

To:

AQSIQ

Address Information

May 12, 2004

Subject: Public Comments regarding Adoption of ISPM-15 for imports to the People's Republic of China

Reference 1: Letter to World Trade Organization (WTO) G/SPS/N/CHN/42 (8 December 2003)
Internet URL: <http://www.aiccc.com/misc/chn-42.doc>

Reference 2: "International Standards for Phytosanitary Measures -- Guidelines for Regulating Wood Packing Material in International Trade" (ISPM-15, Updated March, 2002 edition).

The following comments are respectfully provided on behalf of the Electronics Industry Pallet Specification (EIPS) Task Group (<http://packaging.hp.com/eips>) which is a technical subcommittee of the Institute of Packaging Professionals (<http://www.iopp.org>). The EIPS team's vision is to create a common specification for pallets used in the computer industry's global supply chain. Implementation of the EIPS specification will result in unitized loads which are dimensionally consistent, environmentally sound, free of pest migration issues, and economical which will ensure free flow of goods globally. To this end, we endorse and have adopted the technical requirements of the IPPC standard (ISPM-15) within our specifications. **The EIPS team strongly supports China/AQSIQ in its planned adoption of ISPM-15 as its import standard. In addition, we have some recommendations below which we feel will further enhance the international compliance program in support of ISPM-15.**

The EIPS Team presently includes but is not limited to representatives of the following Companies and Universities. Our specification will ultimately affect suppliers to and customers of these companies and potentially many others.

Companies (Shippers): □

IBM Corporation
Hewlett-Packard Company
Agilent Technologies, Inc.
Intel Corporation
Celestica, Inc.
Dell Computer Corp.
Cisco Systems, Inc.
Lexmark International, Inc.

Universities (Technical Advisors):

Virginia Tech University
Michigan State University
Clemson University
San Jose State University
Univ. of Nebraska, Lincoln

General Comments:

Please understand that the actions of AQSIQ and China, by adopting ISPM-15, will have a broad reaching and positive effect on international commerce and the environment. We have all experienced tremendous impact to our businesses in recent years due to *inconsistent* phytosanitary regulations enacted in North America, China, Latin America, and the European Union aimed at reducing pest migration via wooden packaging. It is our view that the simple, globally common approach provided by ISPM-15 will ultimately achieve the desired result of minimal pest migration with little disruption to the environment or to global commerce. To supplement those objectives, we have some recommendations that we believe will further enhance compliance and also further encourage consistency in how this standard is eventually implemented on a global scale. The People's Republic of China, being one of the first and largest countries to adopt ISPM-15 is in a unique leadership position to establish some of these defacto standards that are a big part of the whole compliance program for international shippers.

Specific Recommendations:

- 1. General Principle -- Adopt and Enforce ISPM-15 exactly as it is written:** For this “globally harmonized” standard to truly achieve its aims, it must in fact be interpreted and implemented consistently worldwide. This same recommendation was issued to the US, EU and other countries examining ISPM-15. If China (or any country) requires details which are not consistent with ISPM-15 it will cause great difficulty for shippers and therefore inhibit our ability to comply and therefore reduce pest migration.
- 2. Official IPPC Markings:** Many countries do not yet have a formal process for auditing the treatment facilities and providing the authorized stamps with the IPPC logo to shippers. We should not enforce lack of the stamp if the program is not yet established in the exporting country. Until the program is established in the exporting country the shipper should be allowed to utilize the treatment markings (HT or MB) combined with the other identification features shown in ISPM-15. In addition, the Chinese rule states that the IPPC logo must appear on two opposite sides. We appreciate the desire for multiple markings for ease of inspection. However, ISPM-15 rightly requires just one marking with additional markings recommended. China's rule should match ISPM-15 as written. Some marking processes are automated and providing the second mark on the opposite side can be a costly disruption to that automated process. Would China really reject an article that was marked just once (and therefore clearly pest free) but not twice?
- 3. No Government Certificates:** We are strongly in support of eliminating the need for Government issued certificates of treatment (ex: Heat treatment or Fumigation). ISPM-15 does not require such certificates. It is critically important that China be consistent and also not require such certificates. It was not clear if those certificates would be required or not. One of the reasons is that these products may transit through several countries in route to the final customer. The source and treatment of the packaging may be different than the source of the product being shipped. The Government of the exporting country of the shipment does not have jurisdiction to authorize or certify the original packaging material that did not originate in their country. That is why we cannot require Govt. Certificates.
- 4. No Expiration Dates:** Once an item is treated and marked this should be considered a permanent treatment. Many products are built, packaged and stored well in advance of final shipment to the customer. Also, that customer may in turn store it and resell to yet another customer in another country. Once packaged, the materials cannot be safely retreated without possibly damaging the electronic product inside the package.
- 5. Optional Self Declarations of Compliance:** China is the only country that currently requires any kind of self declaration document to accompany shipments. Also, ISPM-15 does not require a document of this type, only the marking on the regulated materials. However, we also recognize that there may need to be some way to identify through paperwork that the shipper acknowledges the requirements of

ISPM-15 and has complied. We would recommend that these documents be considered optional and that they be simplified such that one standard document could be used for all situations (see example) and also usable for any country, not just China. In short, the self declaration if used will simply affirm that all packaging in the shipment complies with the provisions of ISPM-15. This is the most important information and therefore should be repeated in key shipping documents such as bill of lading, invoices and so on. The shipper would simply check which condition applied for any particular shipment. For clarity, the IPPC symbol should be used on the document itself to make that visual connection to the properly treated wood which would also bear the symbol. Since “no wood” and “processed wood” by definition, comply with the intention of ISPM-15 to prevent pests it seems that the use of the IPPC symbol should be acceptable on those too. In fact, this may further enhance recognition of it internationally.

In summary, the EIPS team supports CHINA [and global] implementation of ISPM-15 EXACTLY AS WRITTEN for all international shipments. Furthermore, we also recommend OPTIONAL use of self declarations of compliance in a format that could be used globally for the same purpose. See next page for example.

Respectfully,

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Example of OPTIONAL Self Declaration of Compliance. Same document could be used globally if desired by the shipper to assist inspectors. Having a consistent approach to the optional self declaration would greatly improve compliance.



Shipper / Exporter Name
Shipper / Exporter Address
Shipper Phone / Fax

Commodity: _____

Quantity / Weight: _____

AWB or Vessel: _____

Date: _[YYYY-MM-DD]_

ISPM-15: Shippers Self Declaration of Compliance

“The packaging used in this shipment is fully compliant to the requirements of **ISPM-15**”

✓ Check or initial all that apply

_____ This shipment is entirely free of solid wood packaging materials (NO WOOD)

_____ This shipment includes **Manufactured/processed Wood Packing Materials (MWPM)**

_____ This shipment includes **HEAT TREATED** and marked solid wood packing (HT)

_____ This shipment includes **FUMIGATED** and marked solid wood packing (MP)