



ISPM 25

INTERNATIONAL STANDARDS FOR PHYTOSANITARY MEASURES

ISPM 25

CONSIGNMENTS IN TRANSIT

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Adoption

This standard was adopted by the First Session of the Commission on Phytosanitary Measures in April 2006.

INTRODUCTION

Scope

This standard describes procedures to identify, assess and manage phytosanitary risks associated with consignments of regulated articles which pass through a country without being imported, in such a manner that any phytosanitary measures applied in the country of transit are technically justified and necessary to prevent the introduction into and/or spread of pests within that country.

References

- IPPC.** 1997. *International Plant Protection Convention*. Rome, IPPC, FAO.
- ISPM 2.** 1995. *Guidelines for pest risk analysis*. Rome, IPPC, FAO. [revised; now ISPM 2: 2007]
- ISPM 5.** *Glossary of phytosanitary terms*. Rome, IPPC, FAO.
- ISPM 11.** 2004. *Pest risk analysis for quarantine pests including analysis of environmental risks and living modified organisms*. Rome, IPPC, FAO.
- ISPM 12.** 2001. *Guidelines for phytosanitary certificates*. Rome, IPPC, FAO.
- ISPM 13.** 2001. *Guidelines for the notification of non-compliance and emergency action*. Rome, IPPC, FAO.
- ISPM 17.** 2002. *Pest reporting*. Rome, IPPC, FAO.
- ISPM 20.** 2004. *Guidelines for a phytosanitary import regulatory system*. Rome, IPPC, FAO.
- ISPM 23.** 2005. *Guidelines for inspection*. Rome, IPPC, FAO.

Definitions

Definitions of phytosanitary terms used in the present standard can be found in ISPM 5 (*Glossary of phytosanitary terms*).

Outline of Requirements

International trade may involve the movement of consignments of regulated articles which pass through a country without being imported, under Customs¹ control. Such movements may present a phytosanitary risk to the country of transit. Contracting parties to the IPPC may apply measures to consignments in transit through their territories (Article VII.1(c) and VII.2(g) of the IPPC), provided that the measures are technically justified and necessary to prevent the introduction and/or spread of pests (Article VII.4 of the IPPC).

This standard provides guidelines by which the national plant protection organization (NPPO) of the country of transit may decide which movements require intervention of the NPPO and are subject to the application of phytosanitary measures, and if so, the type of phytosanitary measures to be applied. In such cases the responsibilities and elements of the transit system are described, together with the need for cooperation and communication, non-discrimination, review and documentation.

¹ Customs techniques which cover all aspects of Customs legislation, including Annex E1 concerning Customs transit and Annex E2 concerning transshipment, are harmonized by the “International Convention on the simplification and harmonization of Customs procedures”, also known as the Kyoto Convention, 1973.

BACKGROUND

Consignments in transit and their conveyances are included within the scope of the IPPC in Article VII and in Article I.

Article VII.1(c) states:

With the aim of preventing the introduction and/or spread of regulated pests into their territories, contracting parties shall have sovereign authority to regulate, ... and, to this end, may:
... prohibit or restrict the movement of regulated pests into their territories.

Article VII.4 states:

Contracting parties may apply measures specified in this Article to consignments in transit through their territories only where such measures are technically justified and necessary to prevent the introduction and/or spread of pests.

Article I.4 states:

“Where appropriate, the provisions of this Convention may be deemed by contracting parties to extend, in addition to plants and plant products, to storage places, packaging, conveyances, containers, soil and any other organism, object or material capable of harbouring or spreading plant pests, particularly where international transportation is involved.

Transit involves the movement of consignments of regulated articles which pass through a country (further referred to as country of transit) without being imported. Consignments in transit constitute a potential pathway for the introduction and/or spread of pests to the country of transit.

Consignments in transit may pass through the country of transit remaining enclosed and sealed if necessary, without being split up or combined with other consignments, and without having their packaging changed. Under such conditions, the movement of consignments will, in many cases, not present a phytosanitary risk and will not require phytosanitary measures, especially if the consignments are transported in sealed containers². However, even under such conditions, contingency plans may be required to address unexpected situations, such as an accident during transit.

Consignments and their conveyances passing through a country may, however, also be transported or handled in such a manner that they do present a phytosanitary risk to that country. This may, for example, be the case when consignments are transported open rather than enclosed, or when they do not pass directly through the country but are held for a period of storage, or are split up, combined or repackaged, or if the means of transport changes (e.g. from ship to railway). In such cases, phytosanitary measures may be applied in the country of transit to prevent the introduction of pests into, and/or their spread within, that country.

It should be noted that the term “transit” is not only used for phytosanitary purposes but is also the accepted name for the standard procedure for moving goods under Customs control. Customs control may include document verification, tracking (e.g. electronic), sealing, control of carrier and entry/exit control. Customs control by itself is not intended to guarantee phytosanitary integrity and security of consignments and thus will not necessarily offer protection against the introduction and/or spread of pests.

Transshipment is a particular aspect of transport of consignments between countries. It refers to the transfer of consignments from one conveyance (means of transport) to another (e.g. ship to ship at a seaport) during the transportation process. Usually transshipment takes place under Customs control within an area specified by Customs. Transshipment may occur in a transit country and is thus covered by this standard.

² A standard, fully enclosed and secure transport container as commonly used in ocean-going trade.

REQUIREMENTS

1. Risk Analysis for the Country of Transit

Risk analysis related to consignments in transit would be facilitated by the sharing of relevant pest risk analysis (PRA) information already obtained and/or developed by one or both of the NPPOs of the importing and exporting contracting parties.

1.1 Risk identification

In order to identify potential phytosanitary risks related to consignments in transit, the NPPO of the country of transit (from this point onwards, “the NPPO”) should collect and review relevant information.

Elements of such information may include:

- procedures applied by Customs and other relevant services
- classes of commodities or regulated articles in transit and their country of origin
- means and methods of transport for consignments in transit
- regulated pests associated with the consignments in transit
- host distribution in the country of transit
- knowledge of transit route in the country of transit
- possibilities that pests may escape from consignments
- existing phytosanitary measures for consignments of commodities in transit
- types of packaging
- conditions of transport (refrigeration, modified atmosphere etc.).

The NPPO may decide that consignments in transit that pose no potential phytosanitary risk, for instance when no pests regulated by the country of transit are associated with the consignments in transit, may move or continue to move without phytosanitary procedures.

The NPPO may also decide that consignments in transit that pose negligible phytosanitary risks, for example conveyances or packaging which are fully enclosed, sealed and secure, or when pests are regulated by the country of transit and are unlikely to escape from the consignment in transit, may move or continue to move without phytosanitary procedures.

If potential phytosanitary risks are identified, risk assessment for particular pests or commodities in transit is needed in order to identify the necessity and technical justification of any phytosanitary measure.

Only those phytosanitary risks which concern regulated pests of the country of transit or those pests that are under emergency action in that country should be considered.

1.2 Risk assessment

An assessment of the phytosanitary risks associated with the transit pathway should normally focus only on evaluating the probability of pests being introduced or spread from consignments in transit. The associated potential economic consequences should have been evaluated previously in the case of an existing regulated pest and therefore should not need to be repeated.

Guidance for the assessment of the probability of introduction and spread of a pest is provided in ISPM 11:2004, in particular section 2.2. For consignments in transit, the following information may also be relevant:

- pathways for introduction and/or spread of regulated pests from the consignments in transit
- dispersal mechanism and mobility of the relevant pests

- means of transport (e.g. truck, rail, airplane, ship)
- phytosanitary security of the conveyance (e.g. closed, sealed)
- existence and type of packaging
- changes of configuration (e.g. combined, split, repacked)
- duration of transit or storage, and storage conditions
- route taken by the consignment prior to and within the country of transit
- frequency, volume and season of transit.

In cases where the NPPO, through risk assessment, has identified phytosanitary risks, pest risk management options can be considered.

1.3 Risk management

Based on risk assessment, consignments in transit may be classified by the NPPO into two broad risk management categories:

- transit requiring no further phytosanitary measures, or
- transit requiring further phytosanitary measures.

Further details on risk management are provided in ISPM 11:2004.

1.3.1 Transit requiring no further phytosanitary measures

The NPPO, through the assessment of phytosanitary risk, may determine that Customs control alone is adequate. If this is the case, the NPPO should not apply any phytosanitary measures in addition to Customs control.

1.3.2 Transit requiring further phytosanitary measures

The risk assessment for consignments in transit may conclude that specific phytosanitary measures are necessary. These may include the following:

- verification of consignment identity or integrity (further details provided in ISPM 23:2005)
- phytosanitary movement document (e.g. transit permit)
- phytosanitary certificates (with transit requirements)
- designated entry and exit points
- verification of exit of the consignment
- mode of transport and designated transit routes
- regulation of the changes of configuration (e.g. combined, split, repacked)
- use of NPPO-prescribed equipment or facilities
- Customs facilities recognized by the NPPO
- phytosanitary treatments (e.g. pre-shipment treatments, treatments when consignment integrity is doubtful)
- consignment tracking while in transit
- physical conditions (e.g. refrigeration, pest-proof packaging and/or conveyance preventing spillage)
- use of NPPO-specific seals for conveyances or consignment
- specific carrier's emergency management plans
- transit time or season limits
- documentation in addition to that required by Customs
- inspection of consignment by NPPO

- packaging
- disposal of waste.

Such phytosanitary measures should only be applied for regulated pests of the country of transit or those pests that are under emergency action in that country.

1.3.3 Other phytosanitary measures

When appropriate phytosanitary measures for consignments in transit are not available or are impossible to apply, the NPPO may require that such consignments are subject to the same requirements as imports, which may include prohibition.

If consignments in transit are stored or repackaged in such a way that they present a phytosanitary risk, the NPPO may decide that the consignments should meet import requirements or subject them to other appropriate phytosanitary measures.

2. Establishment of a Transit System

The contracting party may develop a transit system for phytosanitary control of consignments in transit with the NPPO, Customs and other relevant authorities of their country as collaborators. The objective of such a transit system is to prevent the introduction into and/or spread within the country of transit of regulated pests associated with consignments in transit and their conveyances. Transit systems require a basis of a regulatory framework of phytosanitary legislation, regulations and procedures. The transit system is operated by the NPPO, Customs and other relevant authorities in cooperation as appropriate, and should ensure that prescribed phytosanitary measures are applied.

The NPPO has responsibility for the phytosanitary aspects of the transit system and establishes and implements phytosanitary measures necessary to manage phytosanitary risks, taking into account the transit procedures of Customs.

3. Measures for Non-compliance and Emergency Situations

The transit system may include measures, established by the NPPO, for non-compliance and emergency situations (for example, accidents in the country of transit which could lead to the unexpected escape of a regulated pest from a consignment moving in transit). ISPM 13:2001 contains specific guidelines for the country of transit for issuing notices of non-compliance to the exporting country and, where appropriate, to the country of destination.

4. Cooperation and Domestic Communication

Cooperation between NPPOs and Customs and other authorities (for example, port authorities) is essential to establish and/or maintain an effective transit system and identify consignments of regulated articles in transit. Therefore specific agreement with Customs may be needed for the NPPO to be informed of, and have access to, consignments under Customs control.

The NPPO may also establish cooperation and maintain communication with all stakeholders involved in transit as appropriate.

5. Non-discrimination

Consignments in transit should not be subject to more restrictive phytosanitary measures than those applied to consignments of the same phytosanitary status imported into that country of transit.

6. Review

The NPPO should, as necessary, review and adjust the transit system, the types of consignments in transit and the associated phytosanitary risks, in cooperation with relevant authorities and stakeholders as appropriate.

7. Documentation

Any transit system should be adequately described and documented.

Phytosanitary requirements, restrictions and prohibitions for consignments in transit should be made available, upon request, to any contracting party or parties that may be directly affected by such measures.