

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.

Prepared by the NAPPO ISPM 25 (Consignments in transit) Expert Group: Wendy Asbil (CFIA), Christine Villegas (CFIA), Everett Harper (CBSA), Helen Gerson (CBSA), Brendon Reardon (USDA APHIS PPQ), Erin Stiers (USDA APHIS PPQ), Fan Wang-Cahill (USDA APHIS PPQ), Annaliese Blecha (DHS CBP), Neftalí Reyes Carranza (SENASICA) Francisca de la Cruz Martínez (SENASICA), Allan Schepens (Canadian Pacific). Jeffrey Parsons (Canadian National Railway), John Ercolani (J&K Fresh), and Greg Yielding (National Onion Association).

The Secretariat of the North American Plant Protection Organization 1730 Varsity Drive, Suite 145 Raleigh, NC 27606-5202 United States of America April 1, 2024

Contents

Approval	3
Introduction	4
Purpose of this document	4
Scope	5
Abbreviations and acronyms	5
Definitions	6
1.0 Considerations for in transit systems	8
1.1 Risk to the country of transit	8
1.2 Risk factors	8
1.3 Pest risk assessment and phytosanitary requirements	8
2.0 Government Organizations (NPPOs, border agencies, other)	9
2.1 Canada	9
2.2 United States	10
2.3 Mexico	11
3.0 What is common among NAPPO member countries	12
4.0 What is different among NAPPO member countries	12
5.0 Responsibilities	12
5.1 Non-compliance and emergency measures	13
5.1.1 Phytosanitary measures as prescribed by the NPPO of the country of allow entry	
5.1.2 Removal from North America	13
5.1.3 Emergencies	13
5.1.4 Communication	13
6.0 Recommendations	14
7.0 References and resources	15
Annex 1	16

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:

Cote, Steve Digitally signed by Cote, Steve Date: 2024.04.02 11:45:18 -04'00'

Steve Côté Executive Committee Member Canada IBRAHIM Digitally signed by IBRAHIM SHAQIR Date: 2024.04.02 13:41:45-04/00' Ibrahim Shaqir
Executive Committee Member

United States

Francisco Ramirez y Ramirez Firmado digitalmente por Francisco Raminory Raminor Nombro di noconocimiento (IIN): cm: Francisco Raminory Raminor, o, Oc, email: francisco.camino@omasica. gob.mx, c=MX Fache: 2004.04.09 18:18:06-06:007

Francisco Ramírez y Ramírez Executive Committee Member Mexico

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. 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. 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. Therefore, consignments in transit may be subjected to additional phytosanitary measures.

Risks posed by consignments in transit may include pests directly associated with the consignments as well as contaminants in or on the cargo or conveyance. These risks are higher if the consignments remain in the transit country for an extended period, are opened in the transit country, or transit through at risk areas (e.g., forests, agricultural land, parks) where pests could 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 risks of consignments transiting through any of the three NAPPO member countries, and to determine appropriate phytosanitary measures to mitigate those risks to the NAPPO region. International Standard for Phytosanitary Measures (ISPM) 25 (Consignments in transit), and the International Plant Protection Convention (IPPC) Transit Guide (Phytosanitary issues of consignments in transit: a guide for National Plant Protection Organizations) focus primarily on the protection of a transit country, while the responsibilities of national plant protection organizations (NPPOs) and other stakeholders involved in the transit pathway are less clearly outlined.

This guidance document specifically seeks to improve the implementation of ISPM 25 by describing 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 guidance on measures to minimize phytosanitary risks associated with consignments in transit while promoting timely, consistent communication 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 consignments, define and communicate procedures to return consignments that are non-compliant, 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, the North American Sea Container Initiative, and other work occurring at the IPPC 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 lacks 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 include 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 objectives of this guidance document are:

- To promote alignment of in transit programs as well as efficient implementation of ISPM
 25 in the NAPPO region, 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 in transit safeguarding, thereby reducing pest risks to North America.

Scope

The scope of this guidance document is limited to in transit consignments involving three different countries (country of origin, transit, and destination), such as consignments originating offshore or from a NAPPO member country, transiting through a NAPPO member country to another NAPPO member country, or to a country outside the NAPPO region. Examples include a consignment from Asia moving through Canada to the United States; a consignment originating in Guatemala or a third country moving through Mexico to the United States or Canada. 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.
- Consignments that move between two NAPPO countries.

Abbreviations and acronyms

Acronym	What it stands for
CBSA	Canada Border Services Agency
CFIA	Canadian Food Inspection Agency
CFR	Code of Federal Regulations

DGSV Plant Health General Directorate of Mexico

DHS CBP U.S. Department of Homeland Security Customs and Border Protection

EAN Emergency Action Notification

GCA General Customs Administration

GCR Custodial Act (because of its acronym in Spanish)

IPPC International Plant Protection Convention

ISPM International Standard for Phytosanitary Measures

NAPPO North American Plant Protection Organization

NPPO National Plant Protection Organization

OISA Animal and Plant Health Inspection Office (because of its acronym in

Spanish)

RSPM Regional Standard for Phytosanitary Measures

SAGARPA Secretariat of Agriculture, Livestock, Rural Development, Fish and Food

(because of its acronym in Spanish)

SENASICA National Service for Plant Health, Safety and Agri-food Quality (because

of its acronym in Spanish)

USDA APHIS PPQ United States 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 that merit inclusion because they are frequently used in 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) (ISPM 5)
containerized shipment	Multimodal, steel freight containers as defined in the Code of practice for packing of cargo transport units (CTU Code: IMO, ILO & UNECE, 2014), which in turn aligns with the definition in the International Maritime Dangerous Goods Code: "An

article of transport equipment that is of a permanent character and accordingly strong enough to be suitable for repeated use; specially designed to facilitate the transport of goods, by one or other modes of transport, without intermediate reloading: designed to be secured and/or readily handled, having fittings for these purposes, and approved in accordance with the International Convention for Safe Containers (CSC), 1972, as amended.

contaminant

The definition of "contamination" in the CTU Code (IMO, ILO & UNECE, 2014) is as follows: Visible forms of animals, insects or other invertebrates (alive or dead, in any lifecycle stage, including egg casings or rafts), or any organic material of animal origin (including blood, bones, hair, flesh, secretions, excretions); viable or non-viable plants or plant products (including fruit, seeds, leaves, twigs, roots, bark); or other organic material, including fungi; or soil, or water; where such products are not the manifested cargo within the CTU."

consignment in transit

A consignment which passes through a country without being imported, and that may be subject to phytosanitary measures (ISPM 5).

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" (ISPM 5)

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, land border point or any other location officially designated for the importation of consignments, or the entrance of persons (ISPM 5).

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 (ISPM 5).

7

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, as has the occurrence of consignments in transit. 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 commodities¹.

1.2 Risk factors

Several commodities are considered high-risk when moved as in transit consignments. These include:

- 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 and phytosanitary requirements

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 accurately capture all risks associated with movement of in transit consignment. As a result, in transit consignments of agricultural products often have additional phytosanitary requirements placed upon them by the NPPO and Customs entities of the in transit country of transit. Regardless of the cargo, consignments may require phytosanitary measures (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 can be moved.

8

¹ Agricultural commodities <u>may include</u> all regulated articles as defined in ISPM 5. <u>See definition section above for the definition of regulated article.</u>

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 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 CFIA derives its regulatory authority from the *Plant Protection Act* (1990, c. 22) and *Plant Protection Regulations* (SORS/95-212). The CFIA's <u>current in transit protocol</u> 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 in route to a foreign country, and transit back through Canada for in transit consignments of foreign origin refused entry by the United States.

The in transit protocol requires coordination among the CFIA, the 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 responsible for 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 United States for phytosanitary reasons and are moving in transit through Canada. Under the Plant Protection Act (PPA) (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) and an export movement (s. 95 of the Customs Act). 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, Reporting of Imported Goods Regulations or Transportation of Goods Regulations). In transit consignments travel in-bond until they exit Canada. No incidental domestic use is permitted. The CBSA must be notified when in transit consignments exit Canada. (with some exceptions, e.g., highway conveyances between Canada and the United States).

Rejected consignments originally destined 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 United States Department of Homeland Security Customs and Border Protection (DHS CBP) or through a United States government issued Emergency Action Notification (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 is 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 United States

The United States DHS CBP and 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 United States commercial points 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. 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 United States CFR Title 7, CFR §352 (Safeguard Regulations) and other pertinent regulations, e.g., 7 CFR §318, 7 CFR §322, 19 CFR §18, 50 CFR §23. 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 §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 point 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 United States commerce) plant cargo must enter and exit through a DHS CBP Agriculture staffed point of entry, unless otherwise stated in the permit. Movement of nonagricultural 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 point 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.

2.3 Mexico

In Mexico the General Customs Administration is the authority to apply the legislation that regulates customs clearance, systems, methods, and procedures to which customs must adhere, including consignments in transit. This authority has specified entry and exit points, sets a time limit (days/hours) for transit of goods in transit, as well as routes that consignments must follow inside the Mexican territory.

According to the Mexican Federal Plant Health Law, Mexico allows the transit of plants regulated in article 5 of the *Agreement that establishes the classification and codification of consignments whose importation is subject to regulation by SAGARPA*. For this purpose, those interested in having regulated plant products transit through Mexico must comply with the phytosanitary requirements listed in the Phytosanitary Requirements Sheet no. 1298-112-3454-TDP-TDP found on this website: https://sistemasssl.senasica.gob.mx/mcrfi/ConsultaCatalogos.xhtml.

In accordance with Article 57 of the Federal Plant Health Law regulations, in circumstances when a consignment in transit may represent a phytosanitary risk for the Mexican agricultural sector, the phytosanitary risk will be assessed, and, where appropriate, phytosanitary measures will be identified and used to allow the consignment to transit without risk to Mexico. The transit of high-risk consignments may be prohibited if the appropriate level of protection for the country cannot be achieved due to circumstances beyond the control of the NPPO.

Mexico has established that consignments transporting agricultural products must be free of soil or residues on the outside and be tightly sealed to reduce the risk of potential pest escape from the consignment. All shipments in transit through Mexico must be compliant with regulations and secured by a custodial act (GCR because of its acronym in Spanish), until the goods leave Mexico. This is prepared at and managed by the OISA, (because of its Spanish acronym) at Mexico's points of entry and finalized when the consignment leaves Mexico. 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 GCR, and will notify the OISA at the point of entry concerning the disposition of the consignment. 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 General Customs Administration.

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.

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 (e.g., 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 in order 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 United States 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

In Mexico, consignments in transit that are non-compliant are returned across the Mexican borders as stipulated in SENASICA's phytosanitary requirement code # 1298-112-3454-TDP-TDP.

The United States grants permits for the 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 Responsibilities

Consignments in transit are not importations. However, to prevent pest introduction when moving consignments in transit, the party in care and control is responsible for notifying and ensuring that any person who unloads, 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 their country en-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 and emergency measures

In transit consignments at the point of arrival of the importing country found non-compliant may be subject to phytosanitary measures by the importing country's NPPO and Customs entity, or may be removed from North America.

5.1.1 Phytosanitary measures as prescribed by the NPPO of the country of destination to allow entry

Depending on the pest and the specific point of arrival, some non-compliant consignments may be allowed to continue to their destination pending phytosanitary measures prescribed by the NPPO of the importing country. These phytosanitary measures could include cleaning, resealing, treatment, or other measures based on the identified risk.

If phytosanitary measures cannot mitigate the risk posed by the consignment, or if the importer chooses not to apply phytosanitary measures, the NPPO of the importing country may reject, return, or destroy the consignment.

5.1.2 Removal from North America

If the measure prescribed by the importing country's NPPO is 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 measures depending on the risk associated with the non-compliance found. The NPPO of the country of transit will have the legal authority to approve or prohibit the movement of consignments in transit.

5.1.3 Emergencies

Accidents or unforeseen circumstances during transit such as equipment breakdowns, spillage, changes in routing, or changes in the entry status of the consignment can occur. There are also instances when environmental catastrophes and lack of infrastructure prevent immediate removal of a consignment in transit. Such unique circumstances will be addressed on a case-by-case basis and the party in care and control must notify 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 phytosanitary 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 non-compliance to the Customs entity

and NPPO of the transiting country. Each NAPPO country has points of contact to assist with questions about non-compliant consignments on hold and/or emergency situations:

Points of contact are included in Table 1. are for general inquiries, emergency guidance and to share notices of non-compliance with NPPOs as stated in the procedures in Section 5.0.

Table 1. Points of contact for NAPPO member countries.

Links to points of contact
https://inspection.canada.ca/plant-health/interim-phytosanitary-
requirements/eng/1451454780159/1451454819464
CFIA-Plant-In transit_ACIA-Vegetaux-En-transit@inspection.gc.ca
CFIA-IAS_ACIA-EEE@inspection.gc.ca
https://www.aphis.usda.gov/aphis/ourfocus/planthealth/ppq-program-
overview/CT_SPHD
QPAS-AQI@usda.gov
https://www.gob.mx/senasica/acciones-y-programas/importacion-
exportacion-y-movilizacion-nacional
importaciones.dgsv@senasica.gob.mx

6.0 Recommendations

- 1. Industry should provide notices of non-compliance to the transit NPPO to expedite processing of 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. NAPPO should consider holding a workshop with industry, NPPOs, and Customs entities to inform them on policies and hear about challenges from the stakeholders involved in in transit movement of consignments.
- 4. NAPPO should consider creating a learning module to inform in transit stakeholders of the processes and procedures guiding in transit movement within the NAPPO region.
- 5. NAPPO should 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.

.

Annex 1

Flowchart for the movement of a consignment from origin transiting through another country to enter country of destination.

