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Продовольственная и  
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Organización de las  
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Alimentación y la Agricultura

منظمة  
الأغذية والزراعة  
للأمم المتحدة

# COMMISSION ON PHYTOSANITARY MEASURES

**Ninth Session**

**Rome, 31 March - 4 April 2014**

**Statements from the European Union and its 28 Member States regarding  
various CPM agenda items**

**Agenda Items 8.2, 9.4.2, 9.4.3, 10.2.1 and 15**

**Prepared by EU**

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**CPM-9 (2014)**  
**STATEMENTS FROM THE EUROPEAN UNION**  
**AND ITS 28 MEMBER STATES**  
**REGARDING THE FOLLOWING CPM AGENDA ITEMS**

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- 8.2 Process for adopting recommendations
- 9.4.2 Update on the topic: International movement of grain (2008-007)
- 9.4.3 Update on the topic: Minimizing pest movement by sea containers (2008-001)
- 10.2.1 Implementation process
- 15. Adoption of CPM Recommendations

## **EU POSITION FOR CPM 09**

### **8. GOVERNANCE: COMMISSION ON PHYTOSANITARY MEASURES**

#### **8.2 Process for adopting recommendations (Document CPM 2014/07)**

The EU and its Member States would like to draw the attention of CPM that one point is possibly lacking in the proposed process is the drafting stage. This is the need to clarify the timing for circulation of the draft recommendation.

Therefore, we would like to propose the addition of text to indent 3 in paragraph 2 of the document, to read:

“3) a draft CPM recommendation should be prepared by the Secretariat, or where appropriate the contracting party making the proposal and circulated, along with the rationale or justification for its need, for comments for a period of three months.”

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## **EU POSITION FOR CPM 09**

### **9. INTERNATIONAL STANDARD SETTING**

#### **9.4 Topics for IPPC Standards**

##### **9.4.2 Update on the topics: International movement of grain (2008-007)** (Document CPM 2014/06)

The EU and its Member States appreciate the work done by the Standards Committee and the international experts on the specification for the ISPM on the international movement of grain. We do believe that the future ISPM will address adequately all phytosanitary aspects related to the grain trade to the benefit of both exporting and importing countries.

On the issues mentioned in the document CPM 2014/06 we do not see the need to have an open ended working group on the concept of traceability in the phytosanitary context and request that at this stage this concept be further explored by the Standards Committee.

We would like to request that recommendation 3 of the document CPM 2014/06 be modified to reconfirm the earlier decision of the CPM-8 that the need for guidance documents for the international movement of grain will be reconsidered after the draft standard is developed, noting that this would be subject to availability of extra-budgetary funding .

We agree with the recommendations 1 and 4 of the document CPM 2014/06.

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## **EU POSITION FOR CPM 09**

### **9. INTERNATIONAL STANDARD SETTING**

#### **9.4 Topics for IPPC Standards**

##### **9.4.3 Update on the topics: Minimizing pest movements by sea containers** **(2008-001) (Documents CPM 2014/11 and 23)**

The EU and its Member States (MSs) would like to propose:

- (A) An encouraging statement on Sea Containers to be delivered from CPM and addressed to the competent bodies of IMO, ILO and UNECE, and companies and persons responsible for and involved in the packing of sea containers;
  - (B) Proposal to CPM 9 on a CPM Recommendation;
  - (C) Amendments to the indents set out in paragraph 11 of documents CPM 2014/23.
- (A) The EU and its MSs propose that the CPM formally recognises the joint efforts of IMO, ILO and UNECE to revise their Code of Practice for Packing of Cargo Transport Units.

As an outcome of the cooperation between the IPPC Expert Working Group on Sea Containers and the container and shipping industries, the Code now describes requirements and terminology, and provides practical guidance on dealing with container cleanliness and cleaning, avoidance of recontamination, and the risk of transferring pests and alien invasive species. The draft has been adopted by UNECE in February 2014 and ILO and IMO are expected to adopt it later this year.

The EU believes that the importance of this very positive development should be recognized by the following statement to be

- noted in the CPM report;
- sent by the IPPC Secretary to respective Secretariats of the three organizations;
- highlighted on the IPP.

EU proposal for a CPM Statement:

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*"Members of the CPM have recognised the joint initiative by IMO/ILO/UNECE of revising the Code of Practice for Packing of Cargo Transport Units (CTUs). With the support from the IPPC Expert Working Group on Sea Containers, those organizations have incorporated into the revised Code several elements of phytosanitary relevance, e.g. information on pests and other contamination which may be associated with CTUs, as well as very useful practical guidelines for cleanliness, cleaning, packing and handling.*

*The CPM therefore:*

- *welcomes and appreciates the joint initiative by IMO/ILO/UNECE of revising the Code of Practice for Packing of Cargo Transport Units to include practical guidelines for cleanliness and cleaning with the explicit objective of preventing the spread of pests and invasive alien species;*
  - *welcomes the recent adoption of the Code by UNECE and look forward to the adoption also by IMO and ILO of the revised Code later this year*
  - *emphasises that the careful implementation of the revised Code by all operators responsible for and involved in the packing and handling of sea containers is crucial for preventing the spread of pests and invasive alien species."*
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Furthermore, the EU and its Member States suggest that the IPPC Secretariat also provides a link on IPP to the Code as adopted by UNECE.

- (B)** The EU and its MSs would like to propose a CPM 9 decision to develop a CPM Recommendation on Sea Containers.

To raise awareness of the IPPC's role and the need for action to be taken in the short term during the time needed for the possible further development of the standard, the EU and its Member States propose a CPM Recommendation be developed for adoption in 2015. The EU offers to undertake the development of a draft text sometime after the SC May 2014 meeting where discussions of the comments received at the conceptual Member Consultation will take place. The draft would then be subject to the new procedure for dealing with CPM Recommendations.

Tentatively, and with the objective of minimizing the movement of pests with sea containers, the Recommendation could include elements such as

- *sea containers moved internationally should be clean, i.e. free from pests and other contamination (such as soil);*

- *the CPM encourages NPPOs to communicate to those involved in container movements in and out of their country the risk of pest movement with containers, and to support the implementation of the relevant parts of the revised ILO/IMO/UNECE Code of practice;*
- *the CPM encourages the IPPC secretariat to work with IMO, ILO and UNECE to raise awareness amongst their members of the risks involved in international movement of containers and the benefit of ensuring that containers are clean;*
- *the CPM encourages the IPPC secretariat to explore the possibilities and the finances to develop a brochure addressed in particular to consignors, consignees and logistic operators, to highlight the risk of pest movement with sea containers and how these risks could be best addressed;*
- *the CPM encourages CBD and OIE to endorse the CPM recommendation or develop in parallel a recommendation with similar actions towards their members and industry.*

(C) The EU and its MSs believe that the CPM should follow the usual procedures for dealing with draft ISPMs whereby the SC discusses the outcome of a member consultation. For the draft ISPM on sea containers and several other drafts, member consultation ended by December 2013 and the SC will discuss this in its May 2014 meeting.

The EU feels that the invitations proposed in paragraph 11 of document CPM 2014/23 are not suitable, and therefore proposes that this CPM should simply:

1. *note* that the SC will discuss the comments from member consultation and how to proceed with the development of the ISPM on sea containers, and
2. *note* that the SC will report back on the outcome of its discussions to the CPM in 2015.

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## **EU POSITION FOR CPM 09**

### **10. IPPC STRATEGIC FRAMEWORK AND RESOURCE MOBILIZATION**

#### **10.2 Implementing the IPPC Strategic Framework and Resource Mobilization**

##### **10.2.1 Implementation Process (Document CPM 2014/20)**

The EU and its Member States (MSs) welcome the paper from New Zealand and support the development that more attention should be given to implementation of the IPPC and its standards.

At the same time we believe that there still remains a number of areas, both conceptual and commodity specific, where development of new standards or revision of existing ones is needed. Therefore maintaining the standard development programme at its current level should remain a priority for the CPM.

The EU and its MSs support the idea to work on an implementation programme. We consider the ideas presented in the paper from New Zealand as a valuable input for the work of an Open Ended Working Group (OEWG). We believe that an implementation programme should build on existing knowledge and expertise from current activities, such as the IRSS, SC and CDC and should make as much as possible use of current structures and strengthen the cooperation between those. Development of an implementation programme should be a cross cutting activity within the IPPC Secretariat, linking standards development, capacity development, information exchange and other areas.

We support the proposal to have an OEWG to work further in this area and we are willing to contribute to that. However we think a clarification is needed regarding the scope of this OEWG as presented in attachment 2 of the paper. As it is written now it seems that this attachment contains two draft Terms of Reference for this OEWG. We suggest that the OEWG should primarily work on the mechanisms and structures for an implementation programme.

We support the proposal to develop a pilot work plan in the area of “surveillance” since this is a basic element of much of the work of NPPOs.

We acknowledge that the development of implementation programmes may require (potentially a lot of) resources, depending on the structure. However we should also keep in mind that an important objective of more focus on implementation is to strengthen coordination and cooperation within the various work areas of the IPPC. This implies that the existing resources should be used as efficiently as possible, including considering how the next phase of the IRSS funding could be used to support the cross-cutting implementation programme.

The EU and its MSs believe that it is important that a focus on implementation should be based on the needs of Contracting Parties. Therefore we are pleased to note that one of the ideas in the paper from New Zealand – that Contracting Parties should have an opportunity to raise issues with difficulties in implementing the IPPC or ISPMs in CPM meetings – is reflected by the inclusion of a new item on the agenda for this CPM. We believe that such a presentation of general implementation issues in CPM meetings could contribute to a better understanding of the needs of contracting parties.

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## **EU POSITION FOR CPM 09**

### **15. ADOPTION OF CPM RECOMMENDATIONS (Document CPM 2014/14)**

The EU and its Member States would like to propose the introduction of some changes into the document, as follows:

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**CPM Recommendation Number: CPM-9/2014/2**

#### **Recommendation on Internet Trade (E-Commerce) in Plants and other Regulated Articles**

##### **Background:**

Sales of plants and plant products ordered through the internet (e-commerce) has increased significantly in the years since the IPPC and most ISPMs were adopted. E-commerce is fueling an increasing volume of traded commodities. In many cases online traders of plants and other regulated articles do not take into account a customer's location before agreeing to a sale and shipping their purchases to them. This lack of knowledge of a customer's location can lead to consignments of regulated articles being imported into a country without the phytosanitary certificates which may be required by the NPPO of that country.

A number of studies, including an IRSS study on internet trade presented at CPM-7 (2012), have shown that regulated articles ordered over the internet are routinely not accompanied by appropriate phytosanitary certificates during import. Similar concerns have also been identified with other forms of distance selling, such as mail order companies who trade via advertisements in newspapers and magazines.

In order for the global plant protection framework to keep pace with this, NPPOs, RPPOs and the IPPC Secretariat should collaborate with other stakeholders to monitor internet trade and to ensure that goods ordered in this way ~~are incorporated into~~ **respect** relevant phytosanitary regulations ~~on the basis of risk analysis~~. This requires improvements in collaboration, monitoring and enforcement across the pathways known for transporting those goods, particularly postal and express delivery services.

##### **Addressed to:**

Contracting parties, national plant protection organizations (NPPOs), regional plant protection organizations (RPPOs) and the IPPC Secretariat.

##### **Recommendation:**

1. This recommendation applies to a variety of products ordered and delivered through ecommerce. It includes plants for planting, other regulated articles such as plants for consumption, soils, growing media, and living organisms in a wide range of taxa that are known or have the

potential to be plant pests and are sold to and exchanged by hobbyists, collectors, researchers etc. Many of these articles may be sold in a variety of product configurations that may incorporate or be infused with plants for planting though the product itself may not be recognized immediately to contain them (e.g. articles of clothing, footwear, packaging, greeting cards, paper products, home accessories, novelty products etc.).

## **To respond to this developing situation, the CPM encourages:**

### **A. NPPOs and RPPOs to:**

1. develop mechanisms for identifying e-commerce traders based within their countries and regions.
2. establish mechanisms to identify products of concern that may be purchased via e-commerce, with a focus on potential high-risk pathways such as plants for planting, soils and growing media, living organisms etc. and to explore options for **implementing ensuring they respect** appropriate phytosanitary regulations ~~based on risk assessment~~.
3. promote compliance by customers and traders operating through e-commerce with the phytosanitary import requirements of importing countries and provide adequate information on the risks posed by bypassing such requirements.
4. strengthen coordination with postal and express courier services to ensure that relevant information of the phytosanitary risks and phytosanitary measures are conveyed to e-commerce traders.
5. investigate the phytosanitary risks posed by all forms of distance selling and if necessary to include these purchasing methods in their risk management activities

### **B. NPPOs, RPPOs and the IPPC Secretariat to:**

1. raise awareness of the risks of bypassing phytosanitary regulations.

### **Recommendation(s) superseded by the above:**

None.

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