should also contain a strategy for adequate resourcing while budgetary constraints should be noted. Milestones should be indicated to be able to evaluate progress. Members indicated the importance of an adequate information system and the provision of technical assistance. The working group recommended the establishment of an open-ended working group under the chairmanship of the Chair of the ICPM to assist the Secretariat in drafting the strategic plan.

23. The ICPM requested the Secretariat to make expertise available to inform RPPOs representing developing countries of the standard setting programme.

⁹ ICPM 99/9

C. TECHNICAL ASSISTANCE⁸

24. The Secretariat outlined its involvement in technical assistance for developing countries. This included:

- the direct participation of the Secretariat in workshops;
- the provision of technical oversight and inputs to FAO technical cooperation programmes and
- the identification of specific technical assistance needs.

25. The Secretariat recalled the obligations of Members under Article XX of the New Revised Text of the IPPC and paragraph 1g of the terms of reference of the ICPM. The Secretariat sought the guidance of the ICPM and assistance of the individual Members to outline a strategy to assist developing countries in fulfilling their obligations under the New Revised Text of the IPPC. Several Members appealed to FAO to take a lead role in providing technical assistance. The ICPM agreed that an informal working group should be established to examine this issue further.

26. The Chair presented a report on a pilot project by New Zealand designed to identify capabilities and specific areas of need in the phytosanitary systems of developing countries. The project involved the development of a questionnaire that allowed developing countries to assess capabilities and further develop a national plan. This process would also enable developing countries to justify requests for technical assistance. The Chair invited Members to examine, comment on and submit responses to the questionnaire, available on the Internet at <http://icpm.massey.ac.nz>. The questionnaire will also be made available in paper form by the Secretariat. A second part of the project, including a questionnaire asking donors to list their projects concerning technical assistance for the development of phytosanitary systems, was undertaken by the Secretariat.

27. The ICPM endorsed the New Zealand project and requested pilot studies in other regions. A number of Members indicated that technical assistance should have a larger component of manpower development and logistic supplies, including equipment. One Member indicated that an information system should be established to promote trade. Several Members indicated that more resources should be provided both by FAO and through trust funds for technical assistance to enable developing countries to participate fully in international trade.

28. The ICPM decided to establish an open-ended Working Group on Technical Assistance with the charge to:

- a) define possible coordinating roles for the ICPM,
- b) review the results of the New Zealand pilot project, and

⁸ ICPM 99/10

c) based on the results of this review, recommend future activities of the ICPM in technical assistance.

29. The ICPM called on:

- donor countries to ensure that the Secretariat's questionnaire on technical assistance is completed and returned,
- members to comment on the questionnaire by New Zealand,
- members, on the basis of the New Zealand study, to assist developing countries in evaluating their phytosanitary capabilities and developing national plans
- donor countries and other aid agencies to coordinate awareness raising activities e.g. workshops, so that available resources are used in an optimal manner.

VIII. STATUS OF THE NEW REVISED TEXT OF THE IPPC¹⁰

30. The ICPM was informed by Legal Counsel that the New Revised Text of the IPPC approved by the FAO Conference at its Twenty-ninth Session in November 1997 had now been accepted by eight Contracting Parties: (Barbados, Bangladesh, Papua New Guinea, Romania, Tunisia, Sweden, New Zealand and Costa Rica). It was noted that under Article XIII.4 of the Convention, amendments approved by the Conference come into force for all Contracting Parties as from the thirtieth day after their acceptance by two-thirds of the Contracting Parties, the Conference having determined that the amendments adopted in 1997 would not involve new obligations for the Contracting Parties. Since the number of Contracting Parties at the date of the adoption of the amendments in 1997 stood at 106, a total of 71 acceptances was required to bring the New Revised Text into force, i.e. 63 further acceptances. A number of delegates reported that the necessary internal procedures for acceptance of the new Revised Text were underway and the deposit of their countries' instruments of acceptance could be expected shortly.

31. The ICPM expressed its concern at the length of time required to bring the New Revised Text into force and called on the Contracting Parties to the IPPC to consider accepting the amendments as soon as possible in accordance with paragraph 4 of Conference Resolution 12/97. The ICPM requested the Secretariat to prepare an information package detailing the benefits to Contracting Parties from the entry into force of the New Revised Text and from their participation in the ICPM. The Secretariat was requested to ensure that the information package is circulated to Contracting Parties of the IPPC and countries not yet party to the Convention. It also encouraged the Secretariat and the Legal Office to take whatever action it could to bring the new amendments to the attention of governments with a view to its early acceptance and to provide any information or assistance requested in this respect.

32. The ICPM was informed by Legal Counsel that since the adoption of the new Revised Text, a further 4 countries had deposited their instruments of adherence, bringing the total number of Contracting Parties to 110.

Interim Measures

33. The voluntary use of the model phytosanitary certificate of the IPPC was discussed by the meeting. The ICPM requested that Members inform the Secretariat of their use and acceptance of the model certificate as per Conference Resolution 12/97 and that the Secretariat makes this information available to Members. It was noted that a draft standard on phytosanitary certificates would soon be available for consultation.

34. The ICPM discussed the preparation by the Secretariat of a list of official contact points. The ICPM was informed that these contact points are also available via the Internet and Members were requested to provide updates and corrections to the Secretariat in a timely manner.

35. The ICPM was informed that an initial draft standard on regulated non-quarantine pests had been developed, but needed further modification before it would be ready to present to the ICPM. This standard has been identified as a priority in the work programme.

IX. OTHER BUSINESS

Additional items for the Agenda of the third meeting of the ICPM

36. The ICPM decided that the report of the Technical Consultation Among Regional Plant Protection Organizations will be a standard agenda point. Uruguay requested the ICPM to include reports of non-compliance with the IPPC or any ISPM as a regular agenda item. The ICPM could be a forum for the discussion of non-compliance issues, similar to what occurs in WTO/SPS Committee meetings. Other Members expressed concern that the reports would be lengthy lists and questioned the usefulness of such reporting. The ICPM suggested that Uruguay draft a discussion paper for review at the next ICPM.

37. Reports on dispute settlements will be included as part of the regular agenda if such are available. The ICPM further agreed that a discussion on guidelines for the recognition of RPPOs would also be included on the next ICPM meeting agenda, as well as reports from informal working groups. The ICPM noted an additional agenda item would be the election of the Bureau of the ICPM. The draft agenda for the third session of the ICPM is attached as Appendix XI.

38. The Secretariat was requested to inform the ICPM of the names of the experts working on the various draft standards.

39. The ICPM identified agenda items for the next meeting and agreed on a provisional agenda (Appendix X).

X. Date and venue of the next meeting

39. The ICPM considered the work to be done before its third meeting. In view of the heavy workload, it decided that the next meeting would be 2-6 April 2001 in Rome, after which the sessions would resume on an annual schedule.

XI. Adoption of the Report

40. The Secretariat provided a summary report of the meeting and the ICPM adopted the report.

INTERIM COMMISSION ON PHYTOSANITARY MEASURES**Rome, 4-8 October 1999****AGENDA**

1. Opening of the Session
2. Report by the Chairperson
3. Adoption of the Agenda
4. Standard Setting Priorities
5. Adoption of International Standards
 - Requirements for the Establishment of Pest Free Places of Production
 - Revised Glossary of Phytosanitary Terms
6. Items Arising from the First Session of the Interim Commission on Phytosanitary Measures
 - 6.1 Standard Setting Procedures
 - 6.2 Dispute Settlement Procedures
 - 6.3 Strength of Measures
 - 6.4 Pest Reporting
7. Work Programme for Harmonization
 - 7.1 Information Exchange
 - 7.2 Standard Setting
 - 7.3 Technical Assistance
8. Status of the IPPC
 - Acceptance of the New Revised Text
 - Interim Measures
9. Other business
 - 9.1 Reporting of non-compliance
 - 9.2 Report of the Technical Consultation
10. Date and Venue of the Next Meeting
11. Adoption of the Report

**INTERNATIONAL STANDARDS FOR
PHYTOSANITARY MEASURES**

**REQUIREMENTS FOR THE ESTABLISHMENT OF PEST FREE PLACES OF
PRODUCTION AND PEST FREE PRODUCTION SITES**



**Secretariat of the International Plant Protection Convention
Food and Agriculture Organization
of the United Nations
Rome, 1999**

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INTRODUCTION

SCOPE

This standard describes the requirements for the establishment and use of pest free places of production and pest free production sites as risk management options for meeting phytosanitary requirements for the import of plants, plant products and other regulated articles.

REFERENCES

- Glossary of phytosanitary terms*, 1999. ISPM Pub. No. 5, FAO, Rome.
Guidelines for pest risk analysis, 1996. ISPM Pub. No. 2, FAO, Rome.
Guidelines for surveillance, 1998. ISPM Pub. No. 6, FAO, Rome.
International Plant Protection Convention, 1992. FAO, Rome.
New Revised Text of the International Plant Protection Convention, 1997. FAO, Rome.
Principles of plant quarantine as related to international trade, 1995. ISPM Pub. 1, FAO, Rome.
Requirements for the establishment of pest free areas, 1996. ISPM Pub. No. 4, FAO, Rome.
Determination of Pest Status in an Area, 1998. ISPM Pub. No. 8, FAO, Rome.

DEFINITIONS AND ABBREVIATIONS

Buffer zone	An area in which a specific pest does not occur or occurs at a low level and is officially controlled, that either encloses or is adjacent to an infested area, an infested place of production, a pest free area, a pest free place of production or a pest free production site, and in which phytosanitary measures are taken to prevent spread of the pest.
Delimiting survey	A survey conducted to establish the boundaries of an area considered to be infested by or free from a pest.
Detection survey	A survey conducted in an area to determine if pests are present.
Field	A plot of land with defined boundaries within a place of production on which a commodity is grown.
Free from (of a consignment, field or place of production)	Without pests (or a specific pest) in numbers or quantities that can be detected by the application of phytosanitary procedures.
Introduction	Entry of a pest resulting in its establishment.
Monitoring survey	An ongoing survey to verify the characteristics of a pest population.

National Plant Protection Organization (NPPO)	Official service established by a government to discharge the functions specified by the International Plant Protection Convention.
Pest	Any species, strain or biotype of plant, animal, or pathogenic agent, injurious to plants or plant products.
Pest free area	An area in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained.
Pest free place of production	Place of production in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained for a defined period.
Pest free production site	A defined portion of a place of production in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained for a defined period, and that is managed as a separate unit in the same way as a pest free place of production.
Phytosanitary certification	Use of phytosanitary procedures leading to the issue of a phytosanitary certificate.
Phytosanitary measure	Any legislation, regulation or official procedure having the purpose to prevent the introduction and/or spread of pests.
Place of production	Any premises or collection of fields operated as a single production or farming unit. This may include production sites, which are separately managed for phytosanitary purposes.
Regulated article	Any plant, plant product, storage place, packaging, conveyance, container, soil and any other organism, object or material capable of harbouring or spreading pests, deemed to require phytosanitary measures, particularly where international transportation is involved.
Survey	An official procedure conducted over a defined period of time to determine the characteristics of a pest population or to determine which species occur in an area.

OUTLINE OF REQUIREMENTS

This standard uses the concept of “pest freedom” to allow exporting countries to provide assurance to importing countries that plants, plant products and other regulated articles are free from a specific pest or pests and meet the phytosanitary requirements of the importing country when imported from a pest free place of production. In circumstances where a defined portion of a place of production is managed as a separate unit and can be maintained pest free, it may be regarded as a pest free production site. The use of pest free places of production or pest free production sites is dependent on the use of criteria concerning the biology of the pest, the characteristics of the place of production, the operational capabilities of the producer, and the requirements and responsibilities of the National Plant Protection Organization (NPPO).

Requirements for the establishment and maintenance of a pest free place of production or a pest free production site as a phytosanitary measure by the NPPO, include:

- systems to establish pest freedom
- systems to maintain pest freedom
- verification that pest freedom has been attained or maintained
- product identity, consignment integrity and phytosanitary security.

Where necessary, a pest free place of production or a pest free production site also includes the establishment and maintenance of an appropriate buffer zone.

Administrative activities required to support a pest free place of production or pest free production site involve documentation of the system and the maintenance of adequate records concerning the measures taken. Review and audit procedures undertaken by the NPPO are essential to support assurance of pest freedom and for system appraisal. Bilateral agreements or arrangements may also be needed.

1. CONCEPT OF A PEST FREE PLACE OF PRODUCTION OR PEST FREE PRODUCTION SITE

1.1 Application of a Pest Free Place of Production and Pest Free Production Site

A “pest free place of production” is a: “place of production in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained for a defined period”. It provides a means for an exporting country, if so required by an importing country, to ensure that consignments of plants, plant products or other regulated articles produced on, and/or moved from, the place of production are free from the pest concerned, because it has been shown to be absent from that place over a relevant period of time. Pest freedom is established by surveys and/or growing season inspections and maintained as necessary by other systems to prevent the entry of the pest into the place of production. The operations are supported by appropriate documentation.

Depending on the pest concerned, local circumstances and the acceptable level of risk for the importing country, an adequate level of security may be achieved by different intensities of measures, ranging from a simple growing-season inspection in the year of export to a complex system of surveys and supporting procedures maintained over several years.

The concept of a pest free place of production can be applied to any premises or collection of fields operated as a single production unit. The producer applies the required measures to the entire place of production.

Where a defined portion of a place of production can be managed as a separate unit within a place of production, it may be possible to maintain that site pest free. In such circumstances, the place of production is considered to contain a pest free production site.

Where the biology of the pest is such that it is likely to enter the place of production or production site from adjacent areas, it is necessary to define a buffer zone around the place of production or production site within which appropriate phytosanitary measures are applied. The extent of the buffer zone and the nature of the phytosanitary measures will depend on the biology of the pest and the intrinsic characteristics of the place of production or production site.

1.2 Distinction between a Pest Free Place of Production or a Pest Free Production Site and a Pest Free Area

The concept of the pest free place of production is distinct from that of the pest free area (see ISPM: *Requirements for the establishment of pest free areas*). The pest free area has the same objective as the pest free place of production but is implemented in a different way. Every distinction between a pest free place of production and a pest free area applies equally to a pest free production site.

A pest free area is much larger than a place of production, includes many places of production and may extend to a whole country or parts of several countries. A pest free area may be isolated by a natural barrier or an appropriate usually large buffer zone. A pest free place of production may be situated in an area where the pest concerned is prevalent and is isolated, if at all, by creating a buffer zone in its immediate vicinity. A pest free area is generally maintained over many years without interruption, whereas the status of a pest free place of production may be maintained for only one or a few growing seasons. A pest free area is managed as a whole, by the NPPO of the exporting country. A pest free place of production is managed individually by the producer, under the supervision and responsibility of the NPPO. If the pest is found in a pest free area, the status of the whole area is called into question. If it is found in a pest free place of production, that place loses its status but other places of production in the area operating the same system are not directly affected. These distinctions may not always apply in particular cases. A place of production lying in a pest free area may satisfy, by that fact, the requirements for a pest free place of production, although the importing country may require verification.

The choice of a pest free place of production or pest free area as a management option will depend on the actual distribution of the pest concerned in the exporting country, on the characteristics of the pest and on administrative considerations. Both systems can offer adequate phytosanitary security: the main security of the pest free area lies in the common application of measures to an area covering many places of production; the main security of the pest free place of production arises from the fact that management procedures, surveys and inspections are applied specifically and intensively to it.

2. GENERAL REQUIREMENTS

2.1 Critical Factors for Pest Free Places of Production or Pest Free Production Sites

The possibility of ensuring that a place of production or a production site is pest free depends on:

- characteristics of the pest
- characteristics of the place of production and production site
- operational capabilities of the producer
- requirements and responsibilities of the NPPO.

2.1.1 Characteristics of the pest

A place of production or a production site can be declared free from a given pest to an adequate degree of security if the characteristics of the pest are suitable for this. Suitable characteristics may include the following:

- the natural spread of the pest (or its vectors, if appropriate) is slow and over short distances
- the possibilities for artificial spread of the pest are limited
- the pest has a limited host range
- the pest has a relatively low probability of survival from previous seasons

- the pest has a moderate or low rate of reproduction
- sufficiently sensitive methods for detection of the pest are available, either by visual inspection or by tests applied in the field or in the laboratory, at the appropriate season
- as far as possible, factors in the biology of the pest (e.g. latency) and in the management of the place of production do not interfere with detection.

The availability of effective and practical measures for control and management of the pest is also an advantage in establishing and maintaining a pest free place of production or pest free production site.

2.1.2 Characteristics of the place of production or production site

The basic definition of a “place of production” should be satisfied (i.e. operated as a single production or farming unit). Depending on the pest concerned and local circumstances, a place of production and production site as well as the buffer zone, as appropriate, may also require some of the following additional characteristics:

- location at a sufficient distance from possible sources of pest infestation, with appropriate isolation (advantage being taken of physical features that can act as barriers to pest movement)
- clear delimitation, with officially recognized boundaries
- access to the buffer zone (if appropriate)
- absence, in the place of production or production site of hosts of the pest other than those meeting the conditions for export
- absence in the buffer zone (if appropriate) of hosts of the pest or adequate control of the pest on these hosts.

2.1.3 Operational capabilities of the producer

The producer should have defined management, technical and operational capabilities which are considered by the NPPO to be adequate to prevent the pest from entering the place of production or production site, and to maintain pest freedom by the application of appropriate phytosanitary measures. The producer or NPPO should also have the ability to apply appropriate phytosanitary measures in the buffer zone if necessary.

2.1.4 Requirements and responsibilities of the NPPO

The NPPO should define the particular requirements which a producer must meet in order that its declaration of a pest free place of production or pest free production site gives the required level of phytosanitary security. The NPPO is responsible for the surveys, inspections and other systems that verify pest freedom. For any given pest and host, the management systems required are generally widely known and can be used in any country. Where appropriate, the NPPO may provide training in these management systems. The NPPO should check the regulations of the importing country and/or bilaterally establish conditions to ensure that compliance can be achieved.

2.2 Establishment and Maintenance of Pest Free Places of Production or Pest Free Production Sites

There are four main components the NPPO should consider in establishing and maintaining pest free places of production or pest free production sites. These are:

- systems to establish pest freedom
- systems to maintain pest freedom
- verification that pest freedom has been attained or maintained
- product identity, consignment integrity and phytosanitary security.

2.2.1 Systems to establish pest freedom

The NPPO should normally specify a set of conditions to be met by the producer, enabling the place of production or production site to be subsequently declared pest free. These requirements will concern the characteristics of the place of production or production site (and the buffer zone, if appropriate) and the operational capabilities of the producer. Formal agreements may be required between the producers (or their organizations) and the NPPO to ensure that specific measures are taken.

In some cases, the NPPO may require that pest freedom should be verified by official surveys for one or more years before the year in which consignments are certified for export. The methods used to verify freedom in this way may be the same as, or different from, those used for verifying freedom in the year of export (see section 2.2.3). In other cases, the NPPO may only require that pest freedom be verified in the year of production. In any case, the objective of the NPPO and the producers will generally be to maintain the pest free status of a place of production or production site continuously over a period of years. Specific provisions should be made for the withdrawal of pest free status if the pest is detected in the pest free place of production or pest free production site or a buffer zone meant to be pest free, and for the eventual re-establishment and verification of pest free status, including investigation into the cause and consideration of the measures to prevent future failure.

In the case where pest free production sites are established, delimiting surveys may be used to determine their extent.

2.2.2 Systems to maintain pest freedom

The NPPO should generally require that specific measures be applied to the place of production or production site (and buffer zone, if appropriate) before and/or during the growing season, and is responsible for general supervision of the place of production or production site to ensure that these requirements are met. Their aim is to prevent the introduction of the pest into the place of production or production site, or to destroy previously undetected infestations. These measures may include:

- preventive measures (e.g. pest free propagating material, elimination of other hosts)
- exclusion measures (e.g. physical barriers, screens, controls on equipment, machinery, plants, soil and growing media)

- pest control measures (e.g. cultural methods, treatments, and resistant cultivars).

The producer should be required to:

- notify the NPPO of any suspected or actual occurrences of the pest
- maintain relevant records of cultural and pest control procedures for the time period designated by the NPPO.

2.2.3 Verification that pest freedom has been attained or maintained

The verification of pest free status is done by NPPO personnel or by persons duly authorized by the NPPO, who undertake the specific surveys to assess the pest free status of the place of production or production site (and the buffer zone, if required). These most often take the form of field inspections (also known as growing-season inspections), but may also include other detection methods (sampling followed by laboratory testing, trapping, soil tests, etc.).

Pest free status may be verified by a stated number or frequency of inspections or tests (e.g. three inspections at monthly intervals). The inspections or other procedures may concern a single growing season, or may be required over several seasons. Inspection or testing of the harvested commodity may be required at the place of production or production site. Pest freedom over a number of years may also be required and the growing of host plants on the site in previous years may be prohibited.

Verification procedures should be based on a design, which should relate to the division of the place of production into individual plots, and may, according to the pest and its symptoms, be conducted by overall estimation or by taking samples. The prevalence of the pest in the area surrounding the pest free place of production or pest free production site may influence the intensity of the survey required.

2.2.4 Product identity, consignment integrity and phytosanitary security

Verification measures may be needed to maintain the identity of the product (labelling to ensure traceability to the pest free place of production) and the integrity of the consignment. The phytosanitary security of the product should be maintained after harvest.

2.3 Buffer Zone Requirements

In appropriate cases, the establishment and maintenance of a pest free place of production or pest free production site include procedures related to the buffer zone associated with the place of production or production site.

The extent of the buffer zone should be determined by the NPPO, on the basis of the distance over which the pest is likely to spread naturally during the course of the growing season. Monitoring surveys should be conducted at adequate frequency over one or more growing seasons. The action to be taken, if the pest is detected in the buffer zone, will depend on the requirements of the NPPO. The pest free status of the place of production or production site may be withdrawn or appropriate control measures may be required in the buffer zone. In any case, access for surveys or control

*Requirements for the establishment of pest free places of production and pest free 23
production sites*

measures should be verified in advance. If appropriate, adequate procedures may be established to support the assurance that pest freedom is maintained (local reporting/notification and publicity, local regulation, control/elimination of detected pests).

3. DOCUMENTATION AND REVIEW

The measures taken in establishing and maintaining a pest free place of production or pest free production site, including those taken in the buffer zone, if appropriate, should be adequately documented and periodically reviewed. The NPPO should institute procedures for on-site audit, review and systems' appraisal.

3.1 General Records

Documentation should be available, as appropriate, on the administrative system applied by the NPPO for the establishment of pest free places of production or pest free production sites in general, and in relation to the particular pest(s) concerned. This includes details of the surveillance systems used (including inspection, survey and monitoring), of the procedures for reaction to pest presence, and of the procedures to ensure product identity, consignment integrity and phytosanitary security.

Documentation should also be available, as appropriate, on the specific actions taken at a place of production or a production site and any associated buffer zone in relation to the approval of pest free status for a particular growing season, including the results of surveys and the pest management records (e.g. types and dates of phytosanitary treatments, use of resistant cultivars).

The procedures for withdrawal and reinstatement of pest free status should be documented.

When complex measures are needed to establish and maintain a pest free place of production or pest free production site, because the pest concerned requires a high degree of phytosanitary security, an operational plan may be needed. Where appropriate, such a plan would be based on bilateral agreements or arrangements listing specific details required in the operation of the system including the role and responsibilities of the producer and trader(s) involved.

3.2 Additional Declaration on Phytosanitary Certificates

The issuance of a phytosanitary certificate for a consignment by the NPPO confirms that the requirements for a pest free place of production or a pest free production site have been fulfilled. The importing country may require an appropriate additional declaration on the phytosanitary certificate to this effect.

3.3 Provision of Information

The NPPO of the exporting country should, on request, make available to the NPPO of the importing country the rationale for establishment and maintenance of pest free places of production or pest free production sites. Where bilateral arrangements or agreements so provide, the NPPO of the exporting country should expeditiously

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production sites*

provide information concerning establishment or withdrawal of pest free places of production or pest free production sites to the NPPO of the importing country.

I.

The ICPM adopted the Glossary of Phytosanitary Terms and endorsed the following recommendations made by the Committee of Experts on Phytosanitary Measures for future revisions of the Glossary*.

- a) The ICPM may recommend terms it wants added, deleted, or reviewed and determines priorities for the further review of the Glossary.
- b) The Glossary should include all new terms from ISPMs and the IPPC, except that any such terms which are considered to be restricted in their use only to the document concerned should be appropriately identified.
- c) Terms in draft ISPMs not yet approved by the ICPM may be proposed by the Secretariat as additions to the Glossary if they have a wider application. However, in other cases, they should not be included until approval of the whole ISPM (including the terms and definitions).
- d) The authors and bodies concerned with preparing new ISPMs should bear in mind that all defined terms will appear in the Glossary. They should consider the reasons why it is necessary to include a definition of a term, and avoid as far as possible using definitions to prescribe limits to how terms are to be used (when this is properly done by the standard itself). In some cases, an explanation of how a term should be used may be preferable to a definition.
- e) All elements of the Glossary which arise from the IPPC should be written on the basis that the New Revised Text is approved.
- f) Each term and definition in the Glossary should be followed by an indication of the body which included them or, as appropriate, made the last amendment, with the year. Up to 1993, this should be specified as FAO, from 1994 to 1999 as CEPM, and after 1999 as the ICPM, in accordance with the responsible authority at the time.

(i)

* Text amended by the IPPC Secretariat to reflect adoption of the recommendations as decisions by the ICPM.

**INTERNATIONAL STANDARDS FOR
PHYTOSANITARY MEASURES**

GLOSSARY OF PHYTOSANITARY TERMS



**Secretariat of the International Plant Protection Convention
Food and Agriculture Organization
of the United Nations
Rome, 1999**

GLOSSARY OF PHYTOSANITARY TERMS

Additional declaration	A statement that is required by an importing country to be entered on a phytosanitary certificate and which provides specific additional information pertinent to the phytosanitary condition of a consignment [FAO, 1990]
Antagonist*	An organism (usually pathogen) which does no significant damage to the host but its colonization of the host protects the host from significant subsequent damage by a pest [ISPM Pub. No. 3, 1996]
Area	An officially defined country, part of a country or all or parts of several countries [FAO, 1990; revised FAO, 1995; CEPM, 1999; based on the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures]
Area endangered	See Endangered area
Area of low pest prevalence*	<u>An area, whether all of a country, part of a country, or all or parts of several countries, as identified by the competent authorities, in which a specific pest occurs at low levels and which is subject to effective surveillance, control or eradication measures</u> [IPPC, 1997]
Authority*	The National Plant Protection Organization , or other entity or person officially designated by the government to deal with matters arising from the responsibilities set forth in the Code [ISPM Pub. No. 3, 1996]
Biological control agent*	A natural enemy, antagonist or competitor, and other self-replicating biotic entity used for pest control [ISPM Pub. No. 3, 1996]
Biological control (Biocontrol)*	Pest control strategy making use of living natural enemies, antagonists or competitors and other self-replicating biotic entities [ISPM Pub. No. 3, 1996]
Biological pesticide* (Biopesticide)	A generic term, not specifically definable, but generally applied to a biological control agent, usually a pathogen, formulated and applied in a manner similar to a chemical pesticide, and normally used for the rapid reduction of a pest population for short-term pest control [ISPM Pub. No. 3, 1996]
Buffer zone*	An area in which a specific pest does not occur or

* *Indicates terms with specific use*

	occurs at a low level and is officially controlled, that either encloses or is adjacent to an infested area , an infested place of production , a pest free area , a pest free place of production or a pest free production site , and in which phytosanitary measures are taken to prevent spread of the pest [ISPM Pub. No. 10, 1999]
Bulbs and tubers	Dormant underground organs of plants intended for planting [FAO, 1990]
Certificate	An official document which attests to the phytosanitary status of any consignment affected by phytosanitary regulations [FAO, 1990]
Classical biological control*	The intentional introduction and permanent establishment of an exotic biological agent for long-term pest control [ISPM Pub. No. 3, 1996]
Clearance (of a consignment)	Verification of compliance with phytosanitary regulations [FAO, 1995]
B. COMMISSION*	<u>The Commission on Phytosanitary Measures established under Article XI, [IPPC, 1997]</u>
Commodity	A type of plant , plant product or other regulated article being moved for trade or other purpose [FAO, 1990]
Commodity class	A category of similar commodities that can be considered together in phytosanitary regulations [FAO, 1990]
Commodity pest list	A list of pests occurring in an area which may be associated with a specific commodity [CEPM, 1996]
Competitor*	An organism which competes with pests for essential elements (e.g. food, shelter) in the environment [ISPM Pub. No. 3, 1996]
Compliance procedure (for a consignment)	Official procedure used to verify that a consignment complies with stated phytosanitary requirements [CEPM, 1999]
Consignment	A quantity of plants , plant products and/or other regulated articles being moved from one country to another and covered by a single phytosanitary certificate (a consignment may be composed of one or more lots) [FAO, 1990]

<i>Consignment in transit</i>	Consignment which passes through a country without being imported, and without being exposed in that country to contamination or infestation by pests . The consignment may not be split up, combined with other consignments or have its packaging changed [FAO, 1990; revised CEPM, 1996; CEPM 1999; formerly country of transit]
<i>Containment</i>	Application of phytosanitary measures in and around an infested area to prevent spread of a pest [FAO, 1995]
(a) Contaminating pest	A pest that is carried by a commodity and, in the case of plants and plant products , does not infest those plants or plant products [CEPM, 1996; revised CEPM, 1999]
C.	
D. CONTAMINATION	Presence in a commodity , storage place, conveyance or container, of pests or other regulated articles , not constituting an infestation (See Infestation) [CEPM, 1997; revised CEPM, 1999]
Control (of a pest)	Suppression, containment or eradication of a pest population [FAO, 1995]
Controlled area	A regulated area which an NPPO has determined to be the minimum area necessary to prevent spread of a pest from a quarantine area [CEPM, 1996]
Country of origin (of a consignment of plant products)	Country where the plants from which the plant products are derived were grown [FAO, 1990; revised CEPM, 1996; CEPM, 1999]
Country of origin (of a consignment of plants)	Country where the plants were grown [FAO, 1990; revised CEPM, 1996; CEPM, 1999]
Country of origin (of regulated articles other than plants and plant products)	Country where the regulated articles were first exposed to contamination by pests [FAO, 1990; revised CEPM, 1996; CEPM, 1999]
Country of re-export	Country into which a consignment of plants, plant products , or other regulated articles has been imported and was stored, split up, had its packaging changed or was otherwise exposed to contamination by pests , prior to export to a third country [ISPM Pub. No. 7, 1998]
Cut flowers and branches	Fresh parts of plants intended for decorative use and not for planting [FAO, 1990]
Debarking	Removal of bark from round wood (debarking does not necessarily make the wood bark-free) [FAO, 1990]

Delimiting survey	Survey conducted to establish the boundaries of an area considered to be infested by or free from a pest [FAO, 1990]
Detection survey	Survey conducted in an area to determine if pests are present [FAO, 1990, revised FAO, 1995]
E. DETENTION	Keeping a consignment in official custody or confinement for phytosanitary reasons (See Quarantine) [FAO, 1990; revised FAO, 1995; CEPM, 1999]
Dunnage	Wood used to wedge or support cargo [FAO, 1990]
Ecoarea*	An area with similar fauna, flora and climate and hence similar concerns about the introduction of biological control agents [ISPM Pub. No. 3, 1996]
Ecosystem*	A complex of organisms and their environment, interacting as a defined ecological unit (natural or modified by human activity, e.g. agroecosystem), irrespective of political boundaries [ISPM Pub. No. 3, 1996]
Endangered area	An area where ecological factors favour the establishment of a pest whose presence in the area will result in economically important loss [FAO, 1995]
Entry (of a consignment)	Movement through a point of entry into an area [FAO, 1995]
Entry (of a pest)	Movement of a pest into an area where it is not yet present, or present but not widely distributed and being officially controlled [FAO, 1995]
Equivalence	The situation of phytosanitary measures which are not identical but have the same effect [FAO, 1995; revised CEPM, 1999; based on the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures]
Eradication	Application of phytosanitary measures to eliminate a pest from an area [FAO, 1990; revised FAO, 1995; formerly Eradicate]
Establishment	Perpetuation, for the foreseeable future, of a pest within an area after entry [FAO, 1990; revised FAO, 1995; IPPC, 1997; formerly Established]
Establishment (of a biological control agent)*	The perpetuation, for the foreseeable future, of a biological control agent within an area after entry [ISPM Pub. No. 3, 1996]

Exotic*	Not native to a particular country, ecosystem or ecoarea (applied to organisms intentionally or accidentally introduced as a result of human activities). As this Code is directed at the introduction of biological control agents from one country to another, the term " exotic " is used for organisms not native to a country [ISPM Pub. No. 3, 1996]
Field	A plot of land with defined boundaries within a place of production on which a commodity is grown [FAO, 1990]
Find free	To inspect a consignment , field or place of production and consider it to be free from a specific pest [FAO, 1990]
Free from (of a consignment, field or place of production)	Without pests (or a specific pest) in numbers or quantities that can be detected by the application of phytosanitary procedures [FAO, 1990; revised FAO, 1995; CEPM, 1999]
Fresh	Living; not dried, deep-frozen or otherwise conserved [FAO, 1990]
Fruits and vegetables	Fresh parts of plants intended for consumption or processing [FAO, 1990]
Fumigation	Treatment with a chemical agent that reaches the commodity wholly or primarily in a gaseous state [FAO, 1990; revised FAO, 1995]
Germplasm	Plants intended for use in breeding or conservation programmes [FAO, 1990]
Grain	Seeds intended for processing or consumption and not for planting (See Seeds) [FAO, 1990]
Growing medium	Any material in which plant roots are growing or intended for that purpose [FAO, 1990]
Growing season	Period of the year when plants will actively grow in an area [FAO, 1990]
Harmonization	The establishment, recognition and application by different countries of phytosanitary measures based on common standards [FAO, 1995; revised CEPM, 1999; based on the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures]
F. HARMONIZED PHYTOSANITARY MEASURES*	<u>Phytosanitary measures established by contracting parties to the IPPC, based on international standards [IPPC, 1997]</u>
Hitch-hiker pest	See Contaminating pest

(a) Host pest list	A list of pests that infest a plant species, globally or in an area [CEPM, 1996; revised CEPM, 1999]
Host range	Species of plants capable, under natural conditions, of sustaining a specific pest [FAO, 1990]
Import permit	Official document authorizing importation of a commodity in accordance with specified phytosanitary requirements [FAO, 1990; revised FAO, 1995]
Import permit (of a biological control agent)*	An official document authorizing importation (of a biological control agent) in accordance with specified requirements [ISPM Pub. No. 3, 1996]
Infestation (of a commodity)	Presence in a commodity of a living pest of the plant or plant product concerned. Infestation includes infection [CEPM, 1997; revised CEPM, 1999]
Inspection	Official visual examination of plants, plant products or other regulated articles to determine if pests are present and/or to determine compliance with phytosanitary regulations [FAO, 1990; revised FAO, 1995; formerly Inspect]
Inspector	Person authorized by a National Plant Protection Organization to discharge its functions [FAO, 1990]
Interception (of a consignment)	The refusal or controlled entry of an imported consignment due to failure to comply with phytosanitary regulations [FAO, 1990; revised FAO, 1995]
Interception (of a pest)	The detection of a pest during inspection or testing of an imported consignment [FAO, 1990; revised CEPM, 1996]
Intermediate quarantine	Quarantine in a country other than the country of origin or destination [CEPM, 1996]
International Plant Protection Convention	International Plant Protection Convention, as deposited with FAO in Rome in 1951 and as subsequently amended [FAO, 1990]
International Standard for Phytosanitary Measures	An international standard adopted by the Conference of FAO, the Interim Commission on Phytosanitary Measures or the Commission on Phytosanitary Measures , established under the IPPC [CEPM, 1996; revised CEPM, 1999]

G. INTERNATIONAL STANDARDS*	<u>International standards established in accordance with Article X paragraph 1 and 2 of the IPPC [IPPC, 1997]</u>
Introduction	The entry of a pest resulting in its establishment [FAO, 1990; revised FAO, 1995; IPPC, 1997]
Introduction (of a biological control agent)*	The release of a biological control agent into an ecosystem where it did not exist previously (see also "establishment") [ISPM Pub. No. 3, 1996]
Inundative release*	The release of overwhelming numbers of a mass-produced, invertebrate biological control agent in the expectation of achieving a rapid reduction of a pest population without necessarily achieving continuing impact [ISPM Pub. No. 3, 1996]
IPPC	Acronym for the International Plant Protection Convention , as deposited in 1951 with FAO in Rome and as subsequently amended [FAO, 1990]
ISPM	Acronym for International Standard for Phytosanitary Measures [CEPM, 1996]
Legislation*	Any act, law, regulation, guideline or other administrative order promulgated by a government [ISPM Pub. No. 3, 1996]
Lot	A number of units of a single commodity , identifiable by its homogeneity of composition, origin etc., forming part of a consignment [FAO, 1990]
Micro-organism*	A protozoan, fungus, bacterium, virus or other microscopic self-replicating biotic entity [ISPM Pub. No. 3, 1996]
Monitoring	An official ongoing process to verify phytosanitary situations [CEPM, 1996]
Monitoring survey	Ongoing survey to verify the characteristics of a pest population [FAO, 1995]
National Plant Protection Organization	Official service established by a government to discharge the functions specified by the IPPC [FAO, 1990; formerly Plant Protection Organization (National)]
Natural enemy*	An organism which lives at the expense of another organism and which may help to limit the population of its host. This includes parasitoids , parasites , predators and pathogens [ISPM Pub. No. 3, 1996]

Naturally occurring*	A component of an ecosystem or a selection from a wild population, not altered by artificial means [ISPM Pub. No. 3, 1996]
Non-quarantine pest	Pest that is not a quarantine pest for an area [FAO, 1995]
NPPO	Acronym for National Plant Protection Organization [FAO, 1990]
Occurrence	The presence in an area of a pest officially reported to be indigenous or introduced and/or not officially reported to have been eradicated [FAO, 1990; revised FAO, 1995; formerly Occur]
Official	Established, authorized or performed by a National Plant Protection Organization [FAO, 1990]
Organism*	Biotic entity capable of reproduction or replication, vertebrate or invertebrate animals, plants and micro-organisms [ISPM Pub. No. 3, 1996]
Outbreak	An isolated pest population, recently detected and expected to survive for the immediate future [FAO, 1995]
Parasite*	An organism which lives on or in a larger organism , feeding upon it [ISPM Pub. No. 3, 1996]
Parasitoid*	An insect parasitic only in its immature stages, killing its host in the process of its development, and free living as an adult [ISPM Pub. No. 3, 1996]
Pathogen*	Micro-organism causing disease [ISPM Pub. No. 3, 1996]
Pathway	Any means that allows the entry or spread of a pest [FAO, 1990; revised FAO, 1995]
Pest	Any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products [FAO, 1990; revised FAO, 1995; IPPC, 1997]
(a) Pest free area	An area in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained [FAO, 1995]
Pest free place of production*	Place of production in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained for a defined period [ISPM Pub. No. 10, 1999]

Pest free production site*	A defined portion of a place of production in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained for a defined period and that is managed as a separate unit in the same way as a pest free place of production [ISPM Pub. No. 10, 1999]
H. PEST RECORD	
Pest risk analysis	<u>The process of evaluating biological or other scientific and economic evidence to determine whether a pest should be regulated and the strength of any phytosanitary measures to be taken against it [FAO, 1995; revised IPPC, 1997]</u>
Pest risk assessment	Determination of whether a pest is a quarantine pest and evaluation of its introduction potential [FAO, 1995]
Pest risk management	The decision-making process of reducing the risk of introduction of a quarantine pest [FAO, 1995]
Pest status (in an area)	Presence or absence, at the present time, of a pest in an area , including where appropriate its distribution, as officially determined using expert judgement on the basis of current and historical pest records and other information [CEPM, 1997; revised ICPM, 1998]
PFA	Acronym for pest-free area [FAO, 1995]
Phytosanitary certificate	Certificate patterned after the model certificates of the IPPC [FAO, 1990]
Phytosanitary certification	Use of phytosanitary procedures leading to the issue of a phytosanitary certificate [FAO, 1990]
Phytosanitary legislation	Basic laws granting legal authority to a National Plant Protection Organization from which phytosanitary regulations may be drafted [FAO, 1990; revised FAO, 1995]
I. PHYTOSANITARY MEASURE	
	Any legislation, regulation or official procedure having the purpose to prevent the introduction and/or spread of pests [FAO, 1995; revised IPPC, 1997]

Phytosanitary procedure	Any officially prescribed method for performing inspections, tests, surveys or treatments in connection with regulated pests [FAO, 1990; revised FAO, 1995; CEPM, 1999]
Phytosanitary regulation	Official rule to prevent the introduction and/or spread of pests , by regulating the production, movement or existence of commodities or other articles, or the normal activity of persons, and by establishing procedures for phytosanitary certification [FAO, 1990; revised FAO, 1995; CEPM, 1999]
Place of production	Any premises or collection of fields operated as a single production or farming unit. This may include production sites which are separately managed for phytosanitary purposes [FAO, 1990; revised CEPM, 1999]
Planting (including replanting)	Any operation for the placing of plants in a growing medium , or by grafting or similar operations, to ensure their subsequent growth, reproduction or propagation [FAO, 1990; revised CEPM, 1999]
Plant pest	See Pest
Plant products	Unmanufactured material of plant origin (including grain) and those manufactured products that, by their nature or that of their processing, may create a risk for the introduction and spread of pests [FAO, 1990; revised IPPC, 1997; formerly Plant product]
Plant protection organization (national)	See National Plant Protection Organization
Plant quarantine	All activities designed to prevent the introduction and/or spread of quarantine pests or to ensure their official control [FAO, 1990; revised FAO, 1995]
Plants	Living plants and parts thereof, including seeds and germplasm [FAO, 1990; revised IPPC, 1997]
Plants for planting	Plants intended to remain planted , to be planted or replanted [FAO, 1990]
Plants in tissue culture	Plants in an aseptic medium in a closed container [FAO, 1990; revised CEPM, 1999]
Point of entry	Airport, seaport or land border point officially designated for the importation of consignments , and/or entrance of passengers [FAO, 1995]
Post-entry quarantine	Quarantine applied to a consignment after entry [FAO, 1995]
PRA	Acronym for pest risk analysis [FAO, 1995]

PRA area	Area in relation to which a pest risk analysis is conducted [FAO, 1995]
<i>Practically free*</i>	Of a consignment, field, or place of production , without pests (or a specific pest) in numbers or quantities in excess of those that can be expected to result from, and be consistent with good cultural and handling practices employed in the production and marketing of the commodity [FAO, 1990; revised FAO, 1995]
Preclearance	Phytosanitary certification and/or clearance in the country of origin , performed by or under the regular supervision of the National Plant Protection Organization of the country of destination [FAO, 1990; revised FAO, 1995]
Predator*	A natural enemy that preys and feeds on other animal organisms , more than one of which are killed during its lifetime [ISPM Pub. No. 3, 1996]
Prohibition	A phytosanitary regulation forbidding the importation or movement of specified pests or commodities [FAO, 1990; revised FAO, 1995]
Protected area	A regulated area which an NPPO has determined to be the minimum area necessary for the effective protection of an endangered area [FAO, 1990; omitted from FAO, 1995; new concept from CEPM, 1996]
Quarantine	Official confinement of regulated articles for observation and research or for further inspection, testing and/or treatment [FAO, 1990; revised FAO, 1995; CEPM, 1999]
Quarantine area	An area within which a quarantine pest is present and is being officially controlled [FAO, 1990; revised FAO, 1995]
Quarantine (of a biological control agent)*	Official confinement of biological control agents subject to phytosanitary regulations for observation and research, or for further inspection and/or testing [ISPM Pub. No. 3, 1996]
Quarantine pest	A pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled [FAO, 1990; revised FAO, 1995; IPPC 1997]

Quarantine station	Official station for holding plants or plant products in quarantine [FAO, 1990; revised FAO, 1995; formerly Quarantine station or facility]
Re-exported consignment	Consignment which has been imported into a country from which it is then exported without being exposed to infestation or contamination by pests . The consignment may be stored, split up, combined with other consignments or have its packaging changed [FAO, 1990; revised CEPM, 1996; CEPM, 1999]
Refusal	Forbidding entry of a consignment or other regulated article when it fails to comply with phytosanitary regulations [FAO, 1990; revised FAO, 1995]
Region	The combined territories of the member countries of a Regional Plant Protection Organization [FAO, 1990]
Regional Plant Protection Organization	An intergovernmental organization with the functions laid down by Article IX of the IPPC [FAO, 1990; revised FAO, 1995; CEPM, 1999; formerly Plant Protection Organization (Regional)]
J. REGIONAL STANDARDS	<u>Standards established by a regional plant protection organization for the guidance of the members of that organization</u> [IPPC, 1997]
Regulated area	An area into which, within which and/or from which plants, plant products and other regulated articles are subjected to phytosanitary measures in order to prevent the introduction and/or spread of regulated pests (See Controlled area and Protected area) [CEPM, 1996; revised CEPM, 1999]
Regulated article	Any <u>plant, plant product, storage place, packaging, conveyance, container, soil</u> and any other organism, object or material capable of harbouring or spreading pests, deemed to require phytosanitary measures , particularly where international transportation is involved [FAO, 1990; revised FAO, 1995; IPPC, 1997]
K. REGULATED NON-QUARANTINE PEST	<u>A non-quarantine pest whose presence in plants for planting affects the intended use of those plants with an economically unacceptable impact and which is therefore regulated within the territory of the importing contracting party</u> [IPPC, 1997]
Regulated pest	<u>A quarantine pest or a regulated non-quarantine pest</u> [IPPC, 1997]
Release (into the environment)*	Intentional liberation of an organism into the environment (see also " introduction " and " establishment ") [ISPM Pub. No. 3, 1996]

Release (of a consignment)	Authorization for entry after clearance [FAO, 1995]
Replanting	See Planting
Restriction	A phytosanitary regulation allowing the importation or movement of specified commodities subject to specific requirements [CEPM, 1996, revised CEPM, 1999]
Round wood	Wood not sawn longitudinally, carrying its natural rounded surface, with or without bark [FAO, 1990]
RPPO	Acronym for Regional Plant Protection Organization [FAO, 1990]
Sawn wood	Wood sawn longitudinally, with or without its natural rounded surface with or without bark [FAO, 1990]
L. SECRETARY*	<u>Secretary of the Commission</u> appointed pursuant to <u>Article XII [IPPC, 1997]</u>
Seeds	Seeds for planting not for consumption or processing (see Grain) [FAO, 1990]
Specificity*	A measure of the host range of a biological control agent on a scale ranging from an extreme specialist only able to complete development on a single species or strain of its host (monophagous) to a generalist with many hosts ranging over several groups of organisms (polyphagous) [ISPM Pub. No. 3, 1996]
Spread	Expansion of the geographical distribution of a pest within an area [FAO, 1995]
Standard	Document established by consensus and approved by a recognized body, that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the optimum degree of order in a given context [FAO, 1995; ISO/IEC GUIDE 2:1991 definition]
Stored product	Unmanufactured plant product intended for consumption or processing, stored in a dried form (this includes in particular grain and dried fruits and vegetables) [FAO, 1990]
Suppression	The application of phytosanitary measures in an infested area to reduce pest populations [FAO, 1995; revised CEPM, 1999]
Surveillance	An official process which collects and records data on pest occurrence or absence by survey , monitoring or other procedures [CEPM, 1996]

Survey	An official procedure conducted over a defined period of time to determine the characteristics of a pest population or to determine which species occur in an area [FAO, 1990; revised CEPM, 1996]
M. TECHNICALLY JUSTIFIED	<u>Justified on the basis of conclusions reached by using an appropriate pest risk analysis or, where applicable, another comparable examination and evaluation of available scientific information [IPPC, 1997]</u>
Test	Official examination, other than visual, to determine if pests are present or to identify pests [FAO, 1990]
Tissue culture	See Plants in tissue culture
Transit	See Consignment in transit
Transience*	Presence of a pest that is not expected to lead to establishment [ISPM Pub. No. 8, 1998]
Transparency	The principle of making available, at the international level, phytosanitary measures and their rationale [FAO, 1995; revised CEPM, 1999; based on the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures]
Treatment	Officially authorized procedure for the killing, removal or rendering infertile of pests [FAO, 1990, revised FAO, 1995]
Wood	Round wood, sawn wood, wood chips or dunnage , with or without bark [FAO, 1990]

**TERMS OF REFERENCE OF THE OPEN-ENDED WORKING GROUP ON
PHYTOSANITARY ASPECTS OF GMOS AND ON INVASIVE SPECIES**

Terms of Reference

1. Develop a statement on:
 - (i) the role of the IPPC in assessing the plant pest risk of GMO's;
 - (ii) the relationship between invasive species and plant quarantine pests.
2. Identify the roles and responsibilities of other relevant bodies and any overlaps or potential overlaps with the role of the IPPC.
3. Consider the necessity of developing and adopting international standards under the IPPC.
4. Identify the need for capacity building in developing countries to fulfil their identified role under the IPPC.
5. To develop a draft communication strategy to promote and clarify the role of the IPPC in this area.

The informal contact group considered that, given the international developments in this area, the working group should complete its work as soon as possible.

The contact group considered that the working group be open-ended but some preparatory work be done in developing a discussion paper and recommendations in advance of the working group meeting.

The contact group considered that the IPPC Secretariat make contact with appropriate international bodies to explain the role of the IPPC and ensure that the role and responsibilities of the IPPC are considered.

The contact group encouraged all members of the IPPC to explain the roles and responsibilities of the IPPC in this area to relevant bodies in their countries.

SHORT-TERM WORK PROGRAMME**List of standards and other activities for which working groups may be required**

Notification of Interceptions/Non-compliance
Regulated Pest Lists
Regulated Non-Quarantine Pests
Wood Packaging
Official Control
GMO/Biosafety/Invasive Species
Systems Approaches
Pest Reporting
Glossary
CEPM
(2) Open-ending Working Group
Standards Committee
Technical Assistance
Strategic Planning
Dispute Settlement
Information Exchange

The ICPM endorsed the following:

In the category of completed standards, the revision of the *Guidelines for pest risk analysis* was considered to be a high priority by seven respondents. Revision of the *Glossary of phytosanitary terms* was identified as a high priority by six respondents. The revision of *Principles of plant quarantine as related to international trade* was also seen as important by six respondents.

Within the category for drafts being developed, eleven respondents considered *Guidelines for phytosanitary certificates* to be a priority, followed closely by *Pest risk analysis for quarantine pests* (eight respondents) and *General considerations and specific requirements for regulated non-quarantine pests* (seven respondents). *Requirements for the establishment of pest free places of production* and *Inspection methodology* were considered high priority by six and five respondents respectively. A few felt that both *Guidelines for Surveillance for specific pests: citrus canker* and *Guidelines for an import regulatory system* were significant, but of intermediate importance relative to other standards. Some respondents considered these two standards to be a low priority.

Both *Guidelines for preparation of regulated pest lists* and *Guidelines for notification of interceptions and non-compliance* were considered to be of high priority by the ICPM.

TENTATIVE CALENDAR FOR WORKING GROUPS

Proposed date	Topic	Proposed location	Possible collaborator
December 1999	Non-compliance WG	Finland	EPPO
January 2000	Regulated Pest List WG	South Africa	South Africa
February 2000	Technical Assistance Inf WG Strategic Planning Inf WG	Bangkok Bangkok	FAO FAO
March 2000	Standard Setting Procedures WG GMOs/Biosafety/Invasive species Inf WG Glossary WG/Official Control OEWG	Rome Unknown Paris	FAO USA EPPO/USA
April 2000	OEWG - Phytosanitary Certificates and OEWG PRA for Quarantine Pests	Bangkok South Africa	FAO FAO
May 2000	Dispute Settlement Group Inf WG CEPM	Rome Rome	FAO FAO
June 2000	Regulated Non-quarantine Pest WG Wood Packaging WG	Central America Canada	FAO NAPPO
July 2000	Systems Approach WG	Australia	Australia
August 2000			
September 2000	Pest Reporting WG	Budapest	FAO/EPPO
October 2000	Strategic Planning WG CEPM	Bangkok Rome	FAO FAO

OEWG Open-Ended Working Group
RNQP Regulated Non-Quarantine Pests
GMOs Genetically Modified Organisms
WG Working Group
Inf WG Informal Working Group

STANDARD SETTING PROCEDURES PROPOSED BY THE INFORMAL WORKING GROUP ON STANDARD SETTING PROCEDURES

Step 1

Proposals for a new International Standard for Phytosanitary Measures (ISPM) or for the review or revision of an existing ISPM are submitted to the Secretariat in the form of a discussion paper accompanied by a topic or draft standard.

Step 2

A summary of proposals is submitted by the Secretariat to the ICPM. The ICPM identifies the topics and priorities for standard setting from among the proposals submitted to the Secretariat and others that may be raised by the ICPM.

Step 3

Specifications for the standards identified as priorities by the ICPM are drafted by the Secretariat. The draft specifications are submitted to the Standards Committee for approval/amendment and subsequently made available to Members and RPPOs for comment (60 days). Comment is by written submission to the Secretariat. Specifications are finalized by the Standards Committee taking into account the comments.

Step 4

The standard is drafted or revised by a Working Group designated by the Standards Committee and in accordance with the specification. The resulting draft standard is submitted to the Standards Committee for review.

Step 5

Draft standards approved by the Standards Committee are distributed to Members and RPPOs for consultation (120 days). Comment is by written submission to the Secretariat. Where appropriate, the Standards Committee may establish Open-ended Discussion Groups, as fora for further comment. Comments are summarized by the Secretariat and submitted to the Standards Committee.

Step 6

The draft standard is revised by the Secretariat in cooperation with the Standards Committee taking comments into account. The final version is submitted by the Standards Committee to the ICPM for adoption.

Step 7

The ISPM is established through formal adoption by the ICPM according to Rule X of the Rules of Procedure of the ICPM.

Step 8

The ISPM is reviewed by the specified date or such other date as may be agreed upon by the ICPM.

Circumstances may arise where it would be appropriate to vary this procedure. These circumstances should be brought to the attention of the ICPM as soon as they arise, enabling the ICPM to assess them and to take action accordingly.

Considerations on Standard Setting Procedures Adopted by the ICPM

Financial Considerations

- a) - That, whenever possible, Members of the Standards Committee and those participating in standard setting activities voluntarily fund their travel and subsistence to attend meetings. Members may request financial assistance from FAO for meetings other than those associated with the meeting of the ICPM, with the understanding that the priority for financial assistance is given to developing country representatives.
- b) - That the financial resources made available to the Secretariat for the work programme, including savings realized by Members and others voluntarily accepting costs for participation in the Standards Committee or activities associated with standard setting, be directed as far as possible to expanding the work programme for the establishment of standards and assisting the participation of developing country Members.
- c) - That extrabudgetary funds be made available for developing countries to participate in ad hoc Open-ended Discussion groups.
- d) - That sponsors and donors be encouraged to make contributions to the work programme.

The role of Regional Plant Protection Organizations (RPPOs)

- a) That RPPOs:
 - i. establish regional standards and deposit them with the Secretariat
 - ii. encourage cooperation between their member countries in the preparation of :
 - proposals for new or revised International Standards for Phytosanitary Measures (ISPMs) and the deposit of regional standards as candidates for ISPMs;
 - comments on specifications for new or revised ISPMs;
 - comments on draft ISPMs received for consultation.
 - iii. cooperate with the Secretariat in support of the work programme.

Transparency

- a) - That maximum practical transparency be encouraged in the standard setting procedure.
- b) - That the ICPM encourage the wide use of electronic communication and the Internet in the standard setting procedure.

It is noted by the Working group that adoption of the procedure outlined in Annex II would increase transparency in the following ways:

- opportunity to contribute input into the work programme;
- development of specifications for new or revised ISPMs;
- opportunity to comment on specifications;
- opportunity to comment on the draft standard via written submission and through participation in Open-ended Discussion Groups;
- availability of summary documents from consultation activities;
- participation in the approval step;
- one harmonized procedure for all standards including Glossary.

TERMS OF REFERENCE OF THE INFORMAL WORKING GROUP ON THE ESTABLISHMENT OF THE INTERIM STANDARDS SETTING COMMITTEE

Consider all options for the establishment of a Standards Committee and make recommendations to the Interim Commission, taking account of matters including:

- size of the Committee;
- representation of the membership of the Interim Commission;
- nomination and acceptance procedures for Committee members;
- required expertise;
- duration of membership;
- terms of reference;
- rules of procedure;
- observer status and
- working languages.

Submit a report to the Secretariat at least 120 days before the third meeting of the ICPM.

Participants in the Informal Working Group.

The following regions will propose one member and may propose one alternate for the Informal Working Group:

- North America (to be determined)
- Latin America and the Caribbean – Mr Canale (Uruguay); alternate Costa Rica
- Europe – Mr Petzold (Germany); Kare Arsvoll (Norway)
- Africa – (Kenya); alternate (South Africa)
- Asia – (Thailand); alternate (Japan)
- SW Pacific – Mr Stynes (Australia); alternate Mr Ivess (New Zealand)
- Near East (to be determined)

PROCEDURES FOR DISPUTE SETTLEMENT

General Considerations

1. The terms *dispute settlement* and *resolution of disputes* as used in the Convention are considered to be equivalent terms referring to the same procedures.
2. The promotion of technical assistance provided for in Article XX applies to dispute settlement as it applies to other provisions of the Convention.
3. Dispute settlement procedures of the IPPC are limited to issues falling within the scope of the Convention and its associated standards and complement the WTO processes by providing options for dispute settlement procedures for phytosanitary issues affecting trade. IPPC procedures are primarily aimed at evaluating the technical aspects of phytosanitary disputes. Contracting parties are encouraged to resolve disputes at a technical level wherever possible.
4. Only contracting parties have the right to initiate the dispute settlement procedures under Article XIII. Disputes may be between two or more contracting parties.
5. Requests for dispute settlement and the distribution of reports should be through official IPPC contact points. If contracting parties wish to undertake a dispute settlement procedure under the IPPC, then it is mandatory that parties first consult (Article XIII.1).
6. Art XIII does not preclude contracting parties from using any form of dispute resolution, including mediation or other procedures provided that the parties agree to them, and does not limit the contracting parties to the Expert Committee procedures described in Article XIII.2. Contracting parties are encouraged to consult with the IPPC Secretariat or others concerning the range of dispute settlement procedures that may be appropriate for the dispute in question.

Options include but are not limited to:

Consultation, Good Offices, mediation, or arbitration - Contracting parties are encouraged to pursue options such as Good Offices and mediation as alternatives to the Expert Committee procedure provided in Article XIII. These procedures may be conducted or administered with assistance from the IPPC Secretariat and/or a Subsidiary Body designated by the ICPM.

Supplementary Agreements - Dispute settlement procedures may be agreed under Article XVI (Supplementary Agreements). Such procedures may be binding, but are only binding for the parties to the agreement.

Expert Committee (Article XIII) - The outcome of the Expert Committee procedure initiated under Article XIII is non-binding (Article XIII.4).

7. Any dispute that contracting parties wish to have recorded by the ICPM should be notified to the IPPC Secretariat and its outcome reported according to the procedures set out by the ICPM.
8. IPPC dispute settlement procedures should be conducted as expeditiously as possible.

IPPC Dispute Settlement Procedures1) Informal consultation

- a) Contracting parties are encouraged to consult between themselves as soon as possible with a view to resolving the dispute or taking a decision that further informal consultation is not considered productive.
- b) No formal consultation is required if both parties agree that informal consultations have resolved the dispute. If either party indicates that additional consultation is needed, then the parties shall engage in formal consultations (Article XIII.1).

2) Formal consultation

- a) For formal consultation to begin, one or both contracting parties would notify the Secretariat of their interest in dispute settlement procedures under the IPPC.
- b) The Secretariat discusses with both parties the possibility for progress through further consultation and the most appropriate procedure to be used.
- c) The parties in consultation mutually agree on the procedure, location, facilitator (if requested), confidentiality, and other conditions for the consultations. In the instance that parties cannot agree on procedures and conditions, the procedures and conditions may be proposed by the IPPC Secretariat.
- d) Persons not party to the dispute are not admitted to the consultations unless agreed by the consulting parties.
- e) Formal consultation may result in:
 - i) resolution of the dispute;
 - ii) non-resolution, where one party does not cooperate. This may occur when only one party, although obliged to take part in consultation, does not cooperate to the satisfaction of the other party. Either party may initiate further dispute settlement procedures;
 - iii) non-resolution, where both parties cooperate. This results from agreement by the parties that formal consultation has been completed. Either party may initiate further dispute settlement procedures.
- f) The IPPC Secretariat should report to the ICPM or subsidiary body designated by the ICPM on the conduct and outcome of formal consultations.

3) The Selection of a Dispute Settlement Procedure after Consultation

- a) Parties consult with the IPPC Secretariat and others agreed by the parties with a view toward determining the most appropriate dispute settlement procedure. This includes consideration of:
 - the Expert Committee procedure from Article XIII.2 of the IPPC (see 4 below);
 - other procedures initiated with the Secretariat's assistance;
 - procedures initiated without additional Secretariat assistance.
- b) Dispute settlement procedures are initiated if parties agree on a procedure. In the event parties do not agree on a procedure, the complaining party may:
 - request Article XIII.2 procedures; or
 - initiate other dispute settlement procedures.

4) The IPPC Expert Committee Procedures (Article XIII.2)

The IPPC provides the opportunity for contracting parties to use any dispute settlement procedure but it identifies an Expert Committee procedure implemented

through FAO as a specific option. The following describes the Expert Committee procedure.

- a) One or both parties submit a formal request to the Director General of FAO.
- b) The Secretariat verifies that mandatory consultations have occurred and that parties wish to use the Expert Committee procedure.
- c) An Expert Committee is formed as follows:
 - i) at least one expert is designated by each party to the dispute. The designation of more than one expert requires mutual agreement by the parties on the number of experts for which there should be equal numbers for each party;
 - ii) three independent experts, one of which is familiar with the IPPC and associated international standards, are selected by the ICPM or its subsidiary body from a roster of experts supplied by the IPPC Secretariat;
 - iii) the experts are recommended to the Director-General for appointment;
 - iv) the appointed experts constitute the Expert Committee and elect a Chairperson from among the three independent experts;
- d) The Expert Committee agrees, and conducts its proceedings, on terms of reference, including:
 - i) taking account of the special needs of developing countries where such countries are parties to the dispute;
 - ii) provision for the use of outside experts; and
 - iii) rules for the presence and conduct of observers.If terms of reference cannot be agreed upon, a general format may be provided by the IPPC Secretariat, including rules for the presence and conduct of observers established by the ICPM or its relevant subsidiary body.
- e) Upon completion of the proceedings, the Expert Committee prepares a report consisting of two parts:
 - i) a summary of the technical aspects of the dispute, and
 - ii) recommendations for resolving the dispute.
- f) The Expert Committee seeks to develop consensus on all points in the report. In the event consensus is not possible, the Chairperson ensures that the draft report provides recommendations for the resolution of the dispute while adequately reflecting dissenting views.
- g) In the event the proceedings cannot be completed, the Chairperson ensures that a report is prepared on the proceedings up to the point of termination.
- h) The draft report is submitted to the IPPC Secretariat for technical review and/or the FAO Legal Office for legal review. Any comments from FAO review are returned to the Committee.
- i) The Committee prepares a final report taking into account comments by FAO.
- j) The final report is submitted to the IPPC Secretariat for transmission to the ICPM or its designated subsidiary body for approval.
- k) The final report is submitted by the Chairperson to the Director-General. The Director-General transmits the report to the disputing parties as the basis for renewed consideration of the matter out of which the disagreement arose. The approved report may also be made available on request to competent bodies of the international organizations responsible for resolving trade disputes.
- l) The parties may report to the ICPM on further action or progress based on the recommendations on the matter out of which the disagreement arose.

The Interim Commission decided:

1) - that the IPPC Secretariat:

- a) maintain and make public rosters for the purpose of identifying experts for dispute settlement procedures associated with phytosanitary measures and the interpretation or implementation of the Convention;
- b) undertake to develop guidelines and other reference information for parties interested in options and procedures for dispute settlement;
- c) maintain records concerning disputes notified by members to the IPPC Secretariat.

2) - that the designated Informal Working Group on Dispute Settlement:

- a) undertake to develop rules and procedures for the approval of Expert Committee reports by the ICPM or its subsidiary body;
 - b) analyze the need for the establishment of a subsidiary body on dispute settlement and make recommendations on structure, functions and membership;
 - c) undertake to develop rules and procedures for the establishment of expert rosters and the selection process;
 - d) develop standard formats for dispute settlement reports;
 - e) examine the possible roles and functions of regional plant protection organizations in IPPC dispute settlement procedures;
 - f) develop standard terms of reference that may be used by the Expert Committee;
 - g) develop rules concerning the attendance of observers in the Expert Committee procedures;
 - h) explore the possibilities for enhancing developing countries abilities to participate effectively in dispute settlement procedures;
 - i) consider guidelines concerning the sharing of expenses associated with dispute settlement;
 - j) address any other matters referred to it by the ICPM regarding dispute settlement.
- 3) - that the ICPM, in collaboration with the Secretariat, undertakes to make available good offices, mediation services, and other assistance that may be desired by parties to resolve the dispute without initiating formal dispute settlement procedures.
- 4) - that the ICPM adopt the procedures specified under Annex IV of this report.

RECOMMENDATIONS CONCERNING INFORMATION EXCHANGE

1. The ICPM urges:

- Members:

- i) to meet their obligations and provide information in relation to Article VII 2(d), 2 (i) and Article IV 4;
- ii) to encourage the use electronic means for dissemination of information in relation to Article VII 2 (b), 2(d), 2 (i) and Article IV 4.

- the Secretary:

- i) to request information from the official contact points in relation to Article VII 2 (d), 2 (i) and Article IV 4;
 - ii) to request the Contracting Parties to indicate their preference for future communication in electronic format or as printed material, and to disseminate information accordingly in future;
 - iii) to endeavour to facilitate the translation process by offering Contracting Parties the chance to comment on linguistic issues on proposed international standards before the adoption and to identify the definitive text.
2. That the proposed ISPM on “Guidelines for the preparation of regulated pests lists” should include provisions in relation to reporting responsibilities and, noting the importance of the dissemination of phytosanitary regulations, that the ICPM should give guidance on the interpretation of Articles XII 2 (d) and VII 2 (b), in particular on the obligations of contracting parties and the IPPC Secretariat.

**PROVISIONAL AGENDA FOR THE THIRD INTERIM COMMISSION ON
PHYTOSANITARY MEASURES**

- 12 Opening of the Session
- 2 Report by the Chairperson
- 3 Adoption of the Agenda
- 4 Standard Setting Priorities
- 5 Adoption of International Standards
- 6 Items Arising from the Second Meeting of the Interim Commission on Phytosanitary Measures
 - 6.1 Formation of a Standards Committee
 - 6.2 Dispute Settlement Procedures
 - 6.3 Information Exchange
 - 6.4 GMOs, Biosafety and Invasive Species
 - 6.5 Official Control
- 7 Report from the Technical Consultation Among RPPOs
 - 7.1 Recognition of RPPOs
- 8 Work Programme for Harmonization
 - 8.1 Standard Setting
 - 8.2 Information Exchange
 - 8.3 Technical Assistance
- 9 Strategic Planning
- 10 Status of the IPPC
 - Acceptance of the New Revised Text
 - Interim Measures
- 11 Other business
 - 11.1 Reporting of Non-compliance with Phytosanitary Measures
- 12 Date and Venue of the Next Meeting
- 13 Election of the Bureau
- 14 Adoption of the Report