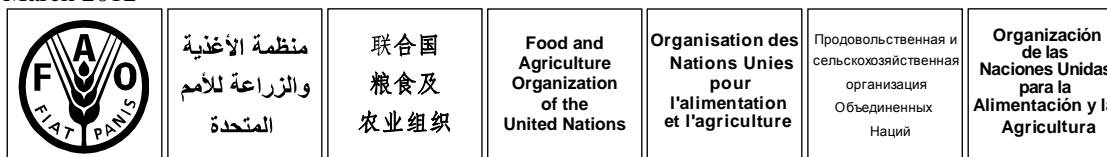


March 2012



# COMMISSION ON PHYTOSANITARY MEASURES

## Seventh Session

Rome, 19 - 23 March 2012

**Formal objections to the four phytosanitary treatments that the Standards Committee (SC) recommends to the CPM for adoption**

**Agenda item 8.1.3 of the Provisional Agenda**

- At its Third Session in 2008, the Commission on Phytosanitary Measures (CPM) adopted the IPPC Standards setting procedure<sup>1</sup> which formalized the procedure for formal objections received for draft standards in the special process.
- This procedure states that if no formal objection<sup>2</sup> is received up to 14 days prior to the Commission meeting, the draft standard will be adopted without discussion. However, if a formal objection is received at least 14 days prior to the Commission meeting, the draft standard is returned to the SC. The SC decides, possibly via electronic means, how to proceed, including the possibility of submitting it to the Commission for adoption through the regular process.
- The IPPC Secretariat received formal objections on the four Phytosanitary Treatments for Fruit flies that were presented for adoption in CPM 2012/07:
  - CPM 2012/07 Attachment 3: Cold treatment for *Bactrocera tryoni* on *Citrus sinensis* (2007-206E)
  - CPM 2012/07 Attachment 4: Cold treatment for *Bactrocera tryoni* on *Citrus reticulata* x *C. sinensis* (2007-206F)
  - CPM 2012/07 Attachment 5: Cold treatment for *Ceratitidis capitata* on *Citrus paradisi* (2007-210)
  - CPM 2012/07 Attachment 6: Cold treatment for *Ceratitidis capitata* on *Citrus reticulata* cultivars and hybrids (2007-212)
- Details of these formal objections follow.

<sup>1</sup> CPM-3 (2008), Rules of procedures of the Commission, Annex 1: IPPC Standards setting procedure

<sup>2</sup> A formal objection should be a technically supported objection to the adoption of the draft standard in its current form, sent through the official IPPC contact point. The Secretariat would not make any judgement about the validity of the objection – an objection with some technical discussion of the issue would be accepted as a formal objection.

**CPM 2012/07 Attachment 3: Cold treatment for *Bactrocera tryoni* on *Citrus sinensis* (2007-206E)****Formal objection by China**

China believes that conditions for adopting such standard are not perfectly satisfied and formally objects to adopt the draft standard. Reasons are given as follows:

- 1) In the draft standard submitted to members for consultation in 2009, there are two treatment schedules proposed as above. Based on the two treatment schedules proposed by the 2009 draft standard we could find that: for cultivar 'Navel', the ED value on the condition of 2°C for 16 days is 99.9973 and 99.9988 at the temperature below 3°C for 16 days. However, results are inconsistent with each other and obviously unreasonable. Likewise, for cultivar 'Valencia', the ED value on the condition of 2°C for 16 days is 99.9960 and 99.9976 at the temperature below 3°C for 16 days, which definitely has logical error.
- 2) According to relevant reports, the 2nd or 3rd metamorphosis stage of *Ceratitis* pest like Mediterranean fruit fly or *Bactrocera dorsalis* (Hendel) is the stage that larvae has the best cold temperature resistance than ever. However, the result presented by the reference (De lima et al, 2007) that larvae at the 1st metamorphosis stage has more resistance to low temperature than that at the 2nd metamorphosis stage is sounding dubious and further test and verification is to be required. Especially, we have to indicate that the difference between test results in references and effective quarantine treatment standards that have been practically proven is significant and needs to be treated cautiously and supported with further test data. During consultation in 2009, China had questioned and concerned about the scientificness of such treatment combination.
- 3) The draft standard is only based on one test reference report without further test data or sound reasons and directly deletes the 2°C for 16 days treatment combination but considers the 3°C for 16 days treatment schedule as the standard. Therefore, China considers that such practice is relatively hasty and less scientific as the international standard to be implemented by various member states and conditions for reviewing are not satisfied.
- 4) The test in the work of De Lima et al. (2007) on five types of fruit of *Citrus sinensis* (orange) shows that the treatment of lemon for 18 days at 3°C or below and other tested oranges for 20 days will result in 100% mortality of larvae of Mediterranean fruit fly. However, in the work of Cold Treatment of Mediterranean Fruit Fly on *Citrus reticulata* Cultivar and Hybrid Cultivar submitted to the CPM-7 at this time, the treatment time index is changed into 23 days at 3°C or below, which is significantly longer than that of the same kind. It also makes a big difference between the test result of *Bactrocera tryoni* (Queensland fruit fly) and the proved effective treatment index. This shows that the test result on Mediterranean fruit fly lacks credibility, so does the test result on *Bactrocera tryoni* (Queensland fruit fly).
- 5) China further maintains that the standard method of treatment differs from the conceptual standards. It is directly concerned with the spread of pest with agricultural products and the realization of International Plant Protection Convention. The standard method of treatment approved by Commission on Phytosanitary Measures should be based on sufficient test data or a large number of practice data of the member states. In case the method concluded from a few tests was promoted globally in a form of standard, it will turn the member states into trial sites of new method and technology so as to significantly increase the risk of pest spread.

In conclusion, China formally objects to adopt the draft standard.

**CPM 2012/07 Attachment 4: Cold treatment for *Bactrocera tryoni* on *Citrus reticulata* x *C. sinensis* (2007-206F)**

**Formal objection by China**

China believes that conditions for adopting such standard are not perfectly satisfied and formally objects to adopt the draft standard. Reasons are given as follows:

The commodity must reach the treatment temperature before treatment commences. The commodity temperature should be monitored and should not exceed the stated level.

1) In the draft standard submitted to members for consultation in 2009, there are two treatment schedules proposed as above. Based on the two treatment schedules proposed by the 2009 draft standard we could find that: the ED value on the condition of 2°C for 16 days is 99.9968 and 99.9989 at the temperature below 3°C for 16 days. However, results are inconsistent with each other and obviously unreasonable.

2) According to relevant reports, the 2nd or 3rd metamorphosis stage of *Ceratitis* pest like Mediterranean fruit fly or *Bactrocera dorsalis* (Hendel) is the stage that larvae has the best cold temperature resistance than ever. However, the result presented by the reference (De lima et al, 2007) that larvae at the 1st metamorphosis stage has more resistance to low temperature than that at the 2nd metamorphosis stage is sounding dubious and further test and verification is to be required. Especially, we have to indicate that the difference between test results in references and effective quarantine treatment standards that have been practically proven is significant and needs to be treated cautiously and supported with further test data. During consultation in 2009, China had questioned and concerned about the scientificness of such treatment combination.

3) The draft standard is only based on one test reference report without further test data or sound reasons and directly deletes the 2°C for 16 days treatment combination but considers the 3°C for 16 days treatment schedule as the standard. Therefore, China considers that such practice is relatively hasty and less scientific as the international standard to be implemented by various member states and conditions for reviewing are not satisfied.

4) The test in the work of De Lima et al. (2007) on five types of fruit of *Citrus sinensis* (orange) shows that the treatment of lemon for 18 days at 3°C or below and other tested oranges for 20 days will result in 100% mortality of larvae of Mediterranean fruit fly. However, in the work of Cold Treatment of Mediterranean Fruit Fly on *Citrus reticulata* Cultivar and Hybrid Cultivar submitted to the CPM-7 at this time, the treatment time index is changed into 23 days at 3°C or below, which is significantly longer than that of the same kind. It also makes a big difference between the test result of *Bactrocera tryoni* (Queensland fruit fly) and the proved effective treatment index. This shows that the test result on Mediterranean fruit fly lacks credibility, so does the test result on *Bactrocera tryoni* (Queensland fruit fly).

5) China further maintains that the standard method of treatment differs from the conceptual standards. It is directly concerned with the spread of pest with agricultural products and the realization of International Plant Protection Convention. The standard method of treatment approved by Commission on Phytosanitary Measures should be based on sufficient test data or a large number of practice data of the member states. In case the method concluded from a few tests was promoted globally in a form of standard, it will turn the member states into trial sites of new method and technology so as to significantly increase the risk of pest spread.

In conclusion, China formally objects to adopt the draft standard.

**CPM 2012/07 Attachment 5: Cold treatment for *Ceratitits capitata* on *Citrus paradisi* (2007-210)****Formal objection by the European Union**

The EU and its 27 Member States hereby express their formal objection with regards to the draft cold treatment for *Ceratitits capitata* on *Citrus paradisi* (2007-210).

Although we accept the efficacy data supporting the treatments, we are concerned about the practical and operational feasibility of adopting only one cold treatment for a pest/host combination at this time, while alternative schedules of cold treatment for *Ceratitits capitata* are accepted and applied by Contracting Parties in existing trades with citrus fruits. EU (namely Spain) has submitted to the IPPC/TPPT, prior to its meeting in 2010, scientific evidence on the efficacy and operational feasibility of some of those alternative schedules. We do believe that, if there had been a regular TPPT meeting in 2011, more alternatives of cold treatments for *Ceratitits capitata* on specific hosts would have been submitted for approval in CPM-7. Accepting only one schedule for a specific pest/host combination at this time is considered misleading. It may have a confusing or even negative impact on existing practices as trade in citrus fruits is a highly sensitive domain.

The EU suggests that the adoption of the two treatments be suspended until a range of cold treatments for a pest/host combination can be adopted at the same time. It would allow Contracting Parties to choose from several options the one(s) they wish to implement.

We also believe that our rationale is in line with our member comment (Country Consultation 2009), where we proposed that cold treatments for *Ceratitits capitata* were suspended until additional schedules could be added. Our then argument was as follows: "The current proposal seems to be too restrictive in terms of the schedules included therein. In our view, the number of schedules should be expanded to include others that achieve sufficient efficacy with shorter treatment periods, which are successfully used in international trade. Examples include cold treatment of *Citrus sinensis* fruit at 2°C for 16 or 17 days. A possible broader choice of schedules would allow for more flexible applicability of the cold treatments as well as enhancing their practical use."

## **CPM 2012/07 Attachment 6: Cold treatment for *Ceratitis capitata* on *Citrus reticulata* cultivars and hybrids (2007-212)**

### **Formal objections by Australia and the European Union**

#### **1. Australia**

With reference to the adoption of international standards under the special process that have been presented for consideration at the 7th meeting of the Commission on Phytosanitary Measures, I wish to notify a formal objection for one phytosanitary treatment, paper CPM 2012/07/ Attachment06. Australia provided technical data in support of cold treatments at 2° and 3°C for citrus for both *Bactrocera tryoni* and *Ceratitis capitata*. The submitted data was supported by the reference to De Lima, C P F, Jessup, A J, Cruickshank, L, Walsh L, and Mansfield, E R (2007) 'Cold disinfestations of citrus (*Citrus* spp) for Mediterranean fruit fly (*Ceratitis capitata*) and Queensland fruit fly *Bactrocera tryoni* (Diptera: Tephritidae), New Zealand Journal of Crop and Horticultural Science, 35: 39-50. Whilst the data provided has been accepted for the cold treatment for *B. tryoni*, it is not apparent that it has been used for *C. capitata*. Based on this technical evidence presented which supports a different, but effective, fruit fly treatment, Australia believes that the proposed treatment (agenda item 8.1.3 Attachment 6 for cold treatment *C. capitata* on *Citrus reticulata* cultivars and hybrids) is not the least restrictive measure available. The requirement for minimal impact is made clear in ISPM No 1 'Phytosanitary principles for the protection and the application of phytosanitary measures in international trade' and under the WTO Agreement on the Application of Sanitary and Phytosanitary Measures. In providing supporting information to the Technical Panel on Phytosanitary Treatments, Australia proposed cold treatments for *C. capitata* with a 100% mortality of the most tolerant stage (that is 2<sup>nd</sup> instar stage) obtained after 18 days at 2°C and 20 days at 3°C in oranges and mandarins and 16 days at 2°C and 18 days at 3°C in lemons. These treatments are accepted by a number of trading partners based on the technical data provided. We understand that the same treatments are used by other exporting countries and that this acceptance is based on separate but consistent technical evidence. Australia therefore provides this letter as a formal objection to the phytosanitary cold treatment for *C. capitata* on *Citrus reticulata* cultivars and hybrids (paper CPM 2012/ 07/ Attachment06). Australia does not object to the proposed treatment standard for *C. capitata* in grapefruit, but new data generated by Australia that supports a reduced period for treatment will be forwarded to the IPPC Secretariat with a request that the treatment, if adopted by CPM, be reviewed on the basis of the new data provided.

#### **2. The European Union**

The EU and its 27 Member States hereby express their formal objection with regards to the draft cold treatment for *Ceratitis capitata* on *Citrus reticulata* cultivars and hybrids (2007-212).

Although we accept the efficacy data supporting the treatments, we are concerned about the practical and operational feasibility of adopting only one cold treatment for a pest/host combination at this time, while alternative schedules of cold treatment for *Ceratitis capitata* are accepted and applied by Contracting Parties in existing trades with citrus fruits. EU (namely Spain) has submitted to the IPPC/TPPT, prior to its meeting in 2010, scientific evidence on the efficacy and operational feasibility of some of those alternative schedules. We do believe that, if there had been a regular TPPT meeting in 2011, more alternatives of cold treatments for *Ceratitis capitata* on specific hosts would have been submitted for approval in CPM-7. Accepting only one schedule for a specific pest/host combination at this time is considered misleading. It may have a confusing or even negative impact on existing practices as trade in citrus fruits is a highly sensitive domain.

The EU suggests that the adoption of the two treatments be suspended until a range of cold treatments for a pest/host combination can be adopted at the same time. It would allow Contracting Parties to choose from several options the one(s) they wish to implement.

We also believe that our rationale is in line with our member comment (Country Consultation 2009), where we proposed that cold treatments for *Ceratitis capitata* were suspended until additional schedules could be added. Our then argument was as follows: "The current proposal seems to be too restrictive in terms of the schedules included therein. In our view, the number of schedules should be expanded to include others that achieve sufficient efficacy with shorter treatment periods, which are successfully used in international trade. Examples include cold treatment of *Citrus sinensis* fruit at 2°C for 16 or 17 days. A possible broader choice of schedules would allow for more flexible applicability of the cold treatments as well as enhancing their practical use."