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	منظمة الأغذية والزراعة للأمم المتحدة	联合国 粮食及 农业组织	Food and Agriculture Organization of the United Nations	Organisation des Nations Unies pour l'alimentation et l'agriculture	Продовольственная и сельскохозяйственная организация Объединенных Наций	Organización de las Naciones Unidas para la Alimentación y la Agricultura
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COMMISSION ON PHYTOSANITARY MEASURES

Eighth Session
Rome, 8 - 12 April 2013
List of topics for IPPC standards: Minimizing pest movement by sea containers (2008-001)
Agenda item 8.1.4
Prepared by the steward on the topic <i>Minimizing pest movement by sea containers</i> and the IPPC Secretariat

I. Background

1. The following is a brief summary of activities conducted for the development of a draft International Standard for Phytosanitary Measures (ISPM) on the topic: *Minimizing pest movement by sea containers and conveyances* (2008-001)

- The CPM-3 (2008) added the topic to the List of Topics for IPPC Standards, with a high priority (CPM-7 (2012) changed the priority to 1).
- A specification was approved by the Standards Committee (SC) in November 2009¹.
- Experts for the Expert Working Group (EWG) were selected in March 2011.
- A Steering Committee on Sea Containers (SCSC) was established and a meeting held in Rome in November 2011².
- A side-event was held at CPM-7 (2012) to update members on the development of the draft ISPM and to provide members with an opportunity to comment on the issue³.
- An update from the SCSC was also presented to the SC at its April 2012 meeting⁴.

¹ Specification 51: <https://www.ippc.int/index.php?id=24119>

² Report of the SCSC, November 2011: <https://www.ippc.int/index.php?id=1111165>

³ CPM-7 (2012) Report, Appendix 16, <https://www.ippc.int/index.php?id=13330>

⁴ 2012 April SC meeting report, section 4.3: <https://www.ippc.int/index.php?id=13355>

- A meeting of the EWG was held in May 2012 in Johor Bahru in Malaysia⁵. The participants discussed various issues regarding sea containers, prepared a revised version of the draft ISPM and visited two areas in the port of Johor Bahru dealing with sea containers.
- A draft ISPM on *Minimizing pest movement by sea containers* (2008-001) was presented to the SC in November 2012⁶. The title had been shortened because the SC had decided that conveyances are no longer covered in the draft ISPM. The SC asked the steward to revise the draft ISPM with an email working group for presentation to the 2013 May SC meeting, but also requested the steward and the IPPC Secretariat to develop a discussion paper for CPM-8 (2013) on the issues and present options available, listing the pros and cons, and raising awareness in relation to accreditation, verification and auditing by national plant protection organizations (NPPOs). The SC also requested the Secretariat to set up a web page on the IPP to provide background information and links to the various documents related to the development of this draft ISPM (<https://www.ippc.int/index.php?id=1111165>).
- Following the SC meeting, the CPM Bureau discussed the development of this standard in December 2012 and decided that an evening session should be held during CPM-8 (2013) to discuss progress on this complex standard. In addition, in December 2012 an update from the CPM Bureau was sent out to IPPC contact points requesting them to review the information provided on the IPP (see link above), consider the development of this draft ISPM and submit their views to SC members no later than 15 January 2013. This information would be used by the steward and the IPPC Secretariat to help develop this CPM discussion paper. In addition, the steward and the IPPC Secretariat collected further comments from the SC and EWG members.

II. Issues for CPM consideration

2. The aim of this paper is to give an update on the development of the draft ISPM and to identify possible areas of concern for discussion during CPM-8 (2013). Comments collected in response to the CPM Bureau update's request as well as comments from SC and EWG members have been taken into account to identify issues for further discussion during CPM-8 (2013). The paper does not cover all issues in detail.

A. Survey on pest interceptions on sea containers

3. The SC at their November 2012 meeting discussed a proposal for a global survey to collect data on detected quarantine pests contaminating sea containers in international trade. The SC would like to request the CPM to support this type of survey. The information would be used as a baseline for comparison with similar future analyses which may allow an assessment of the impact of the ISPM on mitigating pest risks.

4. In the comments collected by the steward and the IPPC Secretariat after the 2012 November SC meeting, some concern was raised that the purpose of such a survey should be to identify the actual need for further development of the draft ISPM. However, it is to be noted that the development of a draft ISPM on *Minimizing pest movement by sea containers* (2008-001) has already been added by the CPM to the List of Topics for IPPC Standards with a high priority (priority 1) because of concerns about the pests being found on containers.

B. Responsibility for the cleanliness of sea containers

5. Various organizations and bodies deal with sea containers: container owners, shipping companies, depots, consignees. Taking into account comments from the industry members of the EWG, the EWG suggested that shipping companies were the logical choice to be responsible for the cleanliness of sea containers because they provide oversight to the depots and already audit them.

⁵ Report of the EWG, May 2012: <https://www.ippc.int/index.php?id=1111165>

⁶ 2012 November SC meeting report, section 3.1.1 and section 6.2 : <https://www.ippc.int/index.php?id=13355>

C. Place and stage most suitable for phytosanitary cleanliness examination within the movement cycle of sea containers

6. Containers are moved from and to several places: depots, packing points, maritime ports (at export and import), and ships. As the examination and cleaning that is done at present is carried out under the control of shipping companies in depots, the EWG had suggested that the examination for contamination and cleaning if necessary, should be done at the depots.

7. During its April 2012 meeting, the SC agreed that the draft ISPM should recognize the three categories of containers: (i) empty containers ready to be packed⁷, (ii) empty containers for repositioning⁸ and (iii) packed containers⁹. The SC also agreed that the implementation of this ISPM should be phased in, initially focusing on empty containers that go through depots. It was noted that empty sea containers are already examined to ensure they are clean and not damaged when they go to depots before being moved to be packed. However, when containers are moved to a packing location there is a risk that they could become contaminated with pests, but packed containers no longer go through a depot and there is no stage that would easily allow access to the sea containers to allow for the examination of their cleanliness before being loaded onto the ships. Also during the May 2012 EWG meeting, the concern about the risk posed by repositioned containers should also be considered. Therefore, the EWG decided that the standard would set the global criteria for clean sea containers regardless of whether they are empty or packed or for import or export.

D. Need to develop further the draft ISPM on Minimizing pest movement by sea containers (2008-001)

8. It is to be noted that industry guidance in the form of a Code of Practice for Packing of Cargo Transport Units is being updated jointly by the International Maritime Organization (IMO), the United Nations Economic Commission for Europe (UNECE) and the International Labour Organization (ILO)¹⁰. The EWG was invited to provide input into these guidelines so they could include phytosanitary requirements for cleaning sea containers as well as address other types of organisms – such as those of concern to the Convention on Biological Diversity (CBD), the World Organisation for Animal Health (OIE) or the World Health Organization (WHO). Once implemented, this guidance should lead to increased phytosanitary examination and cleaning of containers at depots. There seems to be only limited infrastructure other than those available in depots to examine and clean containers. It should be considered whether the standard should only focus on establishing the criteria for clean sea containers or be developed further to address additional issues because some of the issues described in this paper may be too complex to be dealt with in a standard.

E. Options available in relation to certification of shipping companies' cleaning processes

9. The responsibility for ensuring that the examination for contaminants and cleaning meet the criteria laid out in the standard needs to be assigned. As most shipping companies are international and there are many depots in each country, participants at the 2012 May EWG meeting felt that if NPPOs certify depots, many NPPOs may not have resources to do so. The EWG determined that the most efficient way was to consider certifying shipping companies because they provide oversight of the container cleaning and they already audit the depots.

⁷ These are containers that have been emptied and are sent back to the depot. They are checked at the depot. If the container is in need of repair or cleaning, it is serviced. If the container is in good condition and clean, it is sent out to be used by a customer.

⁸ These are containers that have been emptied and are sent back to the depot. The container is not needed locally so it is repositioned to another depot (possibly in another country) where it is needed.

⁹ These are containers that have been packed with goods and are ready to be shipped.

¹⁰ For more details, please consult the IPP (<https://www.ippc.int/index.php?id=1111165>) where the 2013 Draft version (v.1 - February 2013) of the Code of Practice for Packing of Cargo Transport Units (CTUs) (CTU Code) has been posted.

10. After further consideration of this issue, the following options for the certification of shipping companies are available:

- Direct certification by the NPPO of the country in which the shipping company is domiciled or has its head office. The NPPO would audit the shipping company's management system and locations within its own territory. However, shipping companies operate internationally in territories outside of the NPPO's jurisdiction.
- Direct certification by the NPPO of the country in which the shipping company is domiciled or has its head office in cooperation with other NPPOs (or other bodies): as mentioned above, since shipping companies operate internationally, the responsible NPPO would need to cooperate with other NPPOs (or accreditation bodies and conformity assessments bodies) to undertake audits of activities in other countries or territories on its behalf. Once the responsible NPPO has certified a shipping company, all other NPPOs would recognize the certification as well as contribute to audits in their own territories.
- Third party certification or accreditation: conformity assessment bodies (CABs) would check that the examination and cleaning systems in the countries where the shipping company operates are to the level required in the ISPM and would certify the head office of the shipping company. CABs could be accredited for this work by accreditation organizations. However, it is noted that accreditation organizations cannot cover all regions. In this system, NPPOs would authorize the accreditation organizations but could also directly accredit CABs.
- Certification or accreditation through the implementation of the ISPM under a separate convention¹¹ allowing more prescriptive requirements, or through the establishment of an association¹² to implement the standard.

11. All above options would need to be further assessed, as well as the incentives for the industry in such systems (e.g. would sea containers shipped from certified companies be subject to simplified clearance processes?).

F. Data exchange needed to verify compliance with the ISPM requirements at the port of entry

12. A method for verifying that the examination (and cleaning if necessary) of the sea container has been performed according to the ISPM and that the required level of cleanliness has been reached is needed. It has been proposed that some data on this verification be added to the information that accompanies the sea container and transferred to national customs officials at ports of entry, and could then be assessed by NPPOs as needed. It would allow the importing country's NPPO to decide whether to target certain containers for inspection. The IPPC Secretariat investigated the issue during the meeting of the World Customs Organization (WCO) Permanent Technical Committee (PTC) in March 2013.

13. If sea containers are examined, cleaned if necessary, and documentary verification provided, it should also be considered how shipping companies would benefit from this compliance.

G. Roles of NPPOs and responsibilities for non-compliances

14. The role of NPPOs would need to be carefully described, especially regarding the systems described above in relation to certification of shipping companies' cleaning processes. At the port of entry, NPPOs could check the documentary verification mentioned above and undertake inspections of incoming containers when documentary information indicates that cleanliness might not be of a satisfactory level. The responsibilities (of shipping companies, NPPOs and any other bodies involved in the system) in case of non-compliances of sea containers and the corrective actions applied in the case of non-compliance would also need to be precisely described.

¹¹ Following the examples of conventions adopted under the International Maritime Organization.

¹² Following the example of the International Seed Testing Association (ISTA)

III. Recommendations to the CPM

15. The CPM is invited to:
- 1) *consider* the issue of the draft ISPM on *Minimizing pest movement by sea containers* (2008-001), especially the issues summarized above and the background information to be found on the IPP¹³
 - 2) *request* the SC, with input from the Secretariat, to develop a simple survey to be carried out by NPPOs to gather information of pest interceptions on sea containers
 - 3) *request* NPPOs to cooperate and gather information of pest interceptions on sea containers, over a limited time, and submit this information to the Secretariat for analysis and reporting
 - 4) *discuss* the issues presented and develop recommendations for addressing them.

¹³ <https://www.ippc.int/index.php?id=1111165>