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**NAPPO Guidance Document 01**

**Standardization of responsibilities and actions for safeguarding consignments that have transited one NAPPO member country to enter another NAPPO member country.**

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# Approval

The guidance document – ***Standardization of responsibilities and actions for safeguarding consignments that have transited one NAPPO country to enter another NAPPO country***

–was approved by the North American Plant Protection Organization (NAPPO) Executive Committee – see approval dates below each signature - and is effective from the latest date below.

Approved by:

|  |  |
| --- | --- |
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Date XXXX, 20XX Date XXXX, 20XX

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# Introduction

There are numerous pathways related to trade and travel through which plant pests can be introduced into North America. Everyday thousands of consignments move from the country of origin to the country of destination, often transiting through one or more countries in the process. Compared with imported consignments, in-transit consignments may represent a reduced phytosanitary risk to the plant resources in the country of transit, as they are not entering commerce and often remain in the transit country for a brief period of time. However, while it is expected that these consignments meet the phytosanitary import requirements of the country of destination, they could still pose a risk to the country(ies) through which they transit.

Risks posed by in-transit consignments may include pests directly associated with the consignments themselves as well as contaminants in or on the cargo or conveyance that could be introduced to the country of transit. Risks are further increased if the consignments remain for an extended period in the transit country, are opened in the transit country, or transit through areas at risk (e.g., forests, agricultural land, parks) where pests would have an opportunity to establish and spread.

Recognizing the risks of consignments-in-transit to the North American Plant Protection Organization (NAPPO) region, an Expert Group was established to evaluate the risk of consignments transiting any of the three NAPPO member countries, and to determine appropriate measures and processes to mitigate those risks to the NAPPO region. The International Standard for Phytosanitary Measures [(ISPM) 25](https://www.ippc.int/static/media/files/publication/en/2016/01/ISPM_25_2006_En_2015-12-22_PostCPM10_InkAmReformatted.pdf) (*Consignments in transit*), the NAPPO Regional Standard for Phytosanitary Measures (RSPM) 23 (*Guidelines for consignment in transit*) and the International Plant Protection Convention (IPPC) [Transit Guide](https://www.fao.org/publications/card/en/c/CA6358EN) (*Phytosanitary issues of consignments in transit: a guide for National Plant Protection Organizations*) focus mainly on the protection of a transit country, while the responsibilities of the National Plant Protection Organizations (NPPOs) and other stakeholders involved in the transit pathway are less clearly outlined.

This guidance document specifically seeks to standardize the responsibilities and actions for safeguarding consignments presented for entry by the NPPO of the transit country to the NPPO of the importing country and that have been found non-compliant by the NPPO of the importing country. Having clear guidance on practical measures to minimize phytosanitary risks that are associated with transiting consignments while promoting timely, consistent communication procedures among all stakeholders involved in the transit pathway is essential to help protect plant resources in the NAPPO region. This guidance document will help NAPPO member countries develop streamlined approaches for in-transit shipments, define and communicate procedures to return non-compliant shipments, and learn from and adopt existing approaches to facilitate safe trade. Additionally, such guidance contributes to and has benefitted from experiences and approaches in other trade-related initiatives such as the [IPPC’s sea container work](https://www.ippc.int/en/core-activities/capacity-development/sea-containers/), the [North American Sea Container Initiative,](https://nappo.org/english/north-american-sea-container-initiative) and other work occurring at the IPPC and the Plant Health Quadrilaterals group (Australia, New Zealand, U. S. and Canada (QUADs)) on minimizing contaminant pests in various pathways, including sea containers. This guidance will also contribute to promoting plant protection for other trading partners through outreach and awareness.

# Purpose of this document

NPPOs establish procedures to identify and reduce phytosanitary risks associated with consignments in transit so that phytosanitary measures applied in the country of transit are technically justified and prevent the entry and establishment of pests within that country. However, stakeholder guidance provided by ISPM 25 to those involved in the transit process is lacking operational details for effective implementation in the NAPPO region. Several additional stakeholders are involved in the transit pathway beyond the NPPOs of the exporting, importing, and transit countries. These include, but are not limited to, shipment brokers, transportation companies, treatment facilities, handlers/packers, and customs organizations in each country. Effective implementation of ISPM 25 should involve clear guidance to all stakeholders to establish a system that is operationally clear and harmonized thereby increasing adherence to transit requirements and minimizing phytosanitary risks in the transit pathway.

This guidance document outlines communication and actions for each key stakeholder and includes a flowchart of actions and responsibilities along the transit pathway. The aims of this guidance document are:

* To promote alignment of the in-transit programs as well as efficient implementation of ISPM 25 in the NAPPO region, in order to maintain phytosanitary security while facilitating safe trade.
* To identify areas of concern that can be streamlined.
* To provide a list of proposed recommendations for further collaboration, and
* To provide procedures for timely communication among government and industry parties to facilitate decision-making and streamline efficient safeguarding, thereby reducing the transit pest risks to North America.

# Scope

The scope of this guidance document includes consignments originating offshore or from NAPPO member country, transiting through a NAPPO member country to another NAPPO member country or to a country outside the NAPPO region (e.g., consignment from Asia moving through Canada to the United States; consignment originating in Mexico moving through the United States to Canada). Consignments traveling from the U. S. through Canada and back into the U. S. are not considered within the scope of this document. Regulated articles, as defined in this document, include anything that can be a pathway for pests, not only regulated plants, and plant products, but also the conveyances that transport them. In this regard, the term shipment or consignment can be taken to mean the cargo, its packaging, and the conveyances themselves, as well as all other components that could be infested or contaminated.

Situations that are not within scope of this document are:

* Domestic movement of goods within a single NAPPO member country.
* Inland movement of imported goods in the NAPPO country of import.
* Establishment of joint first point of arrival clearance procedures (e.g., United States-Canada clearance of goods destined to either country at first port of arrival in Canada or the United States).

# Acronyms

|  |  |
| --- | --- |
| **Acronym** | **What it stands for** |
| CBSA | Canada Border Services Agency |
| CFIA | Canadian Food Inspection Agency |
| DGSV | Plant Health General Directorate of Mexico |
| DHS CBP | U.S. Department of Homeland Security Customs and Border Protection |
| GyCR | Safe Custody and Liability Procedure |
| IPPC | International Plant Protection Convention |
| ISPM | International Standard for Phytosanitary Measures |
| NAPPO | North American Plant Protection Organization |
| NPPO  OISA | National Plant Protection Organization  Animal and Plant Health Inspection Office |
| QUADS | The Plant Health Quadrilaterals (QUADS) is a strategic coalition comprised of the national plant protection organizations of the United States, Australia, Canada, and New Zealand. It is not an official treaty organization but rather avenue for cooperation among the plant health authorities of the Quads countries. |
| RSPM | Regional Standard for Phytosanitary Measures |
| SENASICA | Servicio Nacional de Sanidad, Inocuidad y Calidad Agroalimentaria of Mexico |
| USDA APHIS PPQ | U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine |

# Definitions

Terms used in this guidance document can be found in ISPM 5 (*Glossary of phytosanitary terms*) and RSPM 5 (*NAPPO Glossary of phytosanitary terms*).

Some definitions specific to this guidance document are listed below.

|  |  |
| --- | --- |
| **Term** | **What it means** |
| consignment | A quantity of plants, plant products or other articles being moved from one country to another and covered, when required, by a single phytosanitary certificate (a consignment may be composed of one or more commodities or lots) [FAO, 1990; revised ICPM, 2001] |
| containerized shipment | Cargo shipped in reusable, commercial sized shipping containers ([shipping /cargo container](https://www.lawinsider.com/dictionary/shipping-cargo-container) means a standardized steel-framed, steel skinned transportation box designed to facilitate the handling, loading, of goods and materials for storage aboard a ship or other transportation system and includes a metal framed container intended to be used for the storage of goods and materials that is constructed to be easily moved from one location to another ( <https://www.lawinsider.com/dictionary/shipping-cargo-container>) |
| contaminant | Anything that is not a pest itself but may harbor plant pests (e. g., soil, plant debris). |
| in-transit | The movement of a consignment from one country, through another country to a third country. The consignment is not imported to the country; it moves through, although phytosanitary measures may be applied. For this guide the country through which the consignment transits through to its ultimate destination. The country of origin and ultimate destination may be another NAPPO country or a country outside the NAPPO region. |
| non-compliance | Failure to conform to the phytosanitary import requirements of the importing country. |
| party in care and control | Entity in physical control of the shipment as it moves from origin to destination, including permittee, broker, importer, and carrier. |
| pest | Any species, strain or biotype of plant, animal, or pathogenic agent injurious to plants or plant products. Note: In the IPPC, “plant pest” is sometimes used for the term “pest” [FAO, 1990; revised ISPM 2, 1995; IPPC, 1997; CPM, 2012] |
| phytosanitary measures | Any legislation, regulation or official procedure having the purpose to prevent the introduction or spread of quarantine pests, or to limit the economic impact of regulated non-quarantine pests (ISPM 5). |
| point of entry | Airport, seaport, or land border point officially recognized to import plants, plant products or by-products and/or the entry of passengers to ensure they do not pose a phytosanitary risk to the country. |
| regulated article | Any plant, plant product, storage place, packaging, conveyance, container, soil and any other organism, object, or material capable of harboring or spreading pests, deemed to require phytosanitary measures, particularly where international transportation is involved [FAO, 1990; revised FAO, 1995; IPPC, 1997. |

## 1.0 Considerations for in-transit systems

In-transit systems have been established in the countries of the NAPPO region – Canada, the United States and Mexico. These systems evolve as trade circumstances change. Some of the considerations for the establishment of these systems are described in the following subsections.

### 1.1 Risk to the country of transit

Since the adoption of ISPM 25 in 2006, international trade has increased dramatically, and as such, so has the occurrence of in-transit shipments. Data from port interceptions demonstrate that there is risk to the transit country including the presence of quarantine significant pests both in and on containers in both agricultural and non-agricultural commodities.

### 1.2 Risk factors

* Agricultural commodities
* Non-agricultural commodities: While the NPPO of the transit country will most likely be made aware of agricultural products moving through their country, interceptions continue to be reported on commodities that are not plants or plant products such as machinery, car parts, tile, pipes, etc.
* Pest type and life stage
* Pest location (inside/outside container; in/on cargo)
* Time of year
* Wood packaging material.

### 1.3 Pest risk assessment

Given the volume of international trade, the types of cargo and conveyances, the complexity of supply chain logistics and the number of trading partners, it is difficult to assess the potential for quarantine pests to be introduced into a country, particularly for consignments that are not plants or plant products. Because of this complexity, formal Pest Risk Assessments (PRAs) are difficult to perform and may not capture all risks associated with in-transit consignment movement.As a result, in-transit consignments of agricultural products often have additional phytosanitary import requirements placed upon them by the NPPO and Customs entities of the in-transit country. Regardless of the cargo, consignments may require phytosanitary measures and procedures (e.g., certification, NPPO inspection, cleaning, fumigation) when pests or contaminants are detected at arrival in the in-transit country, or upon arrival at the country of destination. Treatment or other measures may be required by the country of transit before the consignment is allowed to be moved.

## 2.0 Government Organizations (NPPOs, border agencies, other)

This section provides an overview of the general requirements, processes, and coordination for existing in-transit programs in each NAPPO member country. It focuses on the work of NPPOs, border agencies, and other government organizations. Coordination between and among NPPOs, border agencies and industry is essential for the overall successful implementation of in-transit programs. Detailed communication and coordination activities will be covered in section 5.0 of this document.

### 2.1 Canada

The Canadian Food Inspection Agency (CFIA) derives its regulatory authority from the *Plant Protection Act* (1990, c. 22) and *Plant Protection Regulations* (SORS/95-212). The CFIA’s [current in-transit protocol](https://inspection.canada.ca/plant-health/interim-phytosanitary-requirements/eng/1451454780159/1451454819464) supports risk-based decision-making for phytosanitary requirements for in-transit consignments of plants and plant products of United States origin through Canada to a Canadian point of departure en-route to a foreign country, and transit back through Canada for in-transit consignments of foreign origin refused entry by the United States. A comprehensive in-transit program to include consignments transiting Canada from countries other than the United States is in development.

The in-transit protocol requires coordination among the CFIA, the Canada Border Service Agency (CBSA) and the parties in care and control of the shipment. The CFIA is responsible for establishing phytosanitary requirements based on the level of pest risk, communicating those requirements to relevant parties, issuing regulatory control documents, and verifying compliance with the requirements.

The CBSA is responsiblefor notifying the CFIA of phytosanitary risks identified at the border in a timely manner and for refusing entry into Canada for those consignments that do not comply with the CFIA’s in-transit protocol. The CBSA provides guidance and instructions to border services officers on the CFIA’s in-transit protocol for non-compliant consignments.

The party in care and control of the consignment is responsible for fulfilling CFIA’s and CBSA’s requirements, communicating the reason for any consignment refusal, and assuming all associated costs for regulatory requirements, mitigation, and compliance measures. The CBSA is responsible for initial import inspection services with respect to phytosanitary requirements for consignments imported into Canada, including wood packaging materials, soil, and used equipment that have been refused entry by the U.S for phytosanitary reasons and are moving in-transit through Canada. Under the [Plant Protection Act (PPA](https://laws-lois.justice.gc.ca/eng/acts/p-14.8/)) (s.8 (1)) the CBSA may detain, refuse entry and order treatment and removal from Canada any contaminated good or thing that may be a pest or harbor a pest. The CBSA considers in-transit movement as an import movement (s. 12 of the [Customs Act](http://laws-lois.justice.gc.ca/eng/acts/C-52.6/)) and an export movement (s. 95 of the [Customs Act](http://laws-lois.justice.gc.ca/eng/acts/C-52.6/)). CBSA`s regulations require that all goods moving in-transit through Canada must be reported to the CBSA on arrival into Canada (unless otherwise indicated in the [*Customs Act*](http://laws-lois.justice.gc.ca/eng/acts/C-52.6/index.html), [*Reporting of Imported Goods Regulations*](http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-873/page-1.html) or [*Transportation of Goods Regulations*](http://laws-lois.justice.gc.ca/eng/regulations/SOR-86-1064/page-1.html)). In-transit consignments travel in-bond until they exit Canada. No incidental domestic use is permitted. In-transit consignments must notify CBSA [upon exit](https://www.cbsa-asfc.gc.ca/publications/dm-md/d20/d20-1-1-eng.html) from Canada (with some exceptions e.g., highway conveyances between Canada and the United States).

Rejected consignments originally bound for the United States may be allowed to move in-transit to a point of departure in Canada provided the CFIA has been informed of the reason for refusal, and appropriate risk mitigation has been conducted. Reasons for refusal are communicated to the party in care and control of a refused consignment through direct correspondence with the U.S. Department of Homeland Security (DHS), Customs and Border Protection (CBP) or through U.S. government issued Emergency Action Notifications (EAN). The consignment carrier must provide CBSA information regarding the reason for the rejection. CBSA will then notify the CFIA. CBSA will detain any consignment refused by the United States until advised otherwise by the CFIA. The CFIA provides a guide on how the risk of the consignment will be mitigated. Treatment *may*be allowed in Canada if required to mitigate phytosanitary risks to facilitate removal from Canada. Entry into Canada for treatment prior to movement back to the United States is *not permitted* for consignments that have been refused entry into the United States and that are not of Canadian origin. In-transit consignments refused entry into the United States are *not permitted* to enter Canadian commerce, even after treatment has been applied.

### 2.2 Mexico

Mexico regulates the transit of commodities through its phytosanitary authorities, as per their phytosanitary requirements code #1298-112-3454-TDP-TDP. <https://sistemasssl.senasica.gob.mx/mcrfi/>

Senasica has established a harmonized combination code for phytosanitary measures which involves possible in-transit scenarios to guarantee the consignment’s phytosanitary status as an international consignment in-transit through Mexico. Consignments wishing to enter Mexico as international transit must enter under the Safe Custody and Liability Procedure (GCyR, because of its Spanish acronym: *Art 60*- the field, orchard, nursery, plantation, sawmill, open yard areas, premises, lots, or vehicle where the sample was taken from will be under the safe custody and liability procedure from the owner or bearer at that place or designated place or as stated by SENASICA with no movement or trade allowed until its optimum phytosanitary condition is confirmed). This is prepared at the Animal and Plant Health Inspection Office (OISA, because of its Spanish acronym) at Mexico’s points of entry and finalized when the consignment leaves Mexico through the OISA where the interested party declared, before initiating the process. At the points of entry into Mexico, the party in care and control must present the consignment to the OISA staff member who will verify that the commodity to be moved through Mexican territory is stated in the documentation, verify the integrity of the enclosure, isolation conditions and seals on the consignment, adding one if necessary. The new seal number is added to the documentation. The party in care and control must present a letter of acceptance of responsibility stating, under oath, that the commodity is correctly identified in the documentation and that they take responsibility for the consignment in-transit through Mexico. The party in care and control and the OISA at the point of entry will notify the OISA office at the point of exit 24 hours before the arrival of the commodity. The OISA staff at the point of exit will verify the integrity of the seals, release the consignment from the GCyR, and will notify the OISA at the point of entry concerning the disposition of the consignment.

In case of an accident or an unforeseen circumstance during transit, the carrier or the exporting company should promptly notify the Plant Health General Directorate ([DGSV](https://www.gob.mx/senasica/acciones-y-programas/importacion-exportacion-y-movilizacion-nacional)) by phone or by email at: [importaciones.dgsv@senasica.gob.mx](mailto:importaciones.dgsv@senasica.gob.mx). The DGSV will indicate the measures to be applied. Additional information can be found in [phytosanitary inspection page](https://www.gob.mx/senasica/acciones-y-programas/inspeccion-fitozoosanitaria) in the [SENASICA website](https://www.gob.mx/senasica/documentos/consideraciones-generales-para-todos-los-procedimientos?state=published).

Compliance with the abovementioned phytosanitary requirements does not exempt the importer from providing documentation and/or processes required by other authorities. The interested party or its representative will be responsible for all expenses derived from complying with the prescribed phytosanitary measures.

### 2.3 United States

The U.S. Department of Homeland Security, Customs and Border Protection (DHS CBP) and U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine (USDA APHIS PPQ) monitor the movement of regulated agricultural commodities while they transit the United States and prior to clearance and exit from the United States, to ensure they are adequately safeguarded and exit at the specified time frame using the specified route, as per the conditions of the transit permit (PPQ permit 586). USDA APHIS PPQ is responsible for developing regulations, policies, and procedures for agricultural materials entering or transiting the United States. USDA APHIS PPQ does this through performing risk analyses, setting inspection protocols and procedures, and issuing permits for in-transit movement. DHS CBP oversees operations and enforces regulations at over 300 U.S. commercial ports of entry and manages the daily inspection and targeting of agricultural products, conveyances, international mail, and passengers to protect against the introduction of exotic pests and diseases. USDA APHIS PPQ issues transit permits for the movement of foreign regulated plant material, biological organisms, soil, and certain animal products and by-products.

Transit permits are issued in accordance with the U.S. Code of Federal Regulations (CFR) Title 7, CFR Part 352 (Safeguard Regulations) and other pertinent regulations, e.g., 7CFR318, 7CFR322, 19CFR18, 50CFR23. Regulated agricultural consignments of foreign plant material and other articles moving for transportation and exportation (T&E) or immediate exportation (IE) require an approved USDA APHIS PPQ transit permit. If the importer or carrier does not have the required transit permit at the time of arrival, then the party in care and control can apply for a transit permit by using PPQ Form 586. Restricted plants from Canada that transit through the United States for re-entry into Canada are exempt from the transit permit requirement when accompanied by a CFIA phytosanitary certificate with the declaration “in-transit via the United States.”

All shipments entering or transiting through the United States must be compliant with all agricultural regulations and secured by a custodial bond (19 USC 1551, 19 USC 1552, 19 USC 1553, and 19 CFR Part 18). The carrier is responsible for transmitting an electronic request to move cargo or providing a CBP Form 7512 (Transportation Entry and Manifest of Goods Subject to CBP Inspection and Permit). DHS CBP has the right to inspect and release, reject, or require treatment as per USDA APHIS PPQ regulations and authorities including Title 19, Title, 9, Title 7, and the Plant Protection Act. Transportation and Exportation (T&E) consignments of admissible plant cargo (requiring inspection and release if entering the United States) must enter at a DHS CBP Agriculture staffed port of entry but may exit at any port provided the route is identified as among the quickest and most direct route to the destination, as per the transit permit. T&E consignments of restricted (requiring treatment or other measures in addition to inspection) and prohibited (not allowed entry into U.S. commerce) plant cargo must enter and exit through a DHS CBP Agriculture staffed port of entry, unless otherwise stated in the permit. Movement of non-agricultural goods must be compliant with all agricultural regulations (i.e., ISPM 15). The consignment must exit within the allotted time and travel the route specified in the transit permit. Diversions or changes to the route or entry status are not authorized without advance permission from DHS CBP. The carrier, broker, or permittee must present the In-Bond at the destination port within the time prescribed in the transit permit or within a maximum of 30 days. If found non-compliant at the country of destination, the consignment will proceed back through the United States via the original route and conveyance.

In case of an accident or an unforeseen circumstance during transit such as equipment breakdowns, spillage, changes in routing, or changes in the entry status of the consignment, in a manner not authorized under the permit, the party in care and control must notify the DHS CBP at the port of arrival, and contact the State Plant Health Director (SPHD) of the State where the event occurred so that USDA APHIS PPQ can take immediate action to safeguard the consignment.

<https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/plants-and-plant-products-permits/sa_transit/ct_transit>

## 3.0 What is common among NAPPO member countries

All NAPPO member countries can take action when a non-compliant consignment is identified. All countries rely on cooperation with border agencies, the party in care and control of the consignment, and with other relevant NPPOs.

If a consignment is found to be non-compliant at the country of destination, it will generally proceed back through the transiting country via the original route and conveyance, where feasible. Sometimes, depending on the reason for the non-compliance, the mode of transportation (i.e., rail or truck) and the location of the rejection, a consignment may be transferred to another conveyance (e.g., rail to truck, truck to rail)- with approval of the in-transit country’s NPPO and Customs entity to exit the transiting country.

## 4.0 What is different among NAPPO member countries

There are differences between Canada and the United States and Mexico in how a non-compliant consignment is removed from a NAPPO country (i.e., how it proceeds back through the transiting country and exits (back to country of origin or elsewhere) our region.

Canada has procedures for consignments transiting from the United States through Canada to a third country, for consignments that arrived in Canada from another country to transit Canada to the United States, or that were refused at the U.S. border and are transiting back through Canada for removal from Canada.

For consignments that transited Canada and are rejected by DHS CBP at the United States-Canada border, treatment may be required at or as close to the point of rejection as possible prior to return to origin or exit from the NAPPO region. The CFIA has established a generic e-mail address for in-transit queries from industry, CBSA, DHS CBP, and USDA APHIS PPQ regarding the specific requirements for return of rejected non-compliant consignments: [cfia.plantintransit-vegetauxentransit.acia@inspection.gc.ca](mailto:cfia.plantintransit-vegetauxentransit.acia@inspection.gc.ca)

Mexico has approved the transit of consignments through the phytosanitary requirements code # 1298-112-3454-TDP-TDP.

The United States grants permits for the international movement of agricultural consignments within their territory. In-transit consignments that are found to be non-compliant by the country of import are returned through the United States using the same mode and route.

# 5.0 Non-compliance and emergency cases

When moving consignments in transit, the party in care and control is responsible for notifying and ensuring that any person that unloads, lands, or otherwise brings or moves commodities into or through the country of transit is aware of all conditions required of both the country of transit and the country of destination. This includes brokers, cargo handlers, agents, and other entities involved with handling transit consignments. The party in care and control is responsible for ensuring that all conveyances, containers, and cargo including solid wood packaging materials, are compliant with the regulations and requirements of the country of transit and country of destination. In addition, they must ensure that all required documentation is made available to all parties involved in movement of the consignment.

The NPPO of the country of transit establishes the conditions by which consignments can transit the country in-route to the country of destination. The NPPO of the country of destination defines the phytosanitary import requirements to enter that country.

## 5.1 Non-compliance measures

In-transit consignments at the port of arrival of the importing country found non-compliant may be subject to phytosanitary measures/actions by the importing country’s NPPO and Customs entity, or to removal from North America.

### 5.1.1 Phytosanitary actions as prescribed by the NPPO to allow entry

Depending on the pest and the specific port of arrival, some non-complaint consignments may be allowed to continue to their destination pending phytosanitary procedures prescribed by the NPPO of the importing country. These phytosanitary procedures could include cleaning, resealing, applying treatment, or other phytosanitary procedure(s) based on the identified risk.

### 5.1.2 Removal from North America

If the risk associated with the consignment cannot be mitigated through the application of phytosanitary measures, the action prescribed by the importing country’s NPPO would be to deny entry and remove the consignment from their country. The consignment should exit back through the country of transit by the most direct and/or safest route and ultimately leave North America. It is possible that the NPPO of the country of transit may require additional safeguards and/or phytosanitary actions depending on the risk associated with the non-compliance found.

### 5.1.3 Emergencies

There are instances when environmental catastrophes and lack of infrastructure prevent immediate removal of a transit consignment. Such unique circumstances will be addressed on a case-by-case basis by the Customs entities and NPPOs of the transit and importing countries. Under these special cases, safeguards may be required as the consignment awaits additional phytosanitary measures and eventual removal.

### 5.1.4 Communication

Communication is critical to facilitating movement of consignments from origin to destination while maintaining the plant health security of the in-transit and importing countries. NPPOs and Customs entities should provide to the party in care and control the requirements for a consignment to transit a country and enter the importing country. Customs entities should document why a consignment is rejected upon arrival and notify the party in care and control. The party in care and control should provide the reason(s) for noncompliance to the Customs entity and NPPO of the transiting country. Each NAPPO country has points of contact to assist with questions about noncompliant consignments on hold and/or emergency situations:

Points of contact included here are for emergency guide and to share notices of noncompliance with NPPOs as stated in the procedures in Section 5.0.

|  |  |
| --- | --- |
| Country | Links to points of contact |
| **Canada** |  |
| Website: | <https://inspection.canada.ca/plant-health/interim-phytosanitary-requirements/eng/1451454780159/1451454819464> |
| Emails: | [CFIA-Plant-In-transit\_ACIA-Vegetaux-En-transit@inspection.gc.ca](mailto:CFIA-Plant-In-transit_ACIA-Vegetaux-En-transit@inspection.gc.ca)  [CFIA-IAS\_ACIA-EEE@inspection.gc.ca](mailto:CFIA-IAS_ACIA-EEE@inspection.gc.ca) |
|  |  |
| **United States** |  |
| Website: | <https://www.aphis.usda.gov/aphis/ourfocus/planthealth/ppq-program-overview/CT_SPHD> |
| Email: | [QPAS-AQI@usda.gov](mailto:QPAS-AQI@usda.gov) |
|  |  |
| **Mexico** |  |
| Website: | <https://www.gob.mx/senasica/acciones-y-programas/importacion-exportacion-y-movilizacion-nacional> |
| Email: | [importaciones.dgsv@senasica.gob.mx](mailto:importaciones.dgsv@senasica.gob.mx) |

# 6.0 Recommendations

1. Industry should provide notices of non-compliance to transit NPPO to expedite processing return transit.

2. NAPPO member countries should ensure that only clean consignments and conveyances that adhere to transit and destination transit policies and entry requirements, are moved. This includes properly wrapped agricultural articles and sealed containers where applicable.

3. The U.S. and Mexico NPPOs and Customs entities should consider adding something similar to the CFIA interim directive [“Phytosanitary requirements for in-transit shipments, from countries other than the United States, refused entry by the U.S. authorities”](https://inspection.canada.ca/plant-health/interim-phytosanitary-requirements/eng/1451454780159/1451454819464) to inform what should be done in the event of a non-compliant consignment.

4. Canada should finalize their comprehensive in-transit program for plant health.

5. NAPPO should consider holding a workshop with industry, NPPOs, and Customs entities to inform on policies and hear about challenges from the stakeholders involved in in-transit movement of consignments.

6. Consider creating a learning module like risk-based sampling to inform in-transit stakeholders of the process and procedures guiding in-transit movement within the NAPPO region.

7. Identify methods to improve timely communication of non-compliances and pest detections to the NPPO and Customs entities of NAPPO member countries.

# 7.0 References and resources

* ISPM 5. *Glossary of phytosanitary terms*. Rome, IPPC, FAO.
* ISPM 13. *Guidelines for the notification of non-compliance and emergency action*. Rome, IPPC, FAO.
* ISPM 15. *Regulation of wood packaging material in international trade*. Rome, IPPC, FAO.
* ISPM 25. *Consignments in-transit*. Rome, IPPC, FAO.
* IPPC Guide “*Transit: Phytosanitary issues of consignments in transit: a guide for national plant protection organizations*”. Rome, IPPC, FAO.
* RSPM 5. NAPPO glossary of phytosanitary terms.
* RSPM 23 (Archived). Guidelines for consignments in transit.

# Annex 1: Flowchart

