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2. DRAFT REVISION TO ISPM 5 (GLOSSARY OF PHYTOSANITARY TERMS) - SUPPLEMENT NO. 1: GUIDELINES ON THE INTERPRETATION AND APPLICATION OF THE CONCEPTS OF OFFICIAL CONTROL FORIN RELATION TO REGULATED PESTS AND NOT WIDELY DISTRIBUTED IN RELATION TO QUARANTINE PESTS THAT ARE PRESENT IN AN AREA

[2]

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Notes to this document	For the purpose of visibility of the new text on not widely distributed, and in order to not reopen the discussion on the official control text (as requested by the SC), the text is marked as follows.	
	– original text on official control incorporating the consistency ink amendments noted by CPM-5 in 2010 (as additions or deletions to the original text on official control) – new text on not widely distributed – original text on official control deleted for the purpose of integrating both texts	Grey <u>black underlined</u> in black and strikethrough.
	Note that renumbering of sections does not show as changes.	
	Deletions do not intend to change the content of the official control supplement, but some deletion was necessary: for example, essential changes to integrate both texts, updates to current glossary or IPPC terminology (e.g. “phytosanitary import requirements”, “contracting party”), consistency with the structure of recent ISPMs (e.g. sections on adoption, background), updates to ISPM references, editorials. 2011-01-31: Formatting for Editor; 2011-02-12 and 2011-03-10: editorial checks; 10 March 2011: Formatting for SC 2011-05. 2011-05-10: editorial checks.	

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Adoption

[4] This supplement was first adopted by the Third Interim Commission on Phytosanitary Measures (2001) as a supplement to ISPM 5:2001, *Supplement No. 1: Guidelines on the interpretation and application of*

the concept of official control for regulated pests. The first revision was adopted by the Commission on Phytosanitary Measures in 20-- as the present Supplement No. 1 to ISPM 5.

[5]

Introduction

[6] **Scope**

[7] This ~~guidelinesupplementrefers only to~~ provides guidance on the official control of regulated pests and, for the decision on whether a pest qualifies as a quarantine pest, determination of when a pest is considered to be present but not widely distributed. For the purposes of this ~~guidelinesupplement~~, the relevant regulated pests are both quarantine pests that are present in an importing country but not widely distributed and regulated non-quarantine pests.

[8] **References**

[9] ISPM 1. 2006. *Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade.* Rome, IPPC, FAO.

[10] ISPM 2. 2007. *Framework for pest risk analysis.* Rome, IPPC, FAO.

[11] ISPM 6. 1997. *Guidelines for surveillance.* Rome, IPPC, FAO.

[12] ISPM 8. 1998. *Determination of pest status in an area.* Rome, IPPC, FAO.

[13] ISPM 11. 2004. *Pest risk analysis for quarantine pests including analysis of environmental risks and living modified organisms.* Rome, IPPC, FAO.

[14] Report of the ICPM open-ended working group on official control, 22–24 March 2000, Bordeaux, France, ~~IPPC Secretariat, FAO, Rome, IPPC, FAO.~~

[15] **Definition**

[16] Official control is defined as:

[17] The active enforcement of mandatory phytosanitary regulations and the application of mandatory phytosanitary procedures with the objective of eradication or containment of quarantine pests or for the management of regulated non-quarantine pests.

[18]

purpose BACKGROUND

[19] The words “present but not widely distributed and beingofficially controlled” express ~~an~~ essential conceptsin the definition of a quarantine pest. According to that definition, a quarantine pest must always be of potential economic importance to an endangered area. In addition, it must either meet the criterion of not being present in that area or it must meet the combined criteria of being not widely distributed and subject to official control.

[20] The *Glossary of phytosanitary terms* defines official as “established, authorized or performed by an NPPO” and control as “suppression, containment or eradication of a pest population”. However, for phytosanitary purposes, the concept of *official control* is not adequately expressed by the combination of

these two definitions.

[21] The purpose of this guideline is to describe more precisely the interpretation of:

- [22]
- the concept of official control and its application in practice for quarantine pests that are present in an area as well as for regulated non-quarantine pests, and
 - “present but not widely distributed” in relation to official control for quarantine pests.

[23] A national plant protection organization (NPPO) may choose whether or not to officially control a pest that is of potential economic importance and that is present but is not widely distributed, taking into account other relevant factors from pest risk analysis (PRA), for example the costs and benefits of regulating the specific pest.

[24]

REQUIREMENTS

[25] **1. General Requirements**

[26] Official control is subject to ISPM 1:2006, in particular the principles of non-discrimination, transparency, equivalence of phytosanitary measures and pest risk analysis.

[27] “Not widely distributed” is a concept referring to a pest’s geographic occurrence within an area. Any pest may be categorized as widely distributed in an area, or not widely distributed, or absent. Transient occurrences of pests in an area are not expected to lead to establishment and therefore are not relevant.

[28] In the case of a quarantine pest that is present but not widely distributed, and where appropriate in the case of certain regulated non-quarantine pests, the importing country should define the infested area(s), endangered area(s) and protected area(s). When a pest is considered not widely distributed this means that the pest is limited to parts of the endangered area, i.e. it has reached only a limited part of its potential distribution within the endangered area or has been eradicated from parts of that area. Thus, when a pest is not widely distributed in an area, there are unaffected parts of the area at risk from further introduction or spread. An endangered area **does not need** ~~not to~~ be **necessarily** continuous but may consist of several distinct parts of any size. In order to justify the statement of a pest being not widely distributed, a description and quantification of the parts of the endangered area at risk should be made available if requested. There is a degree of uncertainty attached to any categorization of distribution. The categorization may also change over time.

[29] The area for which the NPPO is investigating whether or not the pest is widely distributed should be the same as the area for which the economic impact is being analysed and which is considered for official control. The decision that a pest is a quarantine pest, including consideration of its distribution and placing the endangered area under official control, is typically made by an NPPO with respect to an entire country. However, in some instances it may be more appropriate to decide if a pest is a quarantine pest with respect to parts of a country rather than the whole country. In that case, it is the potential economic importance of the pest for those parts that has to be considered in deciding phytosanitary measures. Examples of when this may be appropriate are countries whose territories include one or more islands or other cases where there are natural or artificially created barriers to pest distribution and establishment.

[30] Official control includes:

- [31]
- eradication and/or containment in the infested area(s)
 - surveillance in the endangered area(s)
 - restrictions related to the movement into and within the protected area(s) including phytosanitary measures applied at import.

[32] All official control programmes have elements that are mandatory. At minimum, programme evaluation and pest surveillance are required in official control programmes to determine the need for and effect of control to justify phytosanitary measures applied at import for the same purpose. Phytosanitary measures applied at import should be consistent with the principle of non-discrimination (see section 2.1 below).

[33] For quarantine pests, eradication and containment may have an element of suppression. For regulated non-quarantine pests, suppression may be used to avoid unacceptable economic impact as it applies to the intended use of plants for planting.

[34] 2. Specific Requirements

[35] 2.1 Non-discrimination

[36] The principle of non-discrimination between domestic requirements and phytosanitary import requirements is fundamental. In particular, requirements for imports should not be more stringent than the effect of official control in an importing country. There should therefore be consistency between domestic requirements and phytosanitary import requirements for a defined pest:

- [37]
- Import requirements should not be more stringent than domestic requirements.
 - Domestic and import requirements should be the same or have an equivalent effect.
 - Mandatory elements of domestic and import requirements should be the same.
 - The intensity of inspection of imported consignments should be the same as equivalent processes in domestic control programmes.
 - In the case of non-compliance, the same or equivalent phytosanitary action should be taken on imported consignments as are taken domestically.
 - If a tolerance level is applied within a national programme, the same tolerance level should be applied to equivalent imported material. In particular, if no action is taken in the national official control programme because the pest incidence does not exceed the tolerance level concerned, then no action should be taken for an imported consignment if the pest incidence does not exceed that same tolerance level. Compliance with import tolerance levels is generally determined by inspection or testing at entry, whereas compliance with the tolerance level for domestic consignments should be determined at the last point where official control is applied.

[38] *[blank]*

[39] If downgrading or reclassifying is permitted within an ~~national~~ official control programme, similar options should be available for imported consignments.

[40] 2.2 Transparency

[41] Domestic requirements for official control and the phytosanitary import requirements should be documented and made available, on request.

[42] **2.3 Technical justification**

[43] Domestic requirements and phytosanitary import requirements should be technically justified and result in non discriminatory phytosanitary measures.

[44] **2.4 Pest risk analysis**

[45] Application of the definition of a quarantine pest requires knowledge of potential economic importance, potential distribution and official control (ISPM 2:2007). The categorization of a pest as present and widely distributed or present but not widely distributed is determined in relation to its potential distribution. This potential distribution represents the areas where the pest could become established if given the opportunity, i.e. its hosts are present and environmental factors such as climate and soil are favourable. ISPM 11:2004 provides guidance on the factors to be considered in assessing the probability of establishment and spread. In the case of a pest that is present but not widely distributed, the assessment of potential economic importance should relate to the areas where the pest is not established.

[46] **2.5 Enforcement**

[47] The domestic enforcement of official control programmes should be equivalent to the enforcement of phytosanitary import requirements. Enforcement should include:

- [48]
- a legal basis
 - operational implementation
 - evaluation and review
 - phytosanitary action in the case of non-compliance.

[49] **2.6 Mandatory nature of official control**

[50] Official control is mandatory in the sense that all persons involved are legally bound to perform the actions required. The scope of official control programmes for quarantine pests is completely mandatory (e.g. procedures for eradication campaigns), whereas the scope for regulated non-quarantine pests is mandatory only in certain circumstances (e.g. official certification programmes).

[51] **2.7 Area of application**

[52] An official control programme can be applied at national, subnational or local area level. The area of application of official control measures should be specified. Any phytosanitary import requirements should have the same effect as the domestic requirements for official control.

[53] Surveillance should be used to determine the distribution of a pest in an area and whether it is not widely distributed.

[54] ISPM 6:1997 describes the components of survey and monitoring systems, and includes provisions on transparency. Biological factors such as pest life cycle, means of dispersal and rate of reproduction may influence the design of surveillance programmes, the interpretation of survey data and the level of confidence in the categorization of a pest as not widely distributed. The distribution of a pest in an area is not a static condition. Changing conditions or new information may necessitate a review of whether a pest is not widely distributed.

[55] “Not widely distributed” is not a description of pest status listed in ISPM 8:1998. Rather it encompasses a number of pest situations described therein. Depending on its distribution relative to the endangered area, the status of a pest that is not widely distributed may be described using one or more of the examples provided in ISPM 8:1998.

[56] **2.8 NPPO authority and involvement in official control**

[57] Official control should:

- [58]
- be established or recognized by the contracting party or the NPPO under appropriate legislative authority
 - be performed, managed, supervised or, at minimum, audited/reviewed by the NPPO
 - have enforcement assured by the contracting party or the NPPO

 - be modified, terminated or lose official recognition by the contracting party or the NPPO.

[59] Responsibility and accountability for official control programmes rests with the contracting party. Agencies other than the NPPO may be responsible for aspects of official control programmes, and certain aspects of official control programmes may be the responsibility of subnational authorities or the private sector. The NPPO should be fully aware of all aspects of official control programmes in its country.