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## **REPORT**

# **Standards Committee Working Group (SC-7)**

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13-17 May 2019**

**IPPC Secretariat**

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## 1. Opening of the meeting

### 1.1 Welcome by the IPPC Secretariat

- [1] The International Plant Protection Convention (IPPC) Standards Officer opened the meeting and welcomed the participants. He highlighted the importance of the Standards Committee working group (SC-7) and their role in reviewing International Standards on Phytosanitary Measures (ISPM) coming from first consultation. He recalled that since no ISPMs were submitted for first consultation in 2019, the SC-7 in 2020 would have an opportunity to have more strategic discussions. He noted the absence of the representative from the Near East region, Mr Abdulqader Khudhair ABBAS.

### 1.2 Election of the Chairperson

- [2] Mr Stephen BUTCHER (New Zealand) was elected as Chairperson.

### 1.3 Election of the Rapporteur

- [3] Mr Masahiro SAI (Japan) was elected as Rapporteur.

### 1.4 Adoption of the Agenda

- [4] The SC-7 adopted the agenda as presented in Appendix 1.

## 2. Administrative Matters

- [5] The IPPC Secretariat (hereafter ‘Secretariat’) introduced the Documents list (Appendix 2) and Participants list (Appendix 3).

## 3. Updates from the Standards Committee meeting

- [6] The Chairperson gave a brief summary of the May 2019 Standards Committee (SC) meeting<sup>1</sup>, noting particularly the discussions on the draft ISPM on *Authorization of entities to perform phytosanitary actions* (2014-002). He recalled the guidance from the SC on issues highlighted by the steward and the reminded that the SC-7 needed to review the standard with a view to providing increased clarity for contracting parties (CP). He also noted that based on SC discussions the draft ISPM on *Pest risk management for quarantine pests* (2014-001) would be further discussed in the SC in their November 2019 meeting, and no draft ISPMs would be submitted to first consultation in 2019. However, a number of strategic discussions during the SC meeting, such as those on commodity and pathway standards, may be included in the agenda of the next SC-7 meeting, which could be used to work more intensely on strategic issues.

## 4. Review of Draft ISPMs

- [7] The SC-7 reviewed the draft ISPMs that had been submitted for first consultation in July-September 2018. The compiled consultation comments for all draft ISPMs are available on the IPP<sup>2</sup>.

### 4.1 Draft 2018 amendments of ISPM 5: *Glossary of Phytosanitary Terms* (1994-001), priority 1

- [8] The Steward for the IPPC Technical Panel for the Glossary (TPG), Ms Laurence BOUHOT-DELDUC (France) introduced the 2018 draft amendments of ISPM 5 (*Glossary of Phytosanitary Terms* (1994-001)), the TPG responses to comments from the 2018 consultation, and the Steward’s additional notes<sup>3</sup>. During their December 2018 meeting<sup>4</sup>, the TPG had considered 151 comments received during

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<sup>1</sup> 2018 May SC meeting report: <https://www.ippc.int/en/core-activities/standards-setting/standards-committee/>

<sup>2</sup> Compiled comments from first consultation are available at: <https://www.ippc.int/en/core-activities/standards-setting/member-consultation-draft-ispms/>

<sup>3</sup> 1994-001\_2018, 05\_SC7\_2019\_May, 11\_SC7\_2019\_May

<sup>4</sup> TPG 2018-12 meeting report: <https://www.ippc.int/en/publications/86956/>

consultation, most of which supported the draft 2018 amendments. The SC-7 thanked the TPG and the Steward for all their work on the terms.

[9] The SC-7 discussed the following substantial issues.

**Deletion of “commodity class” terms: “commodity class” (2015-013), “bulbs and tubers (as a commodity class)” (2017-001), “cut flowers and branches (as a commodity class)” (2012-007), “fruits and vegetables (as a commodity class)” (2017-003) and “plants in vitro (as a commodity class)” (2017-006)**

[10] **Intended use.** While most comments supported deletion of commodity class terms, some CPs considered that the intended use of the commodities needed to be properly addressed. The SC-7 agreed that this information should not be included in Glossary definitions but that ISPMs should provide additional information on the state (e.g. fresh or dried) or other characteristics (e.g. their intended use) of commodities as necessary.

[11] **Cut flowers and branches, plants *in vitro*.** Several comments suggested retaining these terms, because a draft standard on *International movement of cut flowers and foliage* had been sent to first consultation and a standard could be developed in the future for plants *in vitro*. However, the SC-7 agreed with the TPG assessment that cut flowers and branches are different commodities and that nothing in the definition of plants *in vitro* is IPPC-specific, and maintained their recommendation to delete the terms.

[12] The SC-7 agreed to maintain their recommendations for deletion of “commodity class” terms for the second consultation.

**Revision of “commodity class” terms: “seeds (as a commodity class)” (2017-007), “grain (as a commodity class)” (2017-004) and “wood (as a commodity class)” (2017-009)**

[13] The steward noted that several CPs provided comments on the definitions of commodity class terms proposed for revision in the draft. However, the TPG noted that the proposed revisions were a matter of consistency and a consequence of deleting the term and definition of commodity class, and only encompassed the deletion of the word “class” in the qualifier of the terms.

[14] **Seeds and Grain as commodity classes.** One comment suggested to define grains (plural) instead of grain (singular). The SC-7 agreed with the TPG assessment that for commodities the term “seeds” should be used in plural and “grain” in singular, recalling that this had been discussed several times and is more accurate in this context.

[15] **For vs. whose intended use is.** Some comments suggested to include “whose intended use is” in the definitions for seeds and grain to be more explicit. The SC-7 agreed with the TPG assessment that “for” has the same meaning as “intended for” in this context and is sufficient.

[16] **Propagation and sowing.** A comment suggested to include “propagation” in the definition of cut flowers and branches, and “sowing” in the definition of seeds. However, the SC-7 and the TPG agreed that propagation and sowing are both covered by the definition of planting, and their inclusion is therefore not needed.

[17] **Seeds for sprouting for consumption.** Some comments questioned whether seeds that are used for sprouting and are subsequently consumed would be considered as grain rather than seeds and suggested an explanation be added to the Annotated Glossary. The TPG steward noted that the TPG had considered this particular case was beyond the scope of the Annotated Glossary and had noted that ISPM 38 (*International movement of seeds*) provides guidance on addressing the pest risk of imported seeds, including for seeds for laboratory testing or destructive analysis of seeds that are not intended to be released into the pest risk analysis (PRA) area. The TPG therefore suggested that the case of seeds for sprouting for consumption could be considered during a future revision of ISPM 38.

[18] Some SC-7 members questioned whether the comments refer more to the intended use of the seeds, which in this particular case is for consumption rather than release into the Pest Risk analysis (PRA) area. Another member noted that this may not be an issue for ISPM 38, as sprouted seeds for

consumption could be considered a different kind of commodity (e.g. mung beansprouts) and would therefore be covered elsewhere. He further explained that commodity class focuses more on the specific species of seeds, whereas seeds for sprouting are considered more a commodity with a different intended use. One member asked at what point a seed would become a vegetable. The TPG steward reminded that the definition would cover seeds intended for planting and not those already sprouted or planted. One member asked whether this concept could be included in the intended use specified during the PRA and suggested that it could be more an issue of implementation of existing definitions.

- [19] **Wood.** One CP had proposed in a comment to specify that “rattan” is excluded from the definition of wood. The SC-7 agreed with the TPG proposal that in alignment with the scope of ISPM 39 (*International movement of wood*), rattan is explicitly included in the proposed revision as an exclusion to the definition of wood.
- [20] The SC-7 agreed to retain the recommended revisions of “seeds” and “grain” without change and to add the exception of rattan to the recommended revised definition of “wood (as a commodity)” for the second consultation.

#### **Revision of the term “treatment” (2017-008)**

- [21] **Devitalization.** The SC-7 discussed whether devitalization can be considered a phytosanitary measure only when applied to regulated plants as pests as opposed to when aimed at preventing diversion from intended use. One SC-7 member questioned if devitalization of cut flowers and branches to avoid them being used as propagation material and to prevent potential introduction of associated regulated pests, could be considered a phytosanitary measure. One member further noted that devitalizing seeds could prevent the spread of associated pests. Other members agreed that while it may be an import requirement, it should not be considered a phytosanitary measure if it does not specifically target regulated pests. The TPG steward highlighted that devitalization generally can be used for preventing diversion from intended use, whereas a devitalization treatment as a phytosanitary measure is specifically directed against regulated plants as pests.
- [22] **Pests vs. regulated pests.** Some comments suggested that treatment is oriented against endemic and quarantine pests, and to revert to “pests” instead of “regulated pests” in the definition. The SC-7 agreed with the TPG that a treatment (as a phytosanitary measure) can be applied only to regulated pests because according to the Convention Article VI(2), “*Contracting parties shall not require phytosanitary measures for non-regulated pests*”. However, a treatment, when not being applied as a phytosanitary measure, is not covered by the definition and may be applied to any pests.
- [23] **Permanently inactivating.** One member suggested adding “permanently” before inactivating in the definition of treatment, giving the example that cold treatment may only temporarily inactivate pests. The TPG steward noted that the ISPM 5 definition of “inactivation” is “*Rendering micro-organisms incapable of development*”, which would involve their permanent incapacitation.
- [24] **Official procedure vs. phytosanitary procedure.** One consultation comment had suggested to replace “official procedure” with “phytosanitary procedure” but the TPG had retained their recommended definition, noting that “official” in the definition highlights that a treatment as a phytosanitary measure is established, authorized or performed by the NPPO. This is in contrast with non-official treatments applied by farmers to their crops. One member suggested that it may be an option to change official procedure to phytosanitary procedure that is defined in the Glossary as an “official” method. The steward explained that it would be a duplication of “phytosanitary” in the term defined and the definition, and the TPG had thought it would be better to focus on “official”. One member asked whether including “official” in the definition would lead to some ambiguity as to what would be an “unofficial” procedure. One member noted that using “official” in the definition would be a stronger statement to make a distinction between a treatment as a common term and a treatment as a phytosanitary measure. The steward further reminded the note on actions and measures in the Annotated Glossary (treatments include also phytosanitary actions). One member noted that including regulated pests in the definition implies that it is an official procedure. Finally, the SC-7 agreed to support the TPG proposal and retained “official procedure”.

- [25] One member asked whether the use “quarantine treatment” is still applicable, and it was clarified that there is no definition for the term in the Glossary, so this could therefore apply to treatments specifically targeted at quarantine pests. The SC-7 suggested that ISPMs could be more precise in their use of language and provide additional information on specific terms.
- [26] The SC-7 agreed to retain the recommended revision of the definition of “treatment (as a phytosanitary measure)” without change for the second consultation.
- [27] The SC-7:
- (1) *approved the 2018 Draft amendments to ISPM 5: Glossary of Phytosanitary Terms (1994-001) as modified by the TPG for submission to the second consultation.*

#### **4.2 Draft Revision of ISPM 8: *Determination of pest status in an area (2009-005), priority 1***

- [28] The Steward of the draft ISPM, Ms Marina ZLOTINA (USA) introduced the draft ISPM and supporting documents<sup>5</sup>. She emphasized that the draft ISPM was mainly concerned with the quality of information to determine pest status and noted that the Implementation and Capacity Development Committee (IC) was concurrently developing a Guide on Pest Status (2017-048, priority 2). The draft ISPM had received 668 comments during country consultation, all of which were considered by the Steward.
- [29] The TPG had considered 110 comments for consistency in use of terms and definitions, and had proposed some restructuring of the draft ISPM in order to improve clarity. The Steward incorporated most of the TPG recommendations.
- [30] The Steward highlighted the main issues arising from consultation comments: (1) a proposal to separate the table on “pest status – present” into two tables; (2) a suggestion to introduce a new distinct category to address situations where a pest status could not be determined and (3) the placement of the table on “guidance on reliability of information sources”, which is currently an appendix to the draft. She noted that the current ISPM 8 has a similar, but much smaller table included in the main body of the ISPM. She invited discussions on the content and on an appropriate location of the table as it relates to the current draft. She also suggested that it would be valuable to retain the table for guidance and to harmonize how quality of information can be assessed when determining a pest status.
- [31] The SC-7 members acknowledged the work by the Steward and the TPG in addressing the comments and discussed the following substantial issues in detail.
- [32] **Scope.** Several CP comments expressed concern about possible confusion with ISPM 17 (*Pest reporting*). However, the TPG had proposed to rearrange some sections and provided alternative wording for the scope of the ISPM to clarify that ISPM 8 only provides descriptions of the use of pest status for pest reporting. The SC-7 agreed with the modifications to the text as proposed by the TPG.
- [33] **Background.** Some comments had suggested including references to areas of low pest prevalence, pest free places of production and pest free production sites, being the areas for which pest status determination is required. The SC-7 agreed to include these references in the draft where applicable. They agreed to delete a duplicated reference to what comprises an area. Some comments had also suggested to align with ISPM 6 (*Surveillance*) and ISPM 17 and to avoid duplicated information. The SC-7 agreed to reword this part of the section.
- [34] **Purpose of Pest Status Determination.** One comment suggested, and the SC-7 agreed that one of the important outcomes of determination of pest status in an area is for “the implementation” of a number of activities undertaken by NPPOs, and this was included in the draft. The TPG steward proposed to delete a sentence stating that pest status is determined by the NPPO responsible for the area as it is duplicated in the next section and also covered in the outline of requirements.

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<sup>5</sup> 2009-005, 04\_SC7\_2019\_May, 06\_SC7\_2019\_May, 07\_SC7\_2019\_May

- [35] **Lists of national or regulated pests.** Some CP comments suggested adding “establishing or updating a list of regulated pests or national pest list” to the examples of what NPPOs could use pest status information for, but the steward said that this list could not be exhaustive. One member agreed that not everything should be in the list, but a national pest list may be a good example to include. The SC-7 discussed what kind of a pest list should be considered and considered the wording used in the original ISPM 8.
- [36] One member noted the challenge of having a national pest list and to establish what should be included. As there is no definition for “national pest list”, and the concept may be unclear, the SC-7 agreed to use the wording “support the establishment and maintenance of lists of pests present in an area” to incorporate the above concept. One member noted that it would be useful to have a baseline for pests in a country, but considered that it would be difficult to list all possible pests. One member noted that ISPM 6 is most relevant to establishing a pest list and suggested that this ISPM would provide more support to establishing a list. Another member noted that some countries regulate pests depending on the associated pathway.
- [37] One member suggested to refer to lists of pests present in an area and lists of regulated pests separately and the SC-7 agreed to include both as examples for the use of pest status information.
- [38] **NPPO responsibilities:** Based on several country comments on the wording and placement of NPPO responsibilities in the draft, the TPG had suggested to separate the bullet points listing “NPPO responsibilities and good reporting practices” into general “NPPO responsibilities” within the section on Requirements and a new section “NPPO exchange of pest status information”. The SC-7 agreed with the TPG proposal but considered that extra wording proposed in a comment was not necessary.
- [39] **Sources of uncertainty:** The list of sources of uncertainty within the section on “Information used to determine pest status” was modified based on consultation comments. One SC-7 member suggested that with the modification the meaning of the original text was unclear, because “symptoms and signs of a pest” could be from different types of pests. However, another member noted that as more sensitive methods (e.g. molecular sequencing) are used in pest detection, this may become more relevant. In an effort to avoid repetition of “findings”, the SC 7 agreed to modify the wording slightly to “detection of signs or observation of symptoms without finding the pest”.
- [40] **Declaring pest absence:** In response to a CP comment, which noted possible implementation issues if the status “absent – pest not recorded” were included in the standard the TPG had suggested to include a sentence stating that “*Declaring pest absence, with a view to international accountability, generally requires more intensive data support than declaring pest presence*” in the standard. The SC-7 discussed whether to include this text, as the concept is not included in ISPM 6, which outlines surveillance methods to establish pest presence or absence.
- [41] One member suggested that the issue may be about the amount of data necessary to declare pest absence, distinguishing between “pests *known not to occur*” and “pests *not known to occur*”. The SC-7 agreed that the text addressed a useful concept that it is more difficult to declare the absence than the presence of a pest, but suggested that it may be best addressed through implementation guidance and decided to not include it in the standard.
- [42] **Presence:** The SC-7 agreed to the modifications to the introductory paragraph as proposed by the TPG.
- [43] **Categories of official control:** Several CPs recommended to replace Table 1 “*Pest status - Present*” with two new tables: Table 1 “*Categories of pest status – Present*” and Table 1A “*Categories of official control*”. The steward explained that the Expert working group (EWG) had developed Tables 1 and 2 to clearly define pest *Presence* and *Absence* categories and thought that the proposed Table 1A would put too much emphasis on official control itself without providing sufficient reference to the pest status categories in the proposed modified Table 1.
- [44] One member clarified that official control only applies to not widely distributed pests and suggested that as it is not relevant for pest status it need not be included in the table. The steward noted that any

information on official control in the table is included only to improve clarity where necessary, but not as a required component of pest status categories. She also noted that the table had been amended in response to other comments.

- [45] **Present: localized and seasonally.** Some CPs had suggested to include additional pest status categories “present: localized” and “present: seasonally” to reflect situations such as localized pest outbreaks or pests under eradication, which in the current categories would identify the pest as being present in the whole country. The steward noted that such situations would be covered by “present – not widely distributed” and that the definition implies that the pest is not present throughout the entire country but only in localized areas. In addition, temporary or seasonal presence of pests would be covered by “present: transient”, so both concepts are included in the pest status categories. One member thought that it could be a problem with how pests are being reported and suggested that examples for the different categories could be given in implementation guidance.
- [46] One member suggested that it may be useful to have an additional category for an intermediate level of pest presence, to describe a unique situation of a local outbreak. The SC-7 noted that the current description of “present: not widely distributed and under official control” is in agreement with Supplement 1 of ISPM 5 (*Guidelines on the interpretation and application of the concepts of “official control” and “not widely distributed”*) in that the purpose of official control is being applied at national, subnational or local area level. Some members suggested that since some countries considered it important it may be useful to include the concept. One member noted that it would not be advisable to add additional pest status categories, but considered including the concepts in the descriptions. To address these concerns the SC-7 agreed to include reference to a “local area” in the description of “present: not widely distributed and under official control” as well as reference to “seasons” to the description of “present: transient”.
- [47] **Absent – conditions not suitable.** Some CPs suggested to add a new category to cover a situation when a pest has not been recorded in an area and climatic or host factors are clearly such that occurrence is not possible. Some members thought that this was a useful addition and could provide guidance in relevant real-life situations faced by countries. However, others thought that such situations would still require some sort of evaluation (e.g. PRA) to establish that climatic conditions are not suitable. The SC-7 agreed that the statement needed to be justified, and to address this situation they added to the description of “Absent: pest not recorded” the following text: “...or evidence supports that the pest cannot establish.”
- [48] **Detection of individual pests.** Several CPs commented on whether detections of individual pests would affect pest status if a subsequent specific surveillance determined that no viable populations had established. The SC-7 recalled similar discussions from the SC May 2018 meeting and considered whether this concept was covered by the pest status categories in tables 1 and 2. One member questioned what the difference is between interception of less than a population and transience, which could also be only a few individuals. Other members recalled examples of such situations, but noted that the concept is different from transient. The SC-7 suggested that guidance could be included in implementation materials. They agreed to enhance the text by adding reference to “individuals” to the sentence in the draft for second consultation.
- [49] **Unable to determine pest status.** Several CPs suggested that a new section be included, which would cover situations when insufficient information was available to reliably determine either presence or absence of a pest. One member thought it should be highlighted that this would only apply to situations when it is not technically possible to determine pest status and not when it is a deliberate decision not to determine pest status. The SC-7 discussed text options that would capture the concept that the NPPO made an effort but could not make a determination because they were lacking the required information and agreed to use the heading “*Unable to determine pest status*” for this new section.
- [50] **NPPOs exchange of pest status information.** The steward noted that this section had been revised based on some consultation comments and a proposal by the TPG to provide clarity and avoid confusion

with ISPM 17. This section now emphasizes on how NPPOs should use pest status information. The SC-7 agreed with the modified text.

- [51] **Reliability of information sources: Appendix 1.** Several CPs considered information presented in Appendix 1 to be valuable guidance and proposed either moving the table to the body of the draft (based on the layout of the current ISPM 8) or making it an Annex 1. The steward noted that the EWG had put significant efforts in developing this guidance and believed it would provide harmonization in the way CPs assess the quality of information they rely upon when determining a pest status.
- [52] The SC-7 discussed whether this table should be included. Some members thought that it was important to give guidance to NPPOs on how to differentiate between good and not so good information sources. They considered that the table may need some more work, as for example the difference between the two categories "High" and "Moderately high" is not always clear. The steward noted that comments from consultation had been incorporated in the text to improve clarity. One member highlighted that in some cases WTO disputes are evaluated based on the sources of information used in the PRA. One member wondered what criteria were used to group the different aspects, and other members considered that the content of the table is mainly based on the opinion of the drafting individual or group and should therefore not be considered a requirement in the main body of the standard.
- [53] The steward recalled that a similar but more simplified table is included in the main body of the current ISPM 8 and in a regional standard and noted that the same table had also been considered in the draft ISPM on *Pest risk management for quarantine pests* (2015-014), which the SC had just discussed during their May 2019 meeting.
- [54] The SC-7 agreed that although this table contained valuable information it should not be used for NPPOs in their decision making but could be further developed as implementation guidance. They discussed whether appendices, which are not prescriptive parts of the concerned standard, should in general be developed into implementation materials. One member reminded the SC-7 to be cautious not to call on the IC too quickly, noting that not in all cases this additional information needs to be developed into implementation guidance and may be better suited as appendix to highlight an important aspect in the implementation of that standard.
- [55] The SC-7 concluded to maintain the table as an appendix, inviting CPs to comment upon the preferred placement during consultation to provide the SC with regional perspectives, and added a request in the section on potential implementation issues to that effect. They agreed to not modify the text in the table in detail because they felt it was not their responsibility or expertise and decided to postpone the review until SC November 2019.
- [56] **Potential implementation issues.** The steward noted the main implementation issues raised during first consultation, which called for examples for pest categories, noted the lack of capacity and infrastructure for pest status determination in some countries and the need to consider time when determining whether a pest has established. She also recalled the additional issues that the SC-7 identified during their discussion of the draft standard and reminded that the scope of the standard is to address the quality of information to establish pest status.
- [57] The main issues raised during the SC-7 discussion were:
- how to capture the need for sufficient information especially in view of the concept of pest absence,
  - issues with software used to generate maps of areas for pest status; specifically in providing guidance on how information in maps should be used to avoid that local incidents have an excessive effect on a larger area,
  - how to distinguish between individual detections and established populations,
  - to include guidance for NPPOs to challenge or contest statements or determinations made by other parties for their area,
  - to provide examples for the different pest status categories, especially for the transient category,

- how much information should be included in standard appendices or whether these should generally be developed as implementation guidance.

[58] The Secretariat informed the SC-7 that a “*Guide on Pest Status*” was on the list of Implementation and Capacity Development Topics (2017-048, Priority 2) and that an expert drafting group was tentatively scheduled to meet in September 2019 to develop this implementation guide. The SC-7 was concerned with this timing as the draft standard for which the implementation guidance was being developed would still be under consultation. The Secretariat clarified that the timing was due to funding issues, as the resources for the guide needed to be used by the end of 2019 and reminded that the drafting group could still consider comments after the end of consultation.

[59] The SC-7 agreed to forward the raised implementation issues to the Implementation and Capacity Development Committee and to the drafting group of the implementation guide for this draft standard for their consideration. They also suggested that the drafting group should review the table in Appendix 1 and consider whether and how it could be made more descriptive.

[60] **Collaboration between SC and IC on implementation materials.** One member noted that one criterion for what aspects are forwarded to IC could have relevance for multiple standards. Another member agreed in principle, but highlighted that the SC should identify the aspect of the ISPM(s) for which the implementation material is intended to provide specific guidance. Implementation material should always be related to a certain (part of a) standard, some previously approved text or proposed text.

[61] The SC-7 discussed that the development of implementation guidance should follow the development of the ISPM and it should be ensured that all comments and implementation issues are considered by the EWG developing the guidance material. One member recommended that the SC should consider consultation comments to identify relevant implementation issues before providing information to the drafting group of the implementation guidance. The SC-7 agreed to suggest the IC/IFU reschedule the drafting group for the “*Guide on pest status*” until after the end of the consultation period.

[62] The Secretariat reminded the SC-7 that whether appendices should generally be developed as implementation materials would need to be discussed at a higher level during SC strategic discussions, noting that it may have implications down the road even if it did not trigger comments now. She further recalled initial discussions during the SC May 2019 meeting on possibly reviewing the standard setting process, also in light of the increased collaboration with the IC.

[63] **Consultation in languages.** The steward noted that she was not comfortable replying to comments provided in languages other than English, explaining that online translation tools may not provide the correct translation and therefore the comment could be misunderstood. One member noted that in some regions where English is not commonly used countries prefer to comment in their mother tongue as it is easier for them to express their opinions appropriately. The Secretariat noted that due to financial constraints consultation in languages other than English is restricted to Spanish and French and only during first consultation. She clarified that the TPG was reviewing all comments submitted in languages and encouraged the stewards to contact TPG members if they had specific concerns. One member noted that a discussion on how to effectively utilize consultation in different languages should be considered during the review of the SSP and should be discussed by the entire SC.

[64] **Outline of requirements.** The SC-7 reviewed and discussed the outline of requirements. The TPG had proposed a revised text based on suggestions to distinguish this section from the scope of the standard. However, some SC-7 members did not agree with the proposed text, noting that the outline should be an executive summary of what the standard aims to achieve without listing and repeating the requirements. The SC-7 reviewed examples from several ISPMs and noted that this section had been drafted inconsistently. They noted that the Annotated template for draft ISPMs<sup>6</sup> states that the outline of requirements should contain “*A summary of the substance of the standard (analogous to the abstract of a scientific paper)*”. The SC-7 agreed that this section should provide the reader with an overview of

<sup>6</sup> Annotated template for draft ISPMs: <https://www.ippc.int/en/publications/81325/>

the content of the standard and therefore agreed to reword this section to describe the desired outcome of the standard, summarizing its content and utility and not to list the requirements.

[65] One member questioned who would be responsible to determine pest status if an area encompasses more than one country, noting that it could lead to confusion for jointly managed supranational areas. Another member noted that the text specifies that it is the “NPPO responsible for an area” who determines pest status. He added that the section on “*Describing pest status in an area*” further clarifies that the NPPO should also identify and specify the area for which the pest status is determined.

[66] The SC-7 agreed to highlight that the revised ISPM 8 is not concerned with pest reporting, but rather with categorization based on reliable information, and included reference to the categorization under “presence and absence”. They also agreed that it was important to cover reliability of information as a main concept of this standard in the Outline, and specifically to capture that “*understanding the reliability and uncertainty of data is important when determining pest status*”

[67] The SC-7:

(2) *approved* the draft revision of ISPM 8.

(3) *asked* the Secretariat to forward the implementation issues on the draft *Revision of ISPM 8: Determination of pest status in an area* (2009-005) identified during first consultation to the Implementation and Capacity Development Committee (IC) and to the drafting group for the “*Guide on Pest Status*” (2017-048, Priority 2).

#### **4.3 Draft ISPM on Requirements for NPPOs if authorizing entities to perform phytosanitary actions (2014-002), priority 2.**

[68] The Steward of the draft ISPM, Mr Rajesh RAMARATHNAM (Canada) introduced the draft ISPM on *Authorization of entities to perform phytosanitary actions* (2014-002) and supporting documents<sup>7</sup>. The draft ISPM had received 977 comments during country consultation, all of which were considered by the Steward. The TPG had considered 75 comments for consistency in use of terms and definitions, and their recommendations were also considered by the steward.

[69] The steward recalled the discussions during the SC May meeting<sup>8</sup> on strategic and general considerations concerning authorization of third party entities and highlighted additional specific comments that he wanted to bring to the attention of the SC-7. One member recalled the main concern expressed during CPM-14 (2019) was that the standard should not endorse authorization and noted that some SC members had suggested to be more explicit in that respect in the title and text. One member thought that the SC in their discussion had been able to address most of the main concerns and that these had been properly addressed by the steward in the revised draft.

[70] The SC-7 discussed the following specific issues in the draft.

[71] **Title.** The SC-7 discussed possible rewording of the title to address some of the concerns raised during first consultation. One member proposed to change the title of the draft standard to “*Requirements for the use of Authorization*” to more explicitly express the concept that the NPPO sets the requirements for authorization, and decides who and when to authorize. Another member suggested to add NPPO to the title: “*Authorization of entities by NPPOs*”. The SC-7 considered that in this case the addition may improve clarity for the draft going to consultation although ISPMs are generally targeted at NPPOs and this reference should not be necessary.

[72] One member noted that SC policy was to use the topic of the standard as the title and was concerned that changing the title did not change the content of the standard, and thus not address the concerns of the countries. One member thought that it would be better to explain the concept in the standard and

<sup>7</sup> 2014-002, 12\_SC7\_2019\_May, 13\_SC7\_2019\_May, 14\_SC7\_2019\_May

<sup>8</sup> SC May 2019 meeting report: <https://www.ippc.int/en/publications/87249/>

keep the title as concise as possible. Another member noted that the standard includes requirements for both entities and NPPOs.

- [73] The SC-7 agreed to review the title after finalizing the draft standard. After the revision of the standard the SC-7 was confident that the modified draft now clearly expressed the NPPO's role in the authorization process (i.e. that it is solely responsible and has authority over who is authorized and for which actions). However, one member suggested that given the sensitivity of the issue the title should carry some strategic information. The SC-7 therefore agreed on "*Requirements for NPPOs if authorizing entities to perform phytosanitary actions*" as working title for the draft.
- [74] **No obligation to authorize.** The SC-7 discussed whether the scope should clearly state that "*this standard does not mandate NPPOs to authorize entities*" and agreed that it should instead focus on what the standard covers and what not. One member noted that the main reasons for concern with the standard were 1) erosion or lack of trust in the system and 2) the loss of NPPO authority to perform actions, which was a note of concern for a number of countries. He therefore suggested to address this in the section on Requirements by being very specific that the first requirement of an NPPO would be to decide whether or not to authorize third party entities.
- [75] **Only NPPOs can authorize.** The steward emphasized that the standard covers requirements for NPPOs *after* they decide to authorize, and recommended to include this in the scope. One member noted a comment which expressed concern that this standard would be a "blanket recommendation", and suggested that therefore it would be advisable to repeat the fact that it is the NPPO's decision to authorize in multiple parts of the standard.
- [76] One member noted that in some countries the NPPOs are separate from the Ministries, so it may be necessary to be clear that only the NPPO can decide to authorize, even if Ministries may consider authorizing entities to perform NPPO actions, especially considering the new trade facilitation considerations.
- [77] **Scope.** Given the above discussions on who authorizes when and for what, the SC-7 agreed to simplify the scope and to emphasize the responsibility of the NPPO in authorization by specifying that the requirements are applicable "*only when*" the NPPO has decided to authorize entities. They also considered the SC discussion and agreed to remove reference to import, export and domestic systems in the scope. The SC-7 also considered whether to include a quote from the Convention text in the scope, but agreed that reference to IPPC Article V.2(a) is sufficient.
- [78] **Background.** The SC-7 considered whether to further stress in the background section that phytosanitary certificates must not be issued by third parties and that authorization is not mandatory, but this extra emphasis was deemed unnecessary. They agreed, however, to add some wording explaining the rationale for the development of the standard, highlighting that authorization has become common practice for NPPOs and therefore harmonization is needed to ensure that it is done in alignment with the IPPC. One member proposed to add a clarification that phytosanitary actions are performed *on behalf* of the NPPO.
- [79] **Impacts on biodiversity and the environment.** One member questioned whether quality management or effective and consistent delivery should be mentioned in this section, as it seems to imply that the delivery of phytosanitary actions would not be consistent without authorization. The SC-7 agreed to simplify the text and also considered developing standardized text for this section.
- [80] **Requirements.** In response to a number of CP comments, the steward proposed to expand this section using text that was developed in consultation with FAO Legal to provide additional background on the principles of authorization, to highlight that **ONLY** the NPPO can decide to authorize, and to stress that it is not mandatory to authorize.
- [81] **Basic understanding of Authorization.** This section was added in response to concerns raised in several CP comments. The SC-7 considered what information should be included in this section and agreed to highlight the NPPO's responsibility for any authorization, the actions that may be authorized and the ones that may not, as well as the need for oversight by the NPPO.

- [82] **Definition of “entity”.** Several CP comments requested that “entity” as used in the standard be defined in the Glossary, however, the TPG had suggested that this was not necessary and that entity should be understood in the common sense of the term. The SC-7 agreed with the TPG assessment.
- [83] **Authorization of individuals.** The Steward noted that some comments requested clarification on the approval of individuals within authorized entities and whether the requirement for individuals should be differently highlighted than for a business. The SC-7 discussed and indicated that individuals are included in entity and that there was no need to include separate requirements for individuals as the NPPO will determine the nature of the agreement. The SC-7 discussed possible wording to clarify what entities are in the context of this standard and agreed to retain the original text.
- [84] The steward recalled a comment stating that the NPPO may use the services of an individual even if he is not authorized, giving the example of tree felling. One member argued that this example is not relevant for the authorization of entities and rather refers to individuals working under the supervision of the NPPO.
- [85] **Sufficient staff to carry out oversight.** One member noted that the NPPO should ensure they have sufficient staff, irrespective of whether they authorize entities or not and suggested that stating this was not necessarily relevant for this standard. Another member considered that this paragraph could be understood that NPPOs should have sufficient resources and staff in case they need to implement a contingency plan. Another member noted that two aspects needed to be considered for NPPO staffing requirements: 1) the NPPO needs staff for oversight and to manage the process and 2) the NPPO needs to make sure their staff can take over if authorization fails.
- [86] The steward noted that contingency plans are covered in the section on development of the authorization programme. The SC-7 thus agreed to focus in this paragraph on oversight by the NPPO and to reword the sentence to note that the NPPO should keep sufficient staff and expertise to carry out oversight over the actions performed by authorized entities. One member noted a translation issue in Spanish, where supervision and oversight are both translated to “*supervisión*”. The steward further noted comments on the need for additional clarification for audit and supervision, which is addressed later in the draft.
- [87] **Actions that can be authorized.** Some CP comments suggested to list every possible phytosanitary action that can be authorized, but that was deemed impractical. The SC-7 agreed to include some examples in a new paragraph, noting that using the wording “examples include” implies that the listed examples are not exhaustive. They also agreed to specifically highlight that authorization for phytosanitary actions does not apply to NPPO core activities such as issuance of phytosanitary certificates or development and establishment of phytosanitary measures because these are not phytosanitary actions.
- [88] **Domestic, import and export systems.** Several CPs commented that import and domestic issues should not be part of this standard. The Steward highlighted that ISPM 20 (*Guidelines for a phytosanitary import regulatory system*) elaborates on systems for authorization of non-NPPO personnel. One member pointed out that if the standard includes export and re-export, the first thing that comes to mind are phytosanitary certificates, which specifically may not be issued by anyone other than the NPPO. He further elaborated that the issue was brought up because many domestic activities are delegated to authorized entities (e.g. surveillance), and suggested that it would be preferable not to refer to import, domestic and export systems, noting also the result of the SC discussion that the functions of an NPPO are clearly set out in the Convention. Another member suggested that these activities could be included in the examples in the background section. The SC-7 agreed to delete reference to import, domestic and export systems in the standards.
- [89] **Authorization programme.** Several CPs commented that it was not clear what an authorization programme is and that it would need to be better defined. The steward explained that the hierarchy would be similar to the one outlined in ISPM 6, where surveillance programmes are part of a bigger surveillance system and the actual surveillance process would be at a lower level and covered by a series of steps. One member considered that a programme also covers steps on top of other processes, including legislation and suggested to refer to systems that should enable NPPOs to authorize. SC-7

agreed to outline the hierarchy of authorization programmes, noting that these should be set up under an NPPO's phytosanitary regulatory system and allow the NPPO to authorize entities to perform phytosanitary actions.

- [90] The steward recalled discussions during the EWG that one of the considerations prior to developing an authorization programme is to ensure the NPPO has the legal framework to do so. SC-7 agreed to introduce a new heading "*Authorization programme*" to cover these concepts and reworded the paragraph to highlight that requirements are focused on the NPPO and not the entity and to stress that everything has to be in place before authorization can be granted. Furthermore, the SC-7 agreed to add text highlighting that the NPPO should only authorize phytosanitary actions that are effective and delivered with integrity and transparency.
- [91] **Public and private entities.** CPs expressed different views on whether or not it would be necessary to differentiate between requirements for authorized private and public entities. One member suggested that the standard should include requirements for authorization irrespective of whether the entity is public or private, noting that in his country entities can be semi private. He noted that it should always be up to the NPPO alone how to apply the standard, but there should not be a distinction in general. Another member noted that issues with conflict of interest may not be so relevant for government agencies or public entities. One member questioned whether the distinction may be more related to the action performed and suggested that functions of public entities may change, which could be particularly relevant for regulated non-plant products, such as sea containers or vehicles. Another member questioned which elements of authorization apply to third parties, and whether all elements always apply to all private entities.
- [92] The SC-7 considered that the standard was mainly tailored to private entities but included elements that may also apply to the authorization of public entities. They discussed how to address the comments requesting to create separate sections for public and private entities and agreed to remove reference to the difference between public and private entities. This would leave it up to countries to decide whether to apply the authorization of public entities and the delegation of NPPO functions to these.
- [93] **Legal framework.** A number of CP comments identified the required legal framework for authorization as a major implementation issues. The SC-7 considered that typically the countries establish the legal frameworks within which the NPPO operates. The steward highlighted again that the legal framework has to be in place prior to deciding on whether to authorize entities. Some members noted that although some NPPOs cannot decide on their country's legal framework they should ensure that the framework under which they operate is appropriate for authorizing entities as set out in this draft standard. One member stressed the key point that ONLY NPPOs set up authorization programmes to perform phytosanitary actions.
- [94] One member questioned what elements of authorization should be covered by the country's legal framework and what may be developed by the NPPO in their authorization programme. One member thought that if the legal framework is appropriate, it should already allow suspending, revoking, and reinstating authorization. The SC-7 considered that the process for entities to voluntarily withdraw from the authorization programme should be part of the authorization programme rather than the legal framework. In addition, the SC-7 agreed to highlight that the legal framework should ensure that the authority remains with the NPPO.
- [95] **Development of Authorization programme.** Some CP comments suggested to start the section with "*if authorizing entities*", but the SC-7 considered this addition unnecessary as the standard now strongly emphasizes that authorization is not obligatory. A number of CP comments suggested the addition or rewording of elements listed in this section and these were considered by the steward and SC-7.
- [96] One comment suggested to include a new indent on identifying risks that may arise from authorization and need to be managed. Some CPs suggested to include an indent to determine the duration of an authorization agreement. Some CPs suggested to include an indent on procedures for managing confidential information. Multiple comments requested that updated lists of authorized entities should be maintained by the NPPO. The SC-7 agreed to add these items to the list.

- [97] Some comments suggested including reference to accreditation systems, but the SC-7 considered that they were outside the scope of the standard and decided not to include in the draft. Several comments suggested to include processes for damage liability and conflict resolution, but the SC-7 considered that these should be criteria for the eligibility of an entity to be authorized and agreed to include these elements in the relevant section.
- [98] The SC-7 agreed to rearrange the indents of the list in development of authorization programme to have a more logical order.
- [99] **Conflict resolution between entity and client.** A consultation comment suggested to include a requirement for effective conflict resolution between the authorized entity and their client but the SC-7 thought that the proposed wording was unclear. They questioned whether this would mean that the NPPO has to intervene in a conflict between e.g. the treatment provider and owner of a treated consignment. One member clarified that the intent of the comment was that the NPPO could have a role in arbitration. Another member suggested that the process for conflict resolution should not be part of the NPPO obligations but rather included in the documentation provided by the entity as one of the eligibility criteria highlighting that the entity needs to have these systems in place before being considered for authorization. One member emphasized that it is not the NPPO's role to step into a commercial arrangement and intervene in a conflict, but rather to make sure that the entity is set up to deliver the action. One member provided an example of diagnostics, which are performed by entities and where the result may be questioned by clients, noting that in this case the NPPO would not need to intervene in the contract, but could revoke authorization if the result is questionable. To reflect this concept, the SC-7 agreed to include reference to a process for escalation to the NPPO.
- [100] **Quality management system (QMS), quality manuals, Standard operating procedures (SOP) and documentation.** A number of CPs commented on the eligibility requirement of an entity having a quality management in place and on what kind of documentation should be acceptable. The SC-7 discussed the issue and considered that quality management is an implementation issue, as e.g. the requirements for treatment providers will be different from entities undertaking surveillance.
- [101] The SC-7 agreed that QMS and SOPs should be considered appropriate documentation. One member considered that referring to a quality manual would be misleading, noting that the entity needs to document its processes. The SC-7 agreed to remove the mention of QMS and SOPs as the content of the documentation would vary greatly among entities performing different actions, and to refer to "*documented procedures*" throughout the draft standard.
- [102] One member was concerned about having the requirement of submitting documentation as a criteria for eligibility. He noted that the NPPO should ensure that the entity has the required documentation, and in order to be authorized they would need to submit it to the NPPO. The SC-7 agreed that this action was already covered in the section on roles and responsibilities of the entity.
- [103] **Conflict of interest.** Several CPs commented on the fact that entities should ensure their impartiality and integrity and be free from conflict of interest. One SC-7 member questioned how the NPPO would determine whether the entity is acting with integrity and suggested that any company should be expected to act this way and that it should be possible to be impartial even with a conflict of interest.
- [104] One member noted that it may be difficult to identify entities that are completely free from conflict of interest and suggested that it would be necessary to declare the conflict of interest and outline how it is managed. The steward suggested that this would have to be documented.
- [105] One member noted that making money from performing phytosanitary actions may already constitute a conflict of interest. Another member suggested that the entity should therefore declare to be free from conflict of interest for the specific activity it is performing.
- [106] Another member thought that some countries may find the wording ambiguous and noted that not every country may be able to manage conflicts of interest. The steward noted that the wording proposed in some comments is aligned with the section on authorizing personnel in ISPM 7 (*Phytosanitary certification system*).

- [107] The SC-7 discussed whether to include that the staff of the entity should have no conflict of interest in a new indent, but agreed that since the entity is ultimately responsible for the action, the entity should ensure their personnel is free from conflict of interest.
- [108] The SC-7 agreed to simplify the paragraph to stating that the entity “is impartial and declares any possible conflicts of interest and identifies how these would be managed as regards the specific phytosanitary actions to be performed”. They considered that this statement covers the entity and its personnel, so other paragraphs were deleted.
- [109] **Roles and responsibilities of the NPPO.** Several CP comments suggested the inclusion of additional indents in the list of responsibilities of the NPPO. The SC-7 agreed to include that the NPPO should provide feedback to entities that are not authorized and to implement processes that allow an entity to voluntarily withdraw from the authorization agreement. One member suggested to repeat the concept of voluntary withdrawal in different sections, and to emphasize that these processes only need to be implemented when needed. The SC-7 agreed that this adds to the clarity of the standard and helps with the understanding for some countries.
- [110] **NPPO conflict of interest.** One member suggested to include a statement that NPPO personnel should also be “*impartial and free from conflict of interest*”, although the issue had not been raised in a consultation comment. Another member argued that it should not be in this standard as it is part of how an NPPO operates. One member gave an example where conflict of interest could arise from an NPPO staff who owns or has interest in an entity that would want to be authorized. The SC-7 considered that adding a statement specific to NPPO personnel involved in authorizing entities to the section on rules and responsibilities of the NPPO would address some concerns raised in comments.
- [111] **Complaint system.** Some CP comments suggested to include the establishment of a complaint system in the responsibilities of the NPPO in order to provide a feedback mechanism. One SC-7 member argued that this should be considered a national issue and would fit better in an implementation guidance. One member agreed that such a system should be part of the NPPO’s communication plan. Another member suggested that it could be a part of the legal framework to have a section on complaints and appeals. The SC-7 considered that the issue was covered in the elements of conflict resolution and effective communication between NPPO and the authorized entity and agreed to forward this to IC as an implementation issue.
- [112] **Confidentiality.** Some CPs commented that confidentiality should be added to the responsibilities of NPPO and authorized entities, in line with other international standards. Some members, however, considered this not a phytosanitary concern, but rather a contractual issue between the entity and its clients. The steward noted that development of procedures to receive information and maintain confidentiality is included in the NPPO requirements section under Development of authorization programme. He highlighted that the indent on confidentiality of information as a requirement for the NPPO mirrors the one in the previous section. The SC-7 agreed that maintaining or not maintaining confidentiality of information by the entity has an impact on the authorization programme and the integrity of the system and should therefore be addressed in the legal framework and during the development of the authorization programme.
- [113] **Roles and responsibilities of the entity.** Several CP comments suggested inclusion of indents to ensure that entities comply with the requirements of the NPPO, to provide the NPPO with information about issues that would affect the authorization, and to list additional documented procedures, which the entity should provide. The SC-7 agreed to these additions and modified the text on documented procedures to align with previous sections. The SC-7 did not agree to add a proposed new indent on conflict of interest, as this was considered one of the criteria of eligibility of the entity and covered in that section.
- [114] **Audit.** A number of comments questioned whether this standard should contain a section on audits, noting that a draft standard on *Audit in the phytosanitary context* (2015-014) is under development. The steward recalled the SC discussion during their May 2019 meeting where they agreed that the section on auditing should be retained because it does not go into detail and only relates to the authorization

aspects of auditing and would not overlap with the new draft standard. The SC-7 therefore agreed to review this section and related comments and to retain only requirements as relevant for authorization.

- [115] **Roles and responsibilities of entities authorized to audit and supervise.** One CP comment suggested to include in this section that the entity should ensure their personnel has the relevant training and expertise to perform audits and that they should also perform internal audits as a feedback mechanism. The SC-7 agreed to incorporate these suggestions and also highlighted that for an auditing entity it is particularly important to be free from any conflict of interest.
- [116] **Rejection of authorization.** Some CP comments suggested to include information on how the NPPO notifies an entity when it failed the audit to be authorized and consequently had their application for authorization rejected. The SC-7 agreed that this would better fit in the section on Roles and responsibilities of the NPPO, where an indent had already been included to cover this situation.
- [117] **Temporary authorization.** Some CPs suggested to include reference to an NPPO granting a temporary or provisional authorization because they considered it useful in situations where the entity could be assessed for the delivery of certain phytosanitary tasks. The SC-7 however considered that this was not needed, as the NPPO could grant authorization for a week to assess the entity's performance, and that it was part of the development of the authorization programme to determine the validity period of the authorization. In addition, they considered that such performance testing could be done under NPPO supervision and therefore agreed not to include it in the draft.
- [118] **Frequency of audits.** CP comments expressed different opinions on the required frequency of audits to maintain authorization. The SC-7 considered the SC discussion in May 2019, noted that this issue would be discussed in detail in the draft standard on *Audit in the phytosanitary context* (2015-014), and agreed to simplify the text accordingly.
- [119] One SC member suggested that the frequency of audits should be flexible, as it depends on the complexity of the phytosanitary action to be audited. The SC-7 agreed to refer to a "minimum" frequency of audits that the NPPO should determine, and that this frequency should depend on both current performance and conformance of the authorized entity, as well as on results of previous audits. In addition, the SC-7 agreed to remove reference to entire system audits, as this should be covered by the draft standard on *Audit in the phytosanitary context* (2015-014).
- [120] One member was concerned that the modified wording would allow the NPPO to decide not to audit and suggested that, keeping in mind that the NPPO is ultimately responsible, some text should be added to note that they are responsible to check on equipment and facilities regularly. Another member noted that it would still be the NPPO's decision whether to audit or not, and the SC-7 agreed not to include additional text.
- [121] **Types of nonconformity.** One CP comment questioned whether it was necessary to provide specific guidance on the categorization of nonconformities by the NPPO and suggested that the main requirement for an entity could be that it is transparent and manages risk to the satisfaction of the NPPO's trading partners. The SC-7 considered that because this is a new concept for some countries it would be good to have a certain level of clarity for CPs within the standard. Some members suggested that it could be covered in more detail in implementation guidance.
- [122] One member noted that this section addresses one of the bigger concerns of CPs against authorization and suggested to include information as long as it did not add unnecessary requirements. Another member added that this section gives added clarity on the authority of the NPPO over the entity it authorizes. The SC-7 agreed to retain the section and modify the text in line with the discussion and consultation comments.
- [123] **Critical nonconformity.** Some CP comments suggested to include examples of critical nonconformities, which could be expanded for example from the list in Appendix 2 of ISPM 36 (*Integrated measures for plants for planting*). The SC-7 considered that nonconformity in this draft is different from the list in ISPM 36, and more related to the responsibilities of the NPPO. They agreed to

adjust the text to better clarify the concepts of critical nonconformity and to align with previous sections that covered aspects of conflict of interest. The SC-7 further agreed that the authorization for a specific phytosanitary action should be suspended if a critical nonconformity has been identified, but highlighted that this would mean the authorization for a specific action and not necessarily extend to the entire entity if it performed multiple phytosanitary actions.

[124] **Other nonconformity.** Several CP comments requested that examples of other nonconformities be included in this section. The SC-7 considered that examples were unnecessary and agreed to reword the section to clarify the difference from critical nonconformities. One member suggested to consider these to be types of nonconformities which would not immediately be critical and affect the integrity of the system, giving as examples labeling mistakes, not collecting complete records that do not impact the phytosanitary action or document infringements. Another member cautioned to list any examples in the standard as it would highlight that these issues are not so important.

[125] The SC-7 decided to not provide examples for other nonconformities and instead defined “other nonconformities” as nonconformities that do not match criteria for critical nonconformities or are not considered critical by the NPPO. They agreed to restructure the section accordingly and, in response to a consultation comment, included that repeated identification of other nonconformities may lead to suspension of authorization, as this could be considered a systemic issue.

[126] **Changes in phytosanitary import requirements.** One SC-7 member suggested that an example of nonconformity could be when a trading partner did not inform of changes in its phytosanitary import requirements. One member noted that this was not considered a nonconformity and suggested that it may fit with roles and responsibilities of the NPPO where it could be included as a requirement to inform entities of changes to import requirements as necessary. The SC-7 agreed, however, that the concept was already covered under effective and efficient communication, which is included as an indent under roles and responsibility of the NPPO.

[127] **Suspension and revocation.** CP comments identified different positions on how to interpret the concept of suspension, and whether an entity should be allowed to continue performing the specific phytosanitary action while being suspended (under the direct supervision of the NPPO). The SC-7 considered the comments and agreed that suspension should be temporary for a specified time in order to implement corrective action and should allow for a simple process for reinstatement of the authorization after the corrective action is reviewed. Accordingly, revocation was considered a permanent withdrawal of authorization and would require the entity to submit a new application for authorization. One member noted that after serious critical nonconformity the NPPO may not consider reinstating the authorization of the entity.

[128] **Definitions of Audit and Supervision.** Several CP comments suggested to better describe the terms “audit” and “supervision” in order to highlight the different concepts. The TPG thought that definitions were not necessary and that these terms should be interpreted in their common sense. The SC-7 discussed how to improve the common understanding of these terms.

[129] One member proposed that the EWG for the draft standard on *Audit in the phytosanitary context* (2015-014) should consider these comments when drafting the standard. One member suggested that the IC could consider these terms in implementation guidance. The SC-7 agreed to these suggestions.

[130] **Outline of Requirements.** In line with discussions on the draft revision of ISPM 8 (see section 4.2 of this report), the SC-7 agreed to retain the outline of requirements section in its current abstract style and only specified suspension and revocation as authorization statuses.

[131] **Implementation issues.** The steward summarized the following potential implementation issues, which had been identified during first consultation.

- **Legal framework.** The alignment of national legislation to facilitate this standard is a potential significant implementation issue. Developing countries may not be able to establish the legal

framework needed for the implementation of this standard or face difficulties in enacting the laws due to lack of resources.

- Implementation guidance. Concerns of some contracting parties about whether a desired outcome can be delivered may depend on how countries choose to operate and implement the system, and require additional guidance. The Implementation and guidance material to supplement the ISPM will be critical for the development of systems with integrity. Such material should underscore the need for a culture change, the challenges of dealing with conflicts of interest and should also include a number of case studies to demonstrate how a delegated system and its elements can be established.
- Capacity building. There is need to consider the extent of implementation capacity and the availability of resources in developing countries. NPPOs should be encouraged to exchange their views regarding the risks and benefits of authorization of entities including sharing positive and negative experiences of authorization. The SC-7 agreed that this discussion should happen during the IPPC Regional Workshops in 2019, as part of the review of the draft standard during second consultation.
- Conflict of interest. In implementing a system it will be important to define and articulate potential conflicts of interest and transparently explain how they are managed.
- Costs. Some contracting parties were concerned that private entities may push for higher profits leading to high costs of authorized services, while an NPPO may only charge a minimal (or no) fee for the service as per the relevant regulations. A possible solution may be the fixing of costs at rates regulated by the government so that the industry is not forced to evade the authorized service providers. Moreover, the government may need to subsidize initial investments needed by the authorized private entities for purposes of price stabilization
- **Other issues.** In some countries there may be a lack of entities authorized to conduct audit or a lack of technical capacity within the NPPO for evaluation and audit. The role of internal phytosanitary systems and entities (not for import/export) may need to be clarified. In some countries the implementation of this standard may be difficult because there are no entities with the experience and knowledge to carry out phytosanitary actions. One issue could be the resistance of users to change and apply complex processes and therefore they would not accept authorized entities to perform certain actions.

[132] The SC-7 also recalled implementation issues that were raised during the discussion of the draft, including implementation of quality management systems, implementation of complaint and feedback systems, listing of examples for nonconformities and additional guidance on audit and supervision.

[133] The SC-7:

- (4) *approved* the draft ISPM on *Requirements for NPPOs if authorizing entities to perform phytosanitary actions* (2014-002) to be submitted to second consultation,
- (5) *agreed* to share a pdf version of the draft as well as the identified implementation issues with the EWG on *Audit in the phytosanitary context* (2015-014), noting that it may not be shared publicly before 1 July 2019,
- (6) *asked* the Secretariat to forward the implementation issues on the draft ISPM on *Requirements for NPPOs if authorizing entities to perform phytosanitary actions* (2014-002) identified during first consultation to the Implementation and Capacity Development Committee (IC).

#### **4.4 Draft ISPM on Requirements for the use of modified atmosphere treatments as a phytosanitary measure (2014-006), priority 2**

[134] The Steward of the draft ISPM, Mr Nico HORN (The Netherlands) introduced the draft ISPM and supporting documents<sup>9</sup>. The draft ISPM had received 686 comments during country consultation, all of which were considered by the Steward. The TPG considered 141 comments for consistency in use of

<sup>9</sup> 2014-006, 08\_SC7\_2019\_May, 09\_SC7\_2019\_May, 10\_SC7\_2019\_May

terms and definitions, specifically on the alignment between this draft and ISPM 42 (*Requirements for the use of temperature treatments as a phytosanitary measure*) and ISPM 43 (*Requirements for the use of fumigation as a phytosanitary measure*).

- [135] The steward expressed his appreciation that his other commitments had been accommodated so that he was able to continue working on the draft until this meeting and attend this meeting. The Secretariat noted that the SC had assigned a new steward, Mr Álvaro SEPÚLVEDA LUQUE, who would be taking over the draft after comments during second consultation have been received. The Secretariat also noted that the assistant steward and TPPT member, Mr Scott MYERS, would be able to respond to technical inquiries from the SC-7 during a scheduled phone call.
- [136] The steward noted that modified atmosphere treatments (MAT) are not very commonly used as phytosanitary measures, therefore some CPs commented on whether this standard is actually needed and suggested that more information and implementation experiences and protocols are needed for this treatment. He highlighted that there is a lot of research ongoing on the topic and suggested that this standard would encourage development of MAT as alternative to using treatments with negative environmental impact. He further explained that the Technical Panel on Phytosanitary Treatments (TPPT) was consulted via the assistant steward and during their 2019 February virtual meeting discussed and provided input on technical comments<sup>10</sup>. He summarized that the consultation comments had been considered with a view to aligning the draft with adopted standards for different treatment requirements (ISPM 42 and ISPM 43), taking into account the specificity of modified atmosphere treatments, and invited the SC-7 to review the draft and to consider TPG recommendations.
- [137] The SC-7 discussed the following specific issues in the draft:
- [138] **Scope.** Several CP comments pointed out that the purpose statement in the scope did not align with text in the Background section. The SC-7 considered whether to maintain the sentence in the scope and agreed that it would fit better in the Background section, which was modified to accommodate the additional text.
- [139] **Definition of “modified atmosphere treatment”.** Multiple CP comments requested that *modified atmosphere treatment* be defined in the Glossary. However, the SC in their May 2019 meeting had agreed not to propose the TPG to work on a definition for the term “*modified atmosphere treatment*”. The steward noted that it would be difficult to develop a concise definition and suggested that it would be better to provide a description of the treatment in the ISPM. He explained that the TPPT had developed a description for the Background section which highlights that these treatments involve altering gas concentrations of ambient air to create an atmosphere lethal to target pests. The SC-7 slightly modified the wording and considered that this description would suffice as a definition.
- [140] **Modified atmosphere vs. controlled atmosphere.** The SC-7 discussed how to cover the technical differences between modified atmosphere (MA, i.e. the gas concentrations are initially modified but not actively maintained) and controlled atmosphere (CA, i.e. gas concentrations and other parameters are actively maintained at the specified level) in the draft standard.
- [141] The Secretariat noted the TPPT discussion that maintaining a modified atmosphere (MA) can happen actively or passively, and recalled that the TPPT had suggested to add a footnote. One member pointed out that in MA the gas concentrations can change because they are not actively maintained (e.g. through respiration of the commodity), while in CA they are continuously maintained. Another member questioned whether there are examples for MAT for phytosanitary measures, as this could help to align this standard. One member wondered whether it would be a phytosanitary treatment if the atmosphere was only modified in the beginning and not actively maintained, noting that in his understanding the current draft is more about controlling a modified atmosphere.
- [142] One SC-7 member noted inconsistencies between the description in the background and the section on requirements, which indicated that the gas composition should be actively maintained, causing some

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<sup>10</sup> Report of the 2019-02 Virtual meeting of the TPPT: <https://www.ippc.int/en/publications/87013/>

confusion as MA and CA had not been explicitly defined and separated in the standard. He noted that the definition in the background section does not address maintaining the atmosphere and expressed concerns that the current standard describes more controlled atmosphere treatments (CAT). Another member proposed to ensure that the standard covers the minimal requirements, which is that the Modified Atmosphere Treatment (MAT) is passively achieving the minimum gas concentrations as outlined in the treatment schedule.

- [143] The SC-7 agreed to ask the assistant steward for his opinion on the definition and description of MAT and how to describe the difference to CAT, and whether it is necessary to include this. The assistant steward confirmed that MAT is including CAT, and that the difference between these treatments is that in CAT the atmosphere is actively controlled, and agreed with the wording in the background section. He also noted that it was preferable to use “*maintain*”, because conditions can be maintained even if they are not actively controlled, e.g. by using airtight enclosures.
- [144] The SC-7 agreed to including a statement noting that controlled atmosphere is a type of modified atmosphere and covered by this standard without going into technical detail.
- [145] **Biodiversity and Environment.** One member suggested to delete the last sentence stating that MA have negligible environmental impact but as there was no consultation comment on that issue the SC-7 agreed that it was not necessary to delete the text.
- [146] **Treatment application.** Some CPs suggested that the text be aligned with ISPM 43, and the SC-7 considered TPG proposed text to that effect. They agreed that the text needed to be adjusted, as the examples from ISPM 43 may not be relevant for MAT. One member argued that the treatment would always be applied in a facility, so it would not be necessary to refer to other suitable locations. Another member noted his NPPO’s experience receiving containers with commodities that had been treated with MA during transport. The SC-7 agreed to use a simplified statement noting that MAT is undertaken by treatment providers or the NPPO in a treatment facility.
- [147] **Methods for modifying atmosphere.** One member suggested to move the descriptions of how to modify atmospheres from a separate section on methods for modifying atmosphere into the main text of treatment application, because it did not expand on treatment parameters. One member further suggested that rather than treatment atmospheres it is the gas concentrations of the atmospheres that are modified. The SC-7 agreed to the changes as they improved the readability and flow of the standard.
- [148] **Treatment parameters.** A number of CPs commented on the list of parameters that should be considered when implementing MAT. The SC-7 discussed the list and explanatory paragraphs below and agreed to focus on the main parameters that need to be considered, which are gas concentration, treatment duration, temperature and humidity. They also agreed to highlight the parameters in a separate subsection and to simplify explanatory paragraphs and move text to other sections as necessary. The SC-7 agreed that although MAT can only be performed inside an enclosure, enclosures are described in a separate section and did not need to be further explained under treatment parameters. They therefor modified the text to separate the concepts of the treatment and enclosures.
- [149] The SC-7 noted that there are no comments directly suggesting these modifications, but they agreed that the rearrangements and deletions are in line with comments and consequential changes, as the paragraphs below the list elaborate on the parameters. One member added that this also improved alignment with the section on measuring treatment parameters.
- [150] **Gas concentrations.** One member suggested to separate atmospheric gas concentrations from the conditions that influence them, and to further explain these below the bullet list. One member questioned whether “gas concentrations” was the appropriate term to use in the standard, rather than “gas levels”, “ratios” or “composition”. The SC-7 agreed to request the opinion of the assistant steward and he clarified that “gas concentrations” would be most appropriate and recommended to use the term in plural. He further explained that “gas composition” refers to the relative amounts of gases in a chamber.

- [151] **Gas concentration throughout the commodity.** The SC-7 considered whether to include a sentence that “required atmospheric gas concentrations should be achieved throughout the commodity” to align with other treatment standards. One member noted that MAT may not enter the commodity. Another member elaborated that MAT for quality issues adjusts gas concentrations outside the commodity, not inside the commodity, but throughout the consignment. One member therefore suggested to refer to consignments instead of commodity. Finally, the SC-7 agreed not to include reference to either commodity or consignment, considering that it had not been commented on by CPs during first consultation.
- [152] **Duration of the treatment.** One member proposed to add the duration of the treatment as a parameter to consider. Several CP comments also suggested that the length of the treatment is an important factor and the SC-7 therefore agreed to add a new indent and noted that the length of time should be prescribed by the treatment schedule.
- [153] **Maintaining gas concentrations.** Some CPs suggested to provide additional guidance on what to do if the prescribed gas concentrations could not be maintained. The SC-7 considered the issue in relation to actively or passively maintaining the gas concentrations. One member noted that for a passively maintained MA a leak in the enclosure would lead to gas losses, while for a CA gas losses can be compensated by adding gas. Another member suggested that there is likely a continuum between actively and passively maintaining MA. The SC-7 agreed to not refer to specific situations that can lead to gas losses and to retain the concept that certain gas concentrations should be maintained in order for the treatment to be effective.
- [154] **Temperature and humidity.** Some CPs commented that the draft did not specify a requirement for these parameters and suggested that they should be further elaborated. One member suggested to combine temperature and humidity in one paragraph as they have similar effects on respiration rate of target pests. Another member suggested to refer to requirements as outlined in the treatment schedule.
- [155] **Relative/atmospheric humidity.** Several CP comments requested clarification on what type of humidity should be considered a treatment parameter, referring to either relative or atmospheric humidity. The TPPT had considered these comments and suggested that humidity could include relative or absolute humidity and thought that current language intended not to be too restrictive. The steward noted that the distinction between relative and atmospheric humidity is small and suggested that a footnote could be added. One member suggested that it could be a language issue in Spanish, where “humedad” can refer to both moisture content of the commodity or the atmosphere. SC-7 agreed to only refer to humidity in the parameters, and forward the issue to the Language review groups.
- [156] **Pressure.** The steward noted the TPPT conclusion that pressure is not an essential parameter for efficacy of the treatment but rather used as a tool to adjust gas concentrations. He suggested to remove it from the list of treatment parameters and consider adding some description later in the standard. One member noted that high pressure was sometimes used in MAT for grain to shorten the treatment duration.
- [157] **Enclosures for modified atmosphere treatments.** The SC-7 modified the section by incorporating some text from the section on treatment application, as outlined above. One member suggested that it was not clear why only gas losses should be compensated, noting that enclosures could also gain gas depending on the permeability of the enclosure. Another member noted that gas losses from a small enclosure have a bigger effect than gas losses from a big enclosure. The SC-7 agreed that it was better to refer to the “ability to maintain specified gas concentrations”.
- [158] **Measuring treatment parameters.** One member noted that in this section the concept. “*critical parameter*” is introduced, while in the section on treatment parameters they are not identified as “*critical*”. The SC-7 agreed to adjust the wording to “parameters specified in the treatment schedule”. They also agreed that because pressure was not considered a treatment parameter but important to ensure the treatment conditions, text from the section on treatment application was moved to that section.

- [159] **Measuring gas concentration.** In response to some CP comments and in agreement with TPPT recommendations text was added to align with ISPM 43 to indicate required accuracy of equipment used to measure gas concentrations. One SC-7 member questioned whether this section contained enough detail, considering it is the most important aspect of the treatment. The steward explained that the generic guidance was included in the general section on measuring treatment parameters. Some SC-7 members expressed concern that the statement from ISPM 43 may not be appropriate for this standard, and that some information on placement of sensors could be a useful addition.
- [160] **Temperature mapping.** Several CP comments suggested aligning this section with ISPM 42. The SC-7 agreed to remove reference to commercial operations and to simplify the sentence to note that temperature mapping is done to identify placement of temperature sensors. They also modified the sentence on the temperature of the commodity to avoid repetition of text included in the chapeau of the section.
- [161] **Adequate systems for treatment facilities.** A number of CP comments suggested text modifications to align with ISPM 42 and ISPM 43, which were incorporated taking into consideration specific requirements for MAT. The SC-7 also agreed to highlight that the NPPO is responsible for ensuring that system requirements are met.
- [162] **Treatment during transit.** The steward noted that in the draft treatments are described as either conducted in the country of export or during transport. He explained that the TPPT was not aware of MAT conducted during transport but suggested to keep this option open and also apply this standard for specific situations that may arise in the future.
- [163] The SC-7 discussed whether and where to reference treatment during transit. One member recalled SC discussions during the review of ISPM 42 that temperature treatments are typically done in transit, so it is initiated in the exporting country. Another member noted that this concept is not equally covered in ISPM 42 and ISPM 43. The SC-7 agreed to move text to where treatment initiation is first mentioned.
- [164] One member suggested to change “takes place” to “complete”, noting that the exporting country is responsible for a treatment completed in the port of destination, which in practical terms is considered transit. Another member noted that their NPPO would not accept treatments that are completed on arrival and the SC-7 agreed to retain the previously adopted text.
- [165] **Authorization of entities.** Some CPs suggested that this section be deleted from the draft, in light of the development of the draft ISPM on *Requirements for NPPOs if authorizing entities to perform phytosanitary actions* (2014-002). The steward explained that the paragraphs in this draft standard actually link to the draft standard on Authorization and gives some elements specific for MAT. The SC-7 agreed that in the context of this draft, the section addresses specific aspects as related to the treatment providers and agreed to modify the section title to “Authorization of treatment providers”, in response to a CP comment and in alignment with ISPM 43.
- [166] **Authorization of treatment providers by other government agencies.** A CP commented that in some countries other government departments or agencies play a role in approval of treatment facilities. The steward explained that this suggestion was taken into account and text was added in several places in the draft standard, except where it concerned the responsibility for phytosanitary measures, which should always stay with the NPPO.
- [167] One member further explained that in their country, fumigation providers are licensed by the provincial government and, because they are dealing with harmful substances, under the responsibility of the ministry dealing with public health. One member questioned whether that meant the NPPO of the country has authorized the health ministry to perform phytosanitary actions. Another member pointed out that communication of fumigation information still happens with the NPPO of the country, even if another entity is responsible for delivering the treatment. The SC-7 agreed that the NPPO is still responsible to ensure that the treatment is applied properly and did not agree to include the proposed text where the responsibility is described.

- [168] **Monitoring and auditing.** Some CP comments suggested to move the subsection on monitoring and auditing to immediately after authorization, in order to improve the logical flow. The SC-7 agreed with the move and with including wording that treatment providers may allow access to the NPPO for pre-arranged or unannounced audits.
- [169] **Prevention of infestation.** Some CPs suggested to change the title of this section to “*Phytosanitary security*”, to align with ISPM 5 terminology. The steward explained the TPG opinion that the definition of *phytosanitary security* is not only referring to preventing infestation or contamination, but also to maintaining the integrity of the consignment. The SC-7 shared this opinion and agreed to retain the original title in alignment with ISPM 43. They also agreed that in alignment with ISPM 43 this section should consider commodities rather than consignments.
- [170] **Labeling.** One SC-7 member questioned whether labeling should be in the standard, since it is not a requirement. Another member clarified that this wording is used in ISPM 42 and ISPM 43, even though it is not considered a requirement. He noted that this section initially came from ISPM 18 (*Guidelines for the use of irradiation as a phytosanitary measure*), where it is a requirement. For other treatments it may not be necessary.
- [171] One member cautioned that requiring labeling can create unnecessary bureaucracy. Another member thought that identifying treated and not-treated commodities should be a requirement, but suggested that this can be achieved in different ways. For example, in ISPM 15 (*Regulation of wood packaging material in international trade*) there is no requirement for labeling, just to apply the mark on the treated wood. One member recalled previous discussions about labeling of bulk commodities. The SC-7 agreed to retain this text as adopted in other ISPMs also in this draft.
- [172] **Documentation.** Some CP comments proposed to include a sentence noting “*the NPPO is responsible for documenting NPPO procedures*”. One SC-7 member thought that this should be self-evident. Another member noted that this concept is covered by ISPM 7 (*Phytosanitary certification system*) and the SC-7 agreed not to include the proposed text.
- [173] **Documentation of procedures.** One SC-7 member suggested to change “*a written document*” to “*documented procedures*”, in alignment with the draft ISPM on *Requirements for NPPOs if authorizing entities to perform phytosanitary actions* (2014-002). The SC-7 agreed with the proposal and modified the indented list to simplify and avoid redundancy.
- [174] **Record keeping.** Some CP comments suggested to add the requirement that the “*name of the individual performing the treatment*” be recorded, in alignment with ISPM 43. The SC-7 considered that the previous text was aligned with ISPM 42, and that this requirement had been added to ISPM 43 because fumigation is dealing with toxic gases. They agreed to align the text with ISPM 43 as it was thought to be more appropriate.
- [175] **Responsibilities.** In response to some CP comments this paragraph was split to provide clarity and to align with ISPM 43. One CP had suggested to include a sentence outlining responsibilities of the NPPO of the exporting country, but the SC-7 disagreed with the addition.
- [176] One member noted that some of the text was also repeated in the section on monitoring and auditing, but the SC-7 agreed that it was useful to have all responsibilities in one place even if that means having some of them duplicated in the standard.
- [177] **Outline of Requirements.** The chairperson recalled discussions during the week where the SC-7 had agreed to structure this section like an abstract and to not simply list all requirements. The SC-7 discussed different text proposals and agreed on a summary covering that considerations, operational requirements and responsibilities are described in the standard.
- [178] **Implementation issues.** The steward summarized the following implementation issues identified during first consultation:

- **Lack of technical capacity and financial constraints** were identified by several countries. The SC-7 considered this mostly an infrastructure issue. One member noted that this treatment is an option for a phytosanitary measure, and countries are not obliged to implement if they do not have the technical capacity. Another member noted that there are companies who would be willing to expand into developing countries to provide these treatments once some actual treatments are approved. The SC-7 suggested that the IC could focus on providing guidance or training on how to apply the treatment. One member suggested that the IC could consider developing guidance on maintenance of gas concentrations.
- **Development of treatment schedules.** The SC-7 noted that there are currently no approved modified atmosphere treatments, but that it could be a useful alternative to chemical fumigants. One comment suggested that training, development of treatment schedules and validation would be necessary, and one member suggested that the IC could develop guidance for countries who may want to develop such treatments. Another member thought it would be preferable to wait for PTs to be developed, noting that there are currently two relevant topics in the TPPT work programme (2017-037: *CATTS (Controlled Atmosphere/Temperature Treatment System) treatments against codling moth (Cydia pomonella) and western cherry fruit fly (Rhagoletis indifferens) in cherry* and 2017-038: *CATTS (Controlled Atmosphere/Temperature Treatment System) treatments against codling moth (Cydia pomonella) and oriental fruit moth (Grapholita molesta) in apple*). The SC-7 agreed to encourage countries to submit PT proposals for such treatments in the ongoing call for PTs<sup>11</sup>.
- **Specific guidance for treatment application** was requested in one comment. One member noted that it would depend on the specific treatment schedule. The Secretariat noted that the TPPT had discussed this comment in detail but had decided not to include it as it would be better suited for implementation materials.

[179] The SC-7:

- (7) approved the draft ISPM on *Requirements for the use of modified atmosphere treatments as a phytosanitary measure* (2014-006) to be submitted to second consultation,
- (8) asked the Secretariat to forward the implementation issues on the draft ISPM on *Requirements for the use of modified atmosphere treatments as a phytosanitary measure* (2014-006) raised during first consultation to the Implementation and Capacity Development Committee (IC).
- (9) agreed to invite CPs to submit proposals for modified atmosphere treatments in the ongoing call for phytosanitary treatments.

## 5. Other business

[180] The SC-7 discussed several strategic issues.

[181] **Feedback from IC meeting.** The SC representative to the IC provided a short summary of ongoing discussions on audits and authorization in relation to audits during the IC meeting and noted that the IC expressed interest to collaborate on those topics. He reported that the IC was preparing to launch a survey on implementation issues and suggested that the outcome of this could provide feedback to the SC as well. One SC-7 member wondered about the focus of the survey and resource implications for the Secretariat and recalled that CPM-14 had asked the IC to reconsider the priorities of the topics on their work programme.

[182] **Joint work between IC and SC.** The SC chairperson reported on discussions regarding joint work on adopted ISPMs between the two committees, and noted that the IC sees more opportunity for this in the work on ongoing ISPMs. He cautioned, however, that ISPMs may be significantly modified during their development, presenting a challenge for simultaneous development of associated implementation material. He suggested the IC could be engaged (through assigned IC leads) during development of ISPMs, beginning with EWGs. He highlighted that this way the IC would be aware of issues raised in

<sup>11</sup> Call for Phytosanitary treatments: <https://www.ippc.int/en/core-activities/standards-setting/calls-treatments/>

the process, to inform the development of implementation materials. One member added that materials from the EWGs could be provided to the IC, so that during the development of the implementation material all information and records from the standard development are available for consideration.

- [183] One member noted that coordinated development of standards and implementation materials is not easy, as their process is very different. He suggested that experts working on implementation material could initially interact virtually while working on different aspects of the implementation guidance and only meet face to face near to adoption of the standard to allow for intensive discussion and to finalize the product.
- [184] One member thought that the SC should ask the IC questions to better understand the process of material development and to understand how the committee works, before giving suggestions on how to do the work.
- [185] The Secretariat reminded the SC-7 that implementation materials are easier to develop than standards and that associated processes are and should be different. He suggested that it could be useful for standards to have implementation guidance attached to them, because in this way all necessary information would be provided in one place.
- [186] One member suggested that it would be good for the committees to have better visibility of each other's processes and work programmes. He suggested that it may be time to review the Standard Setting Process and that this could provide an opportunity to better coordinate these processes. One member suggested that it could be useful to invite the IC to provide suggestions on how to improve the SSP.
- [187] The SC-7 agreed to invite the IC to present their work programme and processes for developing implementation material to the SC, keeping in mind that the SC is considering a review of the SSP
- [188] The Secretariat pointed out that such a presentation was unlikely to happen before May 2020, as the IC would need to discuss the proposal. One SC-7 member noted that it could be an open invitation to the IC.
- [189] **Liaison with FAO regional offices.** One SC-7 member raised the question on how to promote the SC Liaison with the FAO regional offices (FAOR). He noted that the IPPC mandate is working on prevention of pest introduction and spread, while FAOR are working on implementation of mitigation measures, and suggested that it would be helpful for them to engage more.
- [190] The Secretariat recalled discussions on a one plant health team in FAO, which took place on the margins of CPM-14 (2019) and proposed to share outcomes of this meeting and future ones with the SC. He further highlighted that IPPC should play a more active role in connecting AGP and FAOR, which agreed to continue to meet on the margins of the CPM to discuss their issues and improve their connection. The Secretariat recalled that IPPC as well as FAOR had previously been part of AGP, which had provided for good communication between IPPC and FAOR. He suggested that IPPC could play a coordinating role if this is part of the IPPC strategy, considering that FAOR are able to react more quickly to contracting party needs. He summarized that it is the start of a promising initiative, noted that in the future SC/IC representatives could participate and said that issues raised could be discussed further during IPPC regional workshops. He highlighted the possibility for IPPC to be present during upcoming FAO regional conferences in 2020, which will provide a good opportunity to raise awareness for IPPC at these high level meetings.
- [191] The SC-7 welcomed this initiative to improve communication and information exchange and suggested that reports from these meetings could be included in the Secretariat updates for SC. One member recalled that this discussion was highlighted during CPM and noted that resources for food security are available in the regions and suggested that phytosanitary issues should also be linked to these issues.
- [192] One member recalled that engagement with the wider FAO community was a recommendation of the IPPC Secretariat evaluation. Another member encouraged the SC and Secretariat to keep this discussion alive and open and to identify areas to improve and progress.

[193] **Work plan of the IPPC Secretariat Standard setting unit.** One member suggested that in order to better plan the work of the SC, it would be beneficial for the SC to know the actual work plan for the Standard setting unit (SSU) including the status of staff contracts and what staff are working on. The SSU lead pointed out that the SSU currently has some staff that are paid from regular budget as well as one in-kind contribution, but that consultants in the unit are funded from project money or the IPPC multidonor trust fund and therefore are not secure. He noted that it is difficult to influence the budget, but emphasized the need to ensure minimal staff to deliver the SC work programme. One member noted that NPPOs could help to deliver the SC work programme by providing additional in-kind contributions, but that for this the needs of the unit would need to be clearly defined.

[194] The Secretariat suggested that reducing borders between the units and assigning tasks across units according to the capacity of the staff could improve efficiency in the delivery of the Secretariat work. One SC-7 member considered that the Secretariat evaluation study had recommended to make better use of staff expertise across the different units. He suggested that it would be a good time to review how the recommendations from the evaluation have been addressed and suggested that this could be brought to the attention of the Bureau.

[195] **Commodity and pathway standards.** One member proposed that commodity and pathway standards could be put on the SC-7 agenda in 2020. The Secretariat reminded that the focus group was to meet again in June 2019 to develop a draft concept standard and governance processes for these types of standards. She recalled the SC discussions on the topic and suggested that the governance processes could be presented to CPM-15 (2020) for approval and at the same time the concept standard could be presented for approval for country consultation. After consultation the concept standard would then come back to the SC in November 2020 or the SC-7 in May 2021 for discussion.

[196] One member noted that the SC in November should be discussing the final outcomes of the focus group, as it will be the only chance for the SC to review and discuss it before CPM-15. These discussions would inform what the SC-7 could potentially review in 2020.

[197] One member emphasized that the Standard Setting Process (SSP) should not be cut short for the adoption of the concept standard, as this may lessen its value. Another member highlighted that the concept standard should definitely be transferred back to SC, but noted that the SSP does not mandate a certain number of consultation rounds.

[198] One member suggested that the SC-7 could work on a pilot for a commodity standard for a specific commodity. Another member agreed that the SC-7 should be proactive in advancing the commodity standards and supported the proposal.

[199] **Possible agenda for SC-7 May 2020.** Considering that no ISPMs would be coming from first consultation for discussion by the SC-7 in 2020 (PTs and DPs are reviewed and revised by the TPPT and TPDP, respectively), the SC-7 discussed possible agenda items for their next meeting. They recalled the discussion during the SC meeting that the SC-7 could focus on strategic issues.

[200] The SC-7 suggested the following topics as possible agenda items for SC-7 in 2020:

- **Review of SSP:** SC-7 could review the SSP in relation to commodity standards, the new joint call for topics and strategic discussions of technical panel work
- **PRA/PRM standards revision:** The SC-7 could work on the reorganization and revision of the PRA standards as proposed during SC May 2019.
- **Authorization of entities:** The SC-7 could continue working on details if this ISPM is not adopted by CPM in 2020, noting that it will be discussed during the SC November 2019.
- **Pilot commodity standard:** The SC-7 could have a discussion on regional standards that may become commodity standards and start working on a possible pilot commodity (Mango was suggested as a relevant APPPC standard is already under development).
- **Specifications for new standards on Framework for Standards and Implementation:** The SC-7 could draft specifications for standard gaps previously identified.

[201] The SC-7:

- (10) *requested* the Secretariat to report on the meetings with FAO Regional offices to the SC
- (11) *invited* the IC to present their work programme and processes for developing implementation material to the SC, in order to better coordinate common topics
- (12) *requested* the Secretariat to consider the SC-7 discussions when drafting the agenda for the next meeting.

## **6. Close of the meeting**

[202] The SC-7 thanked the chairperson for his work this week as well as in the SC and SC-7 and wished him success for his work in the Bureau.

[203] The Chairperson thanked the SC-7 members for their hard work and active participation this week. He also especially thanked the Stewards for their work before the meeting on preparing the drafts and reviewing a large number of consultation comments.

[204] The SSU lead reminded the SC-7 that the Secretariat is here to support the SC and SC-7 in their work but also needs the SC to support the Secretariat in the creative implementation of the IPPC work programme, and invited the SC to provide feedback and suggestions for the work of the SSU.

[205] The Chairperson thanked the Secretariat for their excellent support during and between meetings, acknowledged Mr Jesulindo Nery DE SOUZA JUNIOR (Brazil) for his last SC activity, Mr Nico HORN (Netherlands) for his contributions as a former SC-7 member, and closed the meeting

**Appendix 01 – Agenda**

<b>DOCUMENT NUMBER</b>	<b>AGENDA ITEM</b>	<b>DOCUMENT TITLE</b>	<b>DATE POSTED</b>
<b>Draft ISPMs</b>			
1994-001_2018	4.1	Draft 2018 amendments to ISPM 5: <i>Glossary of Phytosanitary Terms</i>	2019-03-01
2009-005	4.2	Draft revision of ISPM 8: <i>Determination of Pest Status in an area</i>	2019-03-01
2014-002	4.3	Draft ISPM: <i>Authorization of entities to perform phytosanitary actions</i>	2019-05-02
2014-006	4.4	Draft ISPM: <i>Requirements for the use of modified atmosphere treatments as phytosanitary measures</i>	2019-03-14
<b>Documents</b>			
01_SC7_2019_May	2	Agenda	2019-05-02
02_SC7_2019_May	2	Documents List	2019-05-02
03_SC7_2019_May	2	Participants List	2019-05-02
04_SC7_2019_May	4.2	Steward's additional notes and potential implementation issues: draft revision of ISPM 8: <i>Determination of pest status in an area</i> (2009-005)	2019-03-01
05_SC7_2019_May	4.1	Compiled comments and TPG responses to draft 2018 amendments to ISPM 5 (1994-001)	2019-03-01
06_SC7_2019_May	4.2	Compiled comments and steward's responses for draft revision of ISPM 8: <i>Determination of pest status in an area</i> (2009-005)	2019-03-01
07_SC7_2019_May	4.2	Compiled comments for draft revision of ISPM 8: <i>Determination of pest status in an area</i> (2009-005) – TPG recommendations on terms and consistency	2019-03-01
08_SC7_2019_May	4.4	Compiled comments and steward's responses for draft ISPM on <i>Requirements for the use of modified atmosphere treatments as phytosanitary measures</i> (2014-006)	2019-03-14
09_SC7_2019_May	4.4	Steward's additional notes and potential implementation issues on Draft ISPM on <i>Requirements for the use of modified atmosphere treatments as phytosanitary measures</i> (2014-006)	2019-03-14
10_SC7_2019_May	4.4	Compiled comments for Draft ISPM on <i>Requirements for the use of modified atmosphere treatments as phytosanitary measures</i> (2014-006) - TPG recommendations on terms and consistency	2019-03-14

DOCUMENT NUMBER	AGENDA ITEM	DOCUMENT TITLE	DATE POSTED
11_SC7_2019_May	4.1	Steward's additional notes and potential implementation issues: Draft 2018 amendments to ISPM 5 (1994-001)	2019-04-29
12_SC7_2019_May	4.3	Compiled comments and steward's responses for draft ISPM on <i>Authorisation of entities to perform phytosanitary actions</i> (2014-002)	2019-05-02
13_SC7_2019_May	4.3	Stewards additional notes and potential implementation issues: <i>Authorisation of entities to perform phytosanitary actions</i> (2014-002)	2019-05-02
14_SC7_2019_May	4.3	Compiled comments for Draft ISPM on <i>Authorisation of entities to perform phytosanitary actions</i> (2014-002) – TPG recommendations on terms and consistency	2019-05-02

**Appendix 02 - Documents List**

DOCUMENT NUMBER	AGENDA ITEM	DOCUMENT TITLE	DATE POSTED
<b>Draft ISPMs</b>			
1994-001_2018	4.1	Draft 2018 amendments to ISPM 5: <i>Glossary of Phytosanitary Terms</i>	2019-03-01
2009-005	4.2	Draft revision of ISPM 8: <i>Determination of Pest Status in an area</i>	2019-03-01
2014-002	4.3	Draft ISPM: <i>Authorization of entities to perform phytosanitary actions</i>	2019-05-02
2014-006	4.4	Draft ISPM: <i>Requirements for the use of modified atmosphere treatments as phytosanitary measures</i>	2019-03-14
<b>Documents</b>			
01_SC7_2019_May	2	Agenda	2019-05-02
02_SC7_2019_May	2	Documents List	2019-05-02
03_SC7_2019_May	2	Participants List	2019-05-02
04_SC7_2019_May	4.2	Steward's additional notes and potential implementation issues: draft revision of ISPM 8: <i>Determination of pest status in an area</i> (2009-005)	2019-03-01
05_SC7_2019_May	4.1	Compiled comments and TPG responses to draft 2018 amendments to ISPM 5 (1994-001)	2019-03-01
06_SC7_2019_May	4.2	Compiled comments and steward's responses for draft revision of ISPM 8: <i>Determination of pest status in an area</i> (2009-005)	2019-03-01
07_SC7_2019_May	4.2	Compiled comments for draft revision of ISPM 8: <i>Determination of pest status in an area</i> (2009-005) – TPG recommendations on terms and consistency	2019-03-01
08_SC7_2019_May	4.4	Compiled comments and steward's responses for draft ISPM on <i>Requirements for the use of modified atmosphere treatments as phytosanitary measures</i> (2014-006)	2019-03-14
09_SC7_2019_May	4.4	Steward's additional notes and potential implementation issues on Draft ISPM on <i>Requirements for the use of modified atmosphere treatments as phytosanitary measures</i> (2014-006)	2019-03-14
10_SC7_2019_May	4.4	Compiled comments for Draft ISPM on <i>Requirements for the use of modified atmosphere treatments as phytosanitary measures</i> (2014-006) - TPG recommendations on terms and consistency	2019-03-14

DOCUMENT NUMBER	AGENDA ITEM	DOCUMENT TITLE	DATE POSTED
11_SC7_2019_May	4.1	Steward's additional notes and potential implementation issues: Draft 2018 amendments to ISPM 5 (1994-001)	2019-04-29
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13_SC7_2019_May	4.3	Stewards additional notes and potential implementation issues: <i>Authorisation of entities to perform phytosanitary actions</i> (2014-002)	2019-05-02
14_SC7_2019_May	4.3	Compiled comments for Draft ISPM on <i>Authorisation of entities to perform phytosanitary actions</i> (2014-002) – TPG recommendations on terms and consistency	2019-05-02

IPP LINKS:	Agenda item
<a href="#">Link to local information</a>	2
<a href="#">Link to survey</a>	6

## Appendix 03 - Participants List

	Region / Role	Name, mailing, address, telephone	Email address	Membership Confirmed	Term expires
✓	Africa Member SC-7	<b>Ms Esther KIMANI</b> Managing Director Kenya Plant Health Inspectorate Service- KEPHIS P.O. BOX 49592-00100, Nairobi <b>KENYA</b> Tel: (+254) 0206618000, (+254) 0709891000 Mobile: (+254) 0722 226 239	<a href="mailto:ekimani@kephis.org">ekimani@kephis.org</a> ;	CPM-9 (2014) CPM-12 (2017)  2 <sup>nd</sup> term/3 years	2020
✓	Asia Member SC-7	<b>Mr Masahiro SAI</b> Senior Researcher (Head of Section) Risk Analysis Division Yokohama Plant Protection Station Ministry of Agriculture, Forestry and Fisheries (MAFF) <b>JAPAN</b> Tel: +81-45-211-0375	<a href="mailto:masahiro_sai670@maff.go.jp">masahiro_sai670@maff.go.jp</a> ;	CPM-13 (2018) 1 <sup>st</sup> term / 3 years	2021
✓	Europe Member SC-7	<b>Mr Samuel BISHOP</b> Plant Health Policy team Room 11G35 Department for Environment, Food and Rural Affairs National Agri-Food Innovation Campus Sand Hutton York North Yorkshire <b>UNITED KINGDOM</b> YO41 4LZ Tel: +44 (0) 2080262506 Mob.: +44 (0) 7827976902	<a href="mailto:sam.bishop@defra.gsi.gov.uk">sam.bishop@defra.gsi.gov.uk</a> ;	CPM-13 (2018) 1 <sup>st</sup> term / 3 years	2021
✓	Latin America and Caribbean Member SC-7	<b>Mr Jesulindo Nery DE SOUZA JUNIOR</b> 177 Dyer Road, Hillcrest Office Park, Ground Floor Hillcrest, Pretoria 0083 South Africa <b>BRAZIL</b>	<a href="mailto:jesulindo.junior@agricultura.gov.br">jesulindo.junior@agricultura.gov.br</a> ; <a href="mailto:jesulindo@gmail.com">jesulindo@gmail.com</a> ;	CPM-11 (2016) 1 <sup>st</sup> term / 3 years	2019
	Near East Member SC-7	<b>Mr Abdulqader Khudhair ABBAS</b> Ministry of Agriculture Plant protection directorate Abu Ghraib Baghdad <b>IRAQ</b> Tel : 9647801876544 (mobile)	<a href="mailto:abdulkader_abbas@yahoo.com">abdulkader_abbas@yahoo.com</a> <a href="mailto:crop_prot@moagr.org">crop_prot@moagr.org</a> ;	CPM-13 (2018) 1 <sup>st</sup> term / 3 years	2021

	<b>Region / Role</b>	<b>Name, mailing, address, telephone</b>	<b>Email address</b>	<b>Membership Confirmed</b>	<b>Term expires</b>
✓	North America Member SC-7	<b>Mr Rajesh RAMARATHNAM</b> Senior Specialist (International Phytosanitary Standards): International Phytosanitary Standards Section Plant Protection Division, CFIA-ACIA 59 Camelot Drive, Ottawa ON K1A OY9 <b>CANADA</b> Tel: (+1) 613-773-7122 Fax: (+1) 613-773-7204	<a href="mailto:rajesh.ramarathnam@canada.ca">rajesh.ramarathnam@canada.ca</a> ;	CPM-11 (2016) 1 <sup>st</sup> term / 3 years	2019
✓	Pacific Member SC-7	<b>Mr Stephen BUTCHER</b> Manager Import & Export Plants Standards Branch Plant, Food and Environment Directorate Ministry for Primary Industries Pastoral House 25 The Terrace PO Box 2526 Wellington 6140 NEW ZEALAND Tel: (+64) 4 894 0478 Fax: (+ 64) 4 894 0662 Mob: (+ 64) 29 894 0478	<a href="mailto:stephen.butcher@mpi.govt.nz">stephen.butcher@mpi.govt.nz</a> ;	CPM-4 (2009) CPM-7 (2012) CPM-11 (2016) 3 <sup>rd</sup> term / 3 years	2019

**Others:**

	<b>Name, mailing, address, telephone</b>	<b>Participant role</b>	<b>Email address</b>
✓	<b>Mr Ezequiel FERRO</b> Dirección Nacional de Protección Vegetal - SENASA Av, Paeso Colón 315 C.A. de Buenos Aires <b>ARGENTINA</b> Tel/Fax : (+5411) 4121-5091	SC Chairperson	<a href="mailto:eferro@senasa.gov.ar">eferro@senasa.gov.ar</a> ;
✓	<b>Ms Laurence BOUHOT-DELDUC</b> Plant health section Sub-directorate for plant quality, health and protection / Service for prevention of the sanitary risks of the primary production General directorate for food Ministry of agriculture, agro-food and forestry 251 rue de Vaugirard 75732 PARIS CEDEX 15 <b>FRANCE</b> Tel: +33 149558437 Fax: +33 149555949	Steward	<a href="mailto:laurence.bouhot-delduc@agriculture.gouv.fr">laurence.bouhot-delduc@agriculture.gouv.fr</a> ;

	<b>Name, mailing, address, telephone</b>	<b>Participant role</b>	<b>Email address</b>
✓	<b>Ms Marina ZLOTINA</b> IPPC Technical Director USDA-APHIS, Plant Protection and Quarantine (PPQ) 4700 River Rd, 5c-03.37 Riverdale, MD 20737 <b>USA</b> Tel: 1-301-851-2200 Cell: 1 -301-832-0611	Steward	<a href="mailto:Marina.A.Zlotina@aphis.usda.gov">Marina.A.Zlotina@aphis.usda.gov;</a>
✓	<b>Mr Nico HORN</b> European and Mediterranean Plant Protection Organization (EPPO), 21, Boulevard Richard Lenoir 75011 Paris <b>FRANCE</b> Phone + 33 – 145207794	Steward	<a href="mailto:nico.horn@epo.int">nico.horn@epo.int</a>
✓	<b>Mr Avetik NERSISYAN</b> Standard Setting Unit Lead	IPPC Secretariat	<a href="mailto:Avetik.Nersisyan@fao.org">Avetik.Nersisyan@fao.org;</a>
✓	<b>Ms Adriana MOREIRA</b> Standard Setting Officer	IPPC Secretariat	<a href="mailto:Adriana.Moreira@fao.org">Adriana.Moreira@fao.org;</a>
✓	<b>Mr Artur SHAMILOV</b> Standard Setting Officer	IPPC Secretariat	<a href="mailto:Artur.Shamilov@fao.org">Artur.Shamilov@fao.org;</a>
✓	<b>Ms Janka KISS</b> Standard Setting Associate	IPPC Secretariat	<a href="mailto:Janka.Kiss@fao.org">Janka.Kiss@fao.org;</a>
✓	<b>Mr Denis ALLEX</b> Standard Setting Associate	IPPC Secretariat	<a href="mailto:Denis.Alex@fao.org">Denis.Alex@fao.org</a>
✓	<b>Ms Sandra GORITSCHNIG</b> Standard Setting Associate	IPPC Secretariat	<a href="mailto:Sandra.Goritschnig@fao.org">Sandra.Goritschnig@fao.org</a>