

SANITARY AND PHYTOSANITARY (SPS) MEASURES IN AZERBAIJAN



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SANITARY AND PHYTOSANITARY (SPS) MEASURES IN AZERBAIJAN



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LEGAL FRAMEWORK FOR SPS MEASURES

International Agreements

- On 14.03.2000, Azerbaijan acceded the International Plant Protection Convention (IPPC).
- In 2007, Azerbaijan joined the European Plant Protection Organization (EPPO). Azerbaijan was elected a member of EPPO Executive Committee for 2011-2013.
- Bilateral intergovernmental agreement on plants protection and quarantine currently in effect: CIS, Ukraine, Iran, Uzbekistan, Moldova, Belarus, Mauritania, Turkey.
- Over 30 draft intergovernmental agreements have been submitted for consideration.

LEGAL FRAMEWORK FOR SPS MEASURES

International Agreements

National Laws and Regulations

On 12. 05. 2006, the Law of Azerbaijani Republic was adopted On Phytosanitary Surveillance. This Law provides a legal framework for the implementation and organization of phytosanitary surveillance throughout the country, and regulates relations between the entities operating in the areas of quarantine and plant protection. On the basis of this law, our Service drafted more than 26 regulations, which have been approved by Resolutions of the Government of Azerbaijan.

The basis for national phytosanitary regulations is provided by the national legislation, International Plant Protection Convention (IPPC), and International Standard for Phytosanitary Measures.

SPS MANAGEMENT ROLES, FUNCTIONS, AND RESPONSIBILITIES

State Phytosanitary Surveillance Service under the Ministry of Agriculture (SPSS) being also the National Plant Protection Organization (NPPO) is responsible for the phytosanitary condition of the country. SPSS is an executive body exercising government supervision in the area of quarantine and plant protection, and over the use of pesticides, biological preparations and other means of plant protection.

SPSS FUNCTIONS:

- issue of phytosanitary certificates, re-export phytosanitary certificates for exported, and import quarantine permits for imported, quarantineable materials;
- phytosanitary & quarantine inspection and laboratory testing of imported and exported quarantineable materials;
- disinsection (fumigation) of quarantineable materials where dangerous and quarantine pests are detected;
- implementing quarantine and protection measures on scientific and practical basis;
- preventing spread of dangerous and quarantine pests, disease agents and pests;

SPS Management Roles, Functions, and Responsibilities

- elimination of dangerous and quarantine pest, disease and weed centers;
- placing into, and release from, quarantine;
- surveying country's territory to identify the extent of infestation with pests and diseases, and causes of their emergence;
- surveillance of pesticides, biological preparations and agrochemicals import and export;

SPS Management Roles, Functions, and Responsibilities

- inspection of quarantine facilities (grain elevators, granaries, farms, fields, rarity plots, permanent crops, baggage, meadows, forests, nursery plots, household plots, farming lands, production sites, sales areas, etc.);
- checks for residual pesticides and toxic chemicals of all plant product types, animal feed, feed additives and soils;
- testing, registration, and control of pesticides, biological preparations, agrochemicals, etc. storage, production, sale and application.

SPS Practice

Import-related measures

In accordance with the national phytosanitary legislation and International Standard for Phytosanitary Measures requirements for import of quarantineable materials, the State Phytosanitary Surveillance Service (State Service) conducts Phytosanitary Risk Analysis, and based on its results issues Import Quarantine Permit for the entry of a specific quarantineable material. The State Service also issues Authorizations for Pesticides, Biological Preparations, and Agrochemicals Import Permissions. To ensure information sharing between SPSS and the State Customs Committee, the data from the Import Quarantine Permit and Authorization for Pesticides, Biological Preparations, and Agrochemicals Import Permission are entered into the software within the Single Automated Management System (SAMS) of the Customs Service. The exchange of information is based on the Decree of the President of Azerbaijan of 11 November 2008, No. 12, On Introduction of Single Window Principle into Inspection of Goods and Vehicles Moved Through State Border Crossing Points of Azerbaijani Republic. The official customs clearance process is finalized only upon the completion of quarantine phytosanitary inspection and laboratory testing at the point of destination of the imported quarantineable materials, which are confirmed by quarantine inspection certificate, and also upon completion of toxicological test and issue of Toxicological Laboratory Certificate on pesticides, biological preparations and agrochemicals. In order to prevent entry and spread of pests in the country, customs bodies alert SPSS to the cases where the goods are not accompanied with the appropriate documents, and where there is a risk of pests entry with the imported plants and plant products, and the State Service takes the appropriate measures.

EXPORT-RELATED MEASURES

In line with the requirements of the national phytosanitary legislation and International Standards for Phytosanitary Measures, after sampling, physical inspection and laboratory examination, pest-free (clean) quarantineable material intended for export is packed and sealed; thereafter, the phytosanitary certificate is issued. With regard to quarantineable materials imported and released to market, which have been separated into parts, consolidated with other consignments or repacked, the re-export phytosanitary certificates are issued. Our phytosanitary and re-export phytosanitary certificates are consistent with IPPC model certificates. In case of export of pesticides, biological preparations and agrochemicals, the State Service issues Toxicological Certificate and Registration Certificate;

SPSS SUBORDINATED ORGANIZATIONS

Republican Plant Protection Center
Republican Control Toxicological Laboratory
Republican Plant Quarantine Examination Laboratory (fumigation team is a part of the Laboratory)
Inter-rayon and rayon plant quarantine stations (16)
Rayon plant protection centers (57)
Inter-rayon biological laboratories (5)
Outdated pesticides disposal ground

Control Toxicological Laboratory and Plant Quarantine Examination Laboratory have been accredited by the State Committee for Standardization, Metrology and Patent with a view to ensure laboratories' compliance with the requirements of International Standard ISO 17025

SPSS SUBORDINATED ORGANIZATIONS

The State Service, jointly with the Ministry of Health, developed and approved sanitary standards for pesticides and nitrates in environmental objects (agricultural products and food, water, soil, etc.).

Currently, the work is carried out on establishing 2 regional control toxicological laboratories and 2 regional quarantine plant examination laboratories. In the nearest future it is also planned to establish another 6 regional control toxicological laboratories and 6 regional quarantine plant examination laboratories.

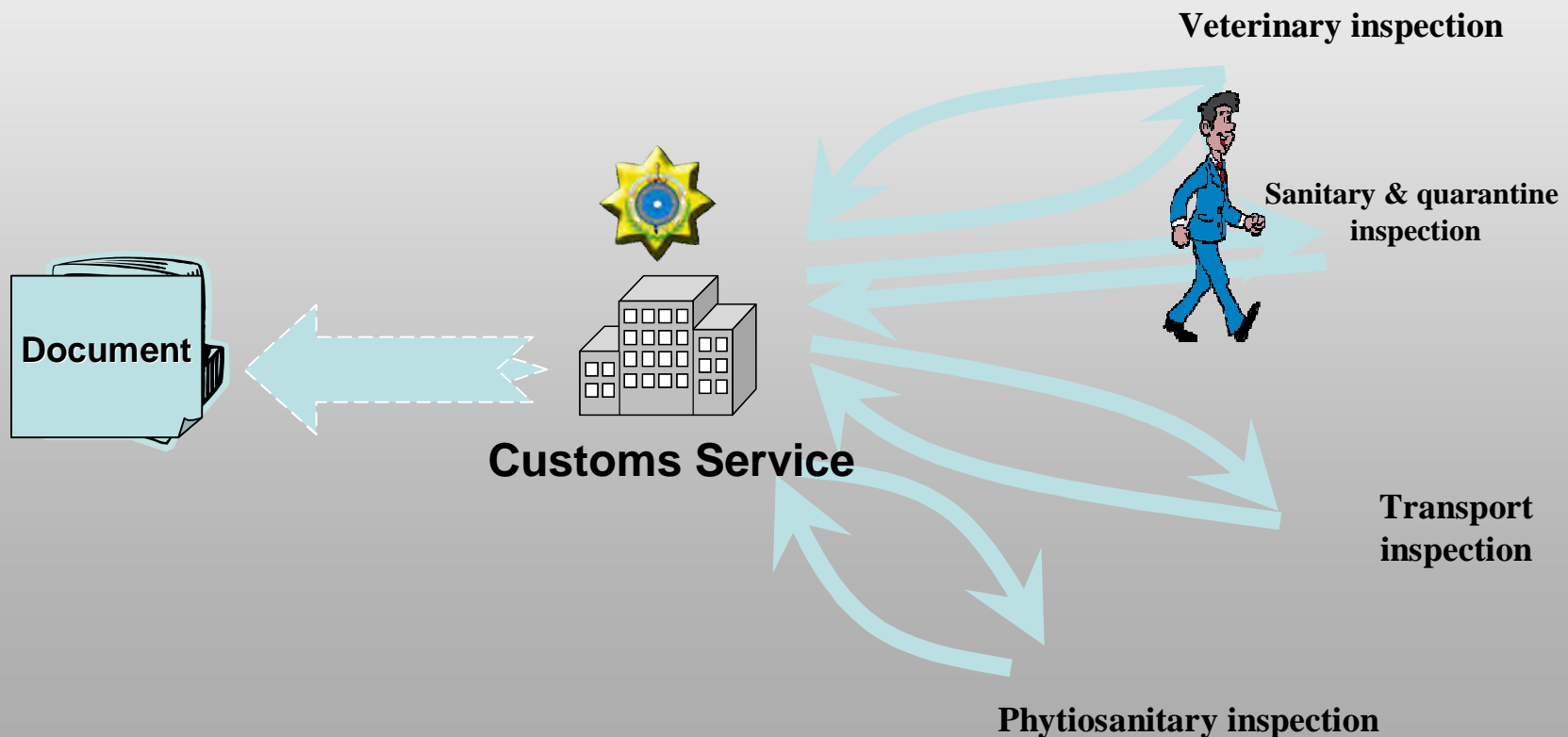
SPS Risk Assessment and Border Procedures

Customs bodies of Azerbaijani Republic base their Customs System modernization activities on modern international experience, and operate in compliance with principles of the World Customs Organization, UN Economic Commission for Europe and other international organizations working on international trade facilitation.



Presidential Decree of 11 November 2008 On Introduction of Single Window Principle

Pursuant to Presidential Decree On Introduction of Single Window Principle, the Single Window System was implemented at Azerbaijani state border crossing points in inspecting goods and vehicles.



GOODS-RELATED RISK ANALYSIS

To identify the extent of control, risks are analyzed in relation to goods, vehicles and persons subject to customs inspection. Based on this, the form of customs control is determined.

Risk management and system application forms are determined by the executive body of the Customs System.



RISK IDENTIFICATION AND ANALYSIS IN AZERBAIJAN

**Pre-determined criteria should cover the following risk areas.
Goods risk identification criteria.**

Criteria based on country of origin

The following items are subject to inspection by customs bodies with regard to transport of goods and vehicles via the State border-crossing points:

In case of import of quarantineable material – availability of Import Quarantine Permit issued by the State Phytosanitary Surveillance Service based on Phytosanitary Risk Analysis conducted by SPSS; Phytosanitary or Re-export Phytosanitary Certificate issued by the exporting country; Authorizations for Pesticides, Biological Preparations, and Agrochemicals Import Permissions issued by the State Phytosanitary Surveillance Service.

RISK IDENTIFICATION AND ANALYSIS IN AZERBAIJAN

- In case of export of quarantineable material – availability of Phytosanitary or Re-export Phytosanitary Certificate, Toxicological Report and Registration Certificate for pesticides, biological preparations and agrochemicals, issued by the State Phytosanitary Surveillance Service.
- In case of transit of quarantineable material – availability of Phytosanitary or Re-export Phytosanitary Certificate issued by the exporting country, and Toxicological Report for pesticides, biological preparations and agrochemicals.

TREATMENT OF PERISHABLES

*State Customs Committee of Azerbaijani Republic
"Temporary Storage (Temporary Warehousing)"
Regulation on Approval of Order No. 66 ,11 November, 1998*

- Live animals, plants, preserved foods and other perishables may not be stored at temporary warehouses for more than three days.
- Goods and vehicles that require special storage conditions may be stored in enclosed-type warehouses equipped with special facilities.
- Information on goods and vehicles must be provided not later than 30 minutes of their arrival at the warehouse.

MEASURES TAKEN TO MINIMIZE TIME IN TRANSIT OF PERISHABLES

According to Customs Committee statements, today customs clearance takes only **20 MINUTES** (as opposed to 2-3 hours with the former system), and traders only need to pay the duty as provided by the legislation, and obtain the appropriate receipt.



TYPES OF SPS INSPECTIONS IN AZERBAIJAN

In the course of inspection of the documents required for sanitary quarantine control, the following aspects are identified:

- breach of transportation condition, integrity of containers or barges, packaging damages;
- availability (revealing) information on mismatch between the goods subject to control, and the data declared in transport (shipping) and/or commercial documents/

CENTRAL ASIA REGIONAL ECONOMIC COOPERATION (CAREC) PROGRAM

Under this Project our efforts are aimed at establishing conditions for seamless transit of goods, which, in turn, will reflect on improving the level of national economy in each of the counties participating in the Project.



Initiatives on SPS Measures: Current and Planned

A. Regulatory Amendments

With a view to achieve compliance with WTO SPS standards, as a part of Azerbaijan's Trade and Investment Reform Support Program, with the assistance from the US Agency for International Development (USAID), amendments have been drafted to the Law On Phytosanitary Surveillance. The Draft Law with amendments has been submitted to the appropriate authorities for consideration.

Initiatives on SPS Measures: Current and Planned

B. Programs and Projects on SPS

FAO Project 'Strengthening National Phytosanitary Capacities' –
TCP/AZE/2901

In 2004, FAO's international consultants upgraded and strengthened legal framework for plant quarantine activities, and provided training for NPPO officers in International Standard for Phytosanitary Measures (ISPM): understanding of the essence of these standards, special features of their application in practice, phytosanitary terminology, phytosanitary risk analysis, organization of plant pests surveillance, etc.

For phytosanitary inspectors training was provided in understanding of ISPM, and more detailed training in specific issues of inspection, surveillance, surveying, entomology, phytopathology, and helminthology. (Project was funded by UN Development Program)

Initiatives on SPS Measures: Current and Planned

- In 2005, FAO Technical Assistance Program Strengthening Azerbaijan's Phytosanitary Capacities was implemented.
- In 2003-2004, under the Turkish Development Agency (TİKA) Program on Fumigation and Granary Pests, seminars were held for plant quarantine stations' inspectors; practical training in fumigation. Additionally, literature was provided on dangerous and quarantine pests.
- In 2005-2007, technical assistance was provided by international experts from the Ministry of Consumers Protection, Food and Agriculture of the Federal Republic of Germany; seminars were held on understanding of WTO, SPS, and Notification Center and its functions. As a result of this technical assistance, the National Notification center and Enquiry Point have been established within the Ministry of Agriculture. An SPSS officer is a member of this Center staff.
- In 2007, with the assistance from the US Agency for International Development (USAID), trainings were delivered in Sanitary and Phytosanitary Control.
- In 2008, as a part of Polska Pomoc Program, organized by the Government of Poland, training/workshop was provided on SPS and current WTO legal basis; under TAİEX Program, SPSS officers also visited Poland in relation to phytosanitary legislation harmonization issues.
- In June 2012, under USAID Trade and Competition in Azerbaijan Project, a seminar was held on Equivalence of Sanitary and Phytosanitary Measures.
- In relation to SPS issues SPSS officers have also been invited to participate in workshops held in different countries (Estonia, Uzbekistan, Ukraine, Sri Lanka).

Initiatives on SPS Measures: Current and Planned

- Drafting intergovernmental agreements in the area of plant quarantine and plant protection;
Experience sharing between the NPPO laboratories' officers;
- Developing regional basis for dangerous and quarantine pests;
- Cooperation on harmonization of legislation in the area of plant quarantine and plant protection;
SPSS main objective is to maintain stability of the country's phytosanitary status, and reduce incidence of dangerous and quarantine pests within its territory/



THANK YOU FOR ATTENTION!