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# COMMISSION ON PHYTOSANITARY MEASURES

<b>Twelfth Session</b>
<b>Incheon, Republic of Korea , 5-11 April 2017</b>
<b>Sea containers - Complementary Action Plan</b>
<b>Agenda item 8.6</b>
<b>Prepared by the CPM Bureau</b>

1. A special topics session was held during CPM-11 (2016) on the issue of sea containers. Presentations by NPPOs, relevant international organisations and stakeholders involved in the movement of sea containers outlined the complex logistics of the movement of sea containers and the potential risks of the spread of pests.

2. CPM recognised the risk of pests and regulated articles, other than cargo, that can be moved with sea containers and that managing these risks was complex to achieve.

3. The CPM also recognised that the implementation of the IMO/ILO/UNECE CTU Code and the Recommendation CPM 10/2015\_01 on Sea Containers would help address the risks of sea containers being contaminated, and agreed that these two actions should be implemented and analysed for their impact on reducing pest movement by sea containers over a maximum period of five years before ISPM topic on Minimising Pest Movement by Sea Containers (2008-0001) was reconsidered.

4. The CPM requested the Bureau to consider the development of a “set of complementary actions”, which, combined, may offer some value in assessing and managing the pest threats associated with sea containers and to propose such a possible program of complementary actions to CPM-12 (2017). Further discussion occurred at both the Strategic Planning Group and the Capacity Development Committee, with outcomes taken into account in finalising this paper.

## I. The CPM Bureau

5. The Bureau discussed this matter at length during its meeting in June 2016, drawing on papers prepared by China, North America, Australia and EPPO. It considered the pathway of movement of

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containers from depots where they were cleaned and serviced through international movements either empty or containing goods exported to countries that imported them. This helped to identify where actions related to phytosanitary considerations are necessary and if there is a need by the IPPC to intervene.

6. The Bureau noted that exporters and importers have a strong interest in making sure that (i) the contents of containers are not compromised by pests in containers, and (ii) clearance of containers in the importing country is not delayed by dirty containers. The Bureau also recognised that containers would need to be treated as ‘regulated articles’ by NPPOs to take action.

7. As complementary actions, the Bureau proposed a number of actions pending extra-budgetary resources provided by contracting parties (CPs) or industry. These actions will measure the impact of the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code) during the next five years, increased awareness of pest risks of sea containers and information to assist NPPOs better manage these risks, and establish oversight and governance arrangements for their implementation. Further, the Bureau recommends that oversight of these actions is provided by the Implementation and Capacity Development Committee.

8. The Complementary Action Plan proposed by the Bureau is in Attachment 1.

## **II. Strategic Planning Group**

9. The Strategic Planning group discussed the Bureau recommendations in October 2016 with reference to a paper prepared by New Zealand.

10. On sea containers, the SPG recommended that:

- NPPOs be encouraged to share during CPM meetings and on the IPP the actions they are taking in their countries to support the recommendations on Sea Containers,
- the Bureau and Secretariat allocate a small amount of resources to communicate to contracting parties and encourage them to take action in their own countries,
- The Secretariat continue efforts to secure funding for implementation of the complementary action plan for sea containers.

## **III. Capacity Development Committee**

11. At its meeting in December 2016, the CDC discussed the establishment of the task force and the mechanisms for its operation and governance, including the function of the body within the framework of the proposed Implementation and Capacity Development Committee (IC). The membership of the task force was proposed and its operating costs were estimated. The CDC further developed the action plan and prioritized actions in terms of feasibility and costs.

12. The CDC shared the outcomes of discussion with the Bureau. These are summarized in Attachments 2 and 3.

13. The CDC estimated the costs of operating the SCTF at a minimum of \$30,000 per annum, comprising one face-to-face meeting per year @ \$20,000 and publication costs for design, editing and printing resource materials @ \$10,000.

14. It does not include funding for any consultants, industry members, Secretariat resources and resources needed from NPPOs, RPPOs, international organizations etc. to conduct all the activities needed - such as setting up monitoring frameworks, conducting studies and inspections.

15. CPM is invited to:

- 1) *Endorse* the Complementary Action Plan presented by the Bureau in Attachment 1.
- 2) *Note* the priority actions identified by the CDC in Attachment 2.
- 3) *Agree* that the proposed Sea Container Task Force is established by the CDC/IC in May 2017, within existing Secretariat and Trust Fund resources.
- 4) *Request* the CDC/IC and the SCTF finalise Rules of Procedure and Terms of Reference to enable the efficient implementation the Complementary Action Plan.
- 5) *Encourage* Contracting Parties to provide extra-budgetary resources to support the SCTF and commence implementation activities, including any significant in-kind contribution (following the ePhyto project manager model) to manage the implementation activities.
- 6) *Request* the Secretariat to continue efforts to secure funding for implementation of the complementary action plan for sea containers.
- 7) *Recommend* that the Bureau and Secretariat allocate a small amount of resources to communicate to contracting parties and encourage them to take action in their own countries.
- 8) *Encourage* NPPOs to share during CPM meetings and on the IPP, the actions they are taking in their countries to support the Recommendations on Sea Containers.

**Attachment 1*****Complementary Action Plan for assessing and managing the pest threats associated with sea containers****Prepared by the CPM Bureau*

1. The CPM Bureau proposes a number of actions to reduce the pest risks associated with sea containers, pending extra-budgetary resources provided by contracting parties (CPs) or industry. These actions will measure the impact of the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code) during the next five years, increase awareness of pest risks of sea containers and information to assist NPPOs better manage these risks, and establish oversight and governance arrangements for their implementation.

2. The Bureau encourages CPs or industry to provide resources to the IPPC Secretariat to facilitate this work, and suggested that the funding model of the ePhyto project could be applied to progress it.

**(i) Measuring the impact of the CTU shipping code through:**

- The development of a joint IPPC/IMO/industry protocol for the collection of data related to contamination of sea containers to be completed by CPM-16 (2021);
- Monitoring the uptake and implementation of the IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code) through:
  - industry reporting
  - NPPO monitoring;
- Verifying the efficacy of the CTU Code in ensuring the arrival of clean sea container through:
  - monitoring for pest contamination and freedom of soil by NPPOs;
- Assisting NPPOs manage pest risks associated with sea containers,

**(ii) Increasing awareness of pest risks of sea container through**

- publication of the data of the Expert Working Group (EWG) by the IPPC Secretariat;
- a request by the IPPC Secretariat for countries having data on contamination of sea containers to make it publically available;
- calling for and publication of pest risk management guidance material for sea containers;
- encouraging NPPOs to inform industry on the risks and possible international actions to manage pest risks associated with sea containers;
- ensuring that any regulations on sea containers that are developed and implemented by NPPOs are based on pest risk analysis and consistent with Recommendation CPM 10/2015\_01 on Sea Containers.

**Oversight and governance**

3. Establishment of a Task Force that will operate under the oversight of the CDC/IC, to supervise the above actions and complement them with any other actions through:

- providing information on pest risks of sea containers and their management;
- coordinating with CPs, RPPOs, industry and other international organizations;
- establishing a mechanism for CPs to report to CPM on their progress and achievements;
- providing advice on how the CTU Code or any other instrument could be updated;
- providing, through the CDC/IC, updates on its activities to be presented annually to the CPM, as well as a final report for presentation to CPM-16 (2021).

4. The Bureau will select members and invited experts to take part in the task force. Members of the task force should be nominated by contracting parties or RPPOs and have expertise in IPPC matters and sea container logistics. At least one member of the task force should be an EWG member on sea containers. In addition, industry experts and representatives of relevant international organizations could also be part of the task force as invited experts.

5. The Task Force should have members from CPs knowledgeable in IPPC matters and sea container logistics. It should have industry experts and other relevant international organizations. The Task Force may consult experts on sea containers, such as ex EWG members, as required.

*June 2016*

**Attachment 2*****Establishing and operating the Task Force on Sea Containers***

*Prepared by CDC*

**I. Governance**

1. The Sea Container Task Force (SCTF) is convened as a body of experts under the umbrella of the IC. It reports annually to the December meeting of the IC. The IC incorporates a report on progress against the prioritised sea container Complementary Action Plan in its annual report to the CPM.

**II. Operations**

2. The SCFT could be activated by May 2017, subject to available funding. It would cease operations and be dissolved in 2021 by the CPM.

3. The SCFT operates mainly through virtual meetings and on-line communications. Periodic face to face meetings may be convened, as needed.

4. A meeting record and communique is prepared after each meeting and posted on the IPP.

**III. Establishing the SCTF****A. Composition**

5. The task force should be composed of representatives of Contracting Parties (CPs), Regional Plant Protection Organizations, international organizations and phytosanitary experts who already have an experience relevant to the pest risks on sea containers and their management.

6. This may be drawn from:

- Up to 3 representative of CPs
- 1 industry expert to be represented by COA
- 2 representatives of international organizations:
  - WCO (CTU-Code manager) - WCO will communicate with IMO
  - WSCO
- 1 Expert on Sea Containers (EWG)
- 1 representative of RPPO

7. A fixed core membership of 6 to 8 experts may be supplemented by additional experts from NPPOs, the Convention on Biological Diversity and the OIE where expertise such as on risk management, implementation experience, economic and financial analysis, is needed to implement the action plan.

8. A member of the IC is appointed as a Steward of the SCTF to ensure appropriate linkage with the IC. The Steward is required to attend SCTF meetings and act as a liaison with the IC. An officer from the IPPC Secretariat would be assigned as a focal point to the topic and would ensure liaison and consistency across the different IPPC governing bodies.

**B. Nomination**

9. The IPPC Secretariat nominates the focal point for the SCTF and the IC appoints a Steward.

10. Membership of the SCTF may be sought through a call, coordinated by the Secretariat on behalf of the IC. This may be for specific expertise or for a SCTF core member. Alternates may be sought for core membership. Where a call for experts was required, the IC will set criteria and recommend the expert(s) to the Bureau.

11. RPPOs may coordinate a call for membership and an alternate through the TC-RPPO forum or any other process they agree.

### **C. Selection**

12. The Bureau will select members and invited experts to take part in the task force.

*December 2016*

**Attachment 3*****Priority actions to implement the Sea Container Complementary Action Plan****Prepared by CDC*

13. In December 2016, the CDC proposed a number of high priority and feasible activities for the Sea Container Task Force to undertake that will progress implementation of the Complementary Action Plan. These are as follows:

14. **Among the first administrative tasks to be undertaken:**

- Task Force nominees to be invited for the first face-to-face meeting (Priority 1/Feasible)
- The Secretariat collects and provides the Task Force with all available materials on sea containers (Priority 1/Feasible)
- The Task Force develops a work plan based on the Terms of Reference elaborated by the Bureau (Priority 1/Feasible).

15. **Activities of the Task Force will include:**

- A baseline study is performed by the Task Force (needs assessment) (Priority 1/Feasible).
- A call is issued for resources needed to fill gaps, including for pest risk management (Priority 1/Feasible, except that contributors might be willing to submit resources and a lot of follow up is needed to assess these resources).
- The Task Force would establish linkages with international organizations such as WCO and IMO and other stakeholders involved in sea container issues (Priority 1/Feasible).
- The Task Force establishes a list of stakeholders involved in sea containers (The EWG might already have this list) (Priority 1/Feasible).
- Monitoring of the uptake and implementation of the CTU shipping code:
- Procedures set to monitor uptake and implementation of the CTU shipping code (to establish a baseline during the first year, to monitor implementation of the CTU up to 2021):
  - Establishing monitoring procedures (Priority 1/Feasible)
  - Surveys (Priority 1/Feasible, although collection of responses is somewhat difficult)
  - Call for pilot countries with broad participation and reflecting the situations.
  - Country assessment (Priority 2/Feasible/Costly)
  - Establishing national Committees (Customs, NPPO staff, IPPC contact points, industry)
- Reporting framework by:
  - Industry (self-monitoring) (Priority 1/Feasible/hard to collect responses and coordinate reporting)
  - NPPO (Priority 1/Feasible/hard to collect responses and coordinate reporting)
  - RPPO (Priority 1/Feasible/hard to collect responses and coordinate reporting)
  - WCO or other relevant international organizations (Priority 1/Feasible/hard to collect responses and coordinate reporting)
- Analyse data and report to the IC. The IC reports to the CPM –(Priority 1/Feasible/Costly) (staff and database are needed)
- Providing information on pest risks and management of sea containers. The task force should within one year:
  - Collect and analyse global information regarding pests known to be introduced in sea containers and soil for a period of 2 years. Pests should be categorized.

- Establishing an industry advisory committee.
  - Available measures used.
  - Database/data-modelling.
  - Identify gaps.
- Awareness programme (Priority 1/Feasible/Costly, consultant is needed, costs of publication, see point 2.3):
  - Notifications developed to Industry on pest risk
  - A range of possible management actions communicated to NPPOs
  - Outreach spread to all stakeholders based on the list established
  - Means: fliers, videos, emails, Phytosanitary Resources page, media, social media, conferences

Legal instrument, if appropriate, for sea containers:

- Develop a model legal instrument for CTU code adoption for NPPOs (Priority 1/Feasible/Costly)
- Communicate to NPPOs model legal instrument (Priority 1/Feasible/Costly)
- Monitor consistency with CPM decisions of national legal framework on sea containers if in place up to 2021 (Priority 1/Feasible/Costly).

*December 2016*