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COMMISSION ON PHYTOSANITARY MEASURES

Eighth Session
Rome, 8 - 12 April 2013
Proposed CPM Recommendations Based on Implementation Review and Support System Studies
Agenda item 13.2
Prepared by the IPPC Secretariat

I. CPM Recommendations - Role and History

1. CPM-5 (2010) agreed on a process to record and keep track of CPM decisions and agreements that were not international standards for phytosanitary measures but whose content would serve as lasting reference material and would benefit from being made available in a standalone format, separate from the appendices of a CPM report. This decision followed discussions at CPM-3 (2008) and CPM-4 (2009), to ensure that decisions related to long-term operational issues are easily accessible.
2. CPM-9 agreed that the Rules of Procedure of the CPM provide an appropriate process for the adoption of Recommendations. In this process, the proposed Recommendation is presented to the CPM, the CPM considers the proposal and decides whether it should be adopted as a recommendation. If the document needs further review, it can be revised and then sent to the next meeting of the CPM for consideration and adoption. In line with this procedure, the Secretariat proposes two recommendations, one on aquatic plants and another for internet trade of plants; see Annexes A and B.

II. Implementation Review and Support System

3. The Implementation Review and Support System (IRSS) undertakes analysis of the status, challenges and opportunities in implementation of the IPPC and provides support to strengthen implementation. This project began in 2011 with the generous support of the European Union (EU), and is mid-way through the first three-year funding cycle.

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4. The present document discusses two recent studies undertaken through the IRSS program and presented at CPM-7 (2012), and suggests a way forward for the CPM to continue to address these issues through CPM recommendations.

III. IPPC Framework, Aquatic Plants and the IRSS

5. In 2011 the CPM Bureau requested that the IRSS program undertake a study on aquatic plants. The study provides technical information that could be used as a reference on how to address the aquatic plant issues in relation to the established mandate of the IPPC. It is available on the IRSS webpage on the International Phytosanitary Portal (IPP) at: https://www.ippc.int/largefiles/2012/IPPC-IRSS_Aquatic_Plants_Study_2012-Final.pdf.

6. The relationship between aquatic plants and the IPPC framework had previously been discussed during the development of standards, at CPM Bureau meetings, and at meetings of the CPM since CPM-1 (2006). Throughout these discussions there has been general agreement that aquatic plants, both as plants to be protected as well as potential pests of other plants, fall within the scope of the IPPC mandate. The IRSS study synthesized technical information and suggested ways to strengthen the protection of aquatic species as well as to prevent the introduction and spread of invasive aquatic species.

7. The findings of the study were presented to CPM-7 (2012). In the discussion followed, several members expressed the importance of aquatic species as pests and as plants to be protected in their countries. The findings were also presented at a Seminar on International Trade and Invasive Alien Species hosted by the World Trade Organization in July 2012.

8. The IPPC Secretariat notes that members have expressed interest in this topic from CPM-1 to CPM-7 and in other IPPC activities, such as expert drafting groups for standards. The Secretariat suggests that adopting a CPM recommendation on aquatic plants, taking into account the findings of the IRSS study, will formalize the conclusions of the significant analysis that the CPM has given the issue over the past several years. This would highlight the CPM's agreed perspective on this issue and strengthen the Secretariat's ability to liaise with external partners to cooperate on this topic. In addition, it would make available a clear set of considerations for contracting parties to utilize in implementing decisions on this issue.

IV. IRSS Study on Internet Trade of Plants

9. At CPM-7 the Secretariat reported on the IRSS study on internet trade (e-commerce) in plants. Internet trade is an increasingly used form of ordering consignments and many contracting parties may not have systems in place to assess the risks that e-commerce may pose to plant resources. The study was conducted by the IPPC Secretariat with peer review support provided by the United Kingdom. It builds on previous work presented to Technical Consultations among RPPOs and individual initiatives of two contracting parties.

10. The study was intended to produce practical information on the emerging e-commerce industry including the potential for plants and other articles ordered in this way to serve as a pathway for introduction and spread of pests of plants. The study highlighted specific considerations for contracting parties and RPPOs to take into account in order to protect their plant resources against risks via this pathway. This was done by providing a synopsis of the type of plants and plant products being channelled through the internet and identifying pathways for pests. The study examined various categories of plants and plant products such as novelty items, plants for planting, live organisms and wood carvings. The study is available on the IRSS page on the IPP at: https://www.ippc.int/file_uploaded/1332418083_Draft_-_Internet_trade_of_plants.pdf.

11. The preliminary desk study identified numerous issues of relevance to the IPPC framework. First, a wide range of products that pose phytosanitary risk, including items that are regulated in some countries, were found to be easily available for purchase online without reference to national regulations. This indicates that e-commerce can create a pest pathway that may, intentionally or

otherwise, bypass the application of phytosanitary measures or scrutiny through pest risk analysis. In addition, the study found that few NPPOs take this pathway into account when conducting pest risk analysis as there is currently no effective mechanism to detect whether products sold online are either regulated articles or pose un-assessed phytosanitary risk. This is of significant concern as inspection of regulated articles, meeting phytosanitary requirements of importing countries, and implementing phytosanitary measures based on pest risk analysis are key provisions and responsibilities of National Plant Protection Organizations (NPPOs) under the IPPC framework. In addition, the study noted that items ordered through the internet move through the postal or courier system, which are not traditionally under plant health scrutiny.

12. The Secretariat suggests that adopting a CPM recommendation on e-commerce, taking into account the findings of the IRSS study, will strengthen the contracting parties' ability to utilize these findings in future efforts to incorporate e-commerce into plant health regulatory frameworks. This would provide a convenient, consolidated reference for contracting parties to strengthen risk analysis and regulation of this issue in the future.

13. The CPM is invited to:

- 1) *consider* and if appropriate *adopt* the proposed CPM recommendation on aquatic plants as presented in Annex A; and
- 2) *consider* and if appropriate *adopt* the proposed CPM recommendation on internet trade as presented in Annex B.

Proposed CPM Recommendation CPM-8/2013 on Aquatic Plants

Background - Aquatic plants under the IPPC

The text of the International Plant Protection Convention (IPPC) does not specifically discuss “aquatic plants,” however they are mentioned in several International Standards for Phytosanitary Measures (ISPMs) as plants that should be protected under the IPPC framework. In addition, during the discussion of “the strategic plan” in CPM-1(2006), it was noted that the Secretariat should liaise with other international organizations to clarify the mandate of the IPPC with respect to invasive aquatic plants (CPM-1 Report, Para 131). Further, the IPPC Business Plan 2007 - 2011, which was adopted at CPM-2 (2007), identified marine and other aquatic plants as a new and emerging issue to be considered. In addition, it was stated that ISPMs should be developed/modified to take aquatic invasive plants into account.

At CPM-5 (2010) a presentation on aquatic plants was given during the scientific session. The speaker outlined the threats to and by aquatic plants. He also encouraged the IPPC and its contracting parties to address, in the phytosanitary framework, phytosanitary risks to aquatic plants and risks resulting from invasive aquatic plants. A few members mentioned serious cases of aquatic plant invasions and their damaging effects, and requested appropriate solutions to these problems (CPM-5 Report, Para 155). However, it was not clear how National Plant Protection Organizations were involved in addressing the issues of “aquatic plants” although CPM members agreed that “aquatic plants” were covered in the scope of the IPPC.

At CPM-6 (2011), two members highlighted the importance of providing adequate time and resources to consider this issue properly. One member supported the inclusion of algae within the scope of this discussion as algae are important as a pest and also as a crop of economic importance. Generally, as algae are classified in the Kingdom Plantae, it would imply they would be considered plants under the IPPC. The CPM agreed that the issue of aquatic plants within the IPPC should be further considered by the Bureau and SPTA and the conclusions be reported back to the CPM (CPM-6, Report, Para 193).

The CPM Bureau, at its June 2011 meeting, agreed that a “Scoping study on aquatic plants and their significance to the IPPC” should be conducted under the framework of the Implementation Review and Support System (IRSS) (CPM Bureau June 2011 Report, Agenda 11.2). A draft report was submitted to the Secretariat in January 2012, and this draft was reviewed by the members of the Expert Working Group on Capacity Development, the Secretariat, the Bureau and additional selected experts. The draft was revised in response to these comments and a final version was presented at the IPPC Symposium held at CPM-7 (2012). This recommendation incorporates years of discussions under the IPPC framework, leading to the analysis of gaps and opportunities conducted through the IRSS, and concluding with a set of recommended actions for contracting parties, NPPOs, RPPOs and the Secretariat to move forward with next steps based on the analysis that has been conducted.

Addressed to: Contracting parties, National Plant Protection Organizations (NPPOs), Regional Plant Protection Organizations (RPPOs), and the IPPC Secretariat

Recommendation:

At the CPM and other IPPC meetings discussions have indicated that under the IPPC framework aquatic plants should be protected, invasive aquatic plants should be considered as potential pests, and that algae should be considered a plant. The following recommendations synthesize these discussions, taking into account the findings from a study conducted through the implementation review and support system (IRSS). These recommendations provide specific suggestions for how contracting parties and RPPOs can incorporate these issues into their regulatory frameworks, and how the IPPC Secretariat can strengthen coordination in this area.

Risk analysis

Science-based risk analysis forms the basis of the IPPC framework. Although the IPPC does not currently have specific standards on aquatic plants, their regulation and protection of aquatic plant species can be done under the auspices of the IPPC framework by including aquatic plants in the risk analysis process. The strength of phytosanitary measures related to aquatic plants should be based on pest risk analysis.

- Contracting parties are encouraged to ensure that relevant government agencies, importers/exporters and other stakeholders are aware of the risks and benefits of movement of aquatic plants, and to ensure that aquatic plants are included in risk analysis processes.
- NPPOs are encouraged to perform appropriate pest risk analysis when introducing new species into aquaculture and other aquatic habitats.
- NPPOs are encouraged to ensure that aquatic plants are appropriately included in plant protection activities such as surveillance, risk analysis, official control and listing of regulated pests.
- RPPOs are encouraged to coordinate regionally appropriate cooperative efforts on risk analysis of aquatic plants and species that pose a risk to aquatic plants.
- The IPPC Secretariat is encouraged to include aquatic plants in future capacity building activities on pest risk analysis.
- The IPPC Secretariat is encouraged to develop guidance on good practices in regards to risk analysis appropriate for the introduction of vigorously growing aquatic species into new areas.

Management

If pest risk analysis determines that there is an unacceptable level of risk, the analysis can continue with management options that would reduce the pest risk to an acceptable level. These pest risk management options may be used to establish phytosanitary regulations. In addition, management at a broad level in terms of coordination of relevant stakeholders is key to ensuring the IPPC goal of protecting the world's plant resources from pests.

- NPPOs are urged to contain the spread of known regulated aquatic plant pests in the ornamental and other trade sectors, using appropriate phytosanitary measures.
- NPPOs of countries that have areas of widespread occurrences of regulated aquatic plant pests should be encouraged or assisted to develop an integrated pest management plan for those species.
- RPPOs are encouraged to coordinate communication among NPPOs and other stakeholders to strengthen regional approaches to manage risk and identify appropriate management options.
- The IPPC Secretariat is encouraged to facilitate the development of a database on beneficial and harmful aquatic plants for reference in designing best management practices and information to be disseminated to global stakeholders
- The IPPC Secretariat is encouraged to liaise with relevant international organizations and other partners to strengthen coordination on protection of aquatic plants as well as prevention of the introduction and spread of aquatic plant pests.

Recommendation(s) superseded by the above: None.

Annex B

Proposed CPM Recommendation CPM-8 / 2013
on Internet Trade (E-commerce) in Plants

Background

Sale of plants and plant products through the internet (e-commerce) has increased significantly in the years since the IPPC and most ISPMs were adopted. In many cases, online sellers and distributors of plants and plant products do not distinguish based on the customer's location. This may result in the movement of regulated articles into a country without the required phytosanitary certification or other phytosanitary measures being put in place. In order for the global plant protection framework to keep pace with this emerging introduction pathway, NPPOs, RPPOs and the IPPC Secretariat should collaborate with other stakeholders to monitor these trends and incorporate internet sales into the phytosanitary regulatory framework on the basis of risk analysis.

Addressed to: Contracting parties, National Plant Protection Organizations (NPPOs), Regional Plant Protection Organizations (RPPOs), and the IPPC Secretariat

Recommendation:

Sale of plants and plant products through the internet (e-commerce) has increased significantly in the years since the IPPC and most ISPMs were adopted. In many cases, online sellers and distributors of plants and products do not distinguish based on the customer's location. This allows the movement of regulated articles to enter a country without the required phytosanitary certification or other phytosanitary measures being put in place. In order for the global plant protection framework to keep pace with this emerging trend, NPPOs, RPPOs and the IPPC Secretariat should collaborate with other stakeholders to monitor these trends and incorporate internet sales into the phytosanitary regulatory framework on the basis of risk analysis. The following recommendations are suggested:

- NPPOs and RPPOs are encouraged to establish mechanisms to identify potential products of concern that may be imported via e-commerce, with a focus on potential high-risk pathways such as soils, propagation media, and plants for planting, and to explore options for implementing regulations based on risk.
- NPPOs of countries from which these products are exported via e-commerce are urged to ensure that the phytosanitary requirements of importing countries are met.
- NPPOs and RPPOs are urged to liaise with e-commerce vendors to ensure that adequate information about phytosanitary risk and phytosanitary measures is communicated to vendors and buyers on e-commerce websites.
- NPPOs, RPPOs and the IPPC Secretariat are encouraged to raise awareness on the risks of bypassing phytosanitary regulations.

Recommendation(s) superseded by the above: None.