Other strategic topics - Certification

*Prepared by New Zealand*

1. Introduction

Trade in plants and plant products is quickly evolving with many countries now requiring more than just a phytosanitary assurance for the port of entry clearance of plants and plant products, and where this is required efficiencies can often be gained by including all of the government to government assurances in a single document / data flow.

A core objective of the World Trade Organisation’s (WTO) Trade Facilitation Agreement (TFA) is to minimize the incidence and complexity of import, export, and transit formalities and to decrease and simplify import, export, and transit documentation. This includes through encouraging the use of Trade Single Windows and the acceptance of rationalised digitalised data flows. More specifically: Each Member is required to review such formalities and documentation requirements and, based on the results of the review, ensure, as appropriate, that such formalities and documentation requirements are:

(a) adopted and/or applied with a view to a rapid release and clearance of goods, particularly perishable goods;

(b) adopted and/or applied in a manner that aims at reducing the time and cost of compliance for traders and operators.

The covid-19 pandemic has strongly underlined the value of rationalising the number of trade documents required for the border clearance of consignments, especially through the promotion of electronic data exchanges such as the increased uptake of ePhyto Solution by governments. The ePhyto / phytosanitary certificate may however only be one such government to government, or related, assurance document required to clear consignments of plants and plant products across a border. To further facilitate trade and implementation of the WTO TFA it is appropriate IPPC allows for the inclusion of other government to government, or related, assurance types on phytosanitary certificates where bilaterally agreed.

In its comment on the focused revision of ISPM 12 on re-export, New Zealand suggested that it is also time to fully revise the ISPM, making it into an overarching standard with a number of annexes e.g. ePhyto and re-export. New Zealand also suggested it is time for the IPPC community to consider making provision in ISPM 12 for including non-phytosanitary matters on phytosanitary certificate for plants and plant products where allowed or agreed with the relevant importing Competent authorities / NPPOs.

Lastly there are still some uses of the word “shall” within ISPM12 which need to be changed to “should” to make the standard consistent with current IPPC policy in this regard.

2. Provisions for the inclusion of non-phytosanitary information and assurances on phytosanitary certificates

2.1 Challenge requiring change

ISPM 12 currently states "*Phytosanitary certificates should only contain information related to phytosanitary matters. They should not include statements related to non-phytosanitary requirements such as animal or human health matters, pesticide residues, radioactivity, commercial information (e.g. letters of credit), or quality*."

Countries are increasingly requiring a range of government to government assurances or related certification for consignments of plants and plant products to clear their borders. Similarly, border quarantine agencies in many countries are often responsible for a wider range of border clearance functions. Accordingly, in such situations efficiencies can be gained by including all of the government to government or related assurances in a single document / data flow.

ISPM 12’s effective prohibition of the inclusion of other types of attestations or information is no longer consistent with the WTO TFA and the wider trend to consolidate and digitalise trade documentation to increase border clearance efficiencies.

New Zealand suggests it is time for the IPPC community to remove the current statement that phytosanitary certificates should not include statements related to non-phytosanitary requirements and replace this with an explicit permission for such inclusions may occur where agreed between the relevant competent authorities.

2.2 Wider context

* Codex and OIE have already ensured they have similar templates so as to allow the use of a single certificate / data flow for relevant consignments[[1]](#footnote-1).
* Discussions are ongoing about the potential use of the IPPC ePhyto Hub for exchanges of a wider range of certificates and assurance types, e.g. sanitary certificate.
* With the increasing use of digitalised Trade Single Windows, the push for more rationalised digitalised data flows will become more common.
* With the transition to the digitalisation of trade documentation, multiple attributes can be linked to common consignment information, rather than such information being replicated many times over, which is the case with paper-based border clearance systems.
* In the future the concept of individual documents is likely to increasingly become a historical construct.

2.3 Options for consideration

To allow the inclusion of non-phytosanitary attestations or information on the phytosanitary certificate, the following options could be considered:

* The statement in ISPM 12 could be modified as:

*"Phytosanitary certificates may contain information related to non-phytosanitary matters where allowed by or agreed with the importing country’s Competent Authorities."*

* In addition, there could be another section: “Additional Official Non-Phytosanitary Information” set up in the certificate specifically for non-phytosanitary information on paper certificates and in the IPPC ePhyto mapping document, and
* As a consequence of opening up ISPM 12, the opportunity should also be taken to remove the last vestiges of the use of the word “shall” and replace it with should (consistent with current IPPC policy)

2.4 Looking further ahead

Lastly, moving forward, it is also suggested that the IPPC community consider initiating an active programme of cooperation with both the Codex Alimentarius and OIE to ensure maximal alignment of principles and templates so as to ensure the models promoted by all organisations have appropriate cross utility.

New Zealand invites the SPG to:

1. *support* further exploration with OIE and Codex to achieve greater strategic alignment of approach and practice in the provision and exchange of official assurance information.
2. *agree* the ISPM 12 full revision should be a priority.
3. *agree* that the ISPM 12 revision should make provision of including non-phytosanitary information and assurances on phytosanitary certificate.
4. *agree* to support discussions towards the exchange of all government to government or related assurances being able to be included in phytosanitary certificates and ePhytos exchanged via the IPPC Hub or GeNS.
5. *agree* for the IPPC Secretariat to engage in discussions with OIE and Codex with the aim of achieving maximal alignment of principles and templates so as to ensure the models promoted by all organisations have appropriate cross utility.

1. F. Berlingieri (2006). Collaboration between WHO/FAO/OIE. Presentation at Codex Alimentarius [↑](#footnote-ref-1)