



NAPPO Regional Standards for Phytosanitary Measures (RSPM)

RSPM #2 Guidelines for Preclearance Programs

The Secretariat of the North American Plant Protection Organization
Observatory Crescent, Bldg. # 3, Central Experimental Farm
Ottawa, Ontario, Canada K1A 0C6
14 August, 2000

CONTENTS

Review	2
Endorsement	2
Amendment Record	2
Distribution	2

INTRODUCTION

Scope	3
References	3
Definitions, Abbreviations and Acronyms	3
Outline of Requirements	4

1 GENERAL REQUIREMENTS

1.1	Criteria for establishment of preclearance programs	5
1.2.	Bilateral agreement	6
1.3	Levels of preclearance	6
1.4	Review of preclearance programs	7
1.5	Duration of preclearance programs	7
1.6	Costs	8

Review

NAPPO Standards for Phytosanitary Measures are subject to periodic review and amendment. The next review date for this NAPPO standard is August, 2005. This standard was last reviewed in August, 2000. A review of any NAPPO Standard may be initiated at any time upon the request of a NAPPO member country.

Endorsement

This Standard was approved by the North American Plant Protection Organization (NAPPO) Executive Committee on August 14, 2000.

Approved by:

Executive Committee Member
Robert Carberry
CANADA

Executive Committee Member
Richard Dunkle
UNITED STATES

Executive Committee Member
Luis Alberto Aguirre Uribe
MEXICO

Amendment Record

Amendments to this Standard will be given a consecutive number, dated and filed with the NAPPO Secretariat.

Distribution

This standard is distributed by the Secretariat of the NAPPO within NAPPO, including Sustaining Associate Members and Industry Advisory Groups, to the FAO IPPC Secretariat, to the ICGPP, and to the Administrative Heads of the Regional Plant Protection Organizations (RPPOs). Copies are available upon request to the NAPPO Secretariat and are available on the NAPPO web page: www.nappo.org.

INTRODUCTION

SCOPE

This standard contains a framework for establishing preclearance programs between NAPPO member countries. It describes the advantages and disadvantages of preclearance programs and the different types of programs. It lists criteria for consideration prior to establishing such programs, it describes the different levels of preclearance and criteria for reducing or terminating these programs.

REFERENCES

Glossary of Phytosanitary Terms, 1999, International Standards for Phytosanitary Measures, Publication No. 5, FAO, Rome.

Glossary of Phytosanitary Terms, 1999, NAPPO

DEFINITIONS, ABBREVIATIONS AND ACRONYMS

Audit inspection	An examination to determine the reliability of prescribed quarantine procedures (NAPPO, 1999)
Clearance (of a consignment)	Verification of compliance with phytosanitary regulations (FAO, 1999)
IPPC	Acronym for the International Plant Protection Convention, as deposited in 1951 with FAO in Rome and as subsequently amended (FAO, 1999)
NAPPO	Acronym for the North American Plant Protection Organization (NAPPO, 1999)
NPPO	Acronym for National Plant Protection Organization - the official service established by a government to discharge the functions specified by the IPPC (FAO, 1999)
Phytosanitary certificate	A certificate patterned after the model certificates of the IPPC (FAO, 1999)
Point of entry	Airport, seaport, or land border point officially designated for the importation of consignments, and/or entrance of passengers (FAO, 1999)
Preclearance	Phytosanitary certification and/or clearance in the country of origin, performed by or under the regular supervision of the National Plant Protection Organization of the country of destination (FAO, 1999)

Quarantine pest	A pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled (FAO, 1999)
Treatment	Officially authorized procedure for killing, removal or rendering infertile of plant pests. (FAO, 1999)

OUTLINE OF REQUIREMENTS

Preclearance of agricultural commodities at origin has been accepted as a useful phytosanitary procedure to reduce the risk of spread of quarantine pests from one country to another. The application of phytosanitary procedures at origin, performed or monitored by representatives of the importing country, are aimed at ensuring that shipments of plants, plant products and other regulated articles meet the entry requirements of the importing country before they depart the exporting country.

In practical terms, preclearance may include the review of any or all pest control actions associated with the production and preparation of a commodity for export, for example, inspection, testing, surveys, storage, record-keeping, post-harvest treatment, transportation, etc. Bilateral agreements should spell out the technical details of the preclearance program as well as conditions for reduction or termination of the program.

Preclearance programs are designed to facilitate trade, but do not provide absolute guarantees that pests will not be present. Importing countries retain the right to carry out import inspections at points of entry.

There are advantages and disadvantages associated with preclearance programs, both for the importing and exporting country involved. Regular review of a preclearance program will ensure that advantages continue to outweigh the disadvantages.

1. GENERAL REQUIREMENTS

Both advantages and disadvantages of preclearance need to be taken into account, when considering a preclearance program. Among the advantages are the reduced risk of introducing quarantine pests into new areas and an opportunity to carry out a more thorough inspection at origin than at a busy point of entry. Preclearance provides a greater assurance that the consignments will not be rejected at destination and may represent the most practical method to accommodate exports.

On the other hand, travel and salary costs for officials from the importing country may be prohibitive in relation to the volume and value of the precleared material and preclearance may give the appearance of lack of confidence in the NPPO of the exporting country and its phytosanitary certificates. Advantages and disadvantages vary over time and the advantages may disappear as the exporting country gains experience with meeting the specific import requirements of the importing

country.

Requirements for preclearance programs are negotiated between the importing and exporting countries. The request is usually made by importing industry representatives, but may also be pursuant to official import regulations of the importing country.

1.1 Criteria for establishment of preclearance programs

The following factors need to be considered:

- the pest risk assessment indicates significant risk is associated with movement of the commodity
- the quarantine pests are difficult to detect during inspection at the point of entry
- a significant volume of the commodity makes the program economically feasible
- inspection at destination would adversely affect commercial packaging and/or product quality (e.g. product is perishable; product is individually wrapped; destructive sampling is required)
- serious disadvantages arise from the need to unload at the point of entry and the need for storage and inspection facilities at the point of entry
- inspection and verification is significantly simplified at origin
- the exporting country requests a preclearance program due to a lack of resources and/or ability to conduct inspections
- there is agreement between the industry of the exporting country and the NPPO in both countries to conduct a preclearance program
- returning, re-exporting, treatment or other method of disposal (destruction, processing), in case of rejection at point of entry is costly, difficult or impossible
- preclearance programs in other countries with similar risks have been proven effective

When an importing NPPO approves a process, facility, or program in the exporting country, and then carries out regular importing inspections at the point of entry, this would not be considered a preclearance program.

1.2 Bilateral Agreement

The technical requirements for preclearance programs need to be developed on a case-by-case basis taking into account the risk assessment and risk management options available for the commodity and quarantine pest(s) in question. The technical and administrative requirements should be elaborated in a bilateral agreement. The bilateral agreement should include, for example:

- a description of all activities to be carried out by the importing and exporting countries
- duration of activities
- frequency of program reviews
- notification of non-compliance
- reasons for modifying, suspending or terminating the program
- corrective actions
- process for dispute settlement
- provision of facilities and supplies for inspection purposes
- hours of work
- duration of the shipping season

The bilateral agreement should be developed between the NPPOs of the importing and exporting countries. The financial arrangements should be developed between the exporting industry and the importing NPPO.

1.3 Levels of Preclearance Programs

Preclearance, as defined in the FAO Glossary of Phytosanitary Terms, is linked to consignments. Preclearance may be applied to all consignments, or to only a percentage of consignments. Preclearance may in some cases be limited to a certain time period during the shipping season.

Many factors come into play in the determination of the intensity of preclearance programs. The pest risk assessment, feasibility of risk management options and the ability of the exporting country to fulfill the requirements of the importing country (including production practices and competency of the NPPO) are examples of the factors which will need to be considered on a case-by-case basis.

The importing country may establish an ongoing inspection presence in the exporting country when there is a high risk of infestation associated with the commodity. Officials from the importing country would monitor and/or perform production and certification activities and inspect, treat, and/or test all consignments. This is a very intensive form of preclearance program and should only be used when there is justification to do so, or if requested by the importing country. Inspection at the point of entry may be minimal or non-existent. These kind of inspections are essentially an audit of the preclearance program and should be reduced as confidence in the program is built. The importing country may decide to allow entry without requiring a phytosanitary certificate.

Less intensive preclearance programs are more common. Only the key production, certification,

inspection, treatment and/or testing activities are monitored or carried out in the exporting country by representatives of the importing country. This does not normally require an ongoing inspection presence by the importing country in the country of export. A phytosanitary certificate is issued by the exporting country and limited import inspections could be carried out in the importing country to verify compliance with the import requirements.

In most cases, the level of preclearance can be reduced gradually until eventually the preclearance program is terminated and the exporting country takes full responsibility for certification.

1.4 Review of preclearance programs

The effectiveness of any preclearance program, whether intended to be permanent or temporary, should be reviewed regularly to identify, discuss and resolve problems and refine the program. Timing and frequency of review of the program should be described in the bilateral agreement. Depending on the program, some elements may need to be reviewed more often than others.

1.5 Duration of preclearance programs

Preclearance should be used discriminately and selectively, according to circumstances. NAPPO member countries should strive to rely on and recognize each other's systems of phytosanitary certification.

There may be situations when both countries agree that an ongoing preclearance program is the most effective and efficient way to facilitate the movement of plants, plant products and other regulated articles from the exporting country while providing adequate protection to the importing country. Unless specific reasons exist to establish a permanent preclearance program, the importing and exporting countries should define conditions which needed to be satisfied in order to eliminate the monitoring or inspection presence of the importing country in the territory of the exporting country.

Typically, reduction of the level of preclearance or termination of the preclearance program should be considered when the exporting country has demonstrated that it consistently meets the importing country requirements. Especially if the program was set up to facilitate the movement of a new commodity, or a commodity with which problems occurred in the past resulting in changes to the phytosanitary certification procedures, reduction or termination of the preclearance program may be based on the successful completion of a predetermined number of shipments or shipping seasons. Should pest problems arise, the preclearance program could be re-instated.

1.6 Costs

Costs for travel, accommodation, transportation and meals should be reasonable and justifiable. The importing country may have an established fee structure as part of its regular policy framework for work carried out in other countries. These fees should then be presented to the exporting country or the party responsible for the cost of the program. The costs should be agreed between the importing party responsible for assigning the inspectors for the preclearance program and the exporting industry. Any activities are subject to and must comply with the laws and regulations of the country in which the preclearance is carried out. The costs should normally be borne by the industry group benefiting from the preclearance program, although this could be negotiated between industry groups and the NPPO. The high cost of preclearance programs should be an incentive to look for alternative phytosanitary measures.