**OBJECTION FROM THE EU AND ITS MEMBER STATES TO THE DRAFT ISPM ON**

**International movement of used vehicles, machinery and equipment**

**The EU and its Member States (‘the EU’ henceforward) object to the adoption of the current draft ISPM on “International movement of used vehicles, machinery and equipment”**[[1]](#footnote-1).

**The reasons** for our objection are the following:

**(A) The current text of the Scope Section, in contrast to earlier versions, does not set any limits to the categories of VME covered, as associated with their prior or future uses. While the EU agreed to the categories proposed in the original draft of the EWG, the expansion of the scope that has taken place stepwise with the 2nd version (from SC-7 May 2016) and 3rd version (from SC November 2016) despite the substantive comments submitted by the EU, is unacceptable to the EU.**

Further details:

With the 1st draft from the EWG, the Scope section limited the scope to used VME “*used in agriculture, forestry, horticulture, earth moving and waste management and …military*”. The EU was satisfied with this Scope.

In May 2016, the output from the SC-7 included ‘industrial processes’ and ‘surface mining’ to the Scopes’ listing, to read “*utilized in agriculture, forestry, horticulture, earth moving, surface mining, industrial processes and waste management and …military*”. The EU reacted by requesting that the scope be brought back to the original by removing **‘industrial processes’** from the scope (while the EU accepted the inclusion of surface mining).

In November 2016, the output from the SC aggravated the problem by completely deleting the text bit on “*used in…*”, i.e. deleting all limitations to the scopeas regards various categories of VME. In effect, any VME of whatever category is included in this ISPM (e.g., also printing presses, robotic units, laboratory equipment…), irrespective of the actual pest risk associated with its prior use.

**(B)The current text includes mentioning of ‘new VME’ in the Background, Requirements and Appendix sections, despite the fact that the Specification very clearly stipulated the topic and scope as ‘used VME’. For any ISPM, the Scope sets the (maximum) boundary for the items and issues that CPM members deem feasible for international harmonization. Therefore, the EU maintains the view that an ISPM cannot and shall not provide any guidelines or requirements for items or issues that are beyond its Scope. To illustrate our point, ISPM-15 should not and does not provide guidelines on wood packaging material made of processed wood material, and the current draft on ‘International movement of growing media in association with plants for planting' does not provide guidelines on soil moved in bulk. The mentioning of ‘new VME’ in the current text is unacceptable to the EU.**

Further details:

‘New VME’ had not been included or even mentioned in the Specification, nor in the first draft version from the EWG.

In May 2016, the output from the SC-7 included the item into numerous paragraphs of the draft, implicitly also in the Scope section (by omitting ‘used’). The EU reacted by requesting that in all parts of the text ‘used’ should be reinserted and any mentioning of ‘new’ be deleted. The EU stated that the inclusion of new VME would widen the scope dramatically, and was not in line with the Specification.

In November 2016, the SC has reinserted ‘used’ in the Scope section. However, ‘new VME’ has been retained in the Background, Requirements and Appendix sections.

**(C) The current text, in contrast to all other pathway-related ISPMs except for ISPM-15, does not explicitly mention the need for technical justification. For the EU this underlines the strong necessity for retaining the scope and coverage of this ISPM to what was originally intended with the Specification and the EWG’s deliberations.**

**EU text proposals for resolving the issues**

The EU proposes the following text package that in our view would resolve the issues and enable the EU to lift its objection:

**In paragraph 1: reinstate the intent of the original EWG scope regarding categories of used VME covered (plus allowing for the inclusion of ‘surface mining’), as follows:**

“This standard identifies and categorizes the pest risk associated with used vehicles, machinery and equipment (VME) utilized in agriculture, forestry, horticulture, earth moving, surface mining, waste management and military being moved internationally, and identifies appropriate phytosanitary measures. “

**Paragraph 8: delete the entire paragraph.**

~~New VME may also be contaminated by pests during storage before export. The likelihood of contamination may depend on the storage conditions, distance from pest habitats and storage time.~~

**Paragraph 20: delete the entire paragraph**.

~~Based on evidence of interceptions of quarantine pests on new VME, the NPPO of the country of destination may require phytosanitary measures for the prevention of contamination in the exporting country (section 2.2).~~

**In Appendix 2: delete the last row.**

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| ~~New VME~~ ~~Pest risk is variable, but generally low, depending on storage conditions.~~  | ~~Contaminants:~~ ~~- soil~~ ~~- pests~~ ~~- plant debris~~ ~~- seeds~~  | ~~Emptying open water reservoirs, removing debris~~ ~~Pressure washing~~ ~~Steam cleaning~~ ~~Sweeping and vacuuming~~  | ~~Inspection~~  |

1. Abbreviation henceforward: ‘VME’ = vehicles, machinery and equipment. [↑](#footnote-ref-1)