

[Please Review document review. Review title: 2021 First Consultation: 2021 Draft Amendments of ISPM 5 (1994-001). Document title: 1994-001_Draft_2021_AmendmentsISPM5_En.docx]

[1] **DRAFT 2021 AMENDMENTS TO ISPM 5: GLOSSARY OF PHYTOSANITARY TERMS (1994-001)**

[2] **Publication history**

[3] *(This is not an official part of the standard)*

[4] Date of this document	[5] 2020-06-08
[6] Document category	[7] Draft 2021 Amendments to ISPM 5 (<i>Glossary of phytosanitary terms</i>) (1994-001)
[8] Current document stage	[9] To first consultation
[10] Major stages	[11] CEPM (1994) added topic: 1994-001, Amendments to ISPM 5: Glossary of phytosanitary terms [12] 2006-05 Standards Committee (SC) approved specification TP5 [13] 2012-10 Technical Panel for the Glossary (TPG) revised specification [14] 2012-11 SC revised and approved revised specification, revoking Specification 1 [15] 2021-01 TPG proposed 2021 amendments below [16] 2021-05 SC revised the 2021 amendments via the Online Comment System and approved the 2021 amendments for the first consultation via e-decision (2021_eSC_MayXX)/virtual meeting.
[17] Notes	[18] Note to Secretariat formatting this paper: formatting in definitions and explanations (strikethrough, bold, italics) needs to remain.

[19] IPPC Official Contact Points are asked to consider the following proposals for revision of terms and definitions to ISPM 5 (*Glossary of Phytosanitary Terms*). A brief explanation is given for each proposal. For revision of terms and definitions, only the proposed changes are open for comments. For full details on the discussions related to the specific terms, please refer to [the TPG meeting reports on the IPP](#).

[20] Guiding note: In the draft 2021 Amendments to the Glossary, certain terms and definitions are being proposed as a ‘package’ in the sense that the proposals are interlinked. Therefore, it is suggested that proposals within each ‘package’ be read in conjunction. ‘Packages’ are:

- [21] The inter-linked definitions of the terms *identity (of a consignment)*, *integrity (of a consignment)* and *phytosanitary security (of a consignment)*;
- [22] The inter-linked definitions of the terms *inspection*, *test*, *compliance procedure (for a consignment)*, *clearance (of a consignment)* and *release (of a consignment)*;
- [23] The inter-linked definitions of the terms *general surveillance*, *specific surveillance* and *surveillance*;
- [24] The inter-linked definitions of the terms *emergency measure* and *provisional measure*.

1. [25]ADDITION

1.1. [26]“identity (of a consignment)” (2011-001)

[27]The term ‘*identity (of a consignment)*’ has been used frequently in ISPMs, notably in the context of the so-called ‘*identity check*’ performed at export, import or transit. However, the use and meaning of this term and ‘*integrity (of a consignment)*’, often used together, has been inconsistent, unclear and seemingly overlapping. At the request from the CPM-6 in 2011, the SC in 2012 had added the term to the List of topics for IPPC standards.

[28]An approach to defining the term had been submitted by the TPG and approved by the SC in 2013, implying that a consignment’s identity is equivalent to information on the phytosanitary certificate. However, it remained unresolved which particular aspects of the phytosanitary certificate should be emphasized in a definition of ‘identity’. The SC agreed to combine the work on definitions for the inter-related terms ‘*identity (of a consignment)*’, ‘*integrity (of a consignment)*’ and ‘*phytosanitary security (of a consignment)*’.

[29]A first TPG draft ‘package’ of those definitions had been discussed by the SC in 2014, but the further development process put on hold, awaiting the output from the Expert Drafting Group on “*Focused revision of ISPM 12 (Phytosanitary certificates) in relation to re-export*” that met in December 2019. Subsequently, the TPG in January 2021 had submitted a new proposal, reviewed by the SC in May 2021, and sent for consultation.

[30]The following explanatory points may be considered when reviewing the proposal:

- (1) [31]The identity of a consignment relates to certain consignment characteristics attested in its accompanying phytosanitary certificate, namely those characteristics that are not supposed to change from the time of phytosanitary certification in a country until import into another country. When considering whether simply the *number* of the phytosanitary certificate is the same as the consignment’s identity, it had been concluded that not all elements of the phytosanitary certificate could reasonably be considered part of the consignment’s identity. Then, to decide which elements are relevant for the identity and which not, the line of logic has been to reply to the question: what is the core phytosanitary concern of the importing NPPO when performing an ‘identity check’? The reply is: to reassure that *exactly those specimens* of plants, plant products or other articles (i.e. *components from a particular place of origin*) that are about to be imported are *exclusively those that had been certified*;
- (2) [32]Thus, the *identity* of a consignment is: its components (being the core *material* content) and its origin (being the core *immaterial* characteristic);
- (3) [33]In broad terms, the ‘*components*’ corresponds to the sections in phytosanitary certificates on ‘*Name of produce and quantity declared*’ and ‘*Botanical name of plants*’, as expressed in the definition;
- (4) [34]In contrast, descriptions provided in the phytosanitary certificate sections on ‘*Number and description of packages*’ and ‘*Distinguishing marks*’ may certainly be helpful for the practical spotting of one particular consignment among others, but are not considered part of the consignment’s identity;
- (5) [35]The quantity of items in the consignment is referred to in the definition. Obviously, the identity would have changed if any item was *added* to a consignment after phytosanitary certification, corresponding to the fact that the certifying statement of the phytosanitary certificate would then no longer cover all components of the consignment. In contrast, it cannot be generalized whether any (unintentional) *loss* or (intentional) *subtraction* of items from the consignment after phytosanitary certification would change the consignment’s identity. The SC, therefore, has concluded that the issue of quantity cannot possibly be explained to all detail in a definition. Referring to ‘*the components*’ is sufficient to indicate that any quantity *above* the declared quantity would certainly be deemed a change of identity;

- (6) [36]The consignment’s origin is also an important part of consignment’s identity and it corresponds to the section in phytosanitary certificates on ‘*Place of origin*’, as expressed in the definition and explained in ISPM 12 (*Phytosanitary certificates*);
- (7) [37]The number of the phytosanitary certificate is implicit and need not be mentioned in the definition, as the identity refers to a specific phytosanitary certificate;
- (8) [38]The sections of phytosanitary certificates on ‘*Name and address of exporter*’, ‘*Declared name and address of consignee*’, ‘*Declared means of conveyance*’ and ‘*Declared point of entry*’ are not considered part of the consignment’s identity;
- (9) [39]The proposed definition of ‘*identity (of a consignment)*’ does not conflict with current uses of the term ‘identity’ (in relation to a consignment) in adopted ISPMs. It is noted that in the draft revised ISPM 12 currently sent for second consultation, the use of the term ‘identity’ (in relation to a consignment) has been omitted;
- (10) [40]Defining ‘*identity (of a consignment)*’ facilitates the revision of the definitions of ‘*integrity (of a consignment)*’ and ‘*phytosanitary security (of a consignment)*’.

[41]Proposed addition

[42]identity (of a consignment)	[43]The components of a consignment as covered by its phytosanitary certificate and described in the sections “name of produce and quantity declared”, “botanical name of plants ” and “place of origin”
---------------------------------	---

1.2. [44]“general surveillance” (2018-046)

[45]During their December 2018 meeting, the TPG noted that the revised ISPM 6 (*Surveillance*) had resulted in a slight change in the meaning of general and specific surveillance, with the previous version of ISPM 6 referring to “specific surveys” for what is now called “specific surveillance”. The TPG had proposed that the terms “*general surveillance*” and “*specific surveillance*” be added to the TPG work programme for inclusion in the Glossary, to provide clarity without having to read ISPM 6, and the terms had been added to the work programme by the SC at its meeting in May 2019.

[46]During their November 2019 meeting, the TPG discussed the definitions of both terms “*general surveillance*” and “*specific surveillance*” together with an analysis of the use of these terms in adopted ISPMs. The TPG considered various options for a definition for “*general surveillance*”.

[47]In their January 2021 meeting, the TPG had submitted a definition proposal, reviewed by the SC in May 2021, and sent for consultation.

[48]The following explanatory points may be considered when reviewing the proposal for the addition of the term:

- [49]It is useful to add the term and definition in the Glossary to clarify its meaning in ISPM 6 and other adopted ISPMs;
- [50]It is noted that in the current definition of *surveillance*, the “*survey*” and “*monitoring*” refer to specific surveillance and the “*other procedures*” to general surveillance;
- [51]The proposed definition refers to “*various sources*” rather than “*procedures*” to allow for sources of data that are not procedures. These various sources of data can be official or unofficial, as explained in ISPM 6;
- [52]“*Pests*” is used rather than “*pest presence or absence*” to allow for surveillance of other characteristics of pests;
- [53]With reference to the “*data*” or “*information*” resulting from the surveillance, “*data*” refers to the raw collected material, which then becomes “*information*” once it has been analysed and verified. The word “*data*” is therefore appropriate in the context of *general surveillance*;
- [54]Data resulting from general surveillance are not official until they have been approved by the NPPO; therefore, the process does not stop with the collection of data, as analysis and

verification are also key important parts of the process when non-official data-sources are being used.

[55] Proposed addition

[56] general surveillance	[57] An official process whereby data on pests in an area are collected from various sources other than surveys , analysed and verified.
----------------------------------	--

1.3. [58] “specific surveillance” (2018-047)

[59] During their December 2018 meeting, the TPG noted that the revised ISPM 6 (*Surveillance*) had resulted in a slight change in the meaning of general and specific surveillance, with the previous version of ISPM 6 referring to “specific surveys” for what is now called “specific surveillance”. The TPG had proposed that the terms “*general surveillance*” and “*specific surveillance*” be added to the TPG work programme for inclusion in the Glossary, to provide clarity without having to read ISPM 6, and the terms had been added to the work programme by the SC at its meeting in May 2019. The TPG in its January 2021 meeting had submitted a proposal, reviewed by the SC in May 2021, and sent for consultation.

[60] The following explanatory points may be considered when reviewing the proposal for the addition of the term:

- [61] The only distinction between general and specific surveillance is the source of the data, as both types of surveillance can be directed to specific pests;
- [62] Specific surveillance is achieved through surveys;
- [63] With reference to the “*data*” or “*information*” resulting from the surveillance, “*data*” refers to the raw collected material, which then becomes “*information*” once it has been processed; data are not official until approved by the NPPO. The word “*information*” is therefore appropriate in the context of *specific surveillance*;
- [64] Reference to “*presence or absence*” of a pest in the definition would be too restrictive as it would exclude seeking information on other characteristics of a pest population, such as pest biology or distribution, as allowed by the Glossary definitions of “*survey (of pests)*” and “*monitoring survey*”;
- [65] The TPG considered whether the definition should refer to surveys of specific pests because the Glossary term “*survey*” has the qualifier “*(of pests)*”. In ISPM 6, the target of the specific surveillance may be a pest, a host, a commodity, a pathway or a combination of these, so plural is considered appropriate for “*pests*” because it allows, for example, a survey on potato pests.

[66] Proposed addition

[67] specific surveillance	[68] An official process whereby information on pests in an area is obtained through surveys .
-----------------------------------	--

2. [69] REVISION

2.1. [70] “surveillance” (2020-009)

[71] During their December 2018 meeting, the TPG noted that the revised ISPM 6 (*Surveillance*) had resulted in a slight change in the meaning of general and specific surveillance, with the previous version of ISPM 6 referring to “specific surveys” for what is now called “specific surveillance”. The TPG had proposed that the terms “*general surveillance*” and “*specific surveillance*” be added to the TPG work programme for inclusion in the Glossary, to provide clarity without having to read ISPM 6, and the terms had been added to the work programme by the SC at its meeting in May 2019.

[72] During their November 2019 meeting, the TPG also discussed the definition of “*surveillance*” and invited the SC to add it to the TPG work programme. The SC in November 2020 reviewed the TPG

work programme and agreed to add the term. The TPG in its January 2021 meeting had submitted a proposal, reviewed by the SC in May 2021, and sent for consultation.

[73]The following explanatory points may be considered when reviewing the proposal for the revision of the definition:

- [74]The TPG considered various possible modifications of the current Glossary definition of “surveillance”, but considering the proposed definitions of “general surveillance” (cf. section 1.2) and “specific surveillance” (cf. section 1.3), is finally proposing a definition that simply says that surveillance is “general surveillance, specific surveillance or a combination of both”.

[75]Current definition

[76]Surveillance	[77]An official process which collects and records data on pest presence or absence by survey, monitoring or other procedures [CEPM, 1996; revised CPM, 2015]
------------------	--

[78]Proposed revision

[79]Surveillance	[80] <u>General surveillance, specific surveillance or a combination of both</u> An official process which collects and records data on pest presence or absence by survey, monitoring or other procedures
------------------	---

2.2. [81]“integrity (of a consignment)” (consequential)

[82]The SC in 2013 agreed to combine the work on definitions for the inter-related terms ‘*identity (of a consignment)*’, ‘*integrity (of a consignment)*’ and ‘*phytosanitary security (of a consignment)*’, and added *integrity (of a consignment)* to the TPG work programme.

[83]While the use and meaning of the terms ‘*identity*’ and ‘*integrity*’ in adopted ISPMs have been inconsistent, unclear and seemingly overlapping, the matter could be appropriately clarified by defining *identity (of a consignment)* and revising the definition of *integrity (of a consignment)*, relating it to the term *identity*.

[84]A first TPG draft ‘package’ of definitions including ‘*integrity (of a consignment)*’ had been discussed by the SC in 2014, but the further development process put on hold, awaiting the output from the Expert Drafting Group on “*Focused revision of ISPM 12 (Phytosanitary certificates) in relation to re-export*” that met in December 2019. Subsequently, the TPG in January 2021 had submitted a new proposal, reviewed by the SC in May 2021, and sent for consultation.

[85]The following explanatory points may be considered when reviewing the proposal:

- (1) [86]By referring to the proposed definition of *identity (of a consignment)* (cf. section 1.1), the relationship between the two concepts is clarified and the definition of *integrity (of a consignment)* simplified;
- (2) [87]Consequently, the wording ‘*composition...as described by its phytosanitary certificate*’ is deleted as redundant because that aspect is already included in the proposed definition of the term ‘*identity*’, which is inserted instead;
- (3) [88]The wording ‘*maintained without loss, addition or substitution*’ is substituted by the wording ‘*is unchanged*’, with the intent that such simplification more strongly emphasizes the core phytosanitary concern, namely: that the identity has remained unchanged, i.e. that exactly those specimens of plants, plant products or other articles (i.e. *components from a particular place of origin*) that are about to be imported are exclusively those that had been certified (cf. the deliberation in section 1.1 regarding the proposed definition of *identity (of a consignment)*, in particular, the SC conclusion regarding *loss or subtraction*);

- (4) [89]While the unchanged *identity* is one major element of the consignment’s integrity, also concerns that ‘*any seals or packaging are undamaged*’ is considered an important element of integrity and is therefore added to the definition;
- (5) [90]The introductory wording ‘*State of*’ is added to emphasize that integrity is a (desirable) state of a consignment, not an action to the consignment, and also added with the intent to provide a simple sentence;
- (6) [91]The wording ‘*or other officially accepted document*’ is deleted because ISPMs deal with the harmonization of phytosanitary measures (in this case: as regards phytosanitary certification), whereas any other, bilateral arrangement is irrelevant for the definition;
- (7) [92]The proposed definition of *integrity (of a consignment)* does not conflict with current uses of the term in adopted ISPMs. It is noted that in the draft revised ISPM 12 currently sent for the second consultation, the use of the term ‘*integrity (of a consignment)*’ has been avoided.

[93]Current definition

[94]Integrity (of a consignment)	[95]Composition of a consignment as described by its phytosanitary certificate or other officially acceptable document, maintained without loss, addition or substitution [CPM, 2007]
----------------------------------	--

[96]Proposed revision

[97]Integrity (of a consignment)	[98] Composition State of a consignment when its identity is unchanged and any seals or packaging are undamaged as described by its phytosanitary certificate or other officially acceptable document, maintained without loss, addition or substitution
----------------------------------	--

2.3. [99]“phytosanitary security (of a consignment)” (2013-008)

[100]The SC in 2013 agreed to combine the work on definitions for the inter-related terms ‘*identity (of a consignment)*’, ‘*integrity (of a consignment)*’ and ‘*phytosanitary security (of a consignment)*’, and added ‘*phytosanitary security (of a consignment)*’ to the TPG work programme.

[101]A first TPG draft ‘package’ of definitions including *phytosanitary security (of a consignment)* had been discussed by the SC in 2014, but the further development process put on hold, awaiting the output from the Expert Drafting Group on “*Focused revision of ISPM 12 (Phytosanitary certificates) in relation to re-export*” that met in December 2019. Subsequently, the TPG in January 2021 had submitted a new proposal, reviewed by the SC in May 2021, and sent for consultation.

[102]*Phytosanitary security* is the term used for the (desirable) state of a consignment for which the *integrity* (cf. section 2.2) has been maintained and its infestation and contamination prevented.

[103]The proposed revision does not change the substantial meaning of the term but aims at providing correct grammar, simplification, and consistency with the proposed definitions of *identity (of a consignment)* and *integrity (of a consignment)*.

[104]The following explanatory points may be considered when reviewing the definitions:

- (1) [105]‘*Maintenance of integrity*’ has been substituted to ‘*State...when...integrity has been maintained*’ to correctly reflect that phytosanitary security is a *state*, not an action (in analogy to the original and revised definition of ‘*integrity (of a consignment)*’);
- (2) [106]Similarly, ‘*prevention of its infestation and contamination...*’ has been substituted to ‘*infestation and contamination...prevented*’;
- (3) [107]The word ‘*appropriate*’ qualifying the ‘*phytosanitary measures*’ in the original definition is considered unnecessary and inappropriate for a definition and is therefore deleted;

- (4) [108] It is noted that in the draft revised ISPM 12 currently sent for the second consultation, uses of the term ‘*phytosanitary security (of a consignment)*’ have been retained with the expectation that the substantial meaning of the revised term would not change.

[109]Current definition

[110]Phytosanitary security (of a consignment)	[111]Maintenance of the integrity of a consignment and prevention of its infestation and contamination by regulated pests , through the application of appropriate phytosanitary measures [CPM, 2009]
--	---

[112]Proposed revision

[113]Phytosanitary security (of a consignment)	[114]Maintenance of the integrity State of a consignment when its integrity has been maintained and prevention of its infestation and contamination by regulated pests ; prevented through the application of appropriate phytosanitary measures
--	---

2.4. [115]“germplasm” (2020-005)

[116]“*Plants for planting*” and “*germplasm*” are noted to have entered the Glossary independently. The distinction between the terms in practice has not been closely considered. “*Germplasm*” is considered to present a higher pest risk than other “*plants for planting*”, since it may originate relatively recently from wild plants, and information on its possible infestation by pests may be limited and based on a relatively short period of observation.

[117]During their November 2019 meeting, the TPG recognized the definition of the term “*germplasm*” as being completely included within the definition of “*plants for planting*” and invited to add the term to the TPG work programme. In November 2020, the SC added “*germplasm*” to the list of topics for IPPC standards.

[118]The TPG in January 2021 proposed the revision of the definition of “*germplasm*” to refer to “*plants for planting*” and not just “*plants*”. The proposal was reviewed by the SC in May 2021 and sent for consultation. The following revision is proposed.

[119]Current definition

[120]Germplasm	[121]Plants intended for use in breeding or conservation programmes [FAO, 1990]
----------------	---

[122]Proposed revision

[123]Germplasm	[124]Plants for planting intended for use in breeding or conservation programmes
----------------	---

2.5. [125]“emergency measure” (2020-004)

[126]At its meeting in November 2019, the TPG had proposed the revision of “*emergency action*” in the draft 2020 Amendments to the Glossary and had invited the SC to add the terms “*emergency measure*” and “*provisional measure*” to the TPG work programme. In November 2020, the SC added both terms to the List of topics for IPPC standards.

[127]At its January 2021 meeting, the TPG considered whether the definition of “*emergency measure*” needed amending because it refers to “*phytosanitary measure*” and “*provisional measure*”, which in turn relates to “*phytosanitary regulation*”, which relates to regulated pests.

[128]During the 2001 meeting of the Interim Commission on Phytosanitary Measures Working Group on the Glossary of Phytosanitary Terms (GWG), it was noted that Article VII.6 of the Convention referred

to “*emergency action*”, but no article referred to “*emergency measure*”. It was suggested that no particular distinction between “*emergency action*” and “*emergency measure*” was being made at the time the revised text was adopted. However, if the terms were to be adopted now by the ICPM, Article VII.6 should most probably refer to “*emergency measure*” and not to “*emergency action*”. It drew this point to the attention of the Interim Standards Committee. It noted further that the French text uses “mesures” and the Spanish text “medidas”.

[129]The GWG, during its 2004 meeting, noted the difference which was made between emergency measure / phytosanitary measure, emergency action / phytosanitary action, mostly in relation to the notification provisions. Some participants believed that emergency action is a type of phytosanitary measure, but others noted that it was not covered under the definition of phytosanitary measure, which refers to regulated pests, and emergency action could be taken on pests not regulated at all or regulated but not for the commodity concerned. The GWG noted that emergency action /emergency measure and their relation to regulated pests should be considered further since it seemed that this left no place for action against pests which are not specifically regulated.

[130]The Expert Working Group for the revision of ISPM 1 (*Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade*) in 2004 discussed that emergency action is done on a single occasion and that an emergency measure is an established procedure of what would be done if an emergency situation arose. Therefore, emergency measures encompass emergency actions. It was indicated that the term was being used in the standard in a way not consistent with the Convention, so an explanatory note was included to highlight this.

[131]The explanatory note in section 2.11 (*Emergency measures*) of ISPM 1 states that: “*The term emergency actions in Article VII.6 of the IPPC is interpreted to include emergency measures as defined in ISPM 5.*”

[132]The TPG in its January 2021 meeting had submitted a proposal for a revised definition of “*emergency measure*”, reviewed by the SC in May 2021, and sent for consultation.

[133]The following explanatory points may be considered when reviewing the proposal for the revision of the definition:

- (1) [134]The use of “*emergency measure*” in adopted ISPMs is in relation to a new or unexpected phytosanitary situation:
 - [135]A *new* phytosanitary situation results when a pest, not listed as a regulated pest, may require an emergency action because it has not been previously assessed. At the time of interception, it may be categorized as a regulated pest on a preliminary basis because the NPPO has a cause to believe it poses a pest risk.
 - [136]An *unexpected* phytosanitary situation may arise when a pest, although regulated, is detected in an imported consignment and has not been listed or otherwise specified because it was not anticipated for the origin, commodity or circumstances for which the list or phytosanitary measure was developed, or is detected in an area and needs to be prevented from establishing or spreading following its recent entry;
- (2) [137]The use of “*phytosanitary measure*” in the current definition of “*emergency measure*” would imply that an emergency measure can only be used in relation to a regulated pest. However, this current definition contradicts the Convention text (Article VII.6), section 2.11 of ISPM 1, section 4.2 of ISPM 13 and section 5.1.6.2 of ISPM 20. In all these instances, emergency action/measure can be taken/applied on the detection of a pest, not regulated yet but that could pose a potential threat;
- (3) [138]“*Phytosanitary measure*” is replaced with “*official rule or procedure*” as a rule encompasses legislation, regulation, statute, etc., and procedure indicates a method or process; furthermore, the rule or procedure is official as it is established, authorized or performed by the NPPO;
- (4) [139]“*Established*” is replaced with “*introduced*” to emphasize the rapid or quick response to address the urgent situation;

- (5) [140]The text “*to prevent the entry, establishment or spread of a pest*” is inserted to replace “*phytosanitary*” and thus allows the deletion of “*phytosanitary measure*”; it qualifies the phytosanitary nature of the situation and the intent of the rule or procedure;
- (6) [141]The text “*not addressed by existing phytosanitary measures*” clarifies that the situation is critical from a phytosanitary standpoint and needs to be addressed.

[142]Current definition

[143]Emergency measure	[144]A phytosanitary measure established as a matter of urgency in a new or unexpected phytosanitary situation. An emergency measure may or may not be a provisional measure [ICPM, 2001; revised ICPM, 2005]
------------------------	--

[145]Proposed revision

[146]Emergency measure	[147]An phytosanitary measure <u>official rule or procedure</u> established as a matter of urgency <u>introduced to prevent the entry, establishment or spread of a pest</u> in a new or unexpected phytosanitary situation <u>not addressed by existing phytosanitary measures</u> . An emergency measure may or may not be a provisional measure
------------------------	---

2.6. [148]“provisional measure” (2020-008)

[149]At its meeting in November 2019, the TPG had proposed the revision of “*emergency action*” in the draft 2020 Amendments to the Glossary and had invited the SC to add the terms “*emergency measure*” and “*provisional measure*” to the TPG work programme. In November 2020, the SC added both terms to the List of topics for IPPC standards. At its January 2021 meeting, the TPG discussed the term “*provisional measure*”.

[150]As per its current definition, a “*provisional measure*” is a phytosanitary regulation established without full technical justification. However, phytosanitary regulation is established to prevent the introduction or spread of quarantine pests or limit the economic impact of regulated non-quarantine pests.

[151]Pest risk analysis (PRA) provides the technical justification for the regulation of a pest. Therefore the current definition of “*provisional measure*” contradicts the principle of establishing a phytosanitary regulation, which should be based on technical justification.

[152]In reality, a provisional measure is applied following the detection of a new pest which, based on preliminary information, could be considered a potential quarantine pest. Further information in the form of completion of the PRA is required to determine the regulatory status of the pest and the appropriate phytosanitary measures. Provisional measures are established to prevent the introduction or spread of the pest for the duration it takes to complete the PRA. However, the inclusion of “*phytosanitary regulation*” in the current definition of “*provisional measure*” contradicts the use of provisional measures, which are established without full technical justification.

[153]In order to address the discrepancy, the TPG looked into amending the definition of “*provisional measure*”. The TPG in its January 2021 meeting had submitted a proposal, reviewed by the SC in May 2021, and sent for consultation.

[154]The following explanatory points may be considered when reviewing the proposal for the revision of the definition:

- (1) [155]The term “*phytosanitary regulation*” is replaced by “*temporary official rule*” in order to emphasize that a provisional measure is temporary in nature; rule encompasses legislation, regulation, statute, etc.; furthermore, the rule or procedure is official as it is established, authorized or performed by the NPPO;

- (2) [156]The text “*to prevent the entry, establishment or spread of a pest*” further enables the deletion of “*phytosanitary regulation*” and qualifies the phytosanitary nature and intent of the rule or procedure;
- (3) [157]The term “*established*” is replaced by “*set up*” in order to further support the temporary nature of the measure; “*established*” would indicate that a rule is set up on a permanent basis, which is not the case for the provisional measure.

[158]Current definition

[159]Provisional measure	[160]A phytosanitary regulation or procedure established without full technical justification owing to current lack of adequate information. A provisional measure is subjected to periodic review and full technical justification as soon as possible [ICPM, 2001]
--------------------------	--

[161]Proposed revision

[162]Provisional measure	[163]A phytosanitary regulation <u>temporary official rule</u> or procedure <u>to prevent the entry, establishment or spread of a pest, set up</u> established without full technical justification owing to current lack of adequate information- <u>and A</u> provisional measure is subjected to periodic review and full technical justification as soon as possible
--------------------------	---

2.7. [164]“inspection” (2017-005)

[165]During the revision of the definitions for ‘*test*’ and ‘*visual examination*’, the TPG in 2015 recognized that the definition of ‘*inspection*’ might be considered partly outdated due to technological advances. In 2017, the SC, therefore, added the term ‘*inspection*’ to the List of topics for IPPC standards for a possible revision. Subsequently, the TPG considered possible modifications to the definition to take into account the use of olfactory, acoustic or other types of tools that may assist inspectors in performing inspections.

[166]A revised definition was presented to and considered by the SC in 2018. While confirming the need for retaining the distinction between the definitions of ‘*inspection*’ and ‘*test*’ (as often distinguished in ISPMs and phytosanitary legislation), the SC queried the need and feasibility of including other tools than ‘*visual examination*’ into ‘*inspection*’. Furthermore, noting that ISPM 23 (*Guidelines for inspection*) actually deals with the inspection of ‘*consignments*’ only, the SC noted two different uses of ‘*inspection*’ in ISPM 23: in some parts ‘*inspection*’ is used congruent to its current definition, in other parts explicitly stating that inspection also includes the processes of examination of documents and verification of identity and integrity of the consignment.

[167]The SC did not reach consensus on the way forward and referred the term ‘*inspection*’ back to the TPG, to particularly evaluate the term in relation to ‘*test*’, the uses of ‘*inspection*’ in ISPM 23 and the possible future revision of that standard.

[168]The TPG continued its discussion in its 2018, 2019 and 2021 meetings, also awaiting the parallel considerations of the consignment-related terms ‘*identity (of a consignment)*’, ‘*integrity (of a consignment)*’ and ‘*phytosanitary security (of a consignment)*’. In this process, the TPG concluded to dismiss proposed amendments to include other examination tools in the definition of inspection and reconfirmed that the distinction between ‘visual’ versus ‘other than visual’ examination in *inspection* and *test*, respectively, remains to be most important.

[169]The TPG considered various ways to overcome the discrepancy between the current definition of ‘*inspection*’ and the broader use of the term (in less than 10 of altogether approximately 70 cases) in certain parts of ISPM 23. Considerations included:

- [170]creating a supplementary definition of ‘*phytosanitary inspection*’ to include the processes of examination of documents and verification of the consignment’s identity and integrity,
- [171]broadening the definition of ‘*inspection*’ to include those processes.

[172]However, the TPG finally concluded that, in particular given that:

- [173]‘*inspection*’ in its current narrow sense, i.e., referring only to the official visual examination of plants etc., is being used widely in many ISPMs, including in far the most of the cases within ISPM 23; and
- [174]the Glossary term ‘*compliance procedure (for a consignment)*’, already covering the verification of compliance with phytosanitary import requirements, would fit as the overarching term to be used in the particular parts of ISPM 23,

[175]it would be appropriate to:

- [176]retain the current, narrow definition of ‘*inspection*’; and
- [177]adjust the very limited number of cases in ISPM 23 where ‘*inspection*’ had been used beyond its current definition by referring instead to ‘*compliance procedure (for a consignment)*’, as proposed for revision (cf. section 2.9).

[178]Following that approach, the proposed revision of ‘*inspection*’ only aims at improving the wording and consistency with other definitions. The SC reviewed the proposal at its meeting in May 2021 and sent it for consultation.

[179]The following explanatory points may be considered when reviewing the proposal for revision:

- (1) [180]Through Article VII.2f of the Convention and the definition of ‘*compliance procedure (for a consignment)*’, the terms ‘*compliance*’ and ‘*non-compliance*’ are linked with consignments, and the ‘General recommendations on use of terms in ISPMs’ stipulates ‘*conformity*’ be used in other cases. As *inspection* has a broader scope than only consignments, ‘*compliance*’ is therefore substituted by ‘*conformity*’;
- (2) [181]The word ‘*determine*’ is substituted by ‘*check*’ to reflect the change from ‘*compliance*’ to ‘*conformity*’; also avoids redundancy as ‘*determine*’ is used earlier in the sentence;
- (3) [182]The term ‘*regulations*’ is substituted by ‘*requirements*’, as phytosanitary regulations are at a higher level and refer to regulated pests. However, inspection can be carried out in scenarios other than at import, like at place of production or production site or at export, and inspection in such scenarios may not be always be related to regulated pests;
- (4) [183] While the term ‘*inspection*’ needs substitution by ‘*compliance procedure*’ in a few cases in ISPM 23 (irrespective of the proposed revision), the use of the revised definition of ‘*inspection*’ does not conflict with the current uses of the term in adopted ISPMs.

[184]Current definition

[185]Inspection	[186]Official visual examination of plants, plant products or other regulated articles to determine if pests are present or to determine compliance with phytosanitary regulations [FAO, 1990; revised FAO, 1995; formerly “inspect”]
-----------------	---

[187]Proposed revision

[188]Inspection	[189]Official visual examination of plants, plant products or other regulated articles to determine if pests are present or to determine compliance <u>check conformity</u> with phytosanitary <u>requirements regulations</u>
-----------------	---

2.8. [190]“test” (2021-XXX)

[191]In January 2021, when concluding the proposed revision of ‘*inspection*’ (cf. section 2.7), the TPG recommended the consequential consistency revision of the definition of the related term ‘*test*’. The SC reviewed the proposal at its meeting in May 2021 and sent it for consultation.

[192]The proposed revision does not change the substance but merely aims at the consistency of wording.

[193]The following explanatory points may be considered when reviewing the proposal for revision:

- (1) [194]Through Article VII.2f of the Convention and the definition of *compliance procedure (for a consignment)*, the terms ‘*compliance*’ and ‘*non-compliance*’ are linked with consignments, and the ‘General recommendations on use of terms in ISPMs’ stipulates ‘*conformity*’ be used in other cases. As *test* has a broader scope than only consignments, the term ‘*compliance*’ is therefore substituted by ‘*conformity*’;
- (2) [195]The word ‘*determine*’ is substituted by ‘*verify*’ in order to highlight that in the case of testing, the use of appropriate methods and technology would ensure that the result of the test leads to a decision. In this case, *test* is a decisive action, and the use of the word ‘*verify*’ to describe the action would be more appropriate;

[196]Current definition

[197]Test	[198]Official examination of plants, plant products or other regulated articles , other than visual, to determine if pests are present, identify pests or determine compliance with specific phytosanitary requirements [FAO, 1990; revised CPM, 2018]
-----------	--

[199]Proposed revision

[200]Test	[201]Official examination of plants, plant products or other regulated articles , other than visual, to determine if pests are present, identify pests or determine compliance <u>verify conformity</u> with specific phytosanitary requirements
-----------	---

2.9. [202]“compliance procedure (for a consignment)” (2021-XXX)

[203]In May 2019, the SC added ‘*clearance (of a consignment)*’ to the List of topics for IPPC standards for a possible revision. Subsequently, a proposed revised definition to clarify that ‘*clearance (of a consignment)*’ is a process rather than a result of such a process was sent for consultation in 2020. In response to comments received from several countries, the TPG recommended to the SC that the consignment-related terms ‘*clearance (of a consignment)*’ (cf. section 3.1), ‘*compliance procedure (for a consignment)*’ and ‘*release (of a consignment)*’ (cf. section 2.10) be considered together.

[204]At the same time, in the continued TPG discussions on how to resolve the discrepancy between certain parts of ISPM 23 and the definition of ‘*inspection*’ (cf. section 2.7), the TPG concluded that the Glossary term ‘*compliance procedure (for a consignment)*’ would fit as the overarching term to be used in those parts of ISPM 23, whereby the discrepancy would be resolved through a very limited number of adjustments to ISPM 23. The SC reviewed the proposal at its meeting in May 2021 and sent it for consultation.

[205]The proposed revision in particular aims at expanding on the possible elements (as outlined in ISPM 23) of a compliance procedure by explicitly including and creating links to ‘*inspection*’, ‘*test*’, and the examination of documents and verification of the consignment’s ‘*integrity*’.

[206]The following explanatory points may be considered when reviewing the proposal for revision:

- (1) [207]The addition of ‘*of document checks, verification of consignment integrity, and inspection or testing of plants, plant products or other regulated articles*’ serves to more specifically explain which elements a compliance procedure may consist of, and thereby creating a clear link to those concepts and definitions. It is noted that the proposed revised definition of *integrity (of a consignment)* includes the ‘*identity is unchanged*’ so that verification of integrity includes verification of identity;

- (2) [208] ‘*Procedure*’ is substituted by ‘*process*’ in order to highlight that it is a series of steps or actions that are performed and, when completed, leads to the release of a consignment or transit through a country;
- (3) [209] The wording ‘*used to verify*’ is substituted by ‘*to check*’ in order to highlight that there may be additional steps or actions needed prior to completing the compliance procedure; for example, an inspection may identify the need to test. Verification would be a decisive step, and in the case of compliance procedure, considering the potential for additional steps or actions, “check” is more appropriate than “verify”;
- (4) [210] As the definition of ‘*phytosanitary measure*’ includes ‘*any...official procedure*’, the notion of a consignment complying with phytosanitary measures is inadequate. The wording ‘*...or phytosanitary measures related to transit*’ is therefore changed to ‘*or if phytosanitary measures related to transit have been applied*’;
- (5) [211] The proposed definition of ‘*compliance procedure (for a consignment)*’ does not conflict with the current uses of the term in ISPMs.

[212] **Current definition**

[213] compliance procedure (for a consignment)	[214] Official procedure used to verify that a consignment complies with phytosanitary import requirements or phytosanitary measures related to transit [CEPM, 1999; revised CPM, 2009]
---	--

[215] **Proposed revision**

[216] compliance procedure (for a consignment)	[217] Official procedure used to verify that <u>process of document checks, verification of consignment integrity, and inspection or testing of plants, plant products or other regulated articles to check if a consignment complies with phytosanitary import requirements or if phytosanitary measures related to transit <u>have been applied</u></u>
---	---

2.10. [218] “release (of a consignment)” (2021-XXX)

[219] In January 2021, when discussing the proposed deletion of ‘*clearance (of a consignment)*’, the TPG recommended the consequential revision of the definition of ‘*release (of a consignment)*’. The SC reviewed the proposal at its meeting in May 2021 and sent it for consultation.

[220] The following explanatory points may be considered when reviewing the proposal for revision:

- (1) [221] The revision does not change the substance of the definition but merely links *release* to *compliance procedure* rather than to *clearance* (as proposed for deletion, cf. section 3.1);
- (2) [222] The revised definition of *release (of a consignment)* does not conflict with the current uses of the term in adopted ISPMs.

[223] **Current definition**

[224] release (of a consignment)	[225] Authorization for entry after clearance [FAO, 1995]
---	---

[226] **Proposed revision**

[227] release (of a consignment)	[228] Authorization for entry after <u>completion of the compliance procedure</u> clearance
---	--

3. [229]DELETIONS

3.1. [230]“clearance (of a consignment)” (2018-045)

[231]In 2018, the TPG had noted that the definition of ‘*clearance (of a consignment)*’ is unclear as to whether clearance is a particular *process* or the *result* of a process and recommended the definition be revised. In May 2019, the SC added ‘*clearance (of a consignment)*’ to the List of topics for IPPC standards. Subsequently, a revised definition to clarify that clearance is a *process* rather than a result of such process and that such process is ‘*official*’ was sent for the first consultation in 2020. In response to comments received from several countries, the TPG recommended to the SC that the consignment-related terms ‘*clearance (of a consignment)*’, ‘*compliance procedure (for a consignment)*’ (cf. section 2.9) and ‘*release (of a consignment)*’ (cf. section 2.10) be considered together.

[232]Discussing the Glossary terms ‘*clearance (of a consignment)*’ (in its prospective revised form) and ‘*compliance procedure (for a consignment)*’ in its meeting in December 2020 / January 2021, the TPG concluded that the two terms, in essence, are almost synonymous, given the general agreement at the consultation that clearance is an ‘official process’. The TPG concluded that the term is redundant, both in its current and revised version, and therefore recommended the term and definition be deleted from the Glossary. Consequential to the proposed deletion, the definition of ‘*release (of a consignment)*’ would need a slight revision (as proposed, cf. section 2.10), and some very few ink amendments in adopted ISPMs are recommendable.

[233]The SC reviewed the proposal at its meeting in May 2021 and sent it for consultation.

[234]Definition to be deleted

[235]Clearance (of a consignment)	[236]Verification of compliance with phytosanitary regulations [FAO, 1995]
-----------------------------------	--

[237]