



9 September 2020

(20-6079)

Page: 1/2

Committee on Sanitary and Phytosanitary Measures

Original: English

## NOTIFICATION

*Revision*

<b>1. Notifying Member:</b> <u>THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> Bureau of Animal and Plant Health Inspection and Quarantine, Council of Agriculture
<b>3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Animals and Animal Products (HS codes: 01, 02, 0401, 0402, 0407, 0408, 0410, 0502, 0504, 0505, 0506, 0507, 0510, 0511, 1214, 1502, 1506, 1601, 1602, 1902, 1904, 1905, 2104, 2301, 2308, 2309, 3001, 3002, 3101, 3105, 3502, 4101, 4102, 4103, 4205, 4301, 4601, 5101, 5102, 5103, and 6701)
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> <b>All trading partners</b> <input type="checkbox"/> <b>Specific regions or countries:</b>
<b>5. Title of the notified document:</b> The draft amendment of the "Procedure for the Recognition of Infectious Animal Disease-Free Status of a Foreign Country". <b>Language(s):</b> English. <b>Number of pages:</b> 7 <a href="https://members.wto.org/crnattachments/2020/SPS/TPKM/20_5303_00_e.pdf">https://members.wto.org/crnattachments/2020/SPS/TPKM/20_5303_00_e.pdf</a>
<b>6. Description of content:</b> This procedure is provided for handling the application of a foreign country for the recognition of its status of freedom from infectious animal disease(s) by the Council of Agriculture. A country which considers itself as complying with the criteria established in the "Terrestrial Animal Health Code" of the World Organisation for Animal Health for infectious animal disease free listed in Point 2 of the Procedure or risk status may apply for the recognition of infectious animal disease-free status of a zone or entire country, and the risk status of bovine spongiform encephalopathy.
<b>7. Objective and rationale:</b> <input type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.

<p><b>8. Is there a relevant international standard? If so, identify the standard:</b></p> <p><input type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b></p> <p><input checked="" type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b> OIE Terrestrial Animal Health Code Chapters 1.4, 2.1, 3.1, 3.4, 4.1, 4.2, 4.3, 4.4, 8.8, 8.14, 8.16, 10.4, 10.9, 11.4, 11.5, 12.1, 12.10, 14.7, 15.1 and 15.2.</p> <p><input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b></p> <p><input type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b></p>
<p><b>9. Other relevant documents and language(s) in which these are available:</b></p>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> To be determined.</p> <p><b>Proposed date of publication (dd/mm/yy):</b> To be determined.</p>
<p><b>11. Proposed date of entry into force:</b> <input type="checkbox"/> <b>Six months from date of publication, and/or (dd/mm/yy):</b> To be determined.</p> <p><input type="checkbox"/> <b>Trade facilitating measure</b></p>
<p><b>12. Final date for comments:</b> <input checked="" type="checkbox"/> <b>Sixty days from the date of circulation of the notification and/or (dd/mm/yy):</b> 8 November 2020</p> <p><b>Agency or authority designated to handle comments:</b> <input type="checkbox"/> <b>National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>Bureau of Animal and Plant Health Inspection and Quarantine, Council of Agriculture 9 F, No. 100, Sec. 2, Heping W. Rd., Zhongzheng Dist., Taipei City, 10070 Taiwan Tel: +(886) 233 432 091 Fax: +(886) 223 322 200 E-mail: <a href="mailto:wtopsp@mail.baphiq.gov.tw">wtopsp@mail.baphiq.gov.tw</a></p>
<p><b>13. Text(s) available from:</b> <input type="checkbox"/> <b>National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>Bureau of Animal and Plant Health Inspection and Quarantine, Council of Agriculture 9 F, No. 100, Sec. 2, Heping W. Rd., Zhongzheng Dist., Taipei City, 10070 Taiwan Tel: +(886) 233 432 091 Fax: +(886) 223 322 200 E-mail: <a href="mailto:wtopsp@mail.baphiq.gov.tw">wtopsp@mail.baphiq.gov.tw</a></p>

# **Procedure for the Recognition of Infectious Animal Disease-Free Status of a Foreign Country**

## **(Draft amendments)**

Note: In case of any discrepancy between the English version and the Chinese text of this Procedure, the Chinese text shall govern.

1. This procedure is provided for handling the application of a foreign country for the recognition of its status of freedom from infectious animal disease(s) by the Council of Agriculture, Executive Yuan (referred to as "the COA" hereafter).
2. For the applying country which considers itself as complying with the criteria established in the "Terrestrial Animal Health Code" of the World Organisation for Animal Health (referred to as "OIE Code" hereafter) for infectious animal disease free or risk status, the country may apply for the recognition of infectious animal disease-free status of a zone or entire country, and the risk status of bovine spongiform encephalopathy (BSE).

Infectious animal diseases refer to one of the following:

- (1) foot and mouth disease (only for vaccination is not practiced)
- (2) rinderpest
- (3) contagious bovine pleuropneumonia
- (4) peste des petits ruminants
- (5) African swine fever
- (6) classical swine fever
- (7) glanders
- (8) African horse sickness
- (9) highly pathogenic avian influenza
- (10) Newcastle disease
- (11) rabies
- (12) bovine spongiform encephalopathy
- (13) infectious animal diseases otherwise designated

3. The central competent authority of veterinary of the applying country shall

submit the dossiers in Chinese or English for the recognition of infectious animal disease-free status of a zone or entire country, and the risk status of BSE to the Bureau of Animal and Plant Health Inspection and Quarantine (referred to as “BAPHIQ” hereafter) for review based on the type of infectious animal disease respectively.

A country applying for the recognition of infectious animal disease-free zone shall comply with “The Principle for the Recognition of Infectious Animal Diseases -Free Status of a Foreign Country by Zoning Focused on Highly Pathogenic Avian Influenza (HPAI), Newcastle Disease (ND), or Possibly Foot and Mouth Disease (FMD) Where Vaccination Is Not Practiced” (please see Appendix).

4. Upon receiving the application, BAPHIQ will refer to available international animal disease information and conduct one of the following actions:
  - (1) Reject the application with the list of the facts leading to such a decision based on international animal disease information which shows that the applying country is affected or not complying with the relevant requirements in OIE Code;
  - (2) Reprocess the risk assessment after the requested complementary documents are provided by the applying country when the submitted information or required complementary documents are incomplete;
  - (3) Reprocess the risk assessment after the detailed information on the animal health status of the applying country is collected and evaluated or an on-site verification is conducted when submitted documents are complete but fail to clarify the animal health status of the applying country; or
  - (4) Process the risk assessment after the requested documents are complete and the animal health status is clear.

After the risk assessment process, one of the following actions will be conducted:

- (1) Reject the application with the list of the facts leading to such a decision;
- (2) Reprocess the risk assessment after the requested complementary documents are provided by the applying country;
- (3) Reprocess the risk assessment after an on-site verification conducted by BAPHIQ;

(4) Submit the application to the Animal Quarantine Advisory Committee of BAPHIQ for further scrutiny and accept possible recommendations made by the Committee to reject, reprocess the risk assessment or approve; or

(5) Approve the recognition (only for application for recovery of status).

5. The recognition of infectious animal disease-free status of a zone or entire country, and the risk status of BSE may be established after the announcement is made by the COA. The COA adjusts the risk status of BSE based on the information published by the OIE. Such an official recognition will become invalid immediately when the country or zone(s) is/are infected with the disease aforementioned, and has (have) been removed from the list of free countries according to the “Statute for Prevention and Control of Infectious Animal Disease”.

The applying country, which had applied and been recognized as infectious animal disease-free before and has been removed from the list thereafter due to an outbreak, may submit application with requested information and certified document to BAPHIQ for recovery of the recognition status.

6. Importation of animals and animal products from the recognized country or zone(s) free from infectious animal disease(s) shall comply with other relevant laws and regulations.

**The Principle for the Recognition of Infectious Animal Diseases  
-Free Status of a Foreign Country by Zoning Focused on Highly  
Pathogenic Avian Influenza (HPAI) , Newcastle Disease (ND), or  
Possibly Foot and Mouth Disease (FMD) Where Vaccination Is  
Not Practiced  
(Draft)**

1. Definition

- (1) Zoning: According to Chapter 4.4 of the “Terrestrial Animal Health Code” of the World Organisation for Animal Health (OIE Code), the extent of a zone and its geographical limits should be established by the Veterinary Authority on the basis of natural, artificial or legal boundaries in order to separate animal subpopulations of distinct health status.
- (2) Infectious animal diseases: Infectious animal diseases in this Principle refer to highly pathogenic avian influenza (HPAI) and Newcastle disease (ND). To apply, in accordance with this Principle, for the recognition of foot and mouth disease (FMD) free status where vaccination is not practiced, the applying country shall submit the request.
- (3) The administrative division: The administrative division refers to the subnational entity designated by the applying country based on its laws and decrees for the purpose of administration. Overseas territories, dependencies, and autonomies are excluded.
- (4) The control unit: Based on the principle that the control unit of the applying country must have a permanent veterinary authority supervised by the central competent authority (CCA) of veterinary, and is the highest administrative division that can effectively implement animal disease prevention and control measures, with the exception of the administrative division below the national level.

- A. The control range of the affected premise shall comply with Point 3 of this Principle.
  - B. The adjustment of the control unit shall comply with Point 5 and Point 6 of this Principle.
2. If the applying country complies with the criteria established in Chapter 10.4 and 10.9 of the OIE Code (for the application for the recognition of FMD-free status where vaccination is not practiced, the applying country must comply with Chapter 8.8 of the OIE Code), the applying country can apply for the zoning recognition of infectious animal disease-free status based on the “Procedure for the Recognition of Disease-Free Status of a Foreign Country”. The recognition may be established after the announcement is made by the CCA of Taiwan (Council of Agriculture).

The CCA of veterinary affairs of the applying country shall submit the dossiers and relevant documents to the Bureau of Animal and Plant Health Inspection and Quarantine (BAPHIQ) for review.

After BAPHIQ completes the risk assessment process, one of the following actions will be conducted:

  - (1) Reject the application with the list of the facts leading to such a decision;
  - (2) Reprocess the risk assessment after the requested complementary documents are provided by the applying country;
  - (3) Approve the recognition when the risk assessment result is accepted and the applying country commits itself to conduct requirements as stated in Point 3.
3. If an outbreak of a infectious animal disease occurs within the control unit of the zoning-recognized country after acceptance and verification based on this Principle, the following measures shall be committed to complying with and conducted by the CCA of the zoning-recognized country:

- (1) The affected premise(s) and in control unit within 10 kilometer radius from the affected premise(s) are the infected zone. Live animals and animal products susceptible to infectious animal diseases in the zones are suspended for export to Taiwan.
- (2) The CCA of veterinary affairs of the zoning-recognized country shall notify BAPHIQ with an official letter within 48 hours (72 hours at the latest) after confirmation of the outbreak. The letter shall include the following information for reviewing: etiology of the infectious animal disease (HPAI serotype shall be specified), outbreak location, date of confirmation, map of the 10 kilometer radius control zones around the affected premises reflecting the control unit, and control measures (movement control, stamp out or slaughter, other preventive measures).
4. The zoning-recognized country may submit the dossier with relevant documents (each control unit shall submit one application dossier) for resuming the zoning recognition application based on the “Procedure for the Recognition of Disease-Free Status of a Foreign Country” once termination of the outbreak has been confirmed and the criteria listed in the OIE Code has been fulfilled.
5. The zoning-recognized country may submit the request to the CCA of Taiwan for adjusting the level of the control unit from the highest administrative division into the secondary division after a certain period of time of its implementation through bilateral consultation.
6. BAPHIQ may revoke the recognition or adjust the control unit to the whole country when the zoning-recognized country fails to notify BAPHIQ within at least 72 hours after confirmation of the outbreak or lack of sufficient information requested in accordance with Point 3.

A country which is revoked recognition by BAPHIQ, BAPHIQ may not receive the application for the recognition of infectious animal diseases-free by zoning within 5 years from the date of revoking.



7. Applying countries that have previously signed a bilateral agreement for the mutual recognition of the zoning principle with Taiwan are excluded from the Principle.