

Terrestrial Animal Health Standards Commission March 2008 Report

CHAPTER 1.2.1.

GENERAL OBLIGATIONS

Article 1.2.1.1.

Safety of international trade in animals and animal products depends on a combination of factors which should be taken into account to ensure unimpeded trade, without incurring unacceptable risks to human and animal health.

Because of differences between countries in their ~~the likely variations in~~ animal health situations, various options are offered by the *Terrestrial Code*. The animal health situation in the *exporting country*, in the *transit country* or *countries* and in the *importing country* should be considered before determining the requirements ~~which have to be met~~ for trade. To maximise harmonisation of the sanitary aspects of *international trade*, *Veterinary Authorities* of ~~Members Countries~~ should base their import requirements on the OIE standards; and guidelines and recommendations.

These requirements should be included in the model certificates approved by the OIE which ~~form~~ are included in Part 4 of the *Terrestrial Code*.

Certification requirements should be exact and concise, and should clearly convey the wishes of the *importing country*. For this purpose, prior consultation between *Veterinary Authorities* of *importing* and *exporting countries* ~~is useful and~~ may be necessary. It enables the setting out of the exact requirements so that the signing *veterinarian* can, if necessary, be given a note of guidance explaining the understanding between the *Veterinary Authorities* involved.

When ~~Members~~ officials of a *Veterinary Authority* wish to visit another country for matters of professional interest to the *Veterinary Authority* of the other country, the latter should be informed.

Article 1.2.1.2.

Responsibilities of the importing country

1. The import requirements included in the *international veterinary certificate* should assure that *commodities* introduced into the *importing country* comply with the OIE standards the national level of protection that it has chosen for animal and human health. *Importing countries* should restrict their requirements to those justified for such necessary to achieve the national appropriate level of protection. If these are stricter than the OIE standards, they should be based on an import risk analysis.
2. The *international veterinary certificate* should not include requirements for the exclusion of pathogens or animal *diseases* which are present ~~within the territory of~~ in the *importing country* and are not subject to any *official control programme*. ~~The requirements applying to pathogens or diseases~~

subject to *official control programmes* in a country or *zone* should not provide a higher level of protection on imports than that provided for the same pathogens or *diseases* by the measures applied within that country or *zone*. The measures imposed on imports to manage the risks posed by a specific pathogen or *disease* should not require a higher level of protection than that provided by measures applied as part of the *official control programme* operating within the *importing country*.

3. The *international veterinary certificate* should not include ~~requirements for disease agents~~ measures against pathogens or *diseases* which are not OIE listed, unless the *importing country* has identified the disease agent as presenting a significant risk for that country, after conducting a scientifically based import risk analysis according to the guidelines in Section 1.3 demonstrated through import risk analysis, carried out in accordance with Section 1.3., that the pathogen or *disease* poses a significant risk to the *importing country*.
4. The transmission by the *Veterinary Authority* of certificates or the communication of import requirements to persons other than the *Veterinary Authority* of another country, necessitates that copies of these documents are also sent to the *Veterinary Authority*. This important procedure avoids delays and difficulties which may arise between traders and *Veterinary Authorities* when the authenticity of the certificates or permits is not established.

This information is usually the responsibility of *Veterinary Authorities*. However, it can be issued by private sector *veterinarians* at the place of origin of the animals commodities when this practice is the subject of appropriate approval and authentication by the *Veterinary Authority*.

5. Situations may arise which result in changes to the consignee, identification of the means of transportation, or border post after a certificate is issued. Because these do not change the animal or public health status of the consignment, they should not prevent the acceptance of the certificate.

Article 1.2.1.3.

Responsibilities of the exporting country

1. An *exporting country* should, on request, ~~be prepared to~~ supply the following ~~information to importing countries~~ ~~on request~~:
 - a) information on the animal health situation and national animal health information systems to determine whether that country is free or has *free zones* of *listed diseases*, including the regulations and procedures in force to maintain its free status;
 - b) regular and prompt information on the occurrence of ~~transmissible~~ notifiable *diseases*;
 - c) details of the country's ability to apply measures to control and prevent the relevant *listed diseases*;
 - d) information on the structure of the *Veterinary Services* and the authority which they exercise according to Chapters 1.3.3. and 1.3.4.;

e) ~~technical information, particularly on biological tests and vaccines applied in all or part of the national territory.~~

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2. *Veterinary Authorities of exporting countries* should:
 - a) have official procedures for authorisation of certifying *veterinarians*, defining their functions and duties as well as conditions covering possible suspension and termination of the appointment;
 - b) ensure that the relevant instructions and training are provided to certifying *veterinarians*;
 - c) monitor the activities of the certifying *veterinarians* to verify their integrity and impartiality.
3. The Head of the *Veterinary Service* of the *exporting country* is ultimately accountable for veterinary certification used in *international trade*.

Article 1.2.1.4.

Responsibilities in case of an incident ~~occurring after~~ related to importation

1. *International trade* involves a continuing ethical responsibility. Therefore, if within the recognised *incubation periods* of the various *diseases* subsequent to an export taking place, the *Veterinary Authority* becomes aware of the appearance or reappearance of a *disease* which has been specifically included in the *international veterinary certificate*, there is an obligation for the Administration to notify the *importing country*, so that the imported **stock commodities** may be inspected or tested and appropriate action be taken to limit the spread of the *disease* should it have been inadvertently introduced.
2. Equally, if a *disease* condition appears in imported **stock commodities** within a time period after importation consistent with the recognised *incubation period* of the *disease*, the *Veterinary Authority* of the *exporting country* should be informed so as to enable an investigation to be made, since this may be the first available information on the occurrence of the *disease* in a previously free herd. The *Veterinary Authority* of the *importing country* should be informed of the result of the investigation since the source of *infection* may not be in the *exporting country*.
3. In case of suspicion, on reasonable grounds, that an official certificate may be fraudulent, the *Veterinary Authority* of the *importing country* and *exporting country* should conduct an investigation. Consideration should also be given to notifying any third country(ies) that may have been implicated. All associated consignments should be kept under official control, pending the outcome of the investigation. The *Veterinary Authorities* of all countries involved should fully cooperate with the investigation. If the certificate is found to be fraudulent, every effort should be made to identify those responsible so that appropriate action can be taken according to the relevant legislation.

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