

# Report of the Meeting of WOAH *ad hoc* Group on the revision of Chapters 5.4. to 5.7. of the *Terrestrial Code*

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Paris

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## 1. Introduction

This report covers the work of the WOAH *ad hoc* Group on the revision of Chapters 5.4. to 5.7. of the *Terrestrial Code* who met in-person at WOAH Headquarters in Paris from 28 to 30 November, 2023.

This work is a continuation of previous meetings of the *ad hoc* Group; in [November 2022](#) and [June 2023](#).

## 2. Adoption of the agenda, terms of reference and appointment of Chair and Rapporteur

Dr Phillip Widders accepted to continue as Chair for the *ad hoc* Group and the WOAH Secretariat acted as rapporteurs. The *ad hoc* Group adopted the provisional agenda.

The agenda, list of participants and ToR are provided as [Annex I](#), [II](#) and [III](#), respectively.

## 3. Welcome

Dr Montserrat Arroyo, the WOAH Deputy Director General, International Standards and Science, welcomed members of the *ad hoc* Group and thanked them for their hard work to draft the revised Chapter 5.4. and 5.6. and revised Glossary definitions in the previous meeting of the *ad hoc* Group. Dr Arroyo informed that the *ad hoc* Group's second report (June 2023) and the draft chapters and definitions were reviewed by the Code Commission at its meeting in September 2023 and were circulated for comments. Dr Arroyo highlighted that the revised chapters should be practical and useful for all WOAH Members to achieve effective implementation.

Dr Widders, Chair of the *ad hoc* Group, welcomed back the experts and acknowledged the valuable contributions thus far and encouraged to continue to actively participate.

Dr Francisco D'Alessio, Deputy Head of Standards Department, thanked the experts for their continuous participation. Dr D'Alessio briefed the participants on the chronology of the works of the *ad hoc* Group on the revision of Chapters 5.4. to 5.7. of the *Terrestrial Code*.

## 4. Draft revised Chapter 5.5. and new Chapter 5.7. of the *Terrestrial Code*

The *ad hoc* Group drafted a new Chapter 5.5. Measures and procedures applicable in the transit of commodities and a new Chapter 5.7. Border inspection posts and quarantine centres, based on the structure that was proposed at its first meeting and referred to the consideration of the proposed Chapters 5.4. and 5.6. circulated by the Code Commission in its September 2023 report. In doing so, the group also reviewed the provisions of current chapters 5.5. and 5.6. of the Code.

### 4.1. Proposed new Chapter 5.5. Measures and procedures applicable in the transit of commodities

The *ad hoc* Group drafted a new Chapter 5.5. Measures and procedures applicable in the transit of commodities, based on the structure and the considerations that were discussed at its first and second meetings.

Below is a summary of the *ad hoc* Group's key discussions and conclusions as well as the rationales to justify those conclusions.

#### Article 5.5.1. Purpose and scope

The *ad hoc* Group considered that most of the recommendations described in this chapter should be under the authority of the Veterinary Authority or other Competent Authorities of the transit country. The Group also considered recommendations included in the draft Chapter 5.6. Measures and procedures applicable in the importation of commodities.

#### Article 5.5.2. General considerations

The *ad hoc* Group agreed that this article lists generic points that should be considered by the Veterinary Authority or other Competent Authorities or by relevant 'business operators' in all transit procedures, including their roles and responsibilities.

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The *ad hoc* Group considered to use the term ‘business operators’ as a generic term to cover all stakeholders involved in handling of commodities, such as brokers, exporters, carriers, and others.

#### **Article 5.5.3. General principles applicable to procedures for transit control**

The *ad hoc* Group considered that official inspection by the transit country should be performed based on risk and focus on compliance with the requirements of the transit country. The Group noted the importance of the responsibilities of the Veterinary Authority or other Competent Authority of the transit country to maintain the sanitary conditions of commodities throughout the transit process.

The Group agreed to include that a transit country may refuse the transit of commodities in accordance with the requirements of the transit country.

When considering this chapter, the Group highlighted the importance of clarifying the responsibilities and obligations of transit countries relevant to international trade of commodities (see point 7 of this report).

#### **Article 5.5.4. Emergency plan**

Taking into consideration the approach taken in the article on emergency planning in the new Chapter 5.6., the *ad hoc* Group agreed that the emergency plan described in this article should address specifically the emergencies that may impact the status of commodities being transited.

The Group agreed that emergency planning should be addressed in two parts: the plan that the Veterinary Authority should develop, and the plan that business operators should develop. Regarding the development of emergency plans by the business operators, the Group noted that it is the responsibility of the business operators, not the Veterinary Authority or other Competent Authorities, nevertheless the Group noted that this may be a requirement by those authorities for the transit to be authorised. The Group also agreed to propose similar amendments in the same articles in the new Chapters 5.4. and 5.6.

#### **Article 5.5.5. General recommendations on measures to address identified illegal movement of commodities at border inspection posts**

The *ad hoc* Group agreed to include text to highlight the importance of coordination between the Veterinary Authority or other Competent Authorities and customs authorities to control the risks posed by illegal cross-border movement at border inspection posts. The Group noted that the provisions in this article can be referenced from the relevant article in the new Chapter 5.6.

### **4.2. Proposed new Chapter 5.7. Border inspection posts and quarantine centres**

The *ad hoc* Group drafted the new Chapter 5.7. Border inspection posts and quarantine centres, based on the structure and the considerations that were discussed at its first and second meetings.

Below is a summary of the *ad hoc* Group’s key discussions and conclusions as well as the rationales to justify those conclusions.

#### **Article 5.7.1. Purpose and scope**

As the *ad hoc* Group agreed in its first meeting, this chapter provides general recommendations that are applicable to both border inspection posts and quarantine centres on the implementation of measures and procedures in the exportation, transit and importation of commodities.

The Group considered that biosecurity at quarantine centres, which may be used for isolation of animals either pre-exportation or post-arrival, should be under the supervision of the Veterinary Authority or other Competent Authorities of a country (exporting, transit or importing).

#### **Article 5.7.2. General considerations**

The *ad hoc* Group highlighted that border inspection posts and quarantine centres should be defined by appropriate legislation in a country, including material and financial resources and administration systems for the functions of the facilities.

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The *ad hoc* Group agreed to list generic points that should be considered by the Veterinary Authority or other Competent Authorities, including their roles and responsibilities, in the whole operations of the border inspection posts and quarantine centres, including personnel, documentation of procedures and record keeping. The Group also agreed to include reference to relevant service providers for border inspection posts and quarantine centres, such as laboratory testing and waste management, to support the performance of controls and measures in the exportation, transit and importation of commodities.

The Group noted the importance of biosecurity to the effective operation of border inspection posts and quarantine centres, and agreed that the new chapter of the Terrestrial Code on biosecurity which was discussed at the TAHSC September 2023 meeting should be referenced.

#### **Article 5.7.3. Cooperation with other agencies**

The *ad hoc* Group agreed to develop an article on general recommendations for cooperation between the Veterinary Authority or other Competent Authorities and other agencies with responsibilities at international borders, not only customs, for control of transit or import of commodities.

The Group highlighted that the Veterinary Authority or other Competent Authorities should consider relevant principles of the [World Trade Organization Trade Facilitation Agreement](#).

#### **Article 5.7.4. Requirements for a border inspection post**

The *ad hoc* Group agreed to describe the general requirements on design and operation of a border inspection post which should be based on risk analysis and biosecurity.

#### **Article 5.7.5. Additional requirements for a border inspection post for animals**

In consideration of the characteristic differences between consignments of animals and other commodities, the *ad hoc* Group agreed to develop an article on additional requirements for the design and operation of a border inspection post for animals.

#### **Article 5.7.6. Facilities involved in import control other than border inspection post**

The *ad hoc* Group noted that there may be facilities other than border inspection posts which are used in Member countries for import control. Taking into account this situation, the Group agreed to develop an article on the general provisions for those facilities. The Group also considered that any facilities involved in import control other than a border inspection poste should be supervised by the Veterinary Authority or other Competent Authorities.

#### **Article 5.7.7. Requirements for a quarantine centre**

The *ad hoc* Group agreed to describe the general requirements on design and operation for a quarantine centre. The Group noted the likely different biosecurity requirements for isolation pre-exportation and post arrival, and attempted to highlight these differences in developing this article. The Group agreed that isolation of animals before exportation may be performed in facilities other than quarantine centres unless Articles in disease-specific chapters of the *Terrestrial Code* explicitly require isolation in a quarantine centre.

#### **Article 5.7.8. Emergency plan**

The *ad hoc* Group highlighted that emergency plans for border inspection posts and quarantine centres should address emergencies which may be foreseeable but uncommon, such as the unexpected arrival of commodities, evidence of disease in animals, veterinary emergency in animals, evidence of animal products which pose risks and natural disasters. The management of consignments during exportation, importation or transit including arrival of non-compliant products are covered in the new Chapters 5.4. to 5.6.

## 5. Key Glossary definitions

Taking into account the draft Chapters 5.4. to 5.7., the *ad hoc* Group considered the need to revise the current Glossary definition of the term ‘transit country’.

During the *ad hoc* Group’s discussion on Chapter 5.5., the Group noted that commodities are not always transported directly to an importing country after leaving a transit country. Accordingly, the Group agreed not to limit the destination of commodities in the definition.

The *ad hoc* Group made minor amendments to the current definition in addition to the above and agreed to propose the revised definition as below.

### “TRANSIT COUNTRY

means a country through which *commodities* destined for another country ~~an importing country~~ are transported or in which they make a stopover ~~is made at a border post.~~”

## 6. Consideration of the need to develop new definitions for the Glossary

In the *ad hoc* Group’s second meeting, the Group considered and proposed a new Glossary definition for a term ‘point of exit’. During its third meeting, the Group also considered the need for a new Glossary definition for a term ‘point of entry’ to refer specifically to the point at which commodities effectively enter the importing or transit country and might be used in the revised Chapters 5.5. and 5.6. The *ad hoc* Group noted that application of these new terms should not be limited to any of exporting, transit or importing country. Accordingly, the Group agreed to propose the new definition below.

“POINT OF ENTRY means any point at which *commodities* enter the territory of a country.”

In addition, the *ad hoc* Group agreed to propose revising the definition which the Group proposed to the Code Commission in its second meeting, as below.

“POINT OF EXIT means any point from where *commodities* leave the territory of a country ~~the exporting country.~~”

## 7. Consideration of the need to develop a new article for Chapter 5.1.

In considering the new chapter on transits, the Group noted that Chapter 5.1. describes responsibilities and obligations of importing and exporting countries and, while it refers to transit countries in the trade process, it does not outline responsibilities of transit countries. The Group considered that the responsibilities of transit countries in the international trade in commodities should be clarified. To deal with this issue, the Group considered development of a new article on the responsibilities of a transit country in Chapter 5.1. General obligations related to certification, and amendments of current Chapter 5.1. to include reference to transit country where appropriate.

The Group agreed to seek guidance from the Code Commission as to whether a new article on the responsibilities of a transit country should be developed in the current Chapter 5.1. This point will be presented to the Commission for its consideration at its February 2024 meeting.

## 8. Next steps

The Secretariat informed the *ad hoc* Group that its report, once validated by the WOAHS Director General, will be presented to the Code Commission for consideration at its February 2024 meeting. The Code Commission will review the draft new Chapters 5.5. and 5.7., new Glossary definitions and review the need for a new article for Chapter 5.1. proposed by the *ad hoc* Group, and consider whether they should be circulated for comment.

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.../Annexes

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## Annex 1. Adopted Agenda

### MEETING OF WOAHA *AD HOC* GROUP ON THE REVISION OF CHAPTERS 5.4. TO 5.7. OF THE *TERRESTRIAL CODE*

Paris, 28-30 November 2023

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1. Welcome and opening of meeting
  2. Adoption of the Agenda
  3. Brief update from Secretariat TAHSC Representative on September 2023 meeting
  4. Review of Chapters 5.5. and 5.7. of the *Terrestrial Code*
  5. Consideration of the need to develop new definitions for the Glossary
  6. Proposal for amendments to other chapters of the *Terrestrial Code* to align the use of relevant terms with the proposed new or revised Glossary definitions
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## Annex 2. List of Participants

### MEETING OF WOA *AD HOC* GROUP ON THE REVISION OF CHAPTERS 5.4. TO 5.7. OF THE *TERRESTRIAL CODE*

Paris, 28-30 November 2023

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#### MEMBERS OF THE *AD HOC* GROUP

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**Dr Phillip Widders (Chair)**  
Formerly Chief Quarantine Officer  
/ Principal Veterinary Officer of  
Australian Quarantine and  
Inspection Service  
Dolans Bay  
AUSTRALIA

**Dr Bruno Saimour**  
Health Policy Officer  
European Commission  
Brussels  
BELGIUM

**Dr Niksa Barisic**  
Head of International Trade  
Division  
Veterinary and Food Safety  
Directorate  
Zagreb  
CROATIA

**Dr Mpho Maja**  
Director of Animal Health  
Department of Agriculture, Land  
reform and Rural Development  
Pretoria  
SOUTH AFRICA

**Dr Mariela  
Monterubbianesi**  
General Coordinator of  
Quarantine Operations of the  
Directorate of Animal Foreign  
Trade of National Service for  
Food Health and Quality  
Buenos Aires  
ARGENTINA

#### REPRESENTATIVE FROM TERRESTRIAL ANIMAL HEALTH STANDARDS COMMISSION

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**Dr Etienne Bonbon**  
President of the Terrestrial Animal  
Health Standards Commission

#### WOAH HEADQUARTERS

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**Dr Francisco D'Alessio**  
Deputy head  
Standards Department

**Dr Su Youn Park**  
Scientific Officer for  
International Standards  
Standards Department

**Dr Akinobu Kawamura**  
Scientific Officer for  
International Standards  
Standards Department

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## Annex 3. Terms of Reference

### MEETING OF WOA *AD HOC* GROUP ON THE REVISION OF CHAPTERS 5.4. TO 5.7. OF THE *TERRESTRIAL CODE*

Paris, 28-30 November 2023

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#### Purpose

The purpose of the *ad hoc* Group on the Revision of Chapters 5.4. to 5.7. of the *Terrestrial Code* is to revise Chapters 5.4. Animal health measures applicable before and at departure, 5.5. Animal health measures applicable during transit from the place of departure in the exporting country to the place of arrival in the importing country, 5.6. Border posts and quarantine stations in the importing country and 5.7. Animal health measures applicable on arrival.

#### Background

The Terrestrial Animal Health Standards Commission (the Code Commission) added the review of Section 5 Trade measures, import/export procedures and veterinary certification of the *Terrestrial Code* to its work programme because most of the chapters in this section have not been updated for some time and some are not adequate to support Members in managing the risks of introduction of diseases through the importation of commodities.

Taking into consideration previous discussions and comments received from Members, the Code Commission, at its September 2021 meeting, agreed that a revision of Chapters 5.4. to 5.7. should be given priority over other chapters in Section 5 and requested that an *ad hoc* Group be convened to undertake this work.

In November 2022, the *ad hoc* Group met for the first time to propose a structure of the revised chapters as well as the scope and high-level contents of each chapter for the Code Commission's consideration.

At its February 2023 meeting, the Code Commission supported the Group's proposal to replace the current Chapters 5.4., 5.5., 5.6. and 5.7. with the development of three new chapters that provide recommendations on measures and procedures that are applicable in the 'exportation', 'transit' and 'importation', respectively, as well as a fourth chapter to address key facilities required. The Commission also discussed the proposed structure for each chapter and the proposed revision of some Glossary definitions and provided some feedback on these proposals.

In June 2023, the second Group meeting was convened. The Group drafted Chapter 5.4. Measures and procedures applicable in the exportation of commodities, Chapter 5.6. Measures and procedures applicable in the importation of commodities, and Glossary definitions for 'border inspection post', 'point of exit' and 'quarantine centre'. These outputs were presented to the Code Commission at their September 2023 meeting.

At September 2023 meeting of the Code Commission, the Commission considered the Group's report and drafted Chapters 5.4. and 5.6., the new Glossary definition for 'point of exit' and revised Glossary definitions for 'border post' and 'quarantine centre'. The Commission made some additional amendments to the draft chapters to improve clarity and ensure the chapter is within the remit of the Veterinary Authority or Competent Authorities and aligned with other chapters of the *Terrestrial Code*. The Commission agreed with the revised/new Glossary definitions drafted by the Group. The draft Chapters 5.4. and 5.6. and revised/new Glossary definitions were circulated for comments.

#### Specific issues to be addressed

Following the second meeting, the Group is reconvened to draft the revised Chapters 5.5. and 5.7.



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## **Actions to deliver**

In this third meeting, the ad hoc Group should:

1. consider the recommendation of the Code Commission (February 2023 and September 2023 if any);
2. develop draft texts for Chapter 5.5. Measures and procedures applicable in the transit of commodities, and for Chapter 5.7. Facilities;
3. consider the need to develop new definitions for the Glossary, and propose draft definitions, if relevant;
4. if needed, propose amendments to other chapters of the *Terrestrial Code* to align the use of relevant terms with the proposed new Glossary definitions.

## **Considerations**

When developing this work, the *ad hoc* Group should consider:

1. the general structure and content of the *Terrestrial Code*; in particular chapters in Section 5 of the current edition and recommendations for importation of commodities in the disease-specific chapters of the *Terrestrial Code*;
2. the use of Glossary definitions in the *Terrestrial Code*;
3. the draft Chapter 5.4. Measures and procedures applicable in the exportation of commodities, the draft Chapter 5.6. Measures and procedures applicable in the importation of commodities, and the draft Glossary definitions for 'border inspection post', 'point of exit' and 'quarantine centre', after the discussion in the September 2023 Code Commission meeting;
4. the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary measures (especially Article 8 and Annex C), the WTO Agreement on Trade Facilitation, the Codex Alimentarius Principles for Food Import and Export Inspection and Certification (CAC/GL 20-1995) Guidelines for the Design, Operation, Assessment and Accreditation of Food Import and Export Certification Systems (CAC/GL 26-1997) (to be provided in the Working Documents);
5. the relevance to all WOAHA Members (as relevant for the *Terrestrial Code*), regardless of the geographical diversity of terrestrial animal disease and species worldwide given the different environments for implementation; and
6. all relevant material provided by the Code Commission's Secretariat.

## **Expectations**

*Ad hoc* Group members should:

- be familiar with the structure of the *Terrestrial Code* and the use of Glossary definitions;
- have read and considered Chapters 5.4. to 5.7. of the *Terrestrial Code*;
- have read all working documents provided by the Code Commission's Secretariat;
- contribute to discussions; and
- contribute to drafting text for the revised chapters and the report.

## **Deliverables**

1. the draft revised Chapters 5.5. and 5.7.
2. the draft new definitions (if relevant)
3. If needed, the proposed amendments to other chapters of the *Terrestrial Code* to align the use of relevant terms with the proposed new Glossary definitions.
4. a report that contains the rationale for decisions and proposals

## **Reporting / timeline**

The *ad hoc* Group will finalise its deliverables within 5 weeks after the completion of the meeting.

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