

ISPM No. 19



**INTERNATIONAL STANDARDS FOR
PHYTOSANITARY MEASURES**

ISPM No. 19

GUIDELINES ON LISTS OF REGULATED PESTS

(2003)

Produced by the Secretariat of the International Plant Protection Convention



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ENDORSEMENT

This standard was endorsed by the Interim Commission on Phytosanitary Measures in April 2003.

INTRODUCTION

SCOPE

This standard describes the procedures to prepare, maintain and make available lists of regulated pests.

REFERENCES

- Determination of pest status in an area*, 1998. ISPM No. 8, FAO, Rome.
Glossary of phytosanitary terms, 2003. ISPM No. 5, FAO, Rome.
Guidelines for Pest Risk Analysis, 1996. ISPM No. 2, FAO, Rome.
Guidelines for Phytosanitary Certificates, 2001. ISPM No. 12, FAO, Rome.
Guidelines for the notification of non-compliance and emergency action, 2001. ISPM No. 13, FAO, Rome.
International Plant Protection Convention, 1997. FAO, Rome.
Pest Risk Analysis for quarantine pests including analysis of environmental risks, 2003. ISPM No. 11 Rev. 1, FAO, Rome.

DEFINITIONS

Definitions of phytosanitary terms used in the present standard can be found in ISPM No. 5 (*Glossary of phytosanitary terms*).

OUTLINE OF REQUIREMENTS

The International Plant Protection Convention (IPPC) requires contracting parties to the best of their abilities to establish, update and make available lists of regulated pests.

Lists of regulated pests are established by an importing contracting party to specify all currently regulated pests for which phytosanitary measures may be taken. Specific lists of regulated pests by commodity are a subset of these lists. Specific lists are provided on request to the NPPOs of exporting contracting parties as the means to specify the regulated pests for the certification of particular commodities.

Quarantine pests, including those subject to provisional or emergency measures, and regulated non-quarantine pests should be listed. Required information associated with the listing includes the pest's scientific name, the pest category and commodities or other articles that are regulated for the pest. Supplementary information may be provided such as synonyms and references to data sheets and pertinent legislation. Updating of the lists is required when pests are added or deleted or when required information or supplementary information changes.

Lists should be made available to the IPPC Secretariat, to Regional Plant Protection Organizations (RPPOs) of which the contracting party is a member and, on request, to other contracting parties. This may be done electronically and should be in an FAO language. Requests should be as specific as possible.

REQUIREMENTS

1. Basis for Lists of Regulated Pests

Article VII.2i of the IPPC (1997) states:

Contracting parties shall, to the best of their ability, establish and update lists of regulated pests, using scientific names, and make such lists available to the Secretary, to regional plant protection organizations of which they are members and, on request, to other contracting parties.

Therefore, contracting parties to the IPPC have the explicit obligation to prepare and make available, to the best of their abilities, lists of regulated pests. This is closely associated with other provisions of Article VII regarding the provision of phytosanitary requirements, restrictions and prohibitions (VII.2b) and the provision of the rationale for phytosanitary requirements (VII.2c).

In addition, the certifying statement of the Model Phytosanitary Certificate annexed to the Convention implies that lists of regulated pests are necessary by referring to:

- quarantine pests specified by the importing contracting party;
- phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests.

The availability of lists of regulated pests assists exporting contracting parties to issue Phytosanitary Certificates correctly. In instances where a list of regulated pests is not supplied by the importing contracting party, the exporting contracting party can only certify for pests it believes to be of regulatory concern (see ISPM No. 12: *Guidelines for Phytosanitary Certificates*, section 2.1).

The justification for regulating pests corresponds to the provisions of the IPPC requiring that:

- pests meet the defining criteria for quarantine or regulated non-quarantine pests to be regulated (Article II—“regulated pest”);
- only regulated pests are eligible for phytosanitary measures, (Article VI.2);
- phytosanitary measures are technically justified, (Article VI.1b); and
- PRA provides the basis for technical justification, (Article II—“technically justified”).

2. Purpose of Lists of Regulated Pests

The importing contracting party establishes and updates lists of regulated pests in order to assist it in preventing the introduction and/or spread of pests and to facilitate safe trade by enhancing transparency. These lists identify those pests that have been determined by the contracting party to be quarantine pests or regulated non-quarantine pests.

A specific list of regulated pests, which should be a subset of those lists, may be provided by the importing contracting party to the exporting contracting party as the means to make known to the exporting contracting party those pests for which inspection, testing or other specific procedures are required for particular imported commodities, including phytosanitary certification.

Lists of regulated pests may also be useful as the basis for harmonization of phytosanitary measures where several contracting parties with similar and shared phytosanitary concerns agree on pests that should be regulated by a group of countries or a region. This may be done through Regional Plant Protection Organizations (RPPOs).

In developing lists of regulated pests, some contracting parties identify non-regulated pests. There is no obligation for listing such pests. Contracting parties shall not require phytosanitary measures for non-regulated pests (Article VI.2 of the IPPC, 1997). The provision, however, of this information may be useful, for example for facilitating inspection.

3. Preparation of Lists of Regulated Pests

Lists of regulated pests are established and maintained by the importing contracting party. The pests to be listed are those that have been determined by the NPPO to require phytosanitary measures:

- quarantine pests, including pests which are the subject of provisional or emergency measures; or
- regulated non-quarantine pests.

A list of regulated pests may include pests for which measures are required only in certain circumstances.

4. Information on Listed Pests

4.1 Required information

The required information to be associated with listed pests includes:

Name of pest – The scientific name of the pest is used for listing purposes, at the taxonomic level which has been justified by PRA (see also ISPM No. 11 Rev. 1: *Pest Risk Analysis for quarantine pests including analysis of environmental risks*). The scientific name should include the authority (where appropriate) and be complemented by a common term for the relevant taxonomic group (e.g. insect, mollusc, virus, fungus, nematode, etc.).

Categories of regulated pests – These are quarantine pest, not present; quarantine pest, present but not widely distributed and under official control; or regulated non-quarantine pest. Pest lists may be organized using these categories.

Association with regulated article(s) – The host commodities or other articles that are specified as regulated for the listed pest(s).

Where codes are used for any of the above, the contracting party responsible for the list should also make available appropriate information for its proper understanding and use.

4.2 Supplementary information

Information that may be provided where appropriate includes:

- synonyms;
- reference to pertinent legislation, regulations, or requirements;
- reference to a pest data sheet or PRA;
- reference to provisional or emergency measures.

4.3 NPPO responsibilities

The NPPO is responsible for procedures to establish lists of regulated pests and to produce specific lists of regulated pests. Information used for necessary PRA and subsequent listing may come from various sources within or outside the NPPO including other agencies of the contracting party, other NPPOs (in particular where the NPPO of the exporting contracting party requests specific lists for certification purposes), RPPOs, scientific academia, scientific researchers and other sources.

5. Maintenance of Lists of Regulated Pests

The contracting party is responsible for the maintenance of pest lists. This involves updating lists and appropriate recordkeeping.

Lists of regulated pests require updating when pests are added or deleted, or the category of listed pests changes, or when information is added or changed for listed pests. The following are some of the more common reasons for updating these lists:

- changes to prohibitions, restrictions or requirements;
- change in pest status (see ISPM No. 8: *Determination of pest status in an area*);
- result of a new or revised PRA;
- change in taxonomy.

The updating of pest lists should be done as soon as the need for modifications is identified. Formal changes in legal instruments, where appropriate, should be adopted as quickly as possible.

It is desirable for NPPOs to keep appropriate records of changes in pest lists over time (e.g. rationale for change, date of change) for reference and to facilitate response to inquiries that may be related to disputes.

6. Availability of Lists of Regulated Pests

Lists may be included in legislation, regulations, requirements or administrative decisions. Contracting parties should create operational mechanisms for establishing, maintaining and making available lists in a responsive manner.

The IPPC makes provision for the official availability of lists and languages to be used.

6.1 Official availability

The IPPC requires that contracting parties make lists of regulated pests available to the IPPC Secretariat and RPPOs to which they are members. They are further obliged to provide such lists to other contracting parties upon request (Article VII.2i of the IPPC, 1997).

Lists of regulated pests should be made available officially to the IPPC Secretariat. This may be done in written or electronic form, including the Internet.

The means for making pest lists available to RPPOs is decided within each organization.

6.2 Requests for lists of regulated pests

NPPOs may request lists of regulated pests or specific lists of regulated pests from other NPPOs. In general, requests should be as specific as possible to the pests, commodities, and circumstances of concern to the contracting party.

Requests may be for:

- clarification of the regulatory status for particular pests;
- specification of quarantine pests for certification purposes;
- obtaining regulated pest lists for particular commodities;
- information concerning regulated pests not associated with any particular commodity;
- updating previously provided pest list(s).

Pest lists should be provided by NPPOs in a timely manner, with highest priority given to requests for lists necessary for phytosanitary certification or to facilitate the movement of commodities in trade. Copies of regulations may be provided where pest lists included in these regulations are considered adequate.

Both requests and responses for pest lists should be through official contact points. Pest lists may be provided by the IPPC Secretariat when available, but such provision is unofficial.

6.3 Format and language

Lists of regulated pests made available to the IPPC Secretariat, and in response to requests from contracting parties, should be provided in one of the five official languages of FAO (required under Article XIX.3c of the IPPC, 1997).

Pest lists may be provided electronically or by access to an appropriately structured Internet website where contracting parties have indicated this is possible and the corresponding organizations have the capability for such access and have indicated willingness to use this form of transmission.