

Control of the ISPM 15 Mark



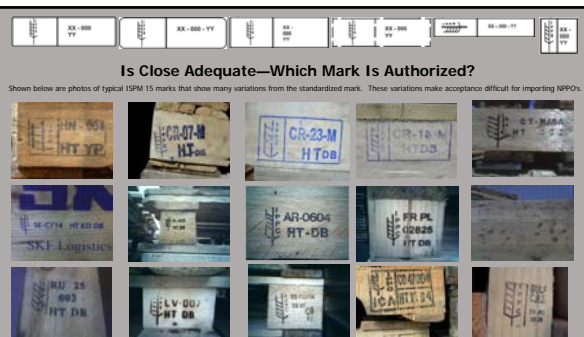
- All that is necessary for WPM to enter a country is a mark on the WPM that contains the IPPC registered symbol combined with a country code, producer/treatment provider and treatment code in a stamp format suggested in Annex 2 of ISPM 15
- NPPO's of importing countries inspect some percentage of shipments but unless visible evidence of pests or large amounts of bark are present, **the ISPM 15 mark on the WPM is accepted as evidence the WPM complies with ISPM 15 requirements**

- NPPO's provide ISPM 15 marks to manufacturers of WPM and the manufacturers use the ISPM 15 mark on WPM destined for export
 - In the US approximately 5,400 WPM manufacturers of WPM can use ISPM 15 marks
 - In Canada approximately 500 WPM manufacturers of WPM can use ISPM 15 marks
 - Between these two countries at least 5,900 different marks can be used and many of these manufacturers have more than 1 mark
 - When all countries implementing ISPM 15 are considered tens of thousands of different marks are being used
 - Significant problems with the integrity of ISPM 15 could develop unless these numerous marks are controlled by the NPPO's

- NPPO's should have standardized procedures that provide for the safe keeping and use of the ISPM 15 marks that are distributed to WPM manufacturers—procedures could include:
 - maintain records (including facsimile of each mark) to document the number and format of marks issued to each approved WPM manufacturer—continuous verification should be made by NPPO inspections at each manufacturer
 - have a procedure for approving a facsimile of the mark before it is produced and issued for use by the WPM manufacturer
 - approval of the mark facsimile would provide the NPPO with a tool for standardizing and controlling the issuance all of the marks
 - ✓ this standardization includes mark reproduction accuracy, font type and format
 - have procedures for verification of the destruction of worn out marks as well as a procedure for updating mark records of the NPPO when marks are destroyed

Why standardize the ISPM 15 mark and its components (i.e. IPPC symbol, and format of the other elements within the mark borders)

- Assists the exporting NPPO in determining if the WPM is produced under its official program
- Assists importing NPPO's in determining and accepting legitimate marks on WPM
- Makes copying the mark by an unauthorized user more difficult
 - ✓ many marks presently used are not standardized therefore could be easily copied
 - ✓ standardized mark is more difficult to copy because of the precise detail of the mark (fonts size, style of the lettering, etc.)
- Standardized marks will strengthen ISPM 15



Variations of marks from the official formats shown in ISPM 15 could simplify unauthorized reproduction—basically any mark that appears to be an ISPM 15 mark is presently being used and apparently being accepted by importing NPPO's.

Poor control of the reproduction of the mark could lessen the effectiveness of ISPM 15 in accomplishing its goal of preventing unwanted pests from being transported on WPM.

Remember **the mark is what the importing NPPO relies upon** to identify WPM that meets the requirements of ISPM 15.

Successful implementation of ISPM 15 is dependent on strong programs for the control of ISPM 15 marks being developed and used by NPPO's.

Summary of important areas to assist NPPO's in control of the ISPM 15 mark

- Authorize initial distribution of the mark to the WPM manufacturer to assure standardization
- Inspections at the WPM manufacturer that include verification of the number and types of marks used
- Account for the destruction of worn marks
- Provide listing of typically used standardized mark formats for reference in identifying an authorized mark—this listing will be invaluable in helping to identify a fraudulent mark

The steps mentioned above will strengthen ISPM 15 and provide a more robust international standard that **will enhance the effectiveness** in reducing the movement of quarantine pests between countries—**the goal of ISPM 15**

Fraudulent and Unauthorized Marks

What is the Difference Between a Fraudulent and an Unauthorized Mark

- Both marks are unauthorized
- An unauthorized mark is a mark that has been officially issued by the NPPO and is being used without the knowledge of the NPPO
 - ✓ control of the mark by the NPPO is very important so that unauthorized use is prevented
- A fraudulent mark is a mark that has been that has been reproduced to look like an official mark of the NPPO

What is different about the marks?

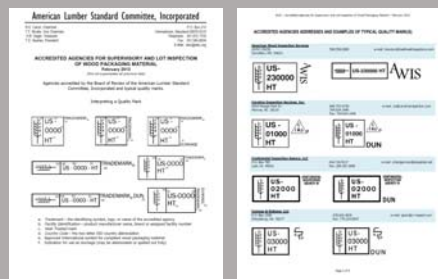


Authorized US Mark

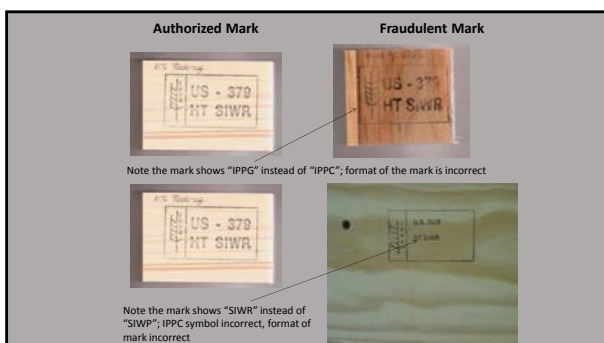
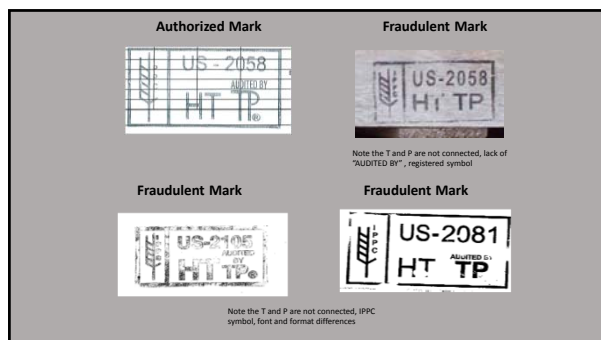
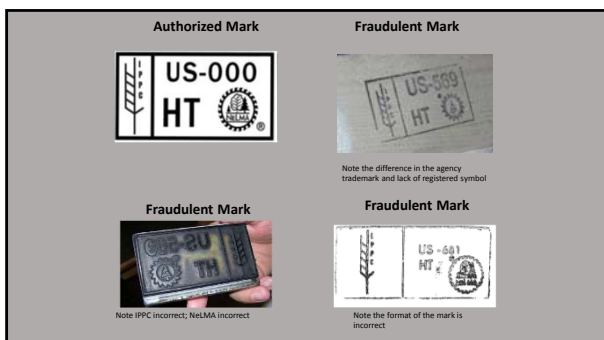



Fraudulent US Mark

- The IPPC symbol-note the fraudulent mark does not have the lettering "IPPC"
- No registered symbol and no hyphen between the "US" and "709"
- The font is different
- Mark layout is different
- This mark was made not made in the US but in another country, US Custom and Border Control refused this mark because it did not conform to the standardized mark issued by the agency in the US



Listing of Typical US Authorized ISPM 15 Marks



- When a Fraudulent/Unauthorized ISPM 15 Mark is Encountered**
-  The ISPM 15 trademark is registered in most countries. NPPO's of the registering country have the responsibility to protect the trademark.
 - NPPO programs should include procedures to uncover the use of fraudulent/unauthorized marks.
 - Possible steps for NPPO's to implement when a fraudulent/unauthorized mark is found:
 - Determine where the mark is being used and confiscate the mark
 - Obliterate the fraudulent/unauthorized mark from any WPM to prevent use as ISPM 15 compliant
 - Investigate where the fraudulently/unauthorized marked WPM was shipped and obliterate the marks if possible
 - Take appropriate legal action against the producers/users of the fraudulent/unauthorized mark
 - Publicize any action taken to discourage others from producing and using fraudulent/unauthorized marks

Control of the ISPM 15 mark by the NPPO is a significant factor in the successful implementation of ISPM 15

QUESTIONS?

If you would like a copy of this presentation, please send me an email:

imcdaniel@alsc.org

Thank you!