

REPORT

Rome,
Italy,
26-30 March
2007

Second Session of the Commission on Phytosanitary Measures



Food and Agriculture Organization of the United Nations

Report of the
Second Session of the
Commission on Phytosanitary Measures

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SECOND SESSION OF THE COMMISSION ON PHYTOSANITARY MEASURES

Rome, 26-30 March 2007

REPORT

1. OPENING OF THE SESSION

1. Mr Diouf, Director-General of the FAO, opened the Second Session of the Commission on Phytosanitary Measures and welcomed the delegates.

2. He noted that the international environment associated with agricultural and food production had undergone remarkable changes, and that the movement of pests through trade and other pathways had increased. The IPPC was recognized as addressing these issues and as the specific standard setting body under the WTO SPS Agreement. Despite the international recognition of the IPPC, the challenge of financing its operation still remained to be addressed. Its current intensive programme was unsustainable. Recognition of the importance of IPPC activities in the FAO context was reflected by the increase in funding allocated to the IPPC despite a general decrease in FAO resources. He stressed the importance of using extra-budgetary resources and thanked countries which had contributed resources or staff to the activities carried out in the framework of the Convention. The new business plan was important as a means of explaining the whole of the IPPC to potential donors.

3. The Director-General invited CPM-2 to consider holding a high level ministerial event at the end of CPM-3 in 2008 in order to examine from a longer term perspective the accomplishments and growing role of the IPPC, and to build support for political will for sustained technical and financial support.

4. He mentioned the FAO evaluation of the IPPC and its structures, and noted that the evaluation team would spend a session during the CPM discussing findings emerging from the evaluation and recommendations. It was important to obtain comments and feedback from delegates, which could be taken into account when the final report was completed.

5. He acknowledged the profound contribution of the former IPPC Secretary, Mr van der Graaff, who was instrumental in expediting the revision of the IPPC in 1997, and welcomed Mr Kenmore who replaced him. He finally wished the Commission every success with its meeting.

6. The CPM noted the Statement of Competence and Voting Rights Submitted by the European Community and its 27 Member States¹.

2. ADOPTION OF THE AGENDA

7. The agenda² was adopted (Appendix 1).

3. ELECTION OF RAPPORTEUR

8. Mr Ashby (United Kingdom) was elected by the CPM as rapporteur.

4. ELECTION OF A CREDENTIALS COMMITTEE

9. The legal counsel explained that a Credentials Committee was needed in conformity with customary rules. It would be composed of 7 members, one per FAO region, as well as one of the CPM

¹ CPM 2007/INF/9

² CPM 2007/1/REV/1

Vice-Chairpersons. The Committee would be assisted by the legal service in determining the validity of members' credentials.

10. The CPM elected Bangladesh, Côte d'Ivoire, New Zealand, Panama, Qatar, Slovenia and USA as members of the Committee. A CPM Vice-Chairperson (Ms Bast-Tjeerde) represented the Bureau. The Committee elected Panama as its chair. The Credentials Committee established two lists: list A contained 85 members whose credentials were found valid. List B contained 37 parties which had submitted credentials but not in the form required. The Credentials Committee recommended that credentials of both lists be accepted on the understanding that valid credentials for list B be submitted to the Director-General of FAO as soon as possible.

5. REPORT BY THE COMMISSION ON PHYTOSANITARY MEASURES CHAIRPERSON

11. Mr Kedera, the CPM Chairperson, presented his report³. He stressed the importance of finding a mechanism to ensure sufficient funding to sustain the activities of the IPPC, both in terms of funding and personnel. In the absence of sufficient resources, the IPPC would not be able to sustain the level of activities reached over the past few years. The proposed Business Plan would be a useful tool to attract additional funding, hence the need critically to examine it during the discussion on that subject.

12. The Chairperson felt that, as was stated in his report to CPM-1 (2006), it was still necessary to raise the profile of the IPPC in order to obtain adequate resources and also to improve and enhance the technical capability of the IPPC, ensuring that it would be able to meet its goals.

13. The Chairperson noted the evaluation of the IPPC and hoped that delegates would be able to provide creative and constructive opinions on the report, so that the final version presented to the FAO Programme Committee would be fully representative of the IPPC community.

14. He noted that the lack of staff in the IPPC Secretariat and uncertainties about future improvements were becoming chronic problems.

15. He also noted other topics of interest which would require future attention, such as a compliance mechanism, the international recognition of pest free areas and reference laboratories.

16. He noted the departure of Mr van der Graaff, former IPPC Secretary, who had retired recently, and welcomed the new Secretary, Mr Kenmore, who was bringing a wealth of expertise to the IPPC.

17. Delegates gave a round of applause in appreciation of the work of Mr van der Graaff.

6. REPORT BY THE SECRETARIAT

18. The Secretary presented the Secretariat's report⁴, noting that for the first time it also included activities of FAO regional plant protection officers, who were present in the session.

19. He noted the contributions made to the Trust Fund for the IPPC and in-kind, giving thanks to the USA, the Republic of Korea, the Cook Islands, the Netherlands, the Inter-American Institute for Cooperation on Agriculture (IICA), and also to the many other organizations that had contributed to the running of expert working groups and technical panels.

20. He noted that the Standards Committee (SC) had met twice in 2006, sending five draft ISPMs and several proposed amendments to ISPM No. 5 for country consultation, during which over 2300 comments were received. He reported on a number of CPM-1 decisions that were still to be

³ CPM 2007/INF/2

⁴ CPM 2007/21

implemented in the standard setting area and welcomed the development of training material on pest risk analysis.

21. The Secretary noted the marked improvement of the accuracy of contact point details, but mentioned that up-to-date information or nominations of contact points were still missing for some countries.

22. The Secretariat had not been able to commit resources to defining standards in relation to electronic certification, but was continuing to monitor activities in that area. Other activities that were not carried out due to a lack of staff resources were also mentioned.

23. Details on technical assistance achievements in 2006 were given.

24. Noting the retirement of his predecessor, Mr van der Graaff, the Secretary said that he would strive to continue his work and hoped to bring new perspectives. After such a short time as Secretary, he had already noted how resources were stretched. The Business Plan seemed, in that respect, to be a useful tool to look at opportunities and challenges. The lack of Secretariat staff had resulted in the incapacity to carry out some tasks requested by CPM-1.

25. The Secretariat continued to participate in meetings held by other organizations within the limits of available resources.

26. Several delegates welcomed the recently released Arabic navigation capability of the International Phytosanitary Portal (IPP), the participation of regional offices and regional plant protection officers for providing support to countries and the Secretariat for its ongoing activities. Countries that had contributed by funding meetings were thanked.

27. Several delegates mentioned the importance of pest risk analysis and its application, and appropriate structures for plant quarantine.

28. Several delegates from West Africa expressed their concern over the spread of *Bactrocera invadens* and the need for the implementation of projects. Others had concerns over financial issues and transparency.

29. The CPM:

1. *Expressed* its gratitude to countries and organizations that had provided assistance and resources to the work programme;
2. *Noted* the information provided by the Secretariat on progress on the work programme since CPM-1.

7. REPORT OF THE TECHNICAL CONSULTATION AMONG REGIONAL PLANT PROTECTION ORGANIZATIONS⁵

30. The Chairperson of the 18th Technical Consultation among RPPOs reviewed topics that had been discussed at the meeting, such as the definition of a public officer able to issue phytosanitary certificates, reference laboratories and pest free areas.

31. He noted that the Technical Consultation was extremely constructive and he regretted that several RPPOs had not been able to attend, as the meetings were a useful forum for RPPOs to learn from each other and make progress together.

32. The CPM:

1. *Noted* the report.

⁵ CPM 2007/INF/1

8. REPORT OF OBSERVER ORGANIZATIONS

8.1 Report on the Activities of the WTO Sanitary and Phytosanitary Committee⁶

33. The WTO representative outlined work undertaken in 2006 by the WTO SPS Committee that was of relevance to the CPM and the IPPC, in particular discussions on regionalization, issues arising from the second review of the SPS Agreement and dispute settlement. The representative noted the invitation extended to the IPPC to present its mechanism for dispute settlement at the SPS Committee meeting in June 2007.

34. Assistance provided to the IPPC through the Standards and Trade Development Facility (STDF) was outlined, in particular: training on ISPM No. 15 (*Guidelines for regulating wood packaging material in international trade*); training on pest risk analysis (PRA); the development of generic PRA training materials; and use of the phytosanitary capacity evaluation (PCE) tool in the South Pacific region.

35. A brief outline of the new medium term strategy of the STDF was given (www.standardsfacility.org). The strategy emphasized coordination in the provision of SPS-related technical cooperation. Two coordination activities in Central America and East Africa were planned for 2007.

36. The CPM:
1. *Noted* the report.

8.2 Report of the Convention on Biological Diversity⁷

37. The CBD representative reminded the CPM that a memorandum of cooperation signed in February 2004 formalized the cooperation between the CBD and the IPPC Secretariats. The Conference of the Parties to the CBD (COP) had acknowledged the contribution made by the IPPC on invasive species and its role in promoting the objectives of the CBD. The COP serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety called for collaboration on other issues, in particular on risk assessment.

38. The CBD recognized that the work done under the IPPC contributed to biodiversity-related activities. Contracting parties to the IPPC were invited to submit information on alien invasions of pests of plants (including plants that were invasive alien species) to CBD national focal points in order to monitor progress towards the 2010 biodiversity targets outlined in COP-7 Decision VII/30.

39. The CBD representative reaffirmed that both Secretariats were working together on the development of a joint work programme (a decision made at CPM-1) and that this collaboration would be strengthened in the future.

40. A side-session discussed further cooperation between the CBD and IPPC in relation to the threats posed by invasive alien species.

41. The CPM:
1. *Noted* the report.

⁶ CPM 2007/INF/7

⁷ CPM 2007/INF/4

8.3 Other Observer Organizations

8.3.1 Report of the Montreal Protocol⁸

42. The Executive Secretary of the Ozone Secretariat referred to the issue of methyl bromide application as one of the treatments adopted in ISPM No. 15. He highlighted the fact that methyl bromide, a persistent pollutant which depleted the ozone layer, would be phased out, but quarantine and pre-shipment uses were exempted.

43. The Executive Secretary of the Ozone Secretariat encouraged further strengthening of the collaboration between the Ozone and IPPC Secretariats whereby the identification of opportunities and constraints to alternatives to methyl bromide should be given priority. Suggested activities included the participation of experts in each other's technical groups, and the establishment of a joint database on methyl bromide use.

44. The CPM:
1. *Noted* the report.

8.3.2 Report of the International Seed Testing Association⁹

45. The representative from the International Seed Testing Association (ISTA) briefly described the organization (a non-profit organization that currently had 73 voting member governments) and outlined its mandate, objectives and fields of activities. There were 21 official Seed Health Testing Methods in the ISTA Rules, and three new methods had been validated and proposed for inclusion into the ISTA Rules in 2007. He urged the IPPC further to strengthen collaboration, especially in the areas of sampling, analysis of seed lots for the presence of invasive species and methods for the detection of host-pathogen combinations.

46. The CPM:
1. *Noted* the report.

8.3.3 Report of the World Organisation for Animal Health (OIE)¹⁰

47. The OIE representative gave a brief overview on progress made under its Fourth Strategic Plan (2005-2009), in particular with regard to transparency in the global animal disease situation; the development of scientifically-based standards; work done towards strengthening the OIE's five regional organizations; the establishment of guidelines for the prevention, control and eradication of animal diseases; and making determinations of OIE member countries' disease status for certain diseases.

48. The representative remarked that the IPPC and OIE goals were similar, and said that the OIE was continuing to collaborate with the Secretariats of the CBD and the IPPC, and with the WTO, on identifying gaps in the international framework for the management of invasive alien species.

49. The OIE, in collaboration with the Inter-American Institute for Cooperation on Agriculture, had developed a tool similar to the IPPC phytosanitary capacity evaluation tool for the evaluation of countries' veterinary services. The OIE representative also provided information on the OIE dispute settlement mechanism and noted with interest the mechanisms which have been developed under the IPPC.

⁸ CPM 2007/CRP/9

⁹ CPM 2007/CRP/8

¹⁰ CPM 2007/INF/10

50. The CPM:
1. *Noted* the report.

8.3.4 Other Organizations

51. The representative of the Inter-American Institute for Cooperation on Agriculture (IICA) presented a description of regional activities aimed at strengthening regional representation and at improving general compliance with the IPPC¹¹.
52. The representative of the African Union (AU) described its efforts in coordinating activities for its 53 member countries, with particular focus on capacity building and the development of appropriate information systems. She acknowledged the IPPC activities on information exchange and noted the significant increase of information being shared through the IPP as a direct result of those inputs.
53. A representative of the Southern Africa Development Community (SADC) gave a brief summary on the work planned to enhance information exchange for member countries in the South African region, and announced the launch of a knowledge networking programme in support of the IPPC¹².

9. STRATEGIC DIRECTION NO. 1: THE DEVELOPMENT, ADOPTION AND MONITORING OF THE IMPLEMENTATION OF INTERNATIONAL STANDARDS FOR PHYTOSANITARY MEASURES (STANDARD SETTING)

9.1 Report by the Chairperson of the Standards Committee

54. The Chairperson of the Standards Committee (SC) reported on the 2006 activities¹³. He noted that the SC had interpretation into four FAO languages for the first time and felt that it had helped the discussions.
55. The May meeting had focused on draft ISPMs for country consultation, specifications and technical panels' reports, as well as a document on improvements to the standard setting process. The November meeting had focused on draft ISPMs. He noted the SC-7's and stewards' huge work load and commended them for their excellent work. The SC had started the review of the draft ISPM on the establishment of areas of low pest prevalence for fruit flies (Tephritidae) but had not completed it. It had nevertheless recommended that the draft be considered by the CPM but agreed that if the number of comments received on the draft prior to the CPM was too large to be considered during the meeting, then the draft would be withdrawn and sent for further consideration.
56. The first diagnostic protocol would soon be submitted to members via the fast-track standard setting process.
57. Discussions on the improvement of the standard setting process were continuing and that item would be on the agenda of the next meeting. In the discussions, four elements were highlighted, i.e. the importance of regional workshops, the use of a professional editor, the work of stewards and the SC-7 (without which it would be impossible to approve ISPMs), and the extension of the standard setting process by one year to allow more time for consideration of comments.
58. The SC Chairperson voiced his appreciation of the decision by the Bureau and Secretariat to convene the full SC in May 2007, as originally it was intended that the full SC would not meet due to lack of funding.

¹¹ CPM 2007/CRP/12

¹² CPM 2007/CRP/11

¹³ CPM 2007/INF/5

59. Some delegates noted that technical assistance to developing countries would be necessary to enable the implementation of standards. In addition, the current funding policy was such that individuals from high income countries involved in the standard setting process could not be funded by the IPPC Secretariat to attend meetings. Some countries did not always have sufficient resources to allow participation in such demanding roles as a SC member or a steward, and therefore could have difficulties in properly performing those roles.

60. The CPM:
1. *Noted* the report.

9.2 Adoption of International Standards for Phytosanitary Measures

61. The Secretariat introduced six draft texts for consideration by the CPM¹⁴, which consisted of three new standards (*Recognition of pest free areas and areas of low pest prevalence*, *Establishment of areas of low pest prevalence for fruit flies (Tephritidae)*, *Phytosanitary treatments for regulated pests*), the revision of ISPM No. 2 (*Framework for pest risk analysis*), a supplement to ISPM No. 5 (*Debarked and bark free wood*) and some amendments to ISPM No. 5 (*Glossary of phytosanitary terms*).

62. The Secretariat thanked countries that had sent written comments two weeks in advance of the meeting as it facilitated discussion by allowing the Secretariat to compile and distribute them in hard copy format to members. Some additional comments were also presented in plenary. Working groups were established to consider the draft ISPMs and the comments. The steward for each ISPM had made a preliminary study of comments and made proposals for modification of the text.

63. The CPM thanked stewards for their guidance and for the valuable assistance provided during discussions.

9.2.1 Amendments to ISPM No. 5 (*Glossary of phytosanitary terms*)

64. A working group was chaired by a CPM Vice-Chairperson (Ms Bast-Tjeerde). The text was adjusted based on comments submitted before and during the plenary.

65. The new proposed term and definition for *phytosanitary security (of a consignment)* was referred back to the SC for further work, in particular consideration of transit and the relationship to regulated pests. The definition of *reference specimen(s)* was no longer proposed for deletion and it would remain in ISPM No. 5 but the SC should consider the expansion of the definition to cover all types of reference specimens.

66. The CPM:
1. *Adopted* the amendments to ISPM No. 5 (*Glossary of phytosanitary terms*) contained in Appendix 2;
2. *Requested* the SC to consider further the definitions for *phytosanitary security (of a consignment)* and *reference specimen(s)*.

9.2.2 Framework for pest risk analysis

67. A working group was chaired by a CPM Vice-Chairperson (Ms Bast-Tjeerde). The text was adjusted based on comments submitted before and during the plenary. Some comments proposed that the terms “hazard” and “initiation” be referred to the SC.

68. The CPM:

¹⁴ CPM 2007/2, CPM 2007/2/ADD/1

1. *Adopted* as ISPM No. 2 (2007), *Framework for pest risk analysis*, contained in Appendix 3.
2. *Requested* the SC to consider the development of definitions for the terms *hazard* and *initiation*.

9.2.3 *Phytosanitary treatments for regulated pests*

69. A working group was chaired by a CPM Vice-Chairperson (Ms Bast-Tjeerde). The text was adjusted based on comments submitted before and during the plenary.

70. The CPM:

1. *Adopted* as ISPM No. 28: *Phytosanitary treatments for regulated pests*, contained in Appendix 4.

9.2.4 *Recognition of pest free areas and areas of low pest prevalence*

71. A working group was chaired by a CPM Vice-Chairperson (Ms Bast-Tjeerde). The text was adjusted based on comments submitted before and during the plenary.

72. The CPM:

1. *Adopted* as ISPM No. 29: *Recognition of pest free areas and areas of low pest prevalence*, contained in Appendix 5.
2. *Requested* the Secretariat to provide information on this standard to the WTO SPS Committee.

9.2.5 *Establishment of areas of low pest prevalence for fruit flies (Tephritidae)*

73. A working group was chaired by Mr Holtzhausen (South Africa) and discussed the way forward with this standard. It was attended by approximately 20 member countries, including 6 members of the Standards Committee. Mr Holtzhausen noted that the working group displayed a very positive and cooperative attitude in finding a solution to finalize that important standard.

74. The working group agreed that the steward would revise the draft ISPM taking into account the comments made in the working group meeting and at the CPM. A timetable was agreed for the following process: comments received prior to the working group would be incorporated by the steward, the draft would be sent to a small support group composed of representatives from Australia, Canada, China, Japan, Mexico, South Africa and one COSAVE country. The additional input provided by this support group would be taken into account by the steward and a final draft would be given to the Secretariat, for submission to the Standards Committee in May 2007. It was suggested that the SC handled the draft standard as a priority in their work plan and noted that if the draft went forward again for member consultation, it should be indicated that all comments previously submitted had already been considered.

75. The CPM:

1. *Agreed* to the process proposed for revision of the standard by the steward and its resubmission to the Standards Committee at its meeting in May 2007.

9.2.6 *Debarked and bark-free wood*

76. A working group was chaired by Mr Sakala (Zambia) and discussed the way forward with this standard. It was attended by approximately 45 participants, including 6 members of the Standards Committee. The Chairperson noted that a lively discussion on how to proceed with the draft standard had taken place.

77. Some participants to the working group felt that some of the issues had been raised too late in the process and would have appreciated it if they could have been identified earlier. Participants felt that more guidance was needed on the topic and that the draft should not just present definitions. There were several views presented as to whether the topic should be presented as a supplement to ISPM No.

5 (*Glossary of phytosanitary terms*) or as a stand alone ISPM, with a preference towards having the topic redrafted as a stand-alone ISPM.

78. There was also discussion as to whether more data was needed on the subject. It was generally recognized that the bark survey presently being conducted would only gather data on ISPM No. 15 treated wood and that these data should be interpreted appropriately. It was pointed out that the topic of debarked and bark free wood was very broad and was not the same as the topic addressed in ISPM No. 15, which targeted only wood packaging material, so care would need to be taken to address these issues.

79. In order to progress this topic the working group recommended that the definitions proposed in the draft supplement were a good basis for the work of the SC. This did not however mean that the CPM was adopting these definitions. It was recommended that the CPM sends the topic back to the next meeting of the SC and request it to continue its work to develop a draft ISPM, considering the above points. In particular, the SC should consider a two-step approach, i.e. the first step being to work on the development of more detailed text to accompany the definitions and the second step to consider the relationship between pest risk and bark. The SC should also decide on the best way to move this topic forward urgently, making every effort possible to present a revised draft to CPM-3.

80. The CPM:

1. *Agreed* to the recommendations made by the working group and the resubmission of the draft to the Standards Committee at its meeting in May 2007.

9.3 IPPC Standard Setting Work Programme

81. The Secretariat introduced the IPPC standard setting work programme¹⁵ and the status of topics under development. It was noted that no new proposals for topics for standards were presented. New topics placed on the work programme by technical panels (TPs) with the approval of the SC were also presented.

82. Some members indicated that they did not feel that the TPs should be able to add topics to the work programme without the approval of the CPM especially taking into account the shortage of resources and the lack of definition of some criteria regarding priority setting. A CPM Vice-Chairperson (Mr Lopian) reminded the CPM that it had decided to give oversight of TPs to the SC and that TPs could not wait for new topics to be approved every two years. A member also indicated that each TP worked differently, for instance the Technical Panel on Phytosanitary Treatments must wait for treatment submissions before they could be evaluated and adopted, so flexibility in the process was required. New topics for standards would be called for in 2007 and the SC could still assign topics for new standards, approved by the CPM, to TPs as needed.

83. The CPM:

1. *Noted* the IPPC standard setting work programme (as presented in Appendix 6) and *requested* that no new topics be put on the work programme by technical panels through the Standards Committee until the CPM considered the outcome of the Focus Group on the standard setting process. However in the case of the Technical Panel on Phytosanitary Treatments, three thematic areas are on the work programme: wood packaging material treatments (ISPM No. 15); fruit fly treatments; irradiation treatments (ISPM No. 18). The development of treatments related to these three areas is considered as approved and no further prioritization is needed and development may therefore proceed under the fast-track process.
2. *Noted* that calls would be made for nominations of experts to participate in expert drafting groups to develop topics included in the standard setting work programme, and *encouraged* submission of nominations of experts by NPPOs and RPPOs;

¹⁵ CPM 2007/24

3. *Encouraged* submission, in response to the Secretariat's biennial call, of topics for new or revised standards by 31 July 2007.

9.4 Terms of Reference and Rules of Procedure for Technical Panels

84. The Secretariat introduced a paper on the terms of reference and rules of procedure for technical panels¹⁶. These had been considered and amended by both the Informal Working Group on Strategic Planning and Technical Assistance (SPTA) and the SC, with the SC approving a final version. Several issues relating to the membership of technical panels were raised which would require further consideration.

85. A common decision was taken for items under sections 9.4, 9.5, 9.7 and 10.1.2, and is reported under section 10.1.2.

9.5 Procedure and Criteria for Identifying Topics for Inclusion in the IPPC Standard Setting Work Programme¹⁷

86. The Secretariat explained that the original procedures were adopted by ICPM-4 (2002) and were identified as needing to be updated, primarily due to subsequent decisions made at ICPM-6 (2004), which had modified them. Several members indicated that issues such as a link to the aim of the IPPC and biodiversity should be added. Several issues required further consideration.

87. A common decision was taken for items under sections 9.4, 9.5, 9.7 and 10.1.2, and is reported under section 10.1.2.

9.6 IPPC Survey on Bark on ISPM No. 15 Marked Wood Packaging

88. The Secretariat introduced the survey¹⁸, indicating that, for the revision of ISPM No. 15, new data on potential pest risks associated with bark on wood packaging marked in accordance with ISPM No. 15 was needed. The Technical Panel on Forest Quarantine, with the approval of the SC, had consequently developed a survey protocol to assist with the collection of the relevant data.

89. A request was made to extend the deadline for submissions by two weeks to allow sufficient time for the survey to be completed in the best manner.

90. The CPM:

1. *Encouraged* contracting parties to participate in the survey and *submit* data to the IPPC Secretariat no later than 31 May 2007.

9.7 Transparency in the Standard Setting Process

91. A representative of Brazil, on behalf of his country, Chile and Paraguay, introduced a paper relating to transparency in the standard setting process¹⁹. The aim was to seek the best decision-making procedures and to avoid subsequent changes of priorities. He outlined several recommendations for improved transparency and highlighted the role of the IPP for informing contracting parties of their role in all steps of standard setting and to promote full participation.

92. Several members supported the recommendations. Several other members welcomed the initiative for improved transparency but were concerned with the practical implementation of some of

¹⁶ CPM 2007/5

¹⁷ CPM 2007/14

¹⁸ CPM 2007/25

¹⁹ CPM 2007/31

the recommendations, and felt that the workload of the Secretariat and stewards would increase to beyond their capacities. Several issues required further consideration.

93. A common decision was taken for items under sections 9.4, 9.5, 9.7 and 10.1.2, and is reported under section 10.1.2.

10. STRATEGIC DIRECTION NO. 5: THE MAINTENANCE OF AN EFFECTIVE AND EFFICIENT ADMINISTRATIVE FRAMEWORK

10.1 Modifications to the Rules of Procedure of the Commission on Phytosanitary Measures

10.1.1 Amendment of Rules II and VII of the Rules of Procedure of the Commission on Phytosanitary Measures²⁰

94. A CPM Vice-Chairperson (Ms Bast-Tjeerde) referred to the adoption of the rules of procedure of the CPM during CPM-1 (2006) as laid down in Article XI.7 of the IPPC and recalled that CPM-1 had decided to extend the Bureau from three to seven persons (one per FAO region). An amendment of Rule II.1 (Officers) of the rules of procedure had therefore been prepared.

95. Amendment of Rule VII (Observers) was also proposed to specify that any contracting party may attend subsidiary body meetings as an observer.

96. The CPM:

1. *Considered* the proposed amendments of Rule II.1 and Rule VII of the rules of procedure of the Commission on Phytosanitary Measures;
2. *Adopted* unanimously Rule II.1 (as amended) and Rule VII of the rules of procedure of the Commission on Phytosanitary Measures (as presented in Appendix 7);
3. *Noted* that a Bureau (consisting of one Chair, two Vice-Chairs and four additional members) would be elected at CPM-3 (2008);
4. *Agreed* that the Bureau would develop its rules of procedures for adoption at a later CPM.

10.1.2 Update of Annex I of the Rules of Procedure of the CPM on Development and Adoption of International Standards

97. The Secretariat introduced the revised Annex I to the rules of procedure of the CPM on the development and adoption of international standards²¹, as was requested by CPM-1 (2006). The revised annex outlined the process for the development of ISPMs and was divided into four stages: developing the IPPC standard setting work programme; drafting; member consultation; adoption and publication. The Secretariat indicated that the annex was an outline and not meant to provide detailed information, as detailed procedures on the various stages had already been adopted.

98. Several members commented on the document. One member indicated that the SC should, when necessary, use the right to delay standards when further consultation was needed and that the document on the criteria for further rounds of country consultation, as requested by ICPM-6, should be drafted by the SC as soon as possible. Several members supported the lengthening of the standard setting process and the submission to the next CPM of a document on proposals for improvement to the standard setting process, which the SC had been discussing at recent meetings.

99. A common decision was taken for items under sections 9.4, 9.5, 9.7 and 10.1.2 and is reported in the next paragraph.

100. The CPM:

²⁰ CPM 2007/4

²¹ CPM 2007/10

1. *Decided* to convene a Focus Group to review the IPPC standard setting procedures, in particular areas discussed under CPM-2 agenda items 9.4, 9.5, 9.7 and 10.1.2, and *invited* members to submit comments to the Secretariat on these agenda items by 1 May 2007;
2. *Adopted* the terms of reference for the Focus Group as presented in Appendix 8;
3. *Decided* that the Focus Group would be composed of 10 persons (as selected by a Friends of the Chair meeting, with one person per FAO region and three other members) as presented in Appendix 8;
4. *Agreed* that, at the meeting of the SPTA in October 2007, a two-day session be held to analyze the findings of the Focus Group, and the outcome be considered by the SC and CPM.

10.2 Informal Working Group on Strategic Planning and Technical Assistance

10.2.1 Report of the First Meeting of the CPM Informal Working Group on Strategic Planning and Technical Assistance

101. The Chairperson of the SPTA presented the report of the first meeting of the CPM SPTA²², which provided an overview of the major topics discussed under the current six Strategic Directions.

102. The CPM:

1. *Noted* the report.

10.2.2 Continuation of the CPM Informal Working Group on Strategic Planning and Technical Assistance²³

103. The Chairperson of the SPTA recalled that CPM-1 (2006) had decided that the SPTA should be formalized and that the enlarged Bureau would form its core group. Proposed terms of reference and rules of procedure had been developed by the SPTA in 2006. It was recommended that the SPTA should not be formalized but remain informal and open-ended to ensure that the whole membership could participate in its work on an equal basis.

104. The CPM:

1. *Adopted* the terms of reference and rules of procedure for the SPTA, as amended, as presented in Appendix 9;
2. *Agreed* that the SPTA should meet in October 2007 with the same structure as in 2006 (i.e. core group of 10 members; chairpersons of the subsidiary bodies for the relevant agenda points; other interested persons from contracting parties);
3. *Confirmed* the composition of the core group of the SPTA which would meet in October 2007, as presented in Appendix 10;
4. *Agreed* that the SPTA constitutes the “others as approved by CPM” as written in Rule II.1 of the rules of procedure of the CPM.

10.3 IPPC/CPM Activities

10.3.1 State of Membership to the IPPC

105. The Coordinator presented the state of membership of the IPPC²⁴, indicating that there were currently 161 contracting parties. Since CPM-1, thirteen new contracting parties had joined: Armenia, Burundi, Cameroon, Comoros, Georgia, Madagascar, Maldives, Myanmar, Namibia, Nepal, Palau, Qatar, Sao Tome et Principe, Tuvalu and Ukraine. He welcomed the new members to the IPPC.

²² CPM 2007/INF/3

²³ CPM 2007/20

²⁴ CPM 2007/INF/8

10.3.2 Statement of Commitment²⁵

106. The document was presented by the Secretariat, who explained that it had been submitted to the CPM through the SPTA and SC. The purpose of the document was to ensure that individuals nominated for IPPC bodies such as the SC, expert working groups and technical panels were aware of the work and expectations involved in membership of the bodies before accepting their nomination. The form also encouraged nominees to discuss the nomination and associated commitment with their supervisor and/or government as often experts nominated and selected for bodies were not able to attend meetings because their supervisor or government would not release them. The commitment was not meant to be binding, but rather was seen as a means to communicate the role and responsibility of a nominee for a body and to help the Secretariat ensure that experts were available and would attend meetings.

107. Several members wondered when such a statement should be delivered. It was clarified that it should be sent to the Secretariat at the time of nomination, before final selection.

108. Several members indicated that early notification and invitation letters sent sufficiently in advance would give employers time to agree to release the nominees.

109. The CPM:

1. *Agreed* to the concept of a written statement of commitment from nominees;
2. *Noted* the form as presented in Appendix 11.

10.3.3 Declaration of Interests of Experts within the Framework of the IPPC²⁶

110. The declaration was presented by the Secretariat. It was explained that the Director-General of FAO required that the form be submitted by those experts selected by the Director-General or by the Secretariat to take part in FAO meetings. Experts nominated or selected by a government or intergovernmental organization would not have to complete and submit the form. For the IPPC, the need for the use of the declaration form would mostly be limited to those experts chosen in their individual capacity by the Secretariat.

111. An inconsistency was noted in the introductory text of the declaration and in the accompanying form. The Secretariat would forward the information to FAO Legal Service for its consideration.

112. The CPM:

1. *Noted* the declaration of interests form for experts participating in IPPC meetings as presented in Appendix 12.

10.3.4 Acceptance of Documents in Electronic Format²⁷

113. The Secretariat presented a form aimed at identifying those NPPOs and RPPOs that would agree to use electronic versions of documents for correspondence from the IPPC Secretariat that was sent to all NPPOs and RPPOs. This would not affect the current processes for specific IPPC meetings or FAO Director-General correspondence.

114. It was noted that files should be posted on the IPP as word processing files (and not PDF). In addition, some contracting parties requested that each contact point would be allowed to have several email addresses which could be notified of the posting. It was suggested that contracting parties should have the choice of either being notified of the availability of documents on the IPP, or receiving

²⁵ CPM 2007/16

²⁶ CPM 2007/27

²⁷ CPM 2007/29

documents by email. Having multiple mechanisms for the distribution of electronic documentation would require resources and the Secretariat would implement the above suggestions as resources allow. In the interim documents might only be posted on the IPP.

115. The CPM:

1. *Requested* contact points in NPPOs and RPPOs to inform the Secretariat by mail before 31 August 2007, using the text in Appendix 13 (as amended), if they no longer required hard copies of correspondence.

10.4 Business Plan

10.4.1 Revised Business Plan 2007 - 2011 (including the Strategic Plan)

116. The revised business plan²⁸ was presented by a CPM Vice-Chairperson (Mr Lopian). He outlined the evolution of the business plan, from its first draft to its present state, which also included the strategic plan. The revised business plan had been drafted by the Bureau and the Secretariat and was submitted to the CPM through the SPTA. The Bureau considered that it was the business plan of the CPM, not the IPPC, and it presented the vision of the governing body, not of the Convention itself. The Vice-Chair stated that the business plan was based on expectations and projections rather than availability of resources. He thanked especially the coordinator for his many hours of detailed work on revising the business plan.

117. Members welcomed the new business plan and agreed that it was a useful tool for the promotion of the IPPC with FAO Conference and other relevant bodies. Suggestions for additions and revisions were made, particularly on strategic goal 6 (International promotion of the IPPC and cooperation with relevant regional and international organizations) and strategic goal 7 (Review of the status of plant protection in the world), which would be incorporated. Members supported the proposal for a full-time Secretary of the IPPC.

118. Some members wondered if the timing for the revised business plan was appropriate, given that the independent evaluation of the IPPC was not finished. It was explained that any revision required due to decisions resulting from the evaluation could be made at a later date. In the meantime the business plan would be a useful tool for promotion of the IPPC.

119. One member expressed concern that the present financial support was not clearly stated in the business plan. It was suggested that a letter accompanying the business plan outlined the present financial state and highlighted the gap between the current and the desired future financial situation.

120. The CPM:

1. *Noted* that the business plan had been revised and included a section on the strategic directions for the CPM, which contained seven five-year goals;
2. *Agreed* that the business plan be reconsidered annually by the SPTA in order to recommend whether or not any changes were needed. There should be a major review every five years. The business plan would be supported each year by an annual operational plan, with an associated budget that would describe the activities for the forthcoming year aimed at meeting the five-year goals;
3. *Agreed* that the goals covered the core activities of the CPM;
4. *Adopted* the Business Plan for the CPM, as amended (distributed separately);
5. *Agreed* that from 2008 the expected outputs in the operational plan be adopted by CPM.

²⁸ CPM 2007/23

10.5 Financial Report and Budget

10.5.1 Financial Report 2006²⁹

121. The Secretariat presented the report on the IPPC Secretariat's expenditure in 2006 of the funds provided by the FAO regular programme, all trust funds established for the IPPC and in-kind contributions. The Secretariat acknowledged the in-kind contributions made by many members and organizations during 2006, such as assisting with running of meetings, and releasing and funding experts to take part in various groups. The in-kind contributions were not reflected in the figures.

122. The CPM:

1. *Noted* the revenues and expenditures of the IPPC Secretariat for 2006;
2. *Thanked* the European Community for its contribution to help facilitate developing country participation in the standard setting process;
3. *Thanked* all the members and organizations that had made in-kind contributions.

10.5.2 Financial Report for the Trust Fund for the IPPC for 2006

123. The Secretariat introduced the financial report for the Trust Fund for the IPPC for 2006³⁰.

124. The CPM:

1. *Noted* the contributions to the Trust Fund for the IPPC;
2. *Accepted* the expenditures against the Trust Fund for the IPPC;
3. *Thanked* the Governments of Canada, New Zealand and the United States for their contributions to the Trust Fund for the IPPC;
4. *Encouraged* contracting parties to contribute to the Trust Fund for the IPPC for the year 2007.

10.5.3 Operational Plan for 2007

125. The Secretariat presented the operational plan (based on the 2006 strategic plan) and associated budget for 2007³¹, which described the activities that would be carried out by the Secretariat using the resources from the FAO regular programme and from the various trust funds. Activities had been prioritized by the SPTA and some would need to remain on hold unless additional funding became available.

126. The Secretariat detailed the proposed activities under each of the six strategic directions.

127. Some members requested that the outputs be presented together and clearly identified, in order to be adopted.

128. One Member stated that strategic direction 1 (standard setting) was believed to be most important for CPM, and that it should have a higher relative weight (priority) compared to the other strategic directions. Some members queried whether priorities had been established for those activities that had been put on hold in case resources became available. The Secretariat explained that priorities would depend on many factors including staff availability. If funds became available, the Bureau would be contacted and priorities identified.

129. Several members noted that specific financial contributions could more easily be made available if they could be related to an activity for which costs and potential outcomes had been clearly defined.

²⁹ CPM 2007/3

³⁰ CPM 2007/7

³¹ CPM 2007/26

130. The CPM:

1. *Noted* the anticipated revenues and budgeted expenses for 2007;
2. *Noted* that as no additional contributions to the Trust Fund for the IPPC had been made to date, various activities planned for 2007 may not be undertaken;
3. *Thanked* the United States and the European Community for their extra-budgetary contributions.

10.5.4 Budget for the Trust Fund for the IPPC for 2007

131. The Secretariat presented the budget for 2007 for the Trust Fund for the IPPC³², and the proposed allocation of funds. No indication had been received of new contributions in 2007.

132. The CPM:

1. *Noted* the anticipated carry over from 2006 to the Trust Fund for the IPPC for 2007;
2. *Agreed* to the proposed allocations of funds for the Trust Fund for the IPPC to the various activities as presented in Appendix 14;
3. *Noted* that as of March 2007, the Secretariat has received no indication from any contracting party of an intention to contribute to the Trust Fund in 2007;
4. *Actively encouraged* contracting parties to contribute to the Trust Fund for the IPPC.

10.6 Potential Funding Arrangements of the IPPC³³

133. A CPM Vice-Chairperson (Mr Lopian) gave a presentation on potential funding arrangements of the IPPC, reflecting on past funding arrangements and the outcomes of discussions at the SPTA meeting. Voluntary contributions and fees or service charges had been envisaged but it was suggested not to pursue those options. In-kind contributions were considered a favoured way to provide contributions and he suggested that the CPM developed and implemented a strategy to encourage such contributions. A promotion strategy for multilateral trust funds was also needed. More project-oriented trust fund contributions could also be promoted. He insisted that providing sufficient staff resources to the IPPC Secretariat was imperative in order to maintain its efficacy.

134. The Vice-Chairperson recalled the Director-General's suggestion, in his opening speech, that a high level ministerial meeting be held. This would contribute to better awareness of the IPPC/CPM, but would require careful planning. He suggested that possible topics could be considered by the SPTA and then presented to CPM-3 (2008) so that such a meeting could be planned for CPM-4 (2009). Many members expressed support for the proposal.

135. The representative of the WTO recalled that the WTO SPS Committee received regular updates from the IPPC on its activities and the problematic status of the IPPC finances had been regularly noted. Various WTO members had underlined the need for the IPPC to be given the financial resources necessary to discharge its mandate.

136. The representative of the WTO recommended that the IPPC communicate in its entirety the business plan agreed at the CPM to the WTO SPS Committee. He further suggested that note be taken of the present funding gap faced by the IPPC. In the context of the decision to organize a high level ministerial event at CPM-4, the IPPC was also invited to communicate the business plan to the Director-General of the WTO. It was noted that activities undertaken as part of the Trust Fund for the IPPC were relevant to the mandate given to the WTO Director-General at the Doha Ministerial Conference. The mandate concerned efforts to facilitate the participation of WTO members at all levels of development and in particular least-developed countries, in the work of international standard-setting bodies.

³² CPM 2007/9

³³ CPM 2007/6

137. The CPM:

1. *Decided* that the subject of mandatory assessed contributions should not be further pursued as a mechanism to supplement the IPPC budget, unless in the framework of a possible future general revision of the IPPC;
2. *Decided* that the subject of voluntary assessed contributions should not be further pursued as a mechanism to supplement the IPPC budget, unless recommendations of the independent evaluation of the IPPC or a possible future general revision of the IPPC warranted it;
3. *Noted* investigations made into service charges or fees and the consensus of the SPTA that this was impractical at this time. However, the CPM also *noted* that it did not preclude investigation of further service charges or fees options that could occur in the future;
4. *Invited* countries to provide in-kind contributions and the IPPC Secretariat to develop and implement a strategy to promote the provision of these;
5. *Stressed again* the need for a promotion strategy, developed by the IPPC Secretariat, for the Trust Fund for the IPPC, and for a more project-oriented planning of the activities carried out under the trust fund, with costing of activities and potential donors invited to pledge their financial support to projects;
6. *Agreed* on actions pertaining to the above, and in particular:
 - i) to promote the establishment of bilateral trust funds
 - ii) to develop project-oriented planning for the multilateral trust fund for consideration by the SPTA in 2007
 - iii) to develop a promotion strategy to invite contributions to the trust funds for consideration by the SPTA in 2007.
7. *Agreed* that recommendations on topics, goals, agenda and timing for a high level ministerial event for CPM-4 (2009) be prepared by the Bureau with assistance from the IPPC Secretariat to be submitted to CPM-3 through SPTA.

10.7 International Recognition of Pest Free Areas

10.7.1 Report of the Data Collection on Pest Free Areas³⁴

138. The Secretariat presented summary information on the outcome of the survey on pest free areas (PFAs). A total of 94 survey responses were received from 41 countries. The information was summarized by region and the range of commodities and pests covered by the PFAs was presented.

139. The CPM:

1. *Noted* the results of the pest free area survey undertaken by the Secretariat.

10.7.2 Composition and Terms of Reference for a Working Group to Undertake a Feasibility Study on the International Recognition of Pest Free Areas³⁵

140. The Secretariat presented a follow-on report based on a decision at ICPM-7 (2005) to undertake a feasibility study on the international recognition of PFAs taking into account legal, technical and economic factors, and assess the feasibility and sustainability of such a system. The terms of reference of the working group were developed by a focus group, reviewed by the SPTA and adopted by CPM-1 (2006).

141. Some members suggested that the feasibility study be separated into two steps, i.e. the work to be carried out by an open-ended working group followed by a working group with a composition that could be greater than proposed in the terms of reference adopted by CPM-1.

142. The CPM:

³⁴ CPM 2007/11

³⁵ CPM 2007/13

1. *Agreed* that an open-ended working group be established to undertake a feasibility study on the international recognition of pest free areas;
2. *Confirmed* that the terms of reference adopted by CPM-1 and revised by CPM-2 (Appendix 15) be used for the open-ended working group;
3. *Agreed* that the open-ended working group presents the results of its study to CPM-4 through the SPTA;
4. *Agreed* that as an outcome of CPM-4 a smaller working group of experts may be established to develop this further.

10.8 IPPC Evaluation

10.8.1 Update from the IPPC Evaluation Team

143. The evaluation team leader presented the draft report and findings of the evaluation of the IPPC³⁶. The evaluation team undertook various activities during the evaluation, such as visiting countries, meeting with NPPOs and RPPOs and sending out a comprehensive questionnaire. The main findings for standard setting, information exchange, technical assistance, dispute settlement, the Secretariat, governance structures and financial resources were outlined.

144. One member had submitted comments in writing on the draft report before the CPM, and others during the meeting. Several members asked for clarifications about various aspects of the report. Comments and feedback were given on many aspects of the report. The CPM discussed the need for further consideration of the report prior to its presentation to the FAO Programme Committee in September 2007, and a friends of the chair meeting was convened to discuss the issue. Suggestions, which are detailed below and were endorsed by the CPM, were proposed for an extraordinary meeting of the SPTA to consider.

145. One member noted that it would have been a more holistic approach if the outcome of the extraordinary meeting of the SPTA had gone first to the CPM. However, given the timing of the FAO Programme Committee meeting, the outcome of the extraordinary meeting of the SPTA, if consensus was reached, could go directly to the FAO Programme Committee.

146. One member questioned the statement in the report that the IPPC made no effort to attract donor funding to support technical assistance. With respect to the text and recommendations in the draft report in regards to technical assistance, some members noted that clarification was needed in the final report to remove any misunderstanding that was created by the current wording.

147. The CPM:

1. *Considered* the draft evaluation report;
2. *Provided* feedback to the evaluation team on issues and recommendations meriting further clarification;
3. *Noted* that the final evaluation report would be presented to the FAO Programme Committee at its 98th session in September 2007;
4. *Agreed* that a key opportunity existed to influence the FAO Programme Committee thinking and decisions in September 2007 regarding future funding and support for the IPPC;
5. *Agreed* that an extraordinary meeting of the SPTA should be convened during the week of 18 June 2007 to review the recommendations of the final evaluation report and generate CPM positions and other input for the Programme Committee;
6. *Agreed* that the SPTA should focus on the recommendations that were FAO-relevant, to ensure a coherent and targeted response on decisions affecting the IPPC which fell within the jurisdiction of FAO;
7. *Requested* the Secretariat to distribute copies of the final evaluation report as soon as it was available;

³⁶ CPM 2007/30

8. *Encouraged* contracting parties to provide comments on the recommendations to the Secretariat no later than 15 June 2007;
9. *Agreed* that only positions established by consensus in the extraordinary meeting of the SPTA would go forward to the Programme Committee;
10. *Agreed* that the SPTA would in its analysis refer to the adopted 5-year business plan to illustrate and support its positions to the FAO Programme Committee;
11. *Agreed* that the same report that went to the Programme Committee would be posted on the IPP;
12. *Encouraged* members to use the report posted on the IPP to inform their respective delegations participating in the FAO Programme Committee, FAO Council and FAO Conference.
13. *Noted* that the final evaluation report and its implications for the budget would be further discussed at CPM-3.

11. STRATEGIC DIRECTION NO. 2: INFORMATION EXCHANGE

11.1 Details on Information Exchange and the IPP³⁷

148. The Secretariat provided a summary of information exchange activities for 2006 and highlighted areas of work to be undertaken in 2007.

149. There had been a marked increase in the reliability of contact information for IPPC contact points but their maintenance was an ongoing process and relied on countries maintaining the information or providing it to the Secretariat in a timely manner.

150. It was noted that the International Phytosanitary Portal (IPP) was being increasingly utilized by contracting parties to meet their information exchange obligations under the IPPC. This was largely as a result of significant capacity building efforts for information exchange under the IPPC over the past 18 months. The capacity building programme was ongoing.

151. The IPP had been available in Arabic as a navigation language since 1 March 2007. Navigation in Chinese should be available by the end of July 2007.

152. The next information management and IPP development phase would include improving data retrieval for official information, revision of the phytosanitary capacity evaluation (PCE) programme, storage of information in support of the implementation of the IPPC and the management of information for reporting to the CPM.

153. The CPM:

1. *Noted* the ongoing activities relating to information exchange.
2. *Requested* the IPP Support Group to consider the need and if appropriate develop terms of reference for a possible working group for the development of an IPPC information management system. Recommendations by the IPP Support Group should be considered by the SPTA before further consideration by CPM-3.

12. STRATEGIC DIRECTION NO. 3: THE PROVISION OF DISPUTE SETTLEMENT MECHANISMS

12.1 Report by the Chairperson of the Subsidiary Body on Dispute Settlement

154. The Chairperson of the SBDS reported that the 5th Session of the SBDS was held on 21-22 March 2007 and that the report of the meeting had been finalized and distributed during CPM-2.

155. The IPPC Dispute Settlement Manual and advocacy document had been finalized and would be available in FAO languages by the end of May 2007. The documents would be used to describe the

³⁷ CPM 2007/22

IPPC Dispute Settlement system when it was presented by a CPM Vice-Chairperson (Mr Lopian) to an informal WTO SPS Committee meeting in June 2007.

156. In the future when FAO was consulted by members on phytosanitary disputes, these would be handled by the IPPC Secretariat. FAO may supply “Good Offices” to assist in informal discussions to solve such disputes. The SBDS would monitor such requests and provide advice as appropriate.

157. Detailed discussions were held on the proposed open-ended working group (OEWG) on compliance scheduled for September 2007. The meeting agreed that discussion at the OEWG would be exploratory in nature and the outcome of the meeting should be discussed by the SBDS and SPTA before going to CPM-4 (2009) for consideration. The SBDS had developed a programme for the four-day meeting, identified organizations to be invited, specific issues to be addressed, and developed a questionnaire for participants in order to facilitate discussions at the meeting. It was suggested that the WTO Secretariat be invited to participate.

158. The SBDS also suggested revised terms of reference for the proposed OEWG on compliance for consideration by the CPM.

12.2 Amendment of the Terms of Reference and Rules of Procedure of the SBDS

159. Revised rules of procedure for the SBDS were presented³⁸.

160. The CPM:

1. *Adopted* the amended rules of procedure for the SBDS as presented in Appendix 16;
2. *Agreed* that the SBDS should continue to work in English until additional resources become available.

12.3 Open-ended Working Group on Compliance

161. The CPM considered the draft terms of reference for the proposed OEWG on compliance³⁹ and agreed that the outcome of the OEWG would be considered by the SBDS and SPTA in 2008 before submission to CPM-4 (2009) for consideration.

162. The CPM:

1. *Modified* and *approved* the terms of reference for the open-ended working group on compliance as presented in Appendix 17.

13. STRATEGIC DIRECTION NO. 4: THE DEVELOPMENT OF THE PHYTOSANITARY CAPACITY OF MEMBERS BY PROMOTING THE PROVISION OF TECHNICAL ASSISTANCE

13.1 Analysis of the Application of the PCE Tool

13.2 Informal Working Group on Phytosanitary Capacity Evaluation

163. The representative of CAB International reported on the analysis of the application of the phytosanitary capacity evaluation tool (PCE)⁴⁰ which was commissioned by ICPM-6. It noted the positive impacts of the PCE with respect to its intended use, in particular on national strategic planning, justification for budgetary allocation, legal frameworks, training and awareness raising. It noted however that the PCE results were not often used externally, for instance in seeking external funding for phytosanitary capacity building.

³⁸ CPM 2007/12

³⁹ CPM 2007/17, CPM 2007/17/ADD/1

⁴⁰ CPM 2007/18

164. The report identified possible options for the improvement of the PCE and other tools which could address the broader objectives of the phytosanitary evaluation process.

165. Recommendations presented in the report were considered and discussed, taking into account the report of the Informal Working Group on PCE (IWG-PCE)⁴¹ which met in December 2006 to, among other things, review the draft CABI report.

166. The CPM:

1. *Commented* on the CABI report;
2. *Commented* on the review carried out by the IWG-PCE of the CABI analysis;
3. *Agreed* that the recommendations provided by CABI and the comments of the IWG-PCE should be further considered by the 19th Technical Consultation among Regional Plant Protection Organizations and then by the SPTA for final presentation to CPM-3.

14. STRATEGIC DIRECTION NO. 6: PROMOTION OF THE IPPC AND COOPERATION WITH RELEVANT INTERNATIONAL ORGANIZATIONS

14.1 Liaison with Research, Education and Other Institutes

167. The Secretariat provided a summary of the proposed work programme for Liaison with Research, Education and Other Institutes⁴². It was recommended that the implementation of such a programme depended on extra-budgetary resources and should be viewed as a first phase of work in that area. Further phases of work would be subject to CPM approval.

168. The CPM:

1. *Considered* the proposed work programme;
2. *Adopted* the work programme presented in Appendix 18;
3. *Agreed* that the IPPC Secretariat only implement the adopted work programme if extra-budgetary resources become available.

14.2 Report on the Promotion of the IPPC and Cooperation with Relevant International Organizations

169. The Secretariat provided a brief overview of cooperation with relevant international organizations⁴³. Such cooperation involved, in particular, CAB International, Codex Alimentarius Commission, Convention on Biological Diversity (CBD), International Atomic Energy Agency (IAEA), International Centre for Insect Physiology and Ecology, International Forestry Quarantine Research Group, International Seed Testing Association (ISTA), Standards and Trade Development Facility (STDF), WTO SPS Committee, World Organisation for Animal Health (OIE) and the Montreal Protocol.

170. Informal cooperation continued with Codex Alimentarius and the OIE. The representative of the Codex Alimentarius Commission indicated the willingness of Codex Alimentarius to cooperate with the IPPC in issues of mutual interest such as standard setting and transparency. The IPPC Secretariat had attended all formal and informal meetings of the WTO SPS Committee and the STDF working group. A conference call meeting between the IPPC and CBD Secretariats had been held and the IPPC Secretariat attended both the meeting of the Conference of the Parties to the CBD (COP) and the COP serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety. In addition the Technical Panel on the Glossary had provided input into the CBD's terminology database for invasive alien species and the CBD Secretariat had provided input to the development of PRA training material. A representative of ISTA had attended a Bureau meeting where funding options were discussed and a

⁴¹ CPM 2007/19

⁴² CPM 2007/8

⁴³ CPM 2007/28

combined symposium was considered where the two organizations could present topics for areas of collaboration.

171. The Secretariat indicated that there had been several interactions between the IPPC and Ozone Secretariats (including representatives of the Montreal Protocol), including participation of the IPPC Secretariat in the open ended working group to the Montreal Protocol, and representatives from the Ozone Secretariat participating in the meetings of the Technical Panel on Forest Quarantine and the expert working group (EWG) on alternatives to methyl bromide. The recent EWG involved with drafting a standard on alternatives to methyl bromide had highlighted the need to update the policy on the use of methyl bromide adopted at ICPM-5 (2003). This was underway and the Secretariat invited experts to contact them to provide input into updating the “Recommendation on the future of methyl bromide for phytosanitary purposes”.

172. The CPM:

1. *Noted* the report.
2. *Agreed* that the IPPC Secretariat should continue to cooperate and coordinate with the Ozone Secretariat on issues of common concern with a view to identifying and promoting activities that would benefit and enhance the coherence of the two international agreements. Such activities would include:
 - Inviting experts from the Montreal Protocol to IPPC meetings that were relevant for methyl bromide use in accordance with the relevant rules and procedures;
 - Exploring ways to coordinate data collection and information gathering on methyl bromide use for quarantine purposes and alternatives to this use;
 - Updating the “Recommendation on the future of methyl bromide for phytosanitary purposes” as adopted by ICPM-5 (2003) in consultation with experts and submitting it to the SPTA for consideration at its next meeting aiming at possible adoption at CPM-3.
3. *Encouraged* contracting parties to promote best fumigation practices, recapture technology and development and use of alternatives to methyl bromide in phytosanitary measures where this was technically and economically feasible.

15. COMPOSITION OF THE CPM BUREAU AND SUBSIDIARY BODIES⁴⁴

173. The Secretariat indicated that if the new terms of reference and rules of procedure of the SBDS were approved, nominations for potential replacements would be needed.

174. Nominations were also needed for two vacant positions on the SC and, as the replacement procedure had been activated for the SC, several nominations were also needed for vacant positions for potential replacements. The order of potential replacements was also requested.

175. The CPM:

1. *Noted* the current membership of the SC and SBDS as shown, respectively, in Appendix 19 and Appendix 20;
2. *Confirmed* the potential replacements and order of replacements for the SC and SBDS as shown, respectively, in Appendix 19 and Appendix 20.

16. CALENDAR

176. The Secretariat presented a tentative IPPC meeting calendar for 2007⁴⁵. It was noted that the dates and locations for some of the meetings still needed to be confirmed, and that all meetings were subject to change due to several factors such as the availability of resources and CPM decisions. The

⁴⁴ CPM 2007/15

⁴⁵ CPM 2007/INF/6, CPM 2007/INF/6/REV/1

Secretariat noted that the calendar was maintained on the IPP and that it should be checked regularly for updates.

177. The CPM:

1. *Noted* the IPPC meeting calendar for 2007.

17. OTHER BUSINESS

178. One member noted that other standard setting organizations, e.g. OIE, included sessions to consider scientific issues within their annual meetings. The CPM was asked to consider instituting a half day or one day session to consider issues such as new technology or new pest threats. Several members expressed support for this idea.

179. The CPM:

1. *Requested* the SPTA to examine this idea at a future meeting.

180. The CPM acknowledged the contribution made by Mr Vereecke, who was attending his last Commission meeting, to the work of the IPPC, especially through chairing the Committee of Experts on Phytosanitary Measures, the Interim Standards Committee and the Standards Committee.

181. The Chair of the FAO Region Africa thanked the various donors for the contributions made to support the attendance of African countries to the Commission. He hoped that such contributions could also be made in the future, and that delegates could be allowed to arrive earlier in order to hold pre-consultations prior to the CPM session.

18. DATE AND VENUE OF THE NEXT MEETING

182. The CPM:

1. *Agreed* that the next session of the CPM would be held at FAO, Rome, Italy, on 7-11 April 2008.

19. ADOPTION OF THE REPORT

183. The CPM *adopted* the report.

COMMISSION ON PHYTOSANITARY MEASURES**26-30 March 2007****AGENDA**

1. Opening of the Session
2. Adoption of the Agenda
 - 2.1 Provisional Agenda
3. Election of Rapporteur
4. Election of a Credentials Committee
5. Report by the CPM Chairperson
6. Report by the Secretariat
7. Report of the Technical Consultation among Regional Plant Protection Organizations
8. Report of Observer Organizations
 - 8.1 Report on the activities of the WTO Sanitary and Phytosanitary Committee
 - 8.2 Report of the Convention on Biological Diversity
 - 8.3 Other Observer Organizations
9. Strategic Direction No. 1: The Development, Adoption and Monitoring of the Implementation of International Standards for Phytosanitary Measures (ISPMs) (Standard Setting)
 - 9.1 Report by the Chairperson of the Standards Committee
 - 9.2 Adoption of International Standards
 - 9.3 IPPC Standard Setting Work Programme
 - 9.4 Terms of Reference and Rules of Procedure for Technical Panels
 - 9.5 Procedure and Criteria for Identifying Topics for Inclusion in the IPPC Standard Setting Work Programme
 - 9.6 IPPC Survey on Bark on ISPM 15 Marked Wood Packaging
 - 9.7 Transparency in the Standard Setting Process
10. Strategic Direction No. 5: The Maintenance of an Effective and Efficient Administrative Framework
 - 10.1 Modifications to the Rules of Procedure of the Commission on Phytosanitary Measures
 - 10.1.1 Amendment of Rules II and VII of the Rules of Procedure of the Commission on Phytosanitary Measures
 - 10.1.2 Update of Annex I of the Rules of Procedure of the CPM on Development and Adoption of International Standards
 - 10.2 Informal Working Group on Strategic Planning and Technical Assistance
 - 10.2.1 Report of the First Meeting of the CPM Informal Working Group on Strategic Planning and Technical Assistance
 - 10.2.2 Continuation of the CPM Informal Working Group on Strategic Planning and Technical Assistance
 - 10.3 IPPC/CPM Activities
 - 10.3.1 State of Membership to the IPPC
 - 10.3.2 Statement of Commitment
 - 10.3.3 Declaration of Interests
 - 10.3.4 Acceptance of Documents in Electronic Format

- 10.4 Business Plan
 - 10.4.1 Business Plan 2007-2011 (including strategic plan)
- 10.5 Financial Report and Budget
 - 10.5.1 Financial Report 2006
 - 10.5.2 Trust Fund for the IPPC: Financial Report 2006
 - 10.5.3 Operational Plan 2007
 - 10.5.4 Trust Fund for the IPPC: Budget for 2007
- 10.6 Potential Funding Arrangements of the IPPC
- 10.7 International Recognition of Pest Free Areas
 - 10.7.1 Report of the Data Collection on Pest Free Areas
 - 10.7.2 Composition and Terms of Reference for a Working Group to undertake a Feasibility Study on the International Recognition of Pest Free Areas
- 10.8 IPPC Evaluation
 - 10.8.1 Update from the IPPC Evaluation team
- 11. Strategic Direction No. 2: Information Exchange
 - 11.1 Details on Information Exchange and the International Phytosanitary Portal
- 12. Strategic Direction No. 3: The Provision of Dispute Settlement Mechanisms
 - 12.1 Report of the Chairperson of the Subsidiary Body on Dispute Settlement
 - 12.2 Amendments to the Terms of Reference and Rules of Procedure of the Subsidiary Body on Dispute Settlement
 - 12.3 Terms of References for the Open-ended Working Group on Compliance
- 13. Strategic Direction No. 4: The Development of the Phytosanitary Capacity of Members by Promoting the Provision of Technical Assistance
 - 13.1 Analysis of the Application of the PCE tool
 - 13.2 Informal Working Group on Phytosanitary Capacity Evaluation
- 14. Strategic Direction No. 6: Promotion of International Plant Protection Convention (IPPC) and Cooperation with relevant International Organizations
 - 14.1 Liaison with Research, Education and Other Institutes
 - 14.2 Report on Promotion of the IPPC and Cooperation with Relevant International Organizations
- 15. Composition of the CPM Bureau and Subsidiary Bodies
- 16. Calendar
- 17. Other Business
- 18. Date and Venue of the Next Session
- 19. Adoption of the Report

AMENDMENTS TO ISPM No. 5 (GLOSSARY OF PHYTOSANITARY TERMS)**1. NEW TERM AND DEFINITION**

integrity (of a consignment)	Composition of a consignment as described by its Phytosanitary Certificate or other officially acceptable document, maintained without loss, addition or substitution
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2. REVISED TERM AND DEFINITION

buffer zone	An area surrounding or adjacent to an area officially delimited for phytosanitary purposes in order to minimize the probability of spread of the target pest into or out of the delimited area, and subject to phytosanitary or other control measures, if appropriate
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3. DELETION FROM ISPM No. 5

- biological control

**INTERNATIONAL STANDARDS FOR
PHYTOSANITARY MEASURES**

ISPM No. 2

FRAMEWORK FOR PEST RISK ANALYSIS

(2007)

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APPENDIX 1

Pest risk analysis flow chart

ENDORSEMENT

This standard was endorsed by the Commission on Phytosanitary Measures in March 2007.

INTRODUCTION

SCOPE

This standard provides a framework that describes the pest risk analysis (PRA) process within the scope of the IPPC. It introduces the three stages of pest risk analysis – initiation, pest risk assessment and pest risk management. The standard focuses on the initiation stage. Generic issues of information gathering, documentation, risk communication, uncertainty and consistency are addressed.

REFERENCES

- Agreement on the Application of Sanitary and Phytosanitary Measures*, 1994. World Trade Organization, Geneva.
- Glossary of phytosanitary terms*, 2007. ISPM No. 5, FAO, Rome.
- Glossary supplement No. 2: Guidelines on the understanding of potential economic importance and related terms including reference to environmental considerations*. ISPM No. 5, FAO, Rome.
- Guidelines for the export, shipment, import and release of biological control agents and other beneficial organisms*, 2005. ISPM No. 3, FAO, Rome.
- International Plant Protection Convention*, 1997. FAO, Rome.
- Pest risk analysis for quarantine pests, including analysis of environmental risks and living modified organisms*, 2004. ISPM No. 11, FAO, Rome.
- Pest risk analysis for regulated non-quarantine pests*, 2004. ISPM No. 21, FAO, Rome.
- Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade*, 2006. ISPM No. 1, FAO, Rome.
- The use of integrated measures in a systems approach for pest risk management*, 2002. ISPM No. 14, FAO, Rome.

DEFINITIONS

Definitions of phytosanitary terms used in the present standard can be found in ISPM No. 5 (*Glossary of phytosanitary terms*).

Revised terms and definitions

pest risk analysis (agreed interpretation)	The process of evaluating biological or other scientific and economic evidence to determine whether an organism is a pest, whether it should be regulated, and the strength of any phytosanitary measures to be taken against it
pest risk assessment (for quarantine pests)	Evaluation of the probability of the introduction and spread of a pest and the magnitude of the associated potential economic consequences (see Glossary Supplement No. 2)

New terms and definition

pest risk (for quarantine pests)	The probability of introduction and spread of a pest and the magnitude of the associated potential economic consequences (see Glossary Supplement No. 2)
pest risk (for regulated non-quarantine pests)	The probability that a pest in plants for planting affects the intended use of those plants with an economically unacceptable impact (see Glossary Supplement No. 2)

OUTLINE OF REQUIREMENTS

The pest risk analysis (PRA) process is a technical tool used for identifying appropriate phytosanitary measures. The PRA process may be used for organisms not previously recognized as pests (such as plants, biological control agents or other beneficial organisms, living modified organisms), recognized pests, pathways and review of phytosanitary policy. The process consists of three stages: 1: Initiation; 2: Pest risk assessment; and 3: Pest risk management.

This standard provides detailed guidance on PRA Stage 1, summarizes PRA Stages 2 and 3, and addresses issues generic to the entire PRA process. For Stages 2 and 3 it refers to ISPMs No. 3, No. 11 and No. 21 dealing with the PRA process.

The PRA process is initiated in Stage 1 with the identification of an organism or pathway that may be considered for pest risk assessment, or as part of the review of existing phytosanitary measures, in relation to a defined PRA area. The first step is to determine or confirm whether or not the organism considered is a pest. If no pests are identified, the analysis need not continue. The analysis of pests identified in Stage 1 continues to Stages 2 and 3 using guidance provided in other standards. Information gathering, documentation and risk communication, as well as uncertainty and consistency, are issues common to all PRA stages.

BACKGROUND

Pest risk analysis (PRA) provides the rationale for phytosanitary measures for a specified PRA area. It evaluates scientific evidence to determine whether an organism is a pest. If so, the analysis evaluates the probability of introduction and spread of the pest and the magnitude of potential economic consequences in a defined area, using biological or other scientific and economic evidence. If the risk is deemed unacceptable, the analysis may continue by suggesting management options that can reduce the risk to an acceptable level. Subsequently, pest risk management options may be used to establish phytosanitary regulations.

For some organisms, it is known beforehand that they are pests, but for others, the question of whether or not they are pests should initially be resolved¹.

The pest risks posed by the introduction of organisms associated with a particular pathway, such as a commodity, should also be considered in a PRA. The commodity itself may not pose a pest risk but may harbour organisms that are pests. Lists of such organisms are compiled during the initiation stage. Specific organisms may then be analysed individually, or in groups where individual species share common biological characteristics.

Less commonly, the commodity itself may pose a pest risk. When deliberately introduced and established in intended habitats in new areas, organisms imported as commodities (such as plants for planting, biological control agents and other beneficial organisms, and living modified organisms (LMOs)) may pose a risk of accidentally spreading to unintended habitats causing injury to plants or plant products. Such risks may also be analysed using the PRA process.

The PRA process is applied to pests of cultivated plants and wild flora, in accordance with the scope of the IPPC. It does not cover the analysis of risks beyond the scope of the IPPC.

Provisions of other international agreements may address risk assessment (e.g. the Convention on Biological Diversity and the Cartagena Protocol on Biosafety to that convention).

The PRA structure

The PRA process consists of three stages:

- Stage 1: Initiation
- Stage 2: Pest risk assessment
- Stage 3: Pest risk management.

Information gathering, documentation and risk communication are carried out throughout the PRA process. PRA is not necessarily a linear process because, in conducting the entire analysis, it may be necessary to go back and forth between various stages.

Revision of this standard

This revision of ISPM No. 2 particularly addresses the issues of:

- aligning the text with the 1997 revision of the IPPC
- aligning the text with further conceptual developments of the PRA scope and procedures as appearing in ISPMs No. 3, No. 11 and No. 21
- including regulated non-quarantine pests (RNQPs) in the description of the PRA process
- including organisms not known beforehand to be pests in the description of the PRA process
- including aspects common to all PRA stages in the description of the PRA.

Thus, this standard provides detailed guidance on PRA Stage 1 and issues generic to all PRA stages, and refers to other ISPMs (identified in Table 1) as appropriate for further analysis through PRA Stages 2 and 3. This standard is conceptual and is not a detailed operational or methodological guide for assessors. An overview of the full PRA process is illustrated in Appendix 1.

Provisions of the IPPC regarding pest risk analysis

The International Plant Protection Convention (IPPC, 1997, Article VII.2a) requires that: “*Contracting parties shall not ... take any of the measures specified in paragraph 1 of this Article [i.e. phytosanitary measures] unless such measures are made necessary by phytosanitary considerations and are technically justified.*”

¹ The IPPC defines a pest as “*any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products*”. The understanding of the term “pests” includes organisms that are pests because they directly affect cultivated/managed or uncultivated/unmanaged plants, indirectly affect plants, or indirectly affect plants through effects on other organisms (c.f. Annex 1 of ISPM No. 11, 2004).

Article VI.1b requires that phytosanitary measures are: “*limited to what is necessary to protect plant health and/or safeguard the intended use and can be technically justified by the contracting party concerned.*”

“Technically justified” is defined in Article II.1 as: “*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.*”

Article IV.2f states that the responsibilities of the National Plant Protection Organization (NPPO) include “*the conduct of pest risk analyses*”. The issuing of regulations is a responsibility of the contracting party to the IPPC (Article IV.3c), although contracting parties may delegate this responsibility to the NPPO.

In conducting a PRA, the obligations established in the IPPC should be taken into account. Those of particular relevance to the PRA process include:

- cooperation in the provision of information
- minimal impact
- non-discrimination
- harmonization
- transparency
- avoidance of undue delay.

REQUIREMENTS

1. PRA Stage 1: Initiation

Initiation is the identification of organisms and pathways that may be considered for pest risk assessment in relation to the identified PRA area.

A PRA process may be triggered in the following situations (initiation points, section 1.1):

- a request is made to consider a pathway that may require phytosanitary measures
- a pest is identified that may justify phytosanitary measures
- a decision is made to review or revise phytosanitary measures or policies
- a request is made to determine whether an organism is a pest.

The initiation stage involves four steps:

- determination whether an organism is a pest (section 1.2)
- defining the PRA area (section 1.3)
- evaluating any previous PRA (section 1.4)
- conclusion (section 1.5).

When the PRA process has been triggered by a request to consider a pathway, the above steps are preceded by assembling a list of organisms of possible regulatory concern because they are likely to be associated with a pathway.

At this stage, information is necessary to identify the organism and its potential economic impact, which includes environmental impact². Other useful information on the organism may include its geographical distribution, host plants, habitats and association with commodities (or, for RNQP candidates, association with plants for planting). For pathways, information about the commodity, including modes of transport, and its intended end use, is essential.

1.1 Initiation points

1.1.1 Identification of a pathway

The need for a new or revised PRA for a specific pathway may arise in situations such as when

- import is proposed of a commodity not previously imported or a commodity from a new area of origin
- there is an intention to import for selection and/or scientific research a plant species or cultivar not yet introduced that could potentially be a host of pests
- a pathway other than commodity import is identified (natural spread, packing material, mail, garbage, compost, passenger baggage, etc.)
- a change in susceptibility of a plant to a pest is identified
- a change in virulence/aggressiveness or host range of a pest.

² Further information on this aspect is provided in *Supplement no. 2 (Guidelines on the interpretation and application of potential economic importance and related terms including reference to environmental considerations)* to ISPM No. 5 (*Glossary of phytosanitary terms*).

These are situations where the commodity itself is not a pest. When the commodity itself may be a pest, it should also be considered under section 1.1.4.

A list of organisms likely to be associated with the pathway should be assembled, including organisms that have not yet been clearly identified as pests. When a PRA is carried out for a commodity for which trade already exists, records of actual pest interceptions should be used as the basis for the listing of associated pests.

1.1.2 Identification of a pest

The need for a new or revised PRA on a specific recognized pest may arise in situations such as when

- an infestation or an outbreak of a new pest is discovered
- a new pest is identified by scientific research
- a pest is reported to be more injurious than previously known
- an organism is identified as a vector for other recognized pests
- there is a change in the status or incidence of a pest in the PRA area
- a new pest is intercepted on an imported commodity
- a pest is repeatedly intercepted at import
- a pest is proposed to be imported for research or other purpose.

In these situations, the fact that the organism is known to be a pest can be recorded in preparation for PRA Stage 2.

1.1.3 Review of phytosanitary policies

The need for a new or revised PRA may arise from situations such as when

- a national review of phytosanitary regulations, requirements or operations is undertaken
- an official control programme (e.g. a certification programme encompassing phytosanitary elements) is developed to avoid unacceptable economic impact of specified RNQPs in plants for planting
- an evaluation of a regulatory proposal of another country or international organization is undertaken
- a new system, process or procedure is introduced or new information made available that could influence a previous decision (e.g. results of monitoring; a new treatment or withdrawal of a treatment; new diagnostic methods)
- an international dispute on phytosanitary measures arises
- the phytosanitary situation in a country changes or political boundaries change.

In these situations, pests will already have been identified and this fact should be recorded in preparation for PRA Stage 2.

For existing trade, no new measures should be applied until the revision or new PRA has been completed, unless this is warranted by new or unexpected phytosanitary situations which may necessitate emergency measures.

1.1.4 Identification of an organism not previously known to be a pest

An organism may be considered for PRA in situations such as when

- a proposal is made to import a new plant species or variety for cropping, amenity or environmental purposes
- a proposal is made to import or release a biological control agent or other beneficial organism
- an organism is found which has not yet been fully named or described or is difficult to identify
- a proposal is made to import an organism for research, analysis or other purpose
- a proposal is made to import or release an LMO.

In these situations it would be necessary to determine if the organism is a pest and thus subject to PRA Stage 2. Section 1.2 provides further guidance in this matter.

1.2 Determination of an organism as a pest

Pre-selection or screening are terms sometimes used to cover the early step of determining whether an organism is a pest or not.

The taxonomic identity of the organism should be specified because any biological and other information used should be relevant to the organism in question. If the organism has not yet been fully named or described, then, to be determined as a pest, it should at least have been shown to be identifiable, consistently to produce injury to plants or plant products (e.g. symptoms, reduced growth rate, yield loss or any other damage) and to be transmissible or able to disperse.

The taxonomic level for organisms considered in PRA is usually the species. The use of a higher or lower taxonomic level should be supported by a scientifically sound rationale. In cases where levels below the species level are being analysed, the rationale for this distinction should include evidence of reported significant variation in factors such as virulence, pesticide resistance, environmental adaptability, host range or its role as a vector.

Predictive indicators of an organism are characteristics that, if found, would suggest the organism may be a pest. The information on the organism should be checked against such indicators, and if none are found, it may be concluded that the organism is not a pest, and the analysis may be ended by recording the basis of that decision.

The following are examples of indicators to consider:

- previous history of successful establishment in new areas
- phytopathogenic characteristics
- phytophagous characteristics
- presence detected in connection with observations of injury to plants, beneficial organisms, etc. before any clear causal link has been established
- belonging to taxa (family or genus) commonly containing known pests
- capability of acting as a vector for known pests
- adverse effects on non-target organisms beneficial to plants (such as pollinators or predators of plant pests).

Particular cases for analysis include plant species, biological control agents and other beneficial organisms, organisms which have not yet been fully named or described, or are difficult to identify, intentional import of organisms and LMOs. The pest potential of LM-plants should be determined as outlined in section 1.2.4.

1.2.1 Plants as pests

Plants have deliberately been spread among countries and continents for millennia, and new species or varieties of plants for cropping, amenity or environmental purposes are continually imported. Some plant species or cultivars transferred to regions beyond their natural range may escape from where they were initially released and invade unintended habitats such as arable land, natural or semi-natural habitats to become pests.

Plants as pests may also be introduced unintentionally into a country, for example as contaminants of seeds for sowing, grain for consumption or fodder, wool, soil, machinery, equipment, vehicles, containers or ballast water.

Plants as pests may affect other plants by competing for water, light, minerals, etc. or through direct parasitism and thus suppressing or eliminating other plants. Imported plants may also affect, by hybridization, plant populations under cultivation or in the wild flora, and may become pests for that reason. Further information is provided in the supplementary text on environmental risks in ISPM No. 11 (*Pest risk analysis for quarantine pests, including analysis of environmental risks and living modified organisms*, 2004).

The primary indicator that a plant species may become a pest in the PRA area is the existence of reports that the plant species has been recorded as a pest elsewhere. Some intrinsic attributes that may indicate that a plant species could be a pest include:

- adaptability to a wide range of ecological conditions
- strong competitiveness in plant stands
- high rate of propagation
- ability to build up a persistent soil-seed bank
- high mobility of propagules
- allelopathy
- parasitic capacity
- capacity to hybridize.

However, it should be noted that plants without such attributes may nevertheless become pests and that long time lags have often been observed between the introduction of a new plant species and evidence that the plant is a pest.

1.2.2 Biological control agents and other beneficial organisms

Biological control agents and other beneficial organisms are intended to be beneficial to plants. Thus, when performing a PRA, the main concern is to look for potential injury to non-target organisms³. Other concerns may include:

³ ISPM No. 3 (*Guidelines for the export, shipment, import and release of biological control agents and other beneficial organisms*, 2005) recommends that NPPOs should conduct a PRA either before import or before release of biological control agents and other beneficial organisms.

- contamination of cultures of beneficial organisms with other species, the culture thereby acting as a pathway for pests
- reliability of containment facilities when such are required.

1.2.3 Organisms not yet fully described or difficult to identify

Organisms that have not yet been fully named or described or are difficult to identify (e.g. damaged specimen or unidentifiable life stages) may be detected in imported consignments or during surveillance, in which case a decision as to whether phytosanitary action is justified and recommendations for phytosanitary measures may need to be made. These should be based on a PRA using the information available, even if very limited. It is recommended that, in such cases, specimens are deposited in an accessible reference collection for future further examination.

1.2.4 Living modified organisms

LMOs are organisms that possess a novel combination of genetic material, obtained through the use of modern biotechnology and are designed to express one or more new or altered traits. Types of LMOs for which a PRA may be conducted include:

- plants for use in agriculture, horticulture or silviculture, bioremediation of soil, for industrial purposes, or as therapeutic agents (e.g. LMO plants with an enhanced vitamin profile)
- biological control agents and other beneficial organisms modified to improve their performance
- pests modified to alter their pathogenic characteristics.

The modification may result in an organism with a new trait that may now present a pest risk beyond that posed by the non-modified recipient or donor organisms, or similar organisms. Risks may include:

- increased potential for establishment and spread
- those resulting from inserted gene sequences that may act independently of the organism with subsequent unintended consequences
- potential to act as a vector for the entering of a genetic sequence into domesticated or wild relatives of that organism, resulting in an increase in the pest risk of that related organism
- in case of a modified plant species, the potential to act as a vector for the entering of an injurious genetic sequence into relatives of that species.

PRA is usually concerned with phenotypic rather than genotypic characteristics. However, genotypic characteristics should also be considered when assessing the pest risks of LMOs.

Predictive indicators more specific to LMOs include intrinsic attributes such as:

- phenotypic similarities or genetic relationships to known pest species
- introduced changes in adaptive characteristics that may increase the potential for introduction or spread
- phenotypic and genotypic instability.

For LMOs, identification requires information regarding the taxonomic status of the recipient and the donor organism, and description of the vector, the nature of the genetic modification, and the genetic sequence and its insertion site in the recipient genome.

Further potential risks of LMOs are outlined in Annex 3 to ISPM No. 11 (*Pest risk analysis for quarantine pests, including analysis of environmental risks and living modified organisms*, 2004). A PRA may be carried out to determine whether the LMO is a pest, and subsequently assess the pest risk.

1.2.5 Import of organisms for specific uses

When a request is made to import an organism that may be a pest for use in scientific research, education, industry or other purposes, the identity of the organism should be clearly defined. Information on the organism or closely related organisms may be assessed to identify indicators that it may be a pest. For organisms determined to be pests, pest risk assessment may be carried out.

1.3 Defining the PRA area

The area to which the PRA refers has to be clearly defined. It may be the whole or part of a country or several countries. Whereas information may be gathered from a wider geographical area, the analysis of establishment, spread and economic impact should relate only to the defined PRA area.

In PRA Stage 2, the *endangered* area is identified. In PRA Stage 3, the *regulated* area may, however, be designated as wider than the endangered area if technically justified and not in conflict with the principle of non-discrimination.

1.4 Previous pest risk analyses

Before performing a new PRA, a check should be made to determine if the organism, pest or pathway has ever been subjected to a previous PRA. The validity of any existing analysis should be verified because circumstances and information may have changed. Its relevance to the PRA area should be confirmed.

The possibility of using a PRA of a similar organism, pest or pathway may also be investigated, particularly when information on the specific organism is absent or incomplete. Information assembled for other purposes, such as environmental impact assessments of the same or a closely related organism, may be useful but cannot substitute for a PRA.

1.5 Conclusion of initiation

At the end of PRA Stage 1, pests and pathways of concern will have been identified and the PRA area defined. Relevant information will have been collected and pests identified as candidates for further assessment, either individually or in association with a pathway.

Organisms determined not to be pests and pathways not carrying pests need not be further assessed. The decision and rationale should be recorded and communicated, as appropriate.

Where an organism has been determined to be a pest the process may continue to PRA Stage 2. Where a list of pests has been identified for a pathway, pests may be assessed as groups, where biologically similar, or separately.

Where the PRA is specifically aimed at determining if the pest should be regulated as a quarantine pest, the process may proceed immediately to the pest categorization step of pest risk assessment (PRA Stage 2) of ISPM No. 11 (*Pest risk analysis for quarantine pests, including analysis of environmental risks and living modified organisms*, 2004). That ISPM is relevant for organisms that appear to meet the following criteria:

- not present in the PRA area or, if present, of limited distribution and subject to official control or being considered for official control
- having the potential to cause injury to plants or plant products in the PRA area
- having the potential to establish and spread in the PRA area.

Where the PRA is specifically aimed at determining if the pest should be regulated as an RNQP, the process may proceed immediately to the pest categorization step of pest risk assessment (PRA Stage 2) of ISPM No. 21 (*Pest risk analysis for regulated non-quarantine pests*). That ISPM is relevant for organisms that appear to meet the following criteria:

- present in the PRA area and subject to official control or being considered for official control
- plants for planting are a pathway for the pest in the PRA area
- having the potential to affect the intended use of plants for planting with an economically unacceptable impact in the PRA area.

2. Summary of PRA Stages 2 and 3

2.1 Linked standards

The PRA process for different pest categories is described in separate ISPMs, as summarized in Table 1. As circumstances change and techniques evolve, new standards may be developed and others revised.

Table 1: Standards linked to ISPM No. 2

ISPM	Title	Coverage of PRA
ISPM No. 11 (2004)	<i>Pest risk analysis for quarantine pests, including analysis of environmental risks and living modified organisms</i>	Specific guidance on PRA of quarantine pests including: - Stage 1: Initiation ⁴ - Stage 2: Pest risk assessment including environmental risks and LMO assessment - Stage 3: Pest risk management

⁴ The present ISPMs No. 11 and No. 21, adopted before this revision of ISPM No. 2, include some guidance on PRA Stage 1 for quarantine pests and RNQPs, respectively.

ISPM No. 21	<i>Pest risk analysis for regulated non-quarantine pests</i>	Specific guidance on PRA of regulated non-quarantine pests including: - Stage 1: Initiation ⁴ - Stage 2: Pest risk assessment especially of plants for planting as the main source of infestation and economic impact on their intended use - Stage 3: Pest risk management
ISPM No. 3 (2005)	<i>Guidelines for the export, shipment, import and release of biological control agents and other beneficial organisms</i>	Specific guidance on pest risk management for biological control agents and beneficial organisms ⁵

2.2 Summary of PRA Stage 2: Pest risk assessment

Stage 2 involves several steps:

- pest categorization: the determination of whether the pest has the characteristics of a quarantine pest or RNQP, respectively
- assessment of introduction and spread
 - candidates for quarantine pests: the identification of the endangered area and assessment of the probability of introduction and spread
 - candidates for RNQPs: assessment of whether the plants for planting are or will be the main source of pest infestation, in comparison to other sources of infestation of the area
- assessment of economic impacts
 - candidates for quarantine pests: assessment of economic impacts, including environmental impacts
 - candidates for RNQPs: assessment of potential economic impacts associated with the intended use of plants for planting in the PRA area (including analysis of infestation threshold and tolerance level)
- conclusion, summarizing the overall pest risk on the basis of assessment results regarding introduction, spread and potential economic impacts for quarantine pests, or economically unacceptable impacts for regulated non-quarantine pests.

The outputs from pest risk assessment are used to decide if the pest risk management stage (Stage 3) is required.

2.3 Summary of PRA Stage 3: Pest risk management

Stage 3 involves the identification of phytosanitary measures that (alone or in combination) reduce the risk to an acceptable level.

Phytosanitary measures are not justified if the pest risk is considered acceptable or if they are not feasible (e.g. as may be the case with natural spread). However, even in such cases contracting parties may decide to maintain a low level of monitoring or audit regarding the pest risk to ensure that future changes in that risk are identified.

The conclusion of the pest risk management stage will be whether or not appropriate phytosanitary measures adequate to reduce the pest risk to an acceptable level are available, cost-effective and feasible.

In addition to standards for PRA (Table 1), other standards provide specific technical guidance to pest risk management options.

3. Aspects Common to All PRA Stages

3.1 Uncertainty

Uncertainty is a component of risk and therefore important to recognize and document when performing PRAs. Sources of uncertainty with a particular PRA may include: missing, incomplete, inconsistent or conflicting data; natural variability of biological systems; subjectiveness of analysis; and sampling randomness. Symptoms of uncertain causes and origin and asymptomatic carriers of pests may pose particular challenges.

The nature and degree of uncertainty in the analysis should be documented and communicated, and the use of expert judgement indicated. If adding or strengthening of phytosanitary measures are recommended to compensate for uncertainty, this should be recorded. Documentation of uncertainty contributes to transparency and may also be used for identifying research needs or priorities.

⁵ ISPM No. 3 provides more detailed guidance appropriate to PRA Stage 1, for example with respect to the provision of necessary information, documentation and communication to relevant parties.

As uncertainty is an inherent part of PRA, it is appropriate to monitor the phytosanitary situation resulting from the regulation based on any particular PRA and to re-evaluate previous decisions.

3.2 Information gathering

Throughout the process, information should be gathered and analysed as required to reach recommendations and conclusions. Scientific publications as well as technical information such as data from surveys and interceptions may be relevant. As the analysis progresses, information gaps may be identified necessitating further enquiries or research. Where information is insufficient or inconclusive, expert judgement may be used if appropriate.

Cooperation in the provision of information and responding to requests for information made via the official contact point are IPPC obligations (Articles VIII.1c and VIII.2). When requesting information from other contracting parties, requests should be as specific as possible and limited to information essential to the analysis. Other agencies may be approached for information appropriate to the analysis.

3.3 Documentation

The principle of transparency requires that contracting parties should, on request, make available the technical justification for phytosanitary requirements. Thus, the PRA should be sufficiently documented. Documenting PRA has two levels:

- documenting the general PRA process
- documenting each analysis made.

3.3.1 Documenting the general PRA process

The NPPO should preferably document procedures and criteria of its general PRA process.

3.3.2 Documenting each specific PRA

For each particular analysis, the entire process from initiation to pest risk management should be sufficiently documented so that the sources of information and rationale for management decisions can be clearly demonstrated. However, a PRA does not necessarily need to be long and complex. A short and concise PRA may be sufficient provided justifiable conclusions can be reached after completing only a limited number of steps in the PRA process.

The main elements to be documented are:

- purpose of the PRA
- identity of the organism
- PRA area
- biological attributes of the organism and evidence of ability to cause injury
- for quarantine pests: pest, pathways, endangered area
- for RNQPs: pest, host, plants and/or parts or class of plants under consideration, sources of infestation, intended use of the plants
- sources of information
- nature and degree of uncertainty and measures envisaged to compensate for uncertainty
- for pathway-initiated analysis: commodity description and categorized pest list
- evidence of economic impact, which includes environmental impact
- conclusions of pest risk assessment (probabilities and consequences)
- decisions and justifications to stop the PRA process
- pest risk management: phytosanitary measures identified, evaluated and recommended
- date of completion and the NPPO responsible for the analysis, including if appropriate names of authors, contributors and reviewers.

Other aspects to be documented may include⁶:

- particular need for monitoring the efficacy of proposed phytosanitary measures
- hazards identified outside the scope of the IPPC and to be communicated to other authorities.

3.4 Risk communication

Risk communication is generally recognized as an interactive process allowing exchange of information between the NPPO and stakeholders. It is not simply a one-way movement of information or about making stakeholders understand the risk situation, but is meant to reconcile the views of scientists, stakeholders, politicians, etc. in order to:

- achieve a common understanding of the pest risks

⁶ ISPM No. 3 (*Guidelines for the export, shipment, import and release of biological control agents and other beneficial organisms*, 2005) lists additional documentation requirements in relation to such organisms.

- develop credible pest risk management options
- develop credible and consistent regulations and policies to deal with pest risks
- promote awareness of the phytosanitary issues under consideration.

At the end of the PRA, evidence supporting the PRA, the proposed mitigations and uncertainties should preferably be communicated to stakeholders and other interested parties, including other contracting parties, RPPOs and NPPOs, as appropriate.

If, subsequent to the PRA, phytosanitary requirements, restrictions or prohibitions are adopted, the contracting party shall immediately publish and transmit those to contracting parties that it believes may be directly affected (according to IPPC Article VII.2b) and on request make the rationale available to any contracting party (according to IPPC Article VII.2c).

If, subsequent to the PRA, phytosanitary requirements, restrictions or prohibitions are not adopted, contracting parties are encouraged to make this information available.

NPPOs are encouraged to communicate evidence of hazards other than pest risks (such as to animals or human health) to the appropriate authorities.

3.5 Consistency in PRA

It is recommended that an NPPO strives for consistency in its conduct of PRAs. Consistency offers numerous benefits, including:

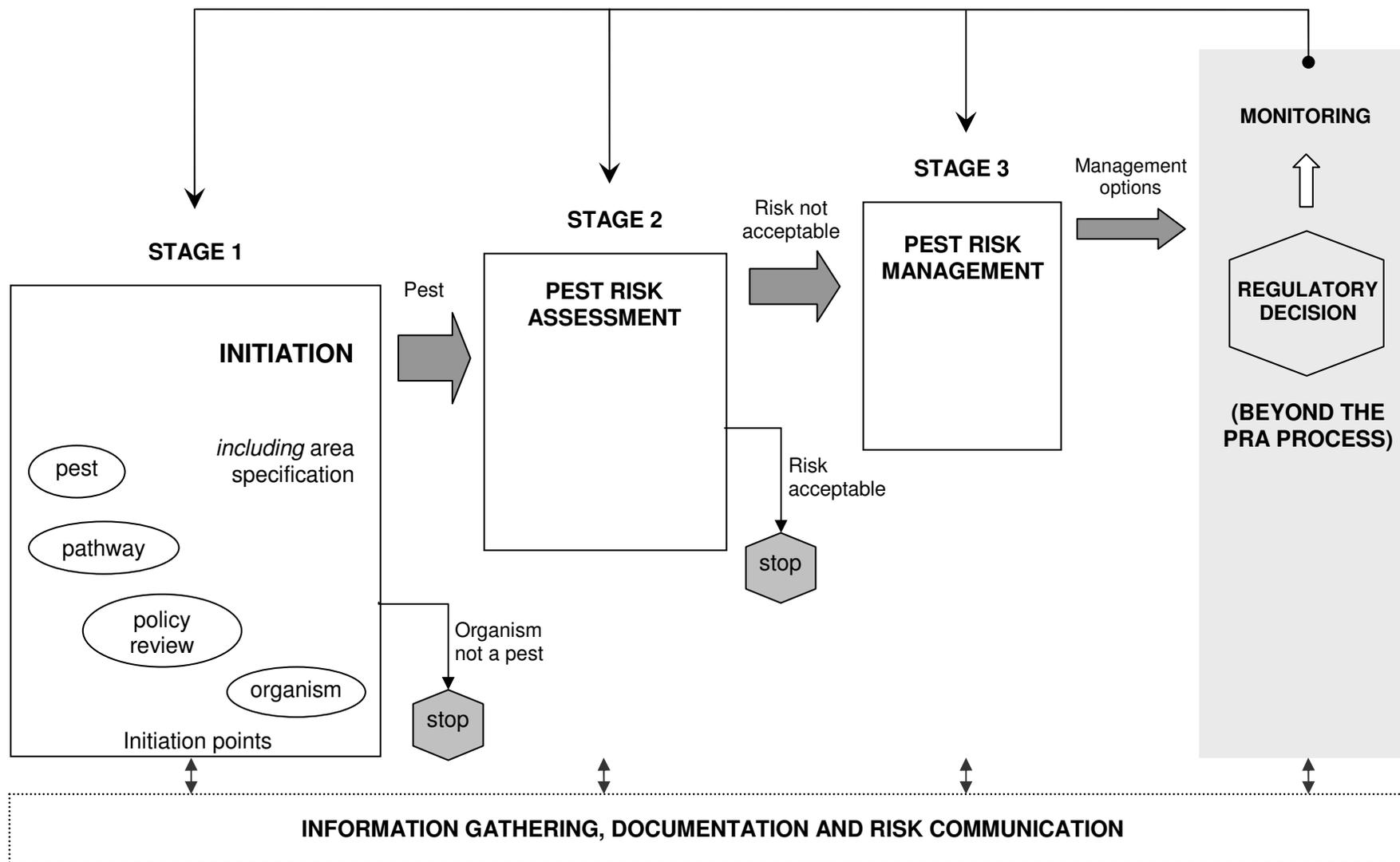
- facilitation of the principles of non-discrimination and transparency
- improved familiarity with the PRA process
- increased efficiency in completing PRAs and managing related data
- improved comparability between PRAs conducted on similar products or pests, which in turn aids in development and implementation of similar or equivalent management measures.

Consistency may be assured through, for example, the elaboration of generic decision criteria and procedural steps, training of individuals conducting PRA, and review of draft PRAs.

3.6 Avoidance of undue delay

Where other contracting parties are directly affected, the NPPO should, on request, supply information about the completion of individual analyses, and if possible the anticipated time frame, taking into account avoidance of undue delay (section 2.14 of ISPM No. 1: *Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade*, 2006).

PEST RISK ANALYSIS FLOW CHART⁷



⁷ This appendix is not an official part of the standard. It is provided for information only.

**INTERNATIONAL STANDARDS FOR
PHYTOSANITARY MEASURES**

ISPM No. 28

***PHYTOSANITARY TREATMENTS FOR
REGULATED PESTS***

(2007)

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ANNEX 1

Adopted phytosanitary treatments

ENDORSEMENT

This standard was endorsed by the Commission on Phytosanitary Measures in March 2007.

INTRODUCTION

SCOPE

This standard presents in Annex 1 phytosanitary treatments evaluated and adopted by the Commission on Phytosanitary Measures (CPM). It also describes the requirements for submission and evaluation of the efficacy data and other relevant information on a phytosanitary treatment that can be used as a phytosanitary measure and that will be included in Annex 1 after its adoption.

The treatments are for the control of regulated pests on regulated articles, primarily those moving in international trade. The adopted treatments provide the minimum requirements necessary to control a regulated pest at a stated efficacy.

The scope of this standard does not include issues related to pesticide registration or other domestic requirements for approval of treatments (e.g. irradiation)¹.

REFERENCES

Glossary of phytosanitary terms, 2007. ISPM No. 5, FAO, Rome.

International Plant Protection Convention, 1997. FAO, Rome.

Pest risk analysis for quarantine pests, including analysis of environmental risks and living modified organisms, 2004. ISPM No. 11, FAO, Rome.

DEFINITIONS

Definitions of phytosanitary terms used in the present standard can be found in ISPM No. 5 (*Glossary of phytosanitary terms*).

New term and definition

treatment schedule	The critical parameters of a treatment which need to be met to achieve the intended outcome (i.e. the killing, inactivation or removal of pests, or rendering pests infertile, or devitalization) at a stated efficacy.
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OUTLINE OF REQUIREMENTS

Harmonized phytosanitary treatments support efficient phytosanitary measures in a wide range of circumstances and enhance the mutual recognition of treatment efficacy. Annex 1 to this standard contains those phytosanitary treatments which have been adopted by the CPM.

National Plant Protection Organizations (NPPOs) and Regional Plant Protection Organizations (RPPOs) may submit data and other information for the evaluation of efficacy, feasibility and applicability of treatments. The information should include a detailed description of the treatment, including efficacy data, the name of a contact person and the reason for the submission. Treatments that are eligible for evaluation include mechanical, chemical, irradiation, physical and controlled atmosphere treatments. The efficacy data should be clear and should preferably include data on the treatment under laboratory or controlled conditions as well as under operational conditions. Information on feasibility and applicability of the proposed treatment(s) should include items on cost, commercial relevance, level of expertise required to apply the treatment and versatility.

Submissions with complete information will be considered by the Technical Panel on Phytosanitary Treatments (TPPT), and if the treatment is deemed acceptable, it will be recommended to the CPM for adoption.

¹ The inclusion of a phytosanitary treatment in this ISPM does not create any obligation for a contracting party to approve the treatment or register or adopt it for use in its territory.

BACKGROUND

The purpose of the IPPC is “to prevent the spread and introduction of pests of plants and plant products, and to promote appropriate measures for their control” (Article I.1 of the IPPC, 1997). The requirement or application of phytosanitary treatments to regulated articles is a phytosanitary measure used by contracting parties to prevent the introduction and spread of regulated pests.

Article VII.1 of the IPPC 1997 states:

“contracting parties shall have sovereign authority to regulate, in accordance with applicable international agreements, the entry of plants and plant products and other regulated articles and, to this end, may:

a) prescribe and adopt phytosanitary measures concerning the importation of plants, plant products and other regulated articles, including, for example, inspection, prohibition on importation, and treatment”.

Phytosanitary measures required by a contracting party shall be technically justified (Article VII.2a of the IPPC, 1997).

Phytosanitary treatments are used by NPPOs to prevent the introduction and spread of regulated pests. Many of these treatments are supported by extensive research data, and others are used based on historical evidence supporting their efficacy. In practice, many countries use the same treatments or similar treatments for specified pests; however, mutual recognition is often a complex and difficult process. Furthermore, there has previously been neither an internationally recognized organization or process to evaluate treatments for their efficacy nor a central repository for listing such treatments. The Interim Commission on Phytosanitary Measures, at its sixth session in 2004, recognized the need for international recognition of phytosanitary treatments of major importance and approved the formation of the TPPT for that purpose.

REQUIREMENTS

1. Purpose and Use

The purpose of harmonizing phytosanitary treatments is to support efficient phytosanitary measures in a wide range of circumstances and to enhance the mutual recognition of treatment efficacy by NPPOs, which may also facilitate trade. Furthermore, these treatment schedules should aid the development of expertise and technical cooperation. NPPOs are not obliged to use these treatments and may use other phytosanitary treatments for treating the same regulated pests or regulated articles.

Adopted phytosanitary treatments provide a means for the killing, inactivation or removal of pests, for rendering pests infertile or for devitalization, at a stated efficacy, and are relevant primarily to international trade. The level of efficacy, specificity and applicability of each treatment is indicated where possible. NPPOs may use these criteria to select the treatment or combination of treatments that are appropriate for the relevant circumstances.

When requiring phytosanitary treatments for imports, contracting parties should take into account the following points:

- Phytosanitary measures required by a contracting party shall be technically justified.
- Phytosanitary treatments contained in Annex 1 of this standard have the status of an ISPM and therefore should be considered accordingly.
- Regulatory regimes of exporting contracting parties may prevent certain treatments from being approved for use within their territories. Therefore efforts should be made to accept equivalent treatments where possible.

2. Process for Treatment Submission and Adoption

The submission process is initiated by a call for topics for standards (including topics for treatments) according to the "IPPC standard setting procedure" and the "Procedure and criteria for identifying topics for inclusion in the IPPC standard setting work programme". These procedures are provided on the International Phytosanitary Portal (<https://www.ippc.int>).

In particular, the following points apply to treatments:

- Once a topic for treatments (e.g. treatments for fruit flies or for pests on wood) has been added to the IPPC standard-setting work programme, the IPPC Secretariat, under direction of the Standards Committee (with recommendations from the TPPT), will call for the submissions and data on treatments on that topic.
- NPPOs or RPPOs submit treatments (accompanied by relevant information as requested in section 3) to the Secretariat.
- Only submissions of treatments that are deemed by the NPPO or RPPO to meet the requirements listed in this standard should be submitted, and it is recommended that these treatments have been approved for national use before their submission. Treatments include, but are not limited to, mechanical, chemical, irradiation, physical (heat, cold) and controlled atmosphere treatments. NPPOs and RPPOs should take into account other factors when considering phytosanitary treatments for submission, such as the effects on human health and safety,

animal health and the impact on the environment (as described in the preamble and Article I.1 of the IPPC, 1997 and in Article III of the IPPC, 1997 regarding relationship with other international agreements). Effects on the quality and intended use of the regulated article should also be considered.

- Treatment submissions will be evaluated based on the requirements listed in section 3. If large numbers of submissions are received, the TPPT will work with the Standards Committee to determine the priority for reviewing submissions.
- Treatments that meet the requirements listed in section 3 will be recommended and the treatment submitted, along with a report and a summary of the information evaluated, to the Standards Committee and in turn to the IPPC standard setting process. The report of the technical panel with the summary information and the SC report will be available to contracting parties. Further detailed information (as long as it is not confidential) will be available on request from the Secretariat.
- The CPM will adopt or reject a treatment. If adopted, the treatment is annexed to this standard.

3. Requirements for Phytosanitary Treatments

For the purpose of this standard, phytosanitary treatments should fulfil the following requirements:

- be effective in killing, inactivating or removing pests, or rendering pests infertile or for devitalization associated with a regulated article. The level of efficacy of the treatment should be stated (quantified or expressed statistically). Where experimental data is unavailable or insufficient, other evidence that supports the efficacy (i.e. historical and/or practical information/experience) should be provided.
- be well documented to show that the efficacy data has been generated using appropriate scientific procedures, including where relevant an appropriate experimental design. The data supporting the treatment should be verifiable, reproducible, and based on statistical methods and/or on established and accepted international practice; preferably the research should have been published in a peer-reviewed journal.
- be feasible and applicable for use primarily in international trade or for other purposes (e.g. to protect endangered areas domestically, or for research).
- not be phytotoxic or have other adverse effects.

Submissions of phytosanitary treatments should include the following:

- summary information
- efficacy data in support of the phytosanitary treatment
- information on feasibility and applicability.

3.1 Summary information

The summary information should be submitted by NPPOs or RPPOs to the Secretariat and should include:

- name of the treatment
- name of the NPPO or RPPO and contact information
- name and contact details of a person responsible for submission of the treatment
- treatment description (active ingredient(s), treatment type, target regulated article(s), target pest(s), treatment schedule, and other relevant information)
- reason for submission, including its relevance to existing ISPMs.

Submissions should utilize a form provided by the IPPC Secretariat and available on the International Phytosanitary Portal (<https://www.ippc.int>).

In addition, the NPPO or RPPO should describe the experience or expertise in the subject area of the laboratory, organization and/or scientist(s) involved in producing the data, and any quality assurance system or accreditation programme applied in the development and/or testing of the phytosanitary treatment. This information will be considered when evaluating the data submitted.

3.2 Efficacy data in support of the submission of a phytosanitary treatment

The source of all efficacy data (published or unpublished) should be provided in the submission. Supporting data should be presented clearly and systematically. Any claims on the efficacy must be substantiated by data.

3.2.1 Efficacy data under laboratory/controlled conditions

The life-cycle stage of the target pest for the treatment should be specified. Usually, the life stage(s) associated with the regulated article moving in trade is the stage for which a treatment is proposed and established. In some circumstances, e.g. where several life stages may occur on the regulated article, the most resistant life stage of the pest should be used for testing a treatment. However, practical considerations should be taken into account, as well as pest control strategies aimed at exploiting more vulnerable or otherwise specific stages of a pest. If efficacy data is submitted for a life stage that is not considered to be the most resistant (e.g. if the most resistant life stage is not associated with the regulated

article), rationale for this should be provided. The efficacy data provided should specify the statistical level of confidence supporting efficacy claims made for treatment of the specified life stage.

Where possible, data should be presented on methods used to determine the effective dose/treatment to demonstrate the range of efficacy of the treatment (e.g. dose/efficacy curves). Treatments can normally be evaluated only for the conditions under which they were tested. However, additional information can be provided to support any extrapolation if the scope of a treatment is to be extended (e.g. extension of the range of temperatures, inclusion of other cultivars or pest species). Where the information provided is adequate to demonstrate the effectiveness of the treatment, only a summary of relevant preliminary laboratory tests will be required. The materials and methods used in the experiments should be suitable for the use of the treatment at the stated efficacy.

The data provided should include detailed information on, but not limited to, the following elements:

Pest information

- identity of the pest to the appropriate level (e.g. genus, species, strain, biotype, physiological race), life stage, and if laboratory or field strain was used
- conditions under which the pests are cultured, reared or grown
- biological traits of the pest relevant to the treatment (e.g. viability, genetic variability, weight, developmental time, development stage, fecundity, freedom from disease or parasites)
- method of natural or artificial infestation
- determination of most resistant species/life stage (in the regulated article where appropriate).

Regulated article information

- type of regulated article and intended use
- botanical name for plant or plant product (where applicable)
 - type/cultivar. A requirement for varietal testing should be based on evidence that the varietal differences impact treatment efficacy, and data should be provided to support the requirement.
- conditions of the plant or plant product, for example:
 - whether it was free from non-target pest infestation, non-pest disorder or pesticide residue
 - size, shape, weight, stage of maturity, quality, etc.
 - whether infested at a susceptible growth stage
 - storage conditions after harvest.

Experimental parameters

- level of confidence of laboratory tests provided by the method of statistical analysis and the data supporting that calculation (e.g. number of subjects treated, number of replicate tests, controls)
- experimental facilities and equipment
- experimental design (e.g. randomized complete block design) if needed
- experimental conditions (e.g. temperature, relative humidity, diurnal cycle)
- monitoring of critical parameters (e.g. exposure time, dose, temperature of regulated article and ambient air, relative humidity)
- methodology to measure the effectiveness of the treatment (e.g. whether mortality is the proper parameter, whether the end-point mortality was assessed at the correct time, the mortality or sterility of the treated and control groups)
- determination of efficacy over a range of critical parameters, where appropriate, such as exposure time, dose, temperature, relative humidity and water content, size and density
- methodology to measure phytotoxicity, when appropriate
- dosimetry system, calibration and accuracy of measurements, if using irradiation.

3.2.2 Efficacy data using operational conditions

Treatments may be submitted for evaluation without going through the processes outlined in section 3.2.1 when there is sufficient efficacy data available from the operational application of the treatment. When a treatment has been developed under laboratory conditions, it should be validated by testing under operational or simulated operational conditions. Results of these tests should confirm that the application of the treatment schedule achieves the stated efficacy under conditions in which the treatment will be used.

Where treatment specifications differ for trials under operational conditions, the test protocol modifications should be indicated. Supporting data may be presented from preliminary tests to refine the treatment schedule to establish the effective dose (e.g. temperature, chemical, irradiation) under operational conditions.

In some cases the method of achieving the effective dose will be different from the method established under laboratory conditions. Data that supports any extrapolation of laboratory results should be provided.

The same data requirements as listed in section 3.2.1 should also be provided for these tests. Other data required, depending on whether the treatments are carried out pre- or post-harvest, are listed below:

- factors that affect the efficacy of the treatment (e.g. for post-harvest treatments: packaging, packing method, stacking, timing of treatments (pre/post packaging or processing, in transit, on arrival)). The circumstances of the treatment should be stated, for example the efficacy of a treatment may be affected by packaging, and data should be provided to support all the circumstances that are applicable.
- monitoring of critical parameters (e.g. exposure time, dose, temperature of regulated article and ambient air, relative humidity). For example:
 - the number and placement of gas sampling lines (fumigation)
 - the number and placement of temperature/humidity sensors.

In addition, any special procedures that affect the success of the treatment (e.g. to maintain the quality of the regulated article) should be included.

3.3 Feasibility and applicability

Information should be provided, where appropriate, to evaluate if the phytosanitary treatment is feasible and applicable. This includes such items as:

- procedure for carrying out the phytosanitary treatment (including ease of use, risks to operators, technical complexity, training required, equipment required, facilities needed)
- cost of typical treatment facility and operational running costs if appropriate
- commercial relevance, including affordability
- extent to which other NPPOs have approved the treatment as a phytosanitary measure
- availability of expertise needed to apply the phytosanitary treatment
- versatility of the phytosanitary treatment (e.g. application to a wide range of countries, pests and commodities)
- the degree to which the phytosanitary treatment complements other phytosanitary measures (e.g. potential for the treatment to be used as part of a systems approach for one pest or to complement treatments for other pests)
- summary of available information of potential undesirable side-effects (e.g. impacts on the environment, impacts on non-target organisms, human and animal health)
- applicability of treatment with respect to specific regulated article/pest combinations
- technical viability
- phytotoxicity and other effects on the quality of regulated articles, when appropriate
- consideration of the risk of the target organism having or developing resistance to the treatment.

Treatment procedures should adequately describe the method for applying the treatment in a commercial setting.

4. Evaluation of Submitted Treatments

Submissions will be considered by the TPPT only when the information outlined in section 3 is fully addressed. The information provided will be evaluated against the requirements in section 3.

Due respect for confidentiality will be exercised when the confidential nature of information is indicated. In such cases, the confidential information within the submission should be clearly identified. Where confidential information is essential for the adoption of the treatment, the submitter will be requested to release the information. If the release of the information is not granted, the adoption of the treatment may be affected.

Treatments will be adopted only for the regulated articles and target species for which they were tested and for the conditions under which they were tested, unless data is presented to support extrapolation (e.g. to apply the treatment to a range of pest species or regulated articles).

If the submission fails to meet the requirements outlined in section 3, the reason(s) will be communicated to the contact identified on the submission. There may be a recommendation to provide additional information or to initiate further work (e.g. research, field testing, analysis).

5. Publication of Phytosanitary Treatments

After adoption by the CPM, phytosanitary treatments will be annexed to this standard.

6. Treatment Review and Re-evaluations

Contracting parties should submit to the IPPC Secretariat any new information that could have an impact on the treatments currently adopted by the CPM. The TPPT will review the data and revise the treatments if necessary through the normal standard-setting process.

ADOPTED PHYTOSANITARY TREATMENTS

Phytosanitary treatments will be included in this annex after adoption by the CPM.

**INTERNATIONAL STANDARDS FOR
PHYTOSANITARY MEASURES**

ISPM No. 29

***RECOGNITION OF PEST FREE AREAS AND
AREAS OF LOW PEST PREVALENCE***

(2007)

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5. Considerations on Pest Free Places of Production and Pest Free Production Sites**APPENDIX 1**

Flow chart outlining the procedure for the recognition of pest free areas or areas of low pest prevalence (as per section 4)

ENDORSEMENT

This standard was endorsed by the Commission on Phytosanitary Measures in March 2007.

INTRODUCTION

SCOPE

This standard provides guidance and describes a procedure for the bilateral recognition of pest free areas and areas of low pest prevalence. This standard does not include specified timelines for the recognition procedure. This standard also provides some considerations regarding pest free places of production and pest free production sites.

REFERENCES

- Agreement on the Application of Sanitary and Phytosanitary Measures*, 1994. World Trade Organization, Geneva.
- Determination of pest status in an area*, 1998. ISPM No. 8, FAO Rome.
- Establishment of pest free areas for fruit flies (Tephritidae)*, 2006. ISPM No. 26, FAO, Rome.
- Glossary of phytosanitary terms*, 2007. ISPM No. 5, FAO, Rome.
- Guidelines for a phytosanitary import regulatory system*, 2004. ISPM No. 20, FAO, Rome.
- Guidelines for pest eradication programmes*, 1998. ISPM No. 9, FAO, Rome.
- Guidelines for phytosanitary certificates*, 2001. ISPM No. 12, FAO, Rome.
- Guidelines for surveillance*, 1997. ISPM No. 6, FAO, Rome.
- Guidelines for the determination and recognition of equivalence of phytosanitary measures*, 2005. ISPM No. 24, FAO, Rome.
- Guidelines for the notification of non-compliance and emergency action*, 2001. ISPM No. 13, FAO, Rome.
- International Plant Protection Convention*, 1997. FAO, Rome.
- Pest reporting*, 2002. ISPM No. 17, FAO, Rome.
- Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade*, 2006. ISPM No. 1, FAO, Rome.
- Requirements for the establishment of areas of low pest prevalence*, 2005. ISPM No. 22, FAO, Rome.
- Requirements for the establishment of pest free areas*, 1996. ISPM No. 4, FAO, Rome.
- Requirements for the establishment of pest free places of production and pest free production sites*, 1999. ISPM No. 10, FAO, Rome.
- The use of integrated measures in a systems approach for pest risk management*, 2002. ISPM No. 14, FAO, Rome.

DEFINITIONS

Definitions of phytosanitary terms used in the present standard can be found in ISPM No. 5 (*Glossary of phytosanitary terms*).

OUTLINE OF REQUIREMENTS

Recognition of pest free areas (PFAs) and areas of low pest prevalence (ALPPs) is a technical and administrative process to achieve acceptance of the phytosanitary status of a delimited area. Technical requirements for establishment of PFAs and ALPPs, as well as certain elements relating to recognition, are addressed in other International Standards for Phytosanitary Measures (ISPMs). In addition, many principles of the International Plant Protection Convention (IPPC, 1997) are relevant.

Contracting parties to the IPPC should proceed with a recognition process without undue delay. The process should be applied without discrimination between contracting parties. Contracting parties should endeavour to maintain transparency in all aspects of the recognition process.

The procedure described in this standard deals with those cases where detailed information and verification may be required, such as in areas in which eradication or suppression of a pest has recently been achieved. This procedure includes the following steps for the contracting parties: request for recognition; acknowledgement of receipt of the request and the accompanying information package; description of the process; assessment of the information provided; communication of the results of assessment; provision of official recognition. However, where the absence of the pest in an area and the PFA status can easily be determined, the procedure for recognition described in this standard (in section 4) may not be required or very little supporting information may be necessary.

Both exporting and importing contracting parties have specific responsibilities relating to the recognition of PFAs and ALPPs.

The recognition process should be sufficiently documented by contracting parties.

Some considerations on pest free places of production and pest free sites of production are also provided.

BACKGROUND

Exporting contracting parties may establish PFAs or ALPPs, among other reasons, in order to gain, maintain or improve market access. In any of these cases, where PFAs or ALPPs are established in accordance with the relevant ISPMs, recognition of such areas without undue delay is very important to exporting contracting parties.

Importing contracting parties, in meeting their appropriate level of protection and in accordance with requirements for technical justification, may consider PFAs or ALPPs as effective phytosanitary measures. Therefore, it may also be in the interests of the importing country to provide prompt recognition of such areas where they are established in accordance with the relevant ISPMs.

For recognition of PFAs and ALPPs, the following articles of the IPPC are relevant:

“The responsibilities of an official national plant protection organization shall include ... the designation, maintenance and surveillance of pest free areas and areas of low pest prevalence” (Article IV.2e);

“The contracting parties shall cooperate with one another to the fullest practicable extent in achieving the aims of this Convention ...” (Article VIII).

Article 6 (*Adaptation to Regional Conditions, Including Pest- or Disease-Free Areas and Areas of Low Pest or Disease Prevalence*) of the World Trade Organization’s Agreement on the Application of Sanitary and Phytosanitary Measures addresses the issue of recognition of PFAs and ALPPs.

REQUIREMENTS

1. General Considerations

Several ISPMs address the establishment of PFAs and ALPPs, and related issues. A range of ISPMs relate directly to the technical requirements for the establishment of PFAs and ALPPs, while many others contain provisions that may be applied in the formal process for recognition of such areas.

ISPM No. 1 (*Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade*) includes operational principles on recognition of PFAs and ALPPs (sections 2.3 and 2.14).

ISPM No. 4 (*Requirements for the establishment of pest free areas*) points out that, since certain PFAs are likely to involve an agreement between trading partners, their implementation would need to be reviewed and evaluated by the NPPO of the importing country (section 2.3.4).

ISPM No. 8 (*Determination of pest status in an area*) provides guidance on the use of the phrase “pest free area declared” in pest records (section 3.1.2).

ISPM No. 10 (*Requirements for the establishment of pest free places of production and pest free production sites*) 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.

ISPM No. 22 (*Requirements for the establishment of areas of low pest prevalence*) describes the requirements and procedures for the establishment of ALPPs for regulated pests in an area and, to facilitate export, for pests regulated by an importing country only. This includes the identification, verification, maintenance and use of those ALPPs.

ISPM No. 26 (*Establishment of pest free areas for fruit flies (Tephritidae)*) describes the requirements for the establishment and maintenance of PFAs for the economically important species in the family Tephritidae.

Although the recognition of PFAs and ALPPs may generally be a bilateral process of information exchange between importing and exporting contracting parties, recognition may take place without a detailed process if agreed between the parties (for example without bilateral negotiations and verification activities).

Usually, pest free places of production and pest free production sites should not require a recognition process and, therefore, only some consideration is given in this standard on use of procedures in particular cases.

2. Related Principles

2.1 Recognition of pest free areas and areas of low pest prevalence

ISPM No. 1 (*Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade*) states that “contracting parties should ensure that their phytosanitary measures concerning consignments moving into their territories take into account the status of areas, as designated by the NPPOs of the

exporting countries. These may be areas where a regulated pest does not occur or occurs with low prevalence or they may be pest free production sites or pest free places of production”.

2.2 Sovereignty and cooperation

Contracting parties have sovereign authority, in accordance with applicable international agreements, to prescribe and adopt phytosanitary measures to protect plant health within their territories and to determine their appropriate level of protection to plant health. A contracting party has sovereign authority to regulate the entry of plants, plant products and other regulated articles (Article VII.1 of the IPPC). Therefore a contracting party has the right to make decisions relating to recognition of PFAs and ALPPs.

However, countries also have other obligations and responsibilities, such as cooperation (Article VIII of the IPPC). Therefore, in order to promote cooperation, an importing contracting party should consider requests for recognition of PFAs and ALPPs.

2.3 Non-discrimination

In recognizing PFAs and ALPPs, the process used by the importing contracting party for assessing such requests from different exporting contracting parties should be applied in a non-discriminatory manner.

2.4 Avoidance of undue delay

Contracting parties should endeavour to recognize PFAs and ALPPs, and to resolve any disagreements related to recognition, without undue delay.

2.5 Transparency

Updates on progress between the importing and exporting contracting parties should be provided to the designated point of contact (further described in section 3.1), as appropriate or on request, to ensure that the recognition process is conducted in an open and transparent manner.

Any change in the status of the regulated pest in the area under consideration, or in the importing contracting party's territory, relevant to recognition shall be communicated appropriately and promptly as required by the IPPC (Article VIII.1a) and relevant ISPMs (e.g. ISPM No. 17: *Pest reporting*).

To improve transparency, contracting parties are encouraged to make available on the International Phytosanitary Portal decisions on PFAs and ALPPs that have been recognized (this information should be updated as appropriate).

2.6 Other relevant principles of the IPPC and its ISPMs

In recognizing PFAs and ALPPs, contracting parties should take into account the following rights and obligations held by contracting parties, and principles of the IPPC:

- minimal impact (Article VII.2g of the IPPC)
- modification (Article VII.2h of the IPPC)
- harmonization (Article X.4 of the IPPC)
- risk analysis (Articles II and VI.1b of the IPPC)
- managed risk (Article VII.2a and 2g of the IPPC)
- cooperation (Article VIII of the IPPC)
- technical assistance (Article XX of IPPC)
- equivalence (section 1.10 of ISPM No. 1).

3. Requirements for the Recognition of Pest Free Areas and Areas of Low Pest Prevalence

NPPOs are responsible for designation, maintenance and surveillance of PFAs and ALPPs within their territories (Article IV.2e of the IPPC). To establish PFAs or ALPPs and before asking for recognition, NPPOs should take into account the appropriate ISPMs that provide technical guidance, e.g. ISPM No. 4 (*Requirements for the establishment of pest free areas*) for PFAs, ISPM No. 22 (*Requirements for the establishment of areas of low pest prevalence*) for ALPPs, and ISPM No. 8 (*Determination of pest status in an area*).

They may also consider other technical guidance that may be developed on establishment of PFAs or ALPPs for specific regulated pests or groups of these pests.

The importing contracting party is responsible for determining the type of information that will be required, in order to recognize a PFA or ALPP, depending on the type of area and its geography, the method used to establish the pest status of the area (pest free area or low pest prevalence area), the contracting party's appropriate level of protection, and other factors for which technical justifications exist.

Where the pest is absent from an area and the PFA status can easily be determined (for example in areas where no records of the pest have been made and, in addition, long term absence of the pest is known or absence is confirmed by surveillance), the process for recognition described in this standard (in section 4) may not be required or very little supporting information may be necessary. In such cases, absence of the pest should be recognized according to the first paragraph of section 3.1.2 of ISPM No. 8 (*Determination of pest status in an area*) without the need for detailed information or elaborate procedures.

In other cases, such as in areas where a pest has recently been eradicated (ISPM No. 9: *Guidelines for pest eradication programmes*) or suppressed, more detailed information and verification may be required, including items listed in section 4.1 of the present standard.

3.1 Responsibilities of contracting parties

The exporting contracting party is responsible for:

- requesting recognition of an established PFA or ALPP
- providing appropriate information on the PFA or ALPP
- designating a point of contact for the recognition process
- providing appropriate additional information if necessary for the recognition process
- cooperating in the organization of on-site verification visits, if requested.

The importing contracting party is responsible for:

- acknowledging receipt of the request and the associated information
- describing the process to be used for the recognition process including, if possible, an estimated time frame for the evaluation
- designating a point of contact for the recognition process
- technically assessing the information
- communicating and justifying the need for on-site verifications and cooperating in their organization
- communicating the results of the assessment to the exporting contracting party and:
 - if the area is recognized, promptly modifying any phytosanitary regulations, as appropriate;
 - if the area is not recognized, providing an explanation, including technical justification where applicable, to the exporting contracting party.

Importing contracting parties should limit any information or data requests associated with an assessment of recognition to those which are necessary.

3.2 Documentation

The whole process from initial request to final decision should be sufficiently documented by contracting parties so that the sources of information and rationale used in reaching the decision can be clearly identified and demonstrated.

4. Procedure for the Recognition of Pest Free Areas and Areas of Low Pest Prevalence

The steps described below are recommended for importing contracting parties in order to recognize PFAs and ALPPs of exporting contracting parties. However, in certain cases, as mentioned in the third paragraph of section 3, a process for recognition as described in this standard may not be required.

Normally, the exporting contracting party may wish to consult with the importing contracting party before submitting a request with the aim of facilitating the recognition process.

A flow chart outlining the following steps is provided in Appendix 1. Recommended steps proceed as described from section 4.1 to section 4.6.

4.1 Request for recognition by the NPPO of the exporting contracting party

The exporting contracting party submits its request for recognition of a PFA or ALPP to an importing contracting party. To support its request, the exporting contracting party provides a technical information package based on ISPM No. 4 (*Requirements for the establishment of pest free areas*) or ISPM No. 22 (*Requirements for the establishment of areas of low pest prevalence*) as appropriate. This information package should be sufficiently detailed to demonstrate objectively that the areas are, and are likely to remain, PFAs or ALPPs, as appropriate. The package may include the following information:

- the type of recognition requested, i.e. either a PFA or an ALPP
- location and description of the area to be recognized, with supporting maps, as appropriate
- pest(s) under consideration, and biology(ies) and known distribution relevant to the area (as described in ISPM No. 4 or ISPM No. 22 as appropriate)
- commodity(ies) or other regulated article(s) to be exported

- general information on hosts and their prevalence within the designated area
- phytosanitary measures and procedures applied for the establishment of the PFA or ALPP, and results of these measures
- phytosanitary measures and procedures applied to maintain the PFA or ALPP, and results of these measures
- relevant phytosanitary regulations relating to the PFA or ALPP
- record-keeping arrangements relating to the area, in accordance with the appropriate standards
- relevant information directly related to the request for recognition on the structure of and resources available to the NPPO of the exporting country
- a description of corrective action plans, including related communication arrangements with the importing country concerned
- other relevant information (e.g. recognition of the area in question by other contracting parties, and possible systems approaches relating to ALPPs).

The exporting contracting party should designate a point of contact for communication relating to the request for recognition.

4.2 Acknowledgement by the importing contracting party of receipt of the information package and indication of its completeness for assessment purposes

The NPPO of the importing contracting party should promptly acknowledge receipt of the request for recognition and of the accompanying information package to the NPPO of the exporting contracting party. The importing contracting party should designate a point of contact for communications relating to the request for recognition.

In commencing the assessment, the importing contracting party should, if possible, identify and communicate to the NPPO of the exporting contracting party if any significant component of the information package is missing, or if other significant information may be needed to assess the request.

The NPPO of the exporting contracting party should submit to the NPPO of the importing contracting party any missing information, or may provide an explanation for its absence.

Where an exporting contracting party resubmits a request for recognition of a PFA or ALPP (e.g. if further data is acquired, or new or additional procedures are implemented), the importing contracting party should take into consideration all information previously provided, if verification has been provided by the exporting contracting party that the information remains valid. If resubmission is due to a previous non-acceptance of a request for recognition, any relevant details in the corresponding technical explanation related to the previous assessment should also be taken into consideration. Likewise if a contracting party has withdrawn a PFA or ALPP (e.g. maintenance of the PFA or ALPP became uneconomic) and wishes to reinstate it, previous information should be considered. The assessment should be completed, without undue delay, by focusing on the revised or supplemental information and/or data provided, if appropriate.

4.3 Description of assessment process to be used by the importing contracting party

The importing contracting party should describe the process intended to be used in assessing the information package and in subsequently recognizing the PFA or ALPP, including any necessary legislative or administrative steps or requirements that will need to be completed. Furthermore, the importing contracting party is encouraged to establish if possible an anticipated timeframe for completion of the recognition process.

4.4 Assessment of the technical information

Once all the information has been received, the NPPO of the importing contracting party should carry out assessment of the information package, taking into account:

- provisions of the relevant ISPMs that specifically address either PFAs (ISPM No. 4: *Requirements for the establishment of pest free areas*) or ALPPs (ISPM No. 22: *Requirements for the establishment of areas of low pest prevalence*), including the following information:
 - systems used to establish the PFA or ALPP
 - phytosanitary measures to maintain the PFA or ALPP
 - checks to verify that the PFA or ALPP is being maintained
- other relevant ISPMs (in particular those described in section 1) depending on the type of recognition requested
- status of the pest in the territories of both contracting parties.

PFAs or ALPPs previously recognized by a third country or another contracting party may be considered as reference for the assessment process.

Clarification of the information provided may be required or additional information may be requested by the importing contracting party in order to complete the assessment. The exporting contracting party should respond to technical concerns raised by the importing contracting party by providing relevant information to facilitate completion of the assessment.

On-site verification or on-site review of operational procedures may be requested, where justified, based on the results of the ongoing assessment, records of previous trade between the two parties (in particular if there is a lack of information, interception records, non-compliance with import requirements), or previous recognition of areas between the two parties or by other parties. The schedule, agenda and content of the on-site verification or review should be agreed bilaterally, and access provided as necessary.

The assessment should be completed without undue delay. If at any stage progress is not proceeding in accordance with the anticipated timeframe, if established, the exporting contracting party should be notified. Upon request of the exporting contracting party, reasons should be provided and (if appropriate) a new timeframe prepared and provided by the importing contracting party to the exporting contracting party.

The exporting contracting party may request cancellation or postponement of the assessment at any time. Should the exporting contracting party request postponement of the assessment, this may result in changes in the anticipated timeframe. If the pest status or phytosanitary regulations change in the importing country, recognition of the PFA or ALPP may no longer be required and the assessment process may stop.

4.5 Notification of results of assessment

Upon completion of the assessment, the importing contracting party should reach a decision on the request and should notify the exporting contracting party of the results of its assessment; if the proposed PFA or ALPP will not be recognized, the importing contracting party should provide an explanation, including technical justification where applicable, for this decision.

In the event of a disagreement related to the rejection of a request for recognition of a PFA or ALPP, efforts should in the first instance be made bilaterally to resolve these disagreements.

4.6 Official recognition

In accordance with Article VII.2b of the IPPC: “Contracting parties shall, immediately upon their adoption, publish and transmit phytosanitary requirements, restrictions and prohibitions to any contracting party or parties that they believe may be directly affected by such measures.” If the PFA or ALPP is recognized by the importing contracting party, this should be officially communicated to the exporting contracting party, clearly confirming the type of area recognized and identifying the relevant pest(s) for which such recognition applies. Where appropriate, amendment of the phytosanitary import requirements and any associated procedures of the importing contracting party should be made promptly.

4.7 Duration of recognition

Recognition of a PFA or ALPP should remain in effect unless:

- there is a change in pest status in the area concerned and it is no longer a PFA or ALPP.
- there are significant instances of non-compliance (as described in section 4.1 of ISPM No. 13: *Guidelines for the notification of non-compliance and emergency action*) related to the areas in question or related to the bilateral arrangement noted by the importing contracting party.

5. Considerations on Pest Free Places of Production and Pest Free Production Sites

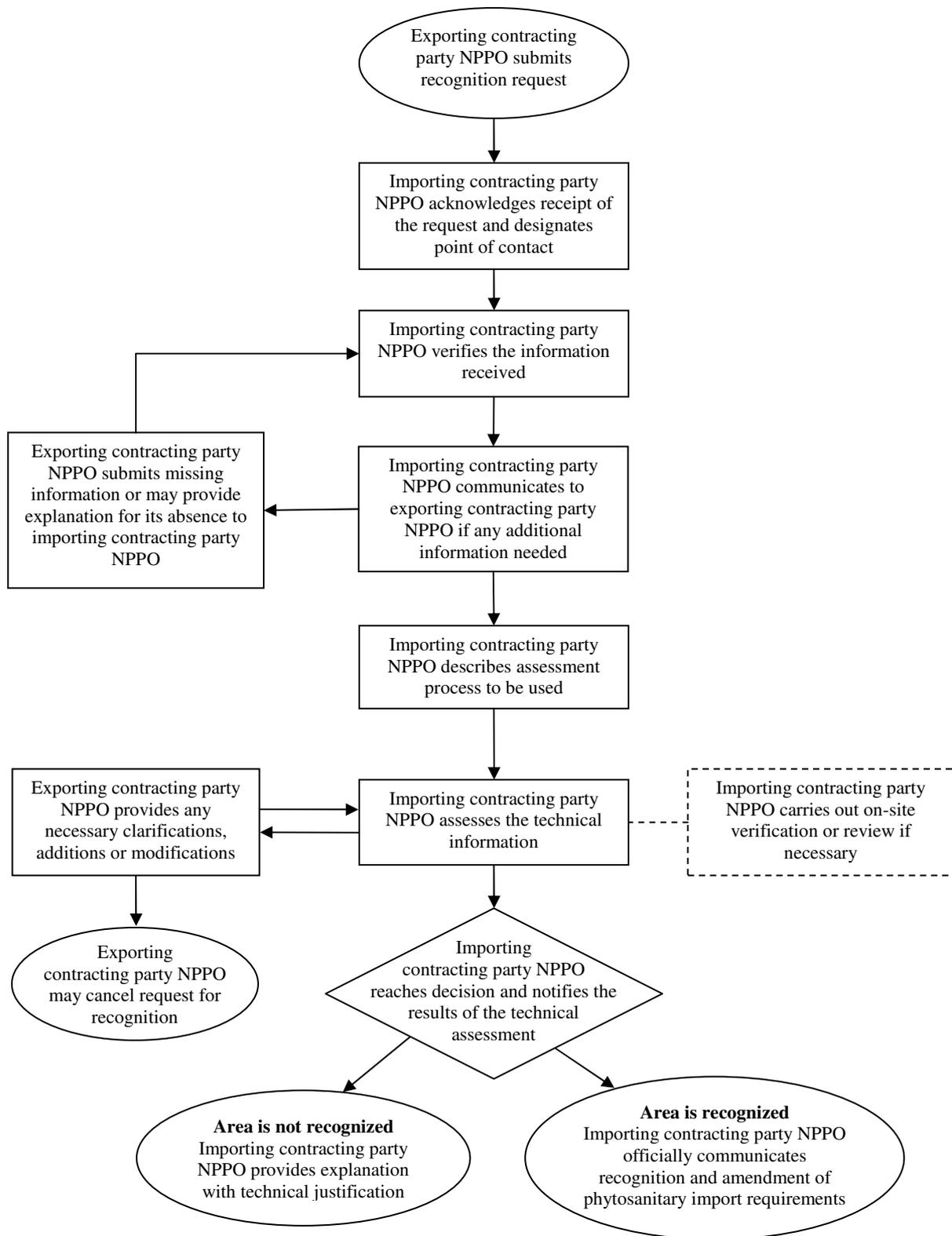
Usually pest free places of production and pest free production sites should not require recognition using the procedures described above (section 4). In this regard ISPM No. 10 (*Requirements for the establishment of pest free places of production and pest free production sites*) states that, for such places and sites, “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.” (section 3.2 of ISPM No. 10).

However, ISPM No. 10 (in section 3.3) also indicates: “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 provide information concerning establishment or withdrawal of pest free places of production or pest free production sites to the NPPO of the importing country.”

As described in ISPM No. 10: “*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.*” In such cases recognition may be based on the procedure recommended in section 4 of this standard or another bilaterally agreed procedure.

APPENDIX 1

FLOW CHART OUTLINING THE PROCEDURE FOR THE RECOGNITION OF PEST FREE AREAS OR AREAS OF LOW PEST PREVALENCE (AS PER SECTION 4)¹



¹ This appendix is not an official part of the standard. It is provided for information only.

IPPC STANDARD SETTING WORK PROGRAMME

Rows are numbered for reference purposes only.

Technical panels

Row	Priority	Topic	Drafting body ¹	Added to work programme	Status
1	High	Technical Panel No. 1: Technical panel on diagnostic protocols for specific pests (TPDP)	TPDP	ICPM-6 (2004)	Work on-going
2		Technical Panel No. 2: Technical panel on pest free areas and systems approaches for fruit flies (TPFF)	TPFF	ICPM-6 (2004)	Work on-going
3		Technical Panel No. 3: Technical panel on phytosanitary treatments (TPPT)	TPPT	ICPM-6 (2004)	Work on-going
4		Technical Panel No. 4: Technical panel on forest quarantine (TPFQ)	TPFQ	ICPM-6 (2004)	Work on-going
5		Technical Panel No. 5: Technical panel on the <i>Glossary of phytosanitary terms</i> (TPG)	TPG	CPM-1 (2006)	Work on-going

Topics with a draft ISPM

Bracketed text indicates if the draft ISPM was developed by a technical panel (TP), expert working group (EWG) or consultant, and the number of meetings held.

Row	Priority	Topic	Drafting body ¹	Added to work programme	Status	Projected adoption
6	High	Alternative strategies to methyl bromide (1 TPPT, 1 EWG)	EWG	ICPM-6 (2004)	Text in draft form	2008
7		Appropriate level of protection (1 EWG)	EWG	ICPM-7 (2005)	Text in draft form	2008
8		Classification of commodities by level of processing, intended use and phytosanitary risk (2 EWGs)	EWG	ICPM-6 (2004)	Text in draft form	2008
9		Debarked and bark-free wood (supplement to ISPM No. 5: <i>Glossary of phytosanitary terms</i>) (1 EWG)	EWG	ICPM-6 (2004)	Text in draft form, SC May 2007 to consider	2008
10		Guidelines for regulating wood packaging material in international trade (revision of ISPM No. 15) (1 TPFQ)	TPFQ	CPM-1 (2006)	Text in draft form, TPFQ to continue work in 2007	2010
11		Export certification for potato minitubers and micropropagative material (1 EWG)	EWG	ICPM-6 (2004)	Text in draft form	2009
12		Plants for planting (including movement, post-entry quarantine and certification programmes) (2 EWGs)	EWG	ICPM-7 (2005)	Text in draft form	2010
13		Not widely distributed (supplement to ISPM No. 5: <i>Glossary of phytosanitary terms</i>) (1 EWG)	EWG	ICPM-7 (2005)	Text in draft form	2008
14		Sampling of consignments (1 EWG)	EWG	ICPM-6 (2004)	Text in draft form	2008
15	Normal	Establishment of areas of low pest prevalence for fruit flies (Tephritidae) (1 consultant, 1 TPFQ)	TPFF	SC November 2004	Text in draft form, SC May 2007 to consider	2008
16		Glossary of phytosanitary terms (update of ISPM No. 5)	TPG	ICPM-3 (2001)	Updated annually	Annual
17		Post-entry quarantine facilities (1 EWG)	EWG	ICPM-6 (2004)	Text in draft form	2009
18		Systems approach for pest risk management of fruit flies (Tephritidae) (1 consultant, 1 TPFQ)	TPFF	SC November 2004	Text in draft form	2008

Topics being developed (currently without a draft ISPM)

Row	Priority	Topic	Drafting body ¹	Added to work programme	Status	Projected adoption
19	High	Suppression and eradication procedures for fruit flies (Tephritidae)	TPFF	SC November 2005	Specification adopted	2009
20		Establishment of pest free places of production and pest free production sites for fruit flies (Tephritidae)	TPFF	SC November 2005	Specification adopted	2009
21		Inspection manual	EWG	ICPM-7 (2005)	Specification in draft form, needs SC approval for member consultation	2010
22		Pre-clearance for regulated articles	EWG	ICPM-7 (2005)	Specification adopted	2011
23		Revision of ISPMs No. 7 and 12	EWG	CPM-1 (2006)	Specification adopted	2009
24		Review of adopted ISPMs (minor modifications to ISPMs resulting from the review)	TPG	CPM-1 (2006) (fast-track)	Process for the review established by the SC	2009
25		Trapping procedures for fruit flies (Tephritidae)	TPFF	SC November 2005	Specification adopted	2010
26		Determination of host susceptibility for fruit flies (Tephritidae)	TPFF	SC November 2006	Specification being developed	2011
27		International movement of forest tree seeds	TPFQ	SC November 2006	Specification being developed	2012
28		International movement of wood	TPFQ	SC November 2006	Specification being developed	2011
29	Normal	Guidelines for the movement of used machinery and equipment	EWG	CPM-1 (2006)	Specification in draft form, needs SC approval for member consultation	Unknown
30		Import of plant breeding material	EWG	ICPM-6 (2004)	Specification in draft form	Unknown
31		Regulating stored products in international trade	EWG	ICPM-7 (2005)	Specification in draft form	Unknown
32		Soil and growing media	EWG	ICPM-7 (2005)	Specification in draft form	Unknown
33		Forestry surveillance	TPFQ	SC November 2006	Specification being developed	Unknown

Diagnostic protocols (fast-track process)

Row	Priority	Topic	Drafting body ¹	Added to work programme	Status	Projected adoption
	n/a	Bacteria:				-
34		- <i>Erwinia amylovora</i>	TPDP	SC November 2004	Text in draft form	2010
35		- <i>Liberibacter</i> spp. / <i>Liberobacter</i> spp.	TPDP	SC November 2004	Text in draft form	2009
36		- <i>Xanthomonas axonopodis</i> pv. <i>citri</i>	TPDP	SC November 2004	Text in draft form	2009
37		- <i>Xanthomonas fragariae</i>	TPDP	SC November 2004	Text in draft form	2009
38		- <i>Xyllela fastidiosa</i>	TPDP	SC November 2004	Authors identified	2011
		Fungi and fungus-like organisms:				-
39		- <i>Fusarium moniliformis</i> / <i>moniforme</i> syn. <i>F. circinatum</i>	TPDP	SC May 2006	Call for authors to be made	Unknown
40		- <i>Guignardia citricarpa</i>	TPDP	SC November 2004	Authors identified	2012
41		- <i>Gymnosporangium</i> spp.	TPDP	SC November 2004	Call for authors made	2012
42		- <i>Phytophthora ramorum</i>	TPDP	SC November 2004	Authors identified	2012
43		- <i>Puccinia psidii</i>	TPDP	SC May 2006	Call for authors to be made	Unknown
44		- <i>Tilletia indica</i> / <i>T. controversa</i>	TPDP	SC November 2004	Authors identified	2012
		Insects and mites:				-
45		- <i>Anastrepha</i> spp.	TPDP	SC November 2004	Authors identified	2011
46		- <i>Anoplophora</i> spp.	TPDP	SC November 2004	Authors identified	2011
47		- <i>Bactrocera dorsalis</i> complex	TPDP	SC May 2006	Call for authors to be made	Unknown
48		- <i>Dendroctonus ponderosae</i> syn. <i>Scolytus scolytus</i>	TPDP	SC May 2006	Call for authors to be made	Unknown
49		- <i>Ips</i> spp.	TPDP	SC May 2006	Call for authors to be made	Unknown
50		- <i>Liriomyza</i> spp.	TPDP	SC May 2006	Call for authors to be made	Unknown
51		- Tephritidae: Identification of immature stages of fruit flies of economic importance by molecular techniques	TPDP	SC November 2006	Call for authors to be made	Unknown
52		- <i>Thrips palmi</i>	TPDP	SC November 2004	Text in draft form, needs SC approval for member consultation	2008
53		- <i>Trogoderma granarium</i>	TPDP	SC November 2004	Text in draft form	2009

Diagnostic protocols (fast-track process - continued)

Row	Priority	Topic	Drafting body ¹	Added to work programme	Status	Projected adoption
		Nematodes:				-
54		- <i>Aphelenchoides besseyi</i> , <i>A. ritzemabosi</i> and <i>A. fragariae</i>	TPDP	SC May 2006	Call for authors to be made	Unknown
55		- <i>Bursaphelenchus xylophilus</i>	TPDP	SC November 2004	Text in draft form	2009
56		- <i>Ditylenchus destructor</i> / <i>D. dipsaci</i>	TPDP	SC November 2004	Text in draft form	2009
57		- <i>Xiphinema americanum</i>	TPDP	SC November 2004	Text in draft form	2010
		Plants:				-
58		- <i>Sorghum halepense</i>	TPDP	SC November 2006	Call for authors to be made	Unknown
		Viruses and phytoplasmas:				-
59		- Citrus tristeza virus	TPDP	SC November 2004	Authors identified	2011
60		- Phytoplasmas (general)	TPDP	SC November 2004	Authors identified	2012
61		- Plum pox virus	TPDP	SC November 2004	Text in draft form	2009
62		- Potato spindle tuber viroid	TPDP	SC May 2006	Call for authors to be made	Unknown
63		- Tospoviruses (TSWV, INSV, WSMV)	TPDP	SC November 2004	Text in draft form	2009
64		- Viruses transmitted by <i>Bemisia tabaci</i>	TPDP	SC May 2006	Call for authors to be made	Unknown

Phytosanitary treatments (fast-track process)

Row	Priority	Topic	Drafting body ¹	Added to work programme	Status	Projected adoption
65	n/a	Fruit fly treatments	TPPT	SC May 2006	Treatment submissions reviewed by TPPT in December 2006. Additional information needed.	-
66		Irradiation treatments (Annex to ISPM No. 18)	TPPT	CPM-1 (2006)	Treatment submissions reviewed by TPPT in December 2006. Pending adoption of <i>Phytosanitary treatments for regulated pests</i> and e-mail approval of individual treatments by SC before member consultation.	-
67		- Irradiation treatment for <i>Anastrepha ludens</i>	TPPT			2008
68		- Irradiation treatment for <i>Anastrepha obliqua</i>	TPPT			2008
69		- Irradiation treatment for <i>Anastrepha serpentina</i>	TPPT			2008
70		- Irradiation treatment for <i>Bactrocera jarvisi</i>	TPPT			2008
71		- Irradiation treatment for <i>Bactrocera tryoni</i>	TPPT			2008
72		- Irradiation treatment for <i>Conotrachelus nenuphar</i>	TPPT			2008
73		- Irradiation treatment for <i>Cydia pomonella</i>	TPPT			2008
74		- Irradiation treatment for <i>Cylas formicarius elegantulus</i>	TPPT			2008
75		- Irradiation treatment for <i>Eusepes postfasciatus</i>	TPPT			2008
76		- Irradiation treatment for <i>Grapholita molesta</i>	TPPT			2008
77		- Irradiation treatment for <i>Grapholita molesta</i> under hypoxia	TPPT			2008
78		- Irradiation treatment for <i>Omphisia anastomosalis</i>	TPPT			2008
79		- Irradiation treatment for <i>Rhagoletis pomonella</i>	TPPT			2008
80		- Irradiation treatment for fruit flies of the family Tephritidae (generic)	TPPT			2008
81		Wood packaging material treatments (as part of revision of ISPM No. 15)	TPPT, TPFQ	CPM-1 (2006)	Treatment submissions reviewed by TPPT in December 2006. Additional information needed.	-

Topics that are pending

Row	Priority	Topic	Drafting body ¹	Added to work programme	Status	Projected adoption
82	High	Country of origin (minor modifications to ISPMs No. 7, 11 and 20 regarding use of the term) (1 TPG)	TPG	CPM-1 (2006) (fast-track)	SC decided that this would be taken up under the review of ISPMs No. 7 and 12 and the review of all adopted ISPMs.	Unknown
83		Efficacy of measures (2 EWGs)	EWG	ICPM-3 (2001)	Text in draft form. SC reviewed draft text and decided that work be delayed until draft ISPM on sampling and supplement to <i>Glossary</i> on appropriate level of protection are complete.	Unknown
84		Pest risk analysis for plants as pests	EWG	ICPM-7 (2005)	Specification in draft form. SC decided that work be delayed until completion of revision of ISPM No. 2.	Unknown
85		Surveillance for citrus canker (<i>Xanthomonas axonopodis</i> pv. <i>citri</i>)	EWG	ICPM-4 (2002)	Text in draft form. SC decided that work be delayed until completion of standard on systems approach for citrus canker.	Unknown
86	Normal	Systems approach for management of citrus canker (<i>Xanthomonas axonopodis</i> pv. <i>citri</i>) (2 EWGs)	EWG	ICPM-5 (2003)	SC decided that work be delayed until consensus reached on a technical issue.	Unknown

RULES OF PROCEDURE OF THE COMMISSION ON PHYTOSANITARY MEASURES

(as adopted at CPM-1 with amendments to Rules II.1 and VII adopted at CPM-2)

RULE I MEMBERSHIP

1. Membership of the Commission on Phytosanitary Measures (hereafter referred to as “the Commission”) consists of all contracting parties to the International Plant Protection Convention (hereafter referred to as “the IPPC”).
2. Before the opening of each session of the Commission, each contracting party (hereafter referred to as “member of the Commission”) shall communicate to the Director-General (hereafter referred to as “the Director-General”) of the Food and Agriculture Organization of the United Nations (hereafter referred to as “the Organization”) the names of all the persons (the head of the delegation, as well as alternates, experts and advisers) appointed by such member of the Commission to represent it during the session mentioned above. For the purpose of these Rules, the term “delegates” means the persons so appointed.

RULE II OFFICERS

1. The Commission shall elect a Chairperson, not more than two Vice-Chairpersons and other persons from among the delegates to form a Bureau of seven persons, so that each FAO region is represented. The Commission shall elect a rapporteur for each regular session from among the delegates. No delegate shall be eligible without the concurrence of the respective head of delegation. The Bureau shall be elected under FAO Rules and Regulations at the end of a regular session and shall hold office for a term of two years. The Chairperson, or in the absence of the Chairperson, a Vice-Chairperson, shall preside at all meetings of the Commission and shall exercise such other functions as may be required to facilitate the work of the Commission. A Vice-Chairperson acting as a Chairperson shall have the same powers and duties as the Chairperson. The purpose of the Bureau is to provide guidance to the CPM on the strategic direction, financial and operational management of its activities in cooperation with others as approved by CPM.
2. The Chairperson shall declare the opening and closing of each plenary meeting of the session. He/she shall direct the discussions in plenary meetings, and at such meetings ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He/she shall rule on points of order and, subject to these Rules, shall have complete control over the proceedings at any meetings. He/she may, in the course of the discussion of an item, propose to the Commission the limitation of the time to be allowed to speakers, the number of times each delegation may speak on any question, the closure of the list of speakers, the suspension or adjournment of the meeting, or the adjournment or closure of the debate on the item under discussion.
3. The Chairperson, or a Vice-Chairperson acting as Chairperson, shall not vote but may appoint an alternate, associate or adviser from his/her delegation to vote in his/her place.
4. The Chairperson, in the exercise of his/her functions, remains under the authority of the Commission.

RULE III SECRETARY

1. The Secretary of the IPPC shall be responsible for implementing the activities assigned to the Secretariat in accordance with the policies of the Commission. The Secretary shall report to the Commission on the activities assigned to the Secretariat.

RULE IV SESSIONS

1. The Commission shall hold one regular session each year. Special sessions shall be held as considered necessary by the Commission or at the written request of at least one third of the members of the Commission.
2. Sessions of the Commission shall be convened by the Chairperson of the Commission, after consultation with the Director-General.
3. Notice of the date and place of each session of the Commission shall be communicated to all the members of the Commission at least two months before the session.
4. Each member of the Commission shall have one representative, head of delegation, who may be accompanied by one or more alternates, experts and advisers. An alternate, expert or adviser shall not have the right to vote except when substituting for the head of delegation.
5. Meetings of the Commission shall be held in public unless the Commission decides otherwise.
6. A majority of the members of the Commission shall constitute a quorum.

RULE V AGENDA AND DOCUMENTS

1. The Director-General, in consultation with the Chairperson of the Commission, shall prepare a provisional agenda.
2. The first item on the provisional agenda shall be the adoption of the Agenda.
3. Any member of the Commission may request the Director-General to include specific items in the Provisional Agenda.
4. The Provisional Agenda shall normally be circulated by the Director-General at least two months in advance of the session to all members of the Commission and to all observers invited to attend the session.
5. Any member of the Commission, and the Director-General, may, after the despatch of the Provisional Agenda, propose the inclusion of specific items on the Agenda with respect to matters of an urgent nature. These items should be placed on a supplementary list, which, if time permits before the opening of the session, shall be dispatched by the Director-General to all members of the Commission, failing which the supplementary list shall be communicated to the Chairperson for submission to the Commission.
6. After the Agenda has been adopted, the Commission may, by a two-thirds majority of the members of the Commission present and voting, amend the Agenda by the deletion, addition or modification of any item. No matter referred to the Commission by the Conference or Council of the Organization may be omitted from the Agenda.
7. Documents to be submitted to the Commission at any Session shall be furnished by the Director-General to all the members of the Commission and to observers invited to the session, at the time the Agenda is despatched or as soon as possible thereafter.
8. Formal proposals relating to items on the Agenda and amendments thereto introduced during a session of the Commission shall be made in writing and handed to the Chairperson, who shall arrange for copies to be circulated to all delegates.

RULE VI VOTING PROCEDURES

1. Subject to the provisions of Article II of the Constitution of the Organization, each member of the Commission shall have one vote.
2. The Commission shall make every effort to reach agreement on all matters by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall, as the last resort be taken by a two-thirds majority of the members of the Commission present and voting.

3. For the purpose of these Rules, the phrase “members present and voting” means members of the Commission casting an affirmative or negative vote. Members who abstain from voting or cast a defective ballot are considered as not voting.
4. Upon the request of any member of the Commission, voting shall be by roll-call vote, in which case the vote of each member shall be recorded.
5. When the Commission so decides, voting shall be by secret ballot.
6. The provisions of Rule XII of the General Rules of the Organization shall apply *mutatis mutandis* to all matters not specifically dealt with under this Rule.

RULE VII OBSERVERS

1. Any country that is not a contracting party but is a Member of the Organization, as well as the United Nations, any of its specialized agencies and the International Atomic Energy Agency, may, upon request communicated to the Director-General, attend sessions of the Commission, and its subsidiary bodies, as an observer. Any such observer may submit memoranda and participate in discussions without a vote. Any country that is not a contracting party and is not a Member of the Organization, but is a Member of the United Nations, any of its specialized agencies or the International Atomic Energy Agency, may, upon request and subject to the provisions relating to the granting of the Observer Status in respect of Nations as provided for by the Basic Texts of the Organization, be invited to attend, in an observer capacity, sessions of the Commission or of its subsidiary bodies. The status of such Nations shall be governed by the relevant provisions of the Basic Texts of the Organization.
2. Representatives of Regional Plant Protection Organizations shall be invited to attend all sessions of the Commission and its subsidiary bodies as observers. Any such observers may submit memoranda and participate in discussions without a vote.
3. Subject to the provisions of paragraph 4 of this Rule, the Director-General, taking into account guidance given by the Commission, may invite international (intergovernmental and non-governmental) organizations to attend sessions of the Commission in an observer capacity.
4. Participation of international organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitution and other pertinent Basic Texts of the Organization. All such relations shall be dealt with by the Director-General, taking into account guidance given by the Commission.
5. Any country that is a contracting party may attend subsidiary body meetings as an observer, upon request to the Secretary of the IPPC.

RULE VIII RECORDS AND REPORTS

1. At each session, the Commission shall approve a report embodying its views, recommendations and conclusions, including, when requested, a statement of minority views. Such other records, for its own use, as the Commission may on occasion decide, shall also be maintained.
2. The report of the Commission shall be transmitted at the close of each session to the Director-General who shall circulate it to all members of the Commission and observers that were represented at the session, for their information, and, upon request, to other Members and Associate Members of the Organization.
3. Recommendations of the Commission having policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference and/or of the Council of the Organization for appropriate action.
4. Subject to the provisions of the preceding paragraph the Director-General may request members of the Commission to supply the Commission with information on action taken on the basis of recommendations made by the Commission.

RULE IX SUBSIDIARY BODIES

1. The Commission may establish such subsidiary bodies as it deems necessary for the accomplishment of its functions.
2. The terms of reference and procedures of the subsidiary bodies shall be determined by the Commission.
3. Membership in these subsidiary bodies shall consist of selected members of the Commission, or of individuals appointed in their personal capacity as respectively determined by the Commission.
4. The representatives of subsidiary bodies shall be specialists in the fields of activity of the respective subsidiary bodies.
5. The establishment of subsidiary bodies shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization. Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Commission shall have before it a report from the Director-General on the administrative and financial implications thereof.
6. Each subsidiary body shall elect its own officers, unless appointed by the Commission.

RULE X DEVELOPMENT AND ADOPTION OF INTERNATIONAL STANDARDS

1. The procedures for the development and adoption of international standards are set out in the Annex I to these Rules and shall form an integral part thereof.
2. Notwithstanding the provisions of Rule VI.2, where consensus is not reached on a proposal for the adoption of a standard which has been introduced before the Commission for the first time, the proposed standard shall be referred back to the appropriate body of the Commission, together with its comments thereon, for further consideration.

RULE XI EXPENSES

1. Expenses incurred by delegates when attending sessions of the Commission or of its subsidiary bodies, as well as the expenses incurred by observers at sessions, shall be borne by their respective governments or organizations. Developing countries delegates may request financial assistance to attend sessions of the Commission or its subsidiary bodies.
2. Any financial operations of the Commission and its subsidiary bodies shall be governed by the appropriate provisions of the Financial Regulations of the Organization.

RULE XII LANGUAGES

1. Pursuant to Rule XLVII of the General Rules of the Organization, the languages of the Commission and its subsidiary bodies shall be the languages of the Organization.
2. Any representative using a language other than one of the languages of the Commission shall provide for interpretation into one of the languages of the Commission.

RULE XIII AMENDMENT AND SUSPENSION OF THE RULES

1. Amendment of or additions to these Rules may be adopted by a two-thirds majority of the members of the Commission present and voting, provided that not less than 24 hours notice of the proposal for the amendment or the addition has been given.
2. Any of the above Rules of the Commission, other than Rule I.1, Rule IV.2 and 6, Rule V.6, Rule VI.1 and 2, Rule VII, Rule VIII.3 and 4, Rule IX.2 and 5, Rule XI, Rule XIII.1 and Rule XIV may be suspended by a two thirds majority of the members of the Commission present and voting,

provided that not less than 24 hours notice of the proposal for suspension has been given. Such notice may be waived if no representative of the members of the Commission objects.

**RULE XIV
ENTRY INTO FORCE**

1. These Rules and any amendments or additions thereto shall come into force upon approval by the Director-General of the Organization.

TERMS OF REFERENCE AND COMPOSITION OF THE FOCUS GROUP ON THE REVIEW OF IPPC STANDARD SETTING PROCEDURES

The focus group is to:

- review the IPPC standard setting procedures, and in particular:
 - the document under CPM-2 agenda items 9.4 (Terms of reference and rules of procedure for technical panels)
 - the document under CPM-2 agenda items 9.5 (Procedure and criteria for identifying topics for inclusion in the IPPC standard setting work programme)
 - the document under CPM-2 agenda items 9.7 (Improvement of transparency in the development of International standards for phytosanitary measures)
 - the document under CPM-2 agenda items 10.1.2 (Update of Annex I of the Rules of Procedure of the CPM on development and adoption of international standards)
 - comments by members on these four documents during CPM or received by 1 May 2007;
- make proposals to CPM-3 via the Informal Working Group on Strategic Planning and Technical Assistance and the Standards Committee for amending and ensuring consistency and clarity of the standard setting procedures
- propose a time-table to CPM-3 for any outstanding issue that it cannot resolve in this review of the IPPC standard setting procedures.

The focus group will be composed of the following 10 members (as selected by a Friends of the Chair meeting):

Members nominated by FAO regions

- Mr P.S. CHANDURKAR (India)
- Mr Basim Mustafa KHALIL (Iraq)
- Ms Ana PERALTA (COSAVE)
- Ms Lois RANSOM (Australia)
- Mr Vesper SUGLO (Ghana)
- Mr Jens-Georg UNGER (Germany)
- Mr Greg WOLFF (Canada)

Additional members

- Mr John HEDLEY (New Zealand)
- Mr Motoi SAKAMURA (Japan)
- Mr Marc VEREECKE (European Commission)

**TERMS OF REFERENCE AND RULES OF PROCEDURE FOR
THE CPM INFORMAL WORKING GROUP ON STRATEGIC PLANNING AND
TECHNICAL ASSISTANCE (SPTA)**

TERMS OF REFERENCE FOR THE SPTA

1. Scope of the SPTA

The SPTA is to assist the CPM with:

- business and strategic planning
- technical assistance
- administrative matters (such as financial matters, staffing etc.)
- procedural matters.

2. Objective

The objective of the SPTA is to formulate recommendations to the CPM or its Subsidiary Bodies in the areas covered by its scope and to advise the CPM on issues referred to it.

3. Structure of the SPTA

The SPTA will consist of:

- the Bureau of the CPM
- Chairpersons of the Subsidiary Body on Dispute Settlement and the Standards Committee
- other interested persons from contracting parties.
-

Wherever possible, members of the SPTA fund their own travel and subsistence to attend meetings. Members of the Bureau and the Chairpersons of the subsidiary bodies may request financial assistance from FAO for meetings, with the understanding that the priority for financial assistance, if available, is given to developing country participants.

4. Functions of the SPTA

The SPTA will meet its objectives through carrying out the following functions:

- periodic review of the CPM business plan and its strategic goals, objectives, and outcomes
- review of the annual operational plan
- review of technical assistance activities
- review of information exchange activities
- review of resource issues
- recommendation for strategic priorities for new standards
- undertaking of financial planning
- development of appropriate procedures
- consideration of new and emerging issues
- any other activity referred by the CPM.

5. IPPC Secretariat

The Secretariat provides administrative, technical and editorial support as required by the SPTA. The Secretariat is responsible for reporting and record keeping regarding the activities of the SPTA.

RULES OF PROCEDURE FOR THE SPTA

Rule 1. Membership

Membership of the Bureau is established according to the rules of procedure of the CPM.

Chairpersons of the Subsidiary Body on Dispute Settlement and the Standards Committee are elected according to the respective rules of procedure for those bodies. Upon request of the Chairperson of a Subsidiary Body, the Vice-Chairperson of that body may replace its Chairperson at any meeting of the SPTA.

Other interested persons from contracting parties should have knowledge of plant protection and should be interested in achieving the objectives of the SPTA. They should indicate their intent to participate in a meeting of the SPTA no less than 30 days prior to the beginning of the meeting.

Rule 2. Chairperson

The Chairperson will be elected by the Bureau from the members of the Bureau.

Rule 3. Meetings

The SPTA meets at least once a year. Timing of the meetings should be at least 4 months prior to the CPM meeting, to allow report preparation and the undertaking of specified activities before the next CPM meeting.

Rule 4. Decision making

The SPTA strives for consensus on all issues related to recommendations and advice to the CPM or its subsidiary bodies. Where no consensus can be reached, the CPM or the relevant subsidiary body is informed of the situation.

Rule 5. Documentation, records and reports

The Secretariat, in consultation with the Chairperson and the Vice-Chairpersons of the CPM, prepares a provisional agenda and makes it available to the members of the SPTA no less than 45 days prior to each meeting.

Other meeting documents are normally made available as soon as possible after the preparation of the provisional agenda and preferably no less than 14 days prior to the meeting.

The Secretariat keeps the records of the SPTA and prepares a report for the CPM.

Rule 6. Language

The business of the SPTA should be conducted in English.

Rule 7. Amendment

Amendment to the terms of reference and the rules of procedure for the SPTA may be developed and adopted by the CPM as required.

**COMPOSITION OF THE CORE GROUP OF THE SPTA
FOR THE MEETING IN OCTOBER 2007**

FAO region	Country	Name
Africa	South Africa	Ms Alice BAXTER
Asia	Philippines	Mr Larry LACSON
Europe	Sweden	Mr Göran KROEKER
Latin America and Caribbean	Trinidad and Tobago	Ms Lilory McCOMIE
Near East	Lebanon	Mr Charles ZARZOUR
North America	USA	Mr Richard DUNKLE
Southwest Pacific	Samoa	Mr Kirifi PUONO



INTERNATIONAL PLANT PROTECTION CONVENTION (IPPC)

STATEMENT OF COMMITMENT

Each nominee is requested to read the information listed and referenced in Appendix 1 for the relevant body and complete and sign this statement of commitment, and submit it at the same time as the nomination and CV.

1. IPPC body (Standards Committee, Subsidiary Body on Dispute Settlement, Technical Panel, Expert Working Group, IPP Support Group, etc.):

Expected meeting date and location, if relevant:

2. Nominee:

I have read the information listed and referenced in Appendix 1 in regards to my nomination and if selected agree to undertake the tasks and responsibilities involved and commit the time required. I have also discussed with my employer the time commitment and financial resources¹ required (as appropriate) to carry out my duties if my nomination is approved for the body indicated under section 1 above.

Signature

Date

Contact details for nominee:

Name: (LAST NAME in upper case, given names)

E-mail:

Phone:

Fax:

Mailing address:

¹ As recommended by the second session of the Interim Commission on Phytosanitary Measures (1999), whenever possible, those participating in IPPC activities voluntarily fund their travel and subsistence to attend meetings. Participants may request financial assistance, with the understanding that resources are limited and the priority for financial assistance is given to developing country participants.

APPENDIX 1

General membership duties relevant to all bodies:

- allocate time, as appropriate, for travel to the meeting, attendance in the meeting and follow-up activities, as necessary
- consult and liaise with relevant national and international experts, as appropriate
- read all meeting documents prior to the meeting and provide discussion papers and/or comments, if necessary
- maintain a functioning e-mail address and join in e-mail discussions or conference calls falling outside of the meeting dates and times, if necessary
- participate as an individual expert in a personal capacity
- participate in relevant meetings for the duration of the term
- if unable to attend the meeting provide written notification to the IPPC Secretariat well in advance and before travel arrangements have been made
- other specific details may be found in the IPPC Procedural Manual (www.ippc.int/id/159891?language=en).

Standards Committee (SC) member duties, in addition to the above general duties:

- attend one to three SC meetings annually at FAO headquarters
- act as a steward for expert drafting group meetings held in various international locations
- participate in relevant regional workshops for reviewing draft ISPMs
- participate for the entirety of the 3 year term, as appropriate
- other duties as assigned.

Further details are provided in the following documents, found in the IPPC Procedural Manual:

- Terms of reference and Rules of procedure for the SC
- Guidelines on the duties of SC members
- Guidelines on the role and responsibilities of a steward of an ISPM.

Subsidiary Body on Dispute Settlement (SBDS) member duties, in addition to the above general duties:

- attend one annual meeting
- other duties as assigned.

Further details are provided in the following documents, found in the IPPC Procedural Manual:

- Terms of reference and Rules of procedure for the SBDS.

Technical panel member duties, in addition to the above general duties:

- attend at least one annual meeting
- long term commitment, no specified term
- other duties as assigned.

Further details are provided in the IPPC Procedural Manual:

- Terms of reference and Rules of procedure for TPs
- Guidelines for the composition and organization of expert working groups
- Guidelines for the operation of expert working groups.

Expert working group member duties, in addition to the above general duties:

- attend at least one week-long meeting.
- other duties as assigned.

Further details are provided in the IPPC Procedural Manual:

- Guidelines for the composition and organization of expert working groups
- Guidelines for the operation of expert working groups.

Diagnostic protocol editorial team member duties, in addition to the above general duties:

- on going e-mail consultation and liaison with lead author or discipline lead.

Further details are provided in ISPM No. 27 (*Diagnostic protocols for regulated pests*) and the IPPC Procedural Manual:

- Instructions to authors of diagnostic protocols.

IPP Support Group duties, in addition to the above general duties:

- attend at least one annual meeting
- e-mail consultation occasionally sought.



INTERNATIONAL PLANT PROTECTION CONVENTION (IPPC)

DECLARATION OF INTERESTS FOR EXPERTS
WITHIN THE FRAMEWORK OF THE IPPC

<Name of subsidiary body, expert working group, technical panel or support group>
<Date and location of meeting>

Each expert selected by the IPPC Secretariat for the above-mentioned meeting must sign this form as evidence of his/her interests in relation to the meeting.

Public health considerations and protection of the environment are of primary importance in all Food and Agriculture Organization (FAO) and International Plant Protection Convention (IPPC) technical work. Measures need to be taken to ensure that the best possible assessment of scientific evidence is achieved in an independent atmosphere free of either direct or indirect pressures. Thus, to assure the technical integrity and impartiality of the work within the framework of the IPPC, it is necessary to avoid situations in which financial or other interests might affect the outcome of that work.

Each expert is therefore asked to declare any interests that could constitute a real, potential or apparent conflict of interest, with respect to his/her involvement in the meeting or work, between (1) commercial entities and the participant personally, and (2) commercial entities and the administrative unit with which the participant has an employment relationship. "Commercial entity" refers to any company, association (e.g., trade association), organization or any other entity of any nature whatsoever, with commercial interests.

What is a conflict of interest?

Conflict of interest means that the expert or his/her partner ("partner" includes a spouse or other person with whom s/he has a similar close personal relationship), or immediate family (essentially the children, brothers, sisters or parents), or the administrative unit with which the expert has an employment relationship, has a financial or other interest that could unduly influence the expert's position with respect to the subject-matter being considered. An **apparent conflict of interest** exists when an interest would not necessarily influence the expert but could result in the expert's objectivity being questioned by others. A **potential conflict of interest** exists with an interest which any reasonable person could be uncertain as to whether or not it should be reported.

Acting as a representative of a national government does not constitute a conflict of interest.

Different types of financial or other interests, whether personal or with the administrative unit with which the expert has an employment relationship, can be envisaged and the following list, which is not exhaustive, is provided for guidance. For example, the following types of situations should be declared:

1. A current proprietary interest in a substance, technology or process (e.g. ownership of a patent), to be considered in - or otherwise related to the subject matter of - the meeting or work
2. A current financial interest, e.g. shares or bonds, in a commercial entity with an interest in the subject-matter of the meeting or work (except share holdings through general mutual funds or similar arrangements where the expert has no control over the selection of shares)
3. An employment, consultancy, directorship, or other position during the past 4 years, whether or not paid, in any commercial entity which has an interest in the subject-matter of the meeting/work, or an ongoing negotiation concerning prospective employment or other association with such commercial entity
4. Performance of any paid work or research during the past 4 years commissioned by a commercial entity with interests in the subject-matter of the meetings or work
5. Payment or other support covering a period within the past 4 years, or an expectation of

support for the future, from a commercial entity with an interest in the subject-matter of the meetings or work, even if it does not convey any benefit to the expert personally but which benefits his/her position or administrative unit, e.g. a grant or fellowship or other payment, e.g. for the purpose of financing a post or consultancy.

With respect to the above, an interest in a competing substance, technology or process, or an interest in or association with, work for or support by a commercial entity having a direct competitive interest must similarly be disclosed.

How to complete this declaration

This Declaration must be completed and submitted to the IPPC Secretariat at least 21 days before the start of the meeting. Any financial or other interests that could constitute a real, potential or apparent conflict of interest should be declared (1) with respect to yourself, partner or immediate family, as well as (2) with respect to the administrative unit with which you have an employment relationship. Only the name of the commercial entity and the nature of the interest are required to be disclosed, no amounts need to be specified (though they may be, if you consider this information to be relevant to assessing the interest). With respect to items 1 and 2 in the list above, the interest should only be declared if it is current. With respect to items 3, 4 and 5, any interest during the past 4 years should be declared. If the interest is no longer current, please state the year when it ceased. With respect to item 5, the interest ceases when a financed post or fellowship is no longer occupied, or when support for an activity ceases.

Assessment and outcome

The information submitted will be used to assess whether the declared interests constitute an appreciable real, potential or apparent conflict of interest. Such conflict of interest will, depending on the situation, result in (1) you being asked not to take part in the portion of the discussion or work affecting that interest, (2) being asked not to take part in the meeting or work altogether, or (3) if deemed by the IPPC Secretariat to be appropriate to the particular circumstances, and with your agreement, you taking part in the meeting or work and your interest being publicly disclosed.

Information disclosed on this Form may be made available to persons outside of the IPPC only when the objectivity of the meeting or work has been questioned such that the Director-General of FAO considers disclosure to be in the best interests of the Organization, and then only after consultation with you.

Declaration

Have you, your partner, immediate family or the administrative unit with which you have an employment relationship any financial or other interest in the subject-matter of the meeting or work in which you will be involved, which may be considered as constituting a real, potential or apparent conflict of interest?

Yes: No: If yes, please give details in the box below.

Type of interest, e.g. patent, shares, employment, association, payment (including details on any compound work, etc.)	Name of commercial entity	Ownership Belongs to you, partner, immediate family or unit or someone else	Current interest? (or year ceased)

Is there anything else that could affect your objectivity or independence in the meeting or work, or the perception by others of your objectivity and independence?

I hereby declare that the disclosed information is correct and that no other situation of real, potential or apparent conflict of interest is known to me. I undertake to inform the IPPC Secretariat of any change in these circumstances, including if an issue arises during the course of the meeting or work itself.

 Signature

Date

 Name

Institution

**MODEL TEXT FOR LETTER ON ACCEPTANCE OF CORRESPONDENCE IN
ELECTRONIC FORMAT**

Subject: Acceptance of correspondence in electronic format from the IPPC Secretariat to all IPPC contact points

On behalf of NPPO/contracting party [name] or RPPO: [name]

We will download electronic copies of documents published on the IPP for IPPC Secretariat correspondence sent to all contracting parties. No hard copies need be mailed. We understand that notifications of availability of documents will still be sent to us by e-mail (except for the annual meeting of the CPM) with a distinct link to the relevant documents.

.....
Name of IPPC Contact Point

.....
Date

.....
Signature

Please send letter to:

IPP Secretariat
AGPP-FAO
viale delle Terme di Caracalla
00153 Rome, Italy
Fax: +39-06-570 54819
e-mail: ippc@fao.org (scanned copy with signature please).

ALLOCATION OF FUNDS FOR THE TRUST FUND FOR THE IPPC

2007 proposed allocation of funds (US\$) for the Trust Fund for the IPPC

Revenues (US\$)		
Carry over		350,000
Minus 6% overhead costs		21,000
Total		329,000
Expenditures (US\$)		
	Activity	
	Direction 1 - Participation in technical panels and expert working groups	50,000
	Direction 2 - Information exchange – attendance at workshops and publication of documents	50,000
	Direction 4 - Regional workshops on draft ISPMs	79,000
	Direction 4 - Regional workshops on capacity building	25,000
	Direction 4 - Attendance at CPM-2	100,000
	Direction 4 - Working group on the PCE tool	25,000
Total		329,000

Strategic Direction 1 - Participation in technical panels and expert working groups of the Standards Committee

The allocation of **US\$ 50,000** will help fund four technical panels and one expert working group (total budget cost of approximately US\$ 90,000).

Strategic Direction 2 - Information exchange

One regional workshop is planned to instruct national users on participation in the International Phytosanitary Portal in order to help contracting parties meet their IPPC reporting obligations. An allocation of **US\$ 25,000** (total estimated cost of US\$ 50,000) has been made to help pay for developing country participation (approximately 6-7 participants). The remaining **US\$ 25,000** allocated will assist with the publication of IPPC advocacy documents and the IPPC information exchange manual.

Strategic Direction 4 - Regional workshops to review draft ISPMs

The allocation of **US\$ 79,000** (combined with US\$ 50,000 provided by the European Union) will fund 3 to 4 regional workshops to review draft ISPMs during the country consultation period in 2007.

Strategic Direction 4 - Regional workshops on capacity building

A regional workshop on capacity building in pest risk analysis, the PCE and ISPMs is planned for 2007. The amount of **US\$ 25,000** has been allocated towards the funding (total estimated cost US\$ 45,000) of this.

Strategic Direction 4 - CPM participation

The allocation of **US\$ 100,000** will pay for the travel costs (including daily subsistence allowance) of approximately 28 participants to attend CPM-2 (based on the 2006 average of US\$ 3,500/person).

Strategic Direction 4 - Working group on the PCE tool

The amount of **US\$ 25,000** has been allocated towards a meeting of the working group on the revision of the PCE tool (total cost estimated at US\$ 40,000).

TERMS OF REFERENCE FOR THE OPEN-ENDED WORKING GROUP ON THE FEASIBILITY OF INTERNATIONAL RECOGNITION OF PEST FREE AREAS

The working group is to carry out a **feasibility study** on the international recognition of pest free areas, taking into account legal, technical and economic factors and assess the feasibility and sustainability of such a system.

The study will consider the following elements. The results of the study should be presented in the form of a report. The report should contain clear conclusions and make recommendations.

Legal issues:

- What international recognition of a PFA means.
- Whether liability insurance should be necessary.
- Which international organization(s) or individuals could take part in the international recognition process or could provide international recognition of a PFA. If other than the IPPC how would they relate to the IPPC or which role they would play (e.g. IPPC recognized experts, IPPC recognized organizations, other organizations).
- Whether the international recognition body carries any legal responsibility in relation to its international recognition process, what its obligations are in relation to reporting recognition or denial of recognition of a PFA.
- Whether a disclaimer of responsibility can be part of the international recognition process.
- What the obligations of contracting parties to the IPPC will be in regard to an internationally recognized PFA.
- Whether international recognition of PFAs will increase the likelihood of acceptance by contracting parties of the concept of PFAs.
- Whether international recognition of a PFA will reduce undue delays in the recognition of that PFA by trading partners.
- Which organizations or entities can request the international recognition of a PFA, e.g. the NPPO of the exporting contracting party in which the PFA is located (to facilitate exports), the NPPO of the importing contracting party (to recognize a PFA in an exporting country), industry representatives (to facilitate exports and/or imports), the NPPO of the importing contracting party in which the PFA is located (to recognize the PFA in its territory, to justify import requirements), a RPPO on behalf of one or more of its NPPOs.

Technical issues:

- Whether the international recognition of a PFA should result in a statement from the international body that the area is free of the specific pest, or whether it should result in an assurance that the criteria for the establishment and maintenance of a PFA have been applied.
- Whether international recognition of a PFA can only take place if there is a specific ISPM for the establishment and maintenance of a PFA for that specific pest or group of pests.
- Whether, once a PFA has received international recognition, such recognition needs to be renewed on a regular basis, or whether the recognition is valid until the PFA status changes.
- Whether the process of international recognition of PFAs, if such a process is developed, could be applied to areas of low pest prevalence, pest free production sites and pest free places of production.
- Whether a process for the international recognition of PFAs could be put in place for many pests, or only for a limited number of globally relevant pests. If it is determined that such a process could only apply to a limited number of globally relevant pests, what criteria should be used to identify these pests.
- The elements of the international recognition process, including, but not limited to, the assurance and verification procedures and the requirements (including evidence required) to be fulfilled by the country where the PFA is located.

- Whether pest specific ISPMs should recognize that different ecological conditions and associated risk levels may exist in different areas, and therefore the requirements for the establishment and maintenance of the specific PFA may differ. As a result of this, whether the international recognition body should apply judgement in the recognition process.
- Whether there should be specific requirements covering the reinstatement of an area that had lost its area freedom status.

Economic issues:

- The benefits and disadvantages of international recognition of a PFA, including, but not limited to:
 - importing countries
 - exporting countries
 - developing and least developed countries (either importing or exporting)
 - market access issues (imports and exports)
 - implementation of the IPPC
 - technical assistance.
- The financial costs of an international recognition system c.f. the current approach of bilateral recognition.
- The source(s) and methods of funding for an international recognition system.

Other issues:

The following areas of expertise should be available in the working group which will carry out the feasibility study:

- general phytosanitary administrative expertise
- knowledge of ISPMs, especially those on PFAs, ALPPs, etc.
- knowledge of operation and maintenance of PFAs in their country
- knowledge of accreditation and audit systems
- legal expertise in phytosanitary issues
- OIE experience in international recognition of PFAs.

Data on existing PFAs (e.g. recognized areas, size of area recognized, recognized by whom, commodity involved, pest involved) should be considered.

TERMS OF REFERENCE AND RULES OF PROCEDURE FOR THE SUBSIDIARY BODY ON DISPUTE SETTLEMENT

(as adopted at CPM-1 with changes to the Rules of procedure as adopted at CPM-2)

Terms of Reference

1. Scope of the Subsidiary Body on Dispute Settlement

The Subsidiary Body on Dispute Settlement manages the dispute settlement functions of the CPM and provides assistance to the CPM with regard to dispute settlement in the WTO and other organizations.

2. Objective

The main objective of the Subsidiary Body on Dispute Settlement is the oversight, administration and support of the IPPC dispute settlement procedures.

3. Structure of the Subsidiary Body on Dispute Settlement

The Subsidiary Body on Dispute Settlement consists of 7 members, one member drawn from each of the FAO Regions.

4. Functions of the Subsidiary Body on Dispute Settlement

The Subsidiary Body on Dispute Settlement has the following functions:

1. Provide guidance to the Secretariat and disputing parties in selecting appropriate dispute resolution methods and may assist in conducting or administering consultation, good offices, mediation, or arbitration.
2. Propose nominations for independent experts using Expert Committee procedures (see the report of the second session of the ICPM, Appendix IX, Section 4 and the report of the third session of the ICPM, Appendix XI, Section H, paragraph 27b) where the disputing parties cannot agree on experts proposed by the Secretariat.
3. Approve reports of Expert Committees including verification of all points in Expert Committee procedures (see the report of the second session of the ICPM, Appendix IX, Section 4 and the report of the third session of the ICPM, Appendix XI, Section F); and
4. Undertake other functions as directed by the CPM, which may include:
 - a) assist the Secretariat with requests from WTO or other organizations;
 - b) report on IPPC dispute settlement activities as well as dispute settlement activities undertaken or completed by other organizations that have implications for the phytosanitary community;
 - c) assist in identifying appropriate experts (e.g. for WTO dispute settlement);
 - d) assist in review and maintenance of expert rosters; and
 - e) identify appropriate training opportunities.

5. IPPC Secretariat

The Secretariat provides administrative, technical and editorial support as required by the Subsidiary Body on Dispute Settlement. The Secretariat is responsible for reporting and record keeping regarding the dispute settlement activities.

Rules of Procedure

Rule 1. Membership

Membership of the SBDS is open to contracting parties. Members serve for terms of two years, with a maximum of six years unless a region submits a request to the CPM for an exemption to allow a

member from within its region to serve an additional term. In that case, the member may serve an additional term. Regions may submit requests for additional exemptions for the same member on a term-by-term basis. Partial terms served by replacements shall not be counted as a term under these Rules.

Rule 2. Replacement of members

Each FAO region shall, following its own procedures, nominate a potential replacement for members of the SBDS and submit it to the CPM for confirmation. Once confirmed, potential replacements are valid for the same period of time as specified in Rule 1. These potential replacements should meet the qualifications for membership set forth in these Rules.

A member of the SBDS will be replaced by a confirmed potential replacement from within the same region if the member resigns, no longer meets the qualifications for membership set forth in these Rules, or fails to attend two consecutive meetings of the SBDS.

The national IPPC contact point should communicate to the Secretariat any circumstances where a member from its country needs to be replaced. The Secretariat should then inform the relevant FAO regional chair.

A replacement will serve through the completion of the term of the original member, and may be nominated to serve additional terms.

Rule 3. Chair

The subsidiary body shall elect its Chairperson and Vice-Chairperson from among its membership.

Rule 4. Qualifications of subsidiary body members

Experts shall have:

1. experience in phytosanitary systems;
2. familiarity with the IPPC and International Standards for Phytosanitary Measures;
3. experience with regulations/legislation; and
4. preferably some form of dispute settlement or conflict resolution knowledge, qualifications and/or experience.

Rule 5. Sessions

The subsidiary body shall meet at least once per year, preferably on the occasion of the regular session of the CPM. Other meetings shall be set by the Chairperson of the subsidiary body as needed, in particular, for the review and approval of Expert Committee reports and the development of reports for the CPM. The subsidiary body will normally work by mail, facsimile and e-mail, and in the most cost-effective manner within the available resources.

A meeting of the SBDS shall not be declared open unless there is a quorum. The presence of a majority of the members of the SBDS is necessary to constitute a quorum.

Rule 6. Observers

Meetings of the subsidiary body are generally open according to Rule VII of the Rules of Procedure for the CPM, but the subsidiary body may determine that certain meetings or business need to be conducted without observers, in particular where confidential or controversial information is involved.

Rule 7. Decision-making

The subsidiary body shall strive for consensus on all decisions but may vote where necessary using a 2/3 majority to take decisions. Decisions shall include dissenting opinions where requested.

Rule 8. Amendments

Amendments to the functions and procedures of the subsidiary body will be promulgated by the CPM as required.

Rule 9. Confidentiality

The subsidiary body shall exercise due respect for confidentiality where sensitive information is identified by disputing parties.

TERMS OF REFERENCE FOR THE OPEN-ENDED WORKING GROUP ON COMPLIANCE

The open-ended working group will:

1. Review mechanisms used by other organizations, including the benefits and costs for the promotion and implementation of compliance.
2. Explore the possibilities of such a potential compliance mechanism under the IPPC, including:
 - Scope
 - relationship with respect to IPPC and ISPMs
 - encouragement or disciplinary mechanism
 - Objectives
 - Potential benefits
 - Potential negative impacts
 - IPPC relevant specialized structures
 - if possible, an estimated resource cost
 - Legal compatibility and relationship with the IPPC Dispute Settlement system
3. Include persons with experience in other relevant compliance mechanisms.

The output of the open-ended working group will be considered by the SBDS and SPTA before submission to CPM-4 (2009).

Note: All the information available for this meeting will be posted on the IPP and delegates are encouraged to study the documentation before the meeting. Participants are encouraged to complete the questionnaire in order to focus discussions, and responses will be posted on the IPP before the meeting.

**PHASE 1 OF THE WORK PROGRAMME ON LIAISON WITH RESEARCH,
EDUCATION AND OTHER INSTITUTES**

Activity	Output	Resource Requirements
Identification of research, education and other institutes in countries	Database on research, education and other institutes in countries	Extra-budgetary staff resources (1 person for 12 months)
Incorporation of database into IPP	Fully updated IPP	No additional funding necessary; assistance through IPP support group
Development of an IPPC information package	Information package on IPPC relevance for research, education and other institutes	Minimal funding required (regular budget)
IPPC information package provided to research, education and other institutes	IPPC and phytosanitary awareness of research, education and other institutes is raised	Minimal funding required (regular budget)

STANDARDS COMMITTEE: MEMBERSHIP AND POTENTIAL REPLACEMENTS

A-Standards Committee Membership

FAO region	Country	Name	Nominated	Current term / Duration	End of current term
Africa	Nigeria	Mr Gabriel Olayiwola ADEJARE	CPM-1 (2006)	1st term / 3 years	2009
	South Africa	Mr Michael HOLTZHAUSEN	CPM-1 (2006)	1st term / 3 years	2009
	Uganda	Mr Robert KARYEIJIA	CPM-1 (2006)	1st term / 3 years	2009
	Zambia	Mr Arundel SAKALA	CPM-1 (2006)	acting as replacement	2009
Asia	China	Mr Fuxiang WANG	CPM-1 (2006)	1st term / 3 years	2009
	India	Mr Prabhakar CHANDURKAR	CPM-1 (2006)	1st term / 3 years	2009
	Japan	Mr Motoi SAKAMURA	CPM-1 (2006)	1st term / 3 years	2009
	Malaysia	Mr Mazlan SAADON	CPM-1 (2006)	1st term / 3 years	2009
Europe	European Commission	Mr Marc VEREECKE	CPM-1 (2006)	1st term / 3 years	2009
	Germany	Mr Jens-Georg UNGER	CPM-1 (2006)	1st term / 3 years	2009
	Israel	Mr David OPATOWSKI	CPM-1 (2006)	1st term / 3 years	2009
	Latvia	Mr Ringolds ARNITIS	CPM-1 (2006)	1st term / 3 years	2009
Latin America and Caribbean	Argentina	Mr Diego QUIROGA	CPM-1 (2006)	1st term / 3 years	2009
	Brazil	Mr Odilson RIBEIRO E SILVA	CPM-1 (2006)	1st term / 3 years	2009
	Costa Rica	Ms Magda GONZALEZ	CPM-1 (2006)	1st term / 3 years	2009
	Uruguay	Ms Beatriz MELCHO	CPM-2 (2007)	1st term / 3 years	2010
Near East	Jordan	Mr Mohammad KATBEH-BADER	CPM-1 (2006)	1st term / 3 years	2009
	Sudan	Mr Khidir GIBRIL MUSA	CPM-1 (2006)	1st term / 3 years	2009
	Syria	Mr Mohammad Jamal HAJJAR	CPM-2 (2007)	1st term / 3 years	2010
	Yemen	Mr Abdullah AL-SAYANI	CPM-1 (2006)	1st term / 3 years	2009
North America	Canada	Mr Gregory WOLFF	CPM-1 (2006)	1st term / 3 years	2009
	USA	Ms Julie ALIAGA	CPM-1 (2006)	acting as replacement	2009
Southwest Pacific	Australia	Mr David PORRITT	CPM-1 (2006)	1st term / 3 years	2009
	New Zealand	Mr John HEDLEY	CPM-1 (2006)	1st term / 3 years	2009
	Tonga	Mr Sione FOLIAKI	CPM-1 (2006)	1st term / 3 years	2009

B- Standards Committee Potential Replacements

FAO region	Order	Country	Name	Nominated	Current term / Duration	End of current term
Africa	1	Senegal	Mr Mame Ndene LO	CPM-1 (2006)	1st term / 3 years	2009
	2	Morocco	Mr Lahcen ABAHA	CPM-2 (2007)	1st term / 3 years	2010
Asia	1	Indonesia	Mr Dwi Putra SETIAWAN	CPM-1 (2006)	1st term / 3 years	2009
	2	Thailand	Mr Udorn UNAHAWUTTI	CPM-1 (2006)	1st term / 3 years	2009
Europe	1	Denmark	Mr Ebbe NORDBO	CPM-1 (2006)	1st term / 3 years	2009
	2	Netherlands	Mr Bram DE HOOP	CPM-1 (2006)	1st term / 3 years	2009
Latin America and Caribbean	1	Guatemala	Mr Jaime SOSA LEMMUS	CPM-1 (2006)	1st term / 3 years	2009
	2	Jamaica	Ms Shelia HARVEY	CPM-2 (2007)	1st term / 3 years	2010
Near East	1	Turkey	Mr Birol AKBAS	CPM-1 (2006)	1st term / 3 years	2009
	2	Egypt	Mr Safwat AL-HADAD	CPM-2 (2007)	1st term / 3 years	2010
North America	to replace Canada	Canada	Mr Steve CÔTÉ	CPM-1 (2006)	1st term / 3 years	2009
	To replace USA	USA	Mr Nancy KLAG	CPM-2 (2007)	1st term / 3 years	2010
Southwest Pacific	1	New Zealand	Ms Susan COOPER	CPM-2 (2007)	1st term / 3 years	2010
	2	Fiji	Mr Hiagi FORAETE	CPM-2 (2007)	1st term / 3 years	2010

**SUBSIDIARY BODY ON DISPUTE SETTLEMENT:
MEMBERSHIP AND POTENTIAL REPLACEMENTS**

A- Subsidiary Body on Dispute Settlement Membership

FAO region	Country	Name	Nominated	Current term / Duration	End of current term
Africa	Algeria	Mr Ali MOUMEN	CPM-1 (2006)	1st term / 2 years	2008
Asia	Korea, Republic of	Mr Young-Chul JEONG	CPM-1 (2006)	1st term / 2 years	2008
Europe	Netherlands	Ms Mennie GERRITSEN	CPM-1 (2006)	1st term / 2 years	2008
Latin America and Caribbean	Ecuador	Mr Carlos NIETO CABRERA	CPM-2 (2007)	1st term / 2 years	2009
Near East	Jordan	Mr Mohammad KATBEH-BADER	CPM-1 (2006)	1st term / 2 years	2008
North America	USA	Mr John GREIFER	CPM-1 (2006)	1st term / 2 years	2008
Southwest Pacific	New Zealand	Mr John HEDLEY	CPM-1 (2006)	1st term / 2 years	2008

B-Subsidiary Body on Dispute Settlement Potential Replacements

FAO region	Country	Name	Nominated	Current term / Duration	End of current term
Africa	Côte d'Ivoire	Mr Konan Lucien KOUAME	CPM-2 (2007)	1st term / 2 years	2009
Asia	China	Ms Xiaoling WU	CPM-2 (2007)	1st term / 2 years	2009
Europe	Nomination to be put forward at CPM-3				
Latin America and Caribbean	Colombia	Mr Jaime CÁRDENAS	CPM-2 (2007)	1st term / 2 years	2009
Near East	Libya	Mr Bashir OTMAN GSHERA	CPM-2 (2007)	1st term / 2 years	2009
North America	USA	Ms Mary Lisa MADELL	CPM-2 (2007)	1st term / 2 years	2009
Southwest Pacific	Australia	Mr Rob SCHWARTZ	CPM-2 (2007)	1st term / 2 years	2009

LIST OF DELEGATES AND OBSERVERS

Chairperson : Chagemu KEDERA (Kenya)

Vice-Chairpersons : Reinouw BAST-TJEERDE (Canada)
Ralf LOPIAN (Finland)

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