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# COMMISSION ON PHYTOSANITARY MEASURES

**Fourteenth Session**

**Rome, 1-5 April 2019**

**Conceptual challenges in standards development in terms of  
implementation - Authorization of entities to perform phytosanitary  
actions**

**Agenda item 10.4**

**Prepared by Australia**

***English only***



## **International Standardisation of the Authorization of Entities through an ISPM**

1. At this fourteenth meeting of the Commission on Phytosanitary Measures (CPM 14) contracting parties have the opportunity to support the continued development of a standard that will set the minimum requirements for the authorisation of entities to perform phytosanitary actions on behalf of NPPOs.
2. Australia strongly supports the development of an ISPM on this subject.
3. The Convention itself permits NPPOs to authorise other entities to act on its behalf (Article V). This is very clearly not intended to be interpreted as ‘instead of’. A NPPO cannot devolve accountability for its obligations to the Convention and as noted in the paper, official actions by an entity remain under the authority of the NPPO and equivalence is a principle in the SPS Agreement.
4. In order to authorise other entities, NPPOs must have the controls in place to ensure they are equivalent to NPPO implementation. This assumes that the NPPO has the necessary systems and processes to undertake the services to be undertaken by another entity and that the authorised entity will complete the task at least at the level that would be done by the NPPO. When tasks are applied under the authority of the NPPO, the NPPO must ensure that they have the systems in place to ensure this control. This requires the NPPO to maintain the resources and sufficient appropriately skilled public officers to ensure third party arrangements are effectively regulated.
5. The purpose of this ISPM is not to mandate the use of third parties by NPPOs (and this should be made clear in the standard), but if implemented in accordance with an adopted ISPM it will require the acceptance of certificates and other operations authorised by an NPPO for activities done on their behalf.
6. An ISPM on this topic will facilitate the development of standardised frameworks and harmonised approaches for establishment and governance of systems to implement third party schemes, where this is the desire of the NPPO, perhaps for cost efficiency reasons. Throughout the world, the pursuit of more cost-effective and efficient systems has led to the use of third party entities to undertake phytosanitary actions on behalf of NPPOs. These systems are based on quality management principles with accredited third party entities carrying out activities, such as inspection and treatment, at international, national and regional levels. Many countries use third party for ISPM 15 implementation, and Australia accredits entities to undertake export inspections on behalf of the NPPO through our Authorised Officers program.
7. Ultimately, it is the importing country that will determine if the use of authorised entities is acceptable, and this is a matter of negotiation between the importing and exporting NPPO.