

**COUNCIL****Council****REPORT ON THE IMPLEMENTATION OF THE OECD  
RECOMMENDATION ON COUNTERING THE ILLEGAL TRADE OF  
PESTICIDES****(Note by the Secretary-General)****JT03546468**

1. This document presents, in its Annex, a Report by the Chemicals and Biotechnology Committee (hereafter, the “CBC” or the “Committee”) on the implementation of the OECD Recommendation on Countering the Illegal Trade of Pesticides [[OECD/LEGAL/0446](#)] (hereafter, the “Recommendation”), including on the implementation of its substantive provisions, its dissemination and its continued relevance. The Report also includes conclusions on whether the Recommendation requires revision or whether further actions to support its dissemination and implementation are necessary.
2. The CBC approved, by written procedure on 10 May 2024, the Report and its transmission to Council to be noted and declassified [[ENV/CBC/WRPR\(2024\)5](#)]. Following approval, minor adjustments were made to the Report, at the request of one Adherent, to the description of its domestic situation. The CBC was informed of these adjustments [[ENV/CBC/WRPR\(2024\)5/FINAL](#)]. Once declassified, the Report will be included in the [online Compendium of OECD legal instruments](#).

## Background

3. The Recommendation was adopted on 20 February 2019 by the Council [[C\(2019\)13/REV1](#)] on a proposal of the CBC. There are currently 38 Adherents, all of which are OECD Members. No non-Members have adhered to date.
4. In 2012, the Working Party on Pesticides (WPP) - a level II body under the CBC - established a network of experts and inspectors knowledgeable and active in fighting illegal trade of pesticides that could be used for the rapid exchange of information on suspicious or rejected shipments. A “Rapid Alert System” (RAS) protected website restricted to regulatory authorities was launched for rapidly exchanging information on suspicious or rejected shipments of pesticides between experts/inspectors. Since then, the Network of National Competent Authorities Fighting Illegal International Trade of Pesticides (ONIP), - a level III body under the WPP - has continued the OECD activities to counter illegal trade of pesticides.
5. In 2016, the CBC Standard-Setting Action Plan [[ENV/JM/WRPR\(2016\)83](#)], referred to the development of the Recommendation through the WPP, on the basis of ONIP’s work, with a two-fold aim.
  - One, it would provide an impetus for greater co-operation between custom authorities, regulatory and compliance/enforcement agencies within Adherents, and across Adherents. This is reflected in the first two provisions of the Recommendation, which refer to the Best Practice Guidance to Identify Illegal Trade of Pesticides [[C\(2019\)13/ADD1](#)] (hereafter the “Best Practice Guidance”)<sup>1</sup>.
  - Two, it would provide a catalyst for Adherents to explore how they could best participate in greater co-operation through ONIP and other mechanisms. The Recommendation would also send a message that Adherents have identified the illegal trade of pesticides as a serious issue (both in terms of risk to human health and the environment, as well as financial impacts on legitimate pesticide producers and users) and are working together to tackle this issue.

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<sup>1</sup> The Best Practice Guidance provides guidance for inspectors and regulatory authorities on best practices for identifying and tackling illegal pesticides throughout the complete lifecycle of a pesticide, from manufacture, through formulation, trade and use to destruction.

6. The mandates and work of the WPP and ONIP directly support the implementation of the Recommendation, notably in ensuring the ‘co-operative’ aspects and the development of approaches to detect and counter illegal trade across Adherents.

7. In the Recommendation, the Council instructs the CBC, through ONIP, to report to the Council five years from the date of its adoption and regularly thereafter. In line with this instruction, this Report provides an assessment of key activities undertaken to disseminate and implement the Recommendation, as well as conclusions regarding its continued relevance.

## Methodology and process

8. In order to collect information on the implementation, dissemination and continued relevance of the Recommendation, a survey questionnaire was developed by the Secretariat and circulated to the Adherents to the Recommendation as well as the European Union (EU) [[ENV/CBC\(2023\)18](#)].

9. Responses were collected between August and October 2023 and February 2024. 20 Adherents<sup>2</sup> provided responses to the questionnaire as well as the EU (whose activities represent those of 23 Adherents) and 4 Accession Candidate Countries<sup>3</sup> (together referred to as “Respondents”). For the purpose of this Report, the responses provided by the EU describe the collective activities at the EU level related to implementation and are therefore reflective of activities of Adherents that are EU Member States. Several EU Member States also provided individual responses<sup>4</sup>.

10. A **first version** of the draft Report was discussed by the CBC [[ENV/CBC\(2024\)9](#)] at its meeting in February 2024 [[ENV/CBC/A\(2024\)1](#)]. Adherents were invited to provide additional answers to the survey or additional feedback on implementation and dissemination of the Recommendation, during the meeting. In parallel, the WPP and ONIP were consulted and invited to send any comments through their CBC delegates.

11. The draft Report was revised to take into account the feedback received pertaining to the framework in place in one Adherent and a **second version** of the draft Report was submitted to the CBC for approval by written procedure [[ENV/CBC/WRPR\(2024\)5](#)].

12. The Report, as well as its transmission to Council to be noted and declassified, was approved by the CBC on 10 May 2024 [[ENV/CBC/WRPR\(2024\)5](#)]. Following approval, minor adjustments were made to the Report, at the request of one Adherent, to the description of its domestic situation. The CBC was informed of these adjustments [[ENV/CBC/WRPR\(2024\)5/FINAL](#)].

13. After declassification by the Council, the Report will be prepared for publication and a link to the Report will be included in the public webpage of the Recommendation on the [online Compendium of OECD Legal Instruments](#).

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<sup>2</sup> Australia, Belgium, Canada, Chile, Colombia, Costa Rica, Finland, Germany, Israel, Italy, Japan, Lithuania, Netherlands, New Zealand, Poland, Spain, Sweden, Switzerland, Türkiye, United States.

<sup>3</sup> Bulgaria, Croatia, Peru and Romania.

<sup>4</sup> Belgium, Bulgaria, Croatia, Finland, Germany, Italy, Lithuania, the Netherlands, Poland, Romania, Spain and Sweden.

## Summary

### *Implementation*

14. The information gathered by the Secretariat, and the collected survey responses suggest that Respondents, domestically and in the context of collaborative work at the OECD, have made significant and continued efforts to implement the Recommendation, including continued efforts in raising awareness about the dangers of illegal trade in pesticides, in particular through ONIP.

15. Respondents have established various and diverse new procedures to counter illegal pesticides domestically, and strengthened existing national procedures aimed at countering the illegal trade of pesticides, particularly by strengthening compliance procedures, improving import checks, and increasing enforcement options.

16. The Best Practice Guidance was used by some Adherents to establish or improve national procedures, mostly those elements focussed on an increased or improved communication between authorities, where the regulatory framework in place was not yet in line with the Best Practice Guidance or where no such regulatory framework existed yet. Experience with using the Best Practice Guidance has shown that it could be updated to:

- include guidance about (i) illegal online trade, (ii) the use of Product Return Management Plans to gather intelligence about illegal pesticide products, and (iii) an element describing international cooperation to combat illegal pesticides;
- investigate the use of artificial intelligence to aid in the risk assessment of illegal goods.

17. Some caution is necessary when including elements in the Best Practice Guidance as this is a publicly available document, and therefore for some elements it will be more appropriate to discuss or circulate guidance in a confidential manner e.g. through ONIP. This particularly relates to information about investigative techniques or other specific information to identify and counter illegal trade, that illegal traders could benefit from.

18. Regulatory frameworks, national and regional, are in place (provision i) and in line with the Best Practice Guidance and require that all pesticides are approved and registered, with offence provisions existing for unapproved or unregistered pesticides. Compliance and enforcement activities are in place, though the latter often consist of administrative fines, which could be insufficient to deter illegal traders, hence enforcement options could be more severe.

19. National and international cooperation mechanisms were evaluated and in general seem to have improved since the adoption of the Recommendation. Noteworthy are the introduction of formalised procedures, like a Memorandum of Understanding (MoU), between the various national agencies and institutions involved in countering illegal trade, though it is not always clear if this is consistently introduced across all Respondent.

20. With regard to international cooperation, besides the ONIP activities, Respondents consider the Silver Axe action of the European Union Agency for Law Enforcement Cooperation (EUROPOL) to be very valuable, as well as bilateral exchanges with neighbouring countries and regional activities, e.g. in Europe, Andean and Nordic countries.

21. While the Recommendation is overall well-implemented by Adherents, there are some challenges to its implementation, which mainly relate to the evolving *modus operandi* of illegal traders, i.e. to gather the necessary intelligence and construct counter actions to new *modus operandi* requires time. To do this effectively and efficiently, quick

communication between authorities and institutions is necessary, which is best served with formalised agreements (e.g. MoU) between national, and where necessary, international actors.

22. To continue to promote efficiencies and effectiveness in countering illegal trade in pesticides, Adherents could build upon the experience gained and practices carried out by other Adherents in preparing counter measures (provisions ii and iii). This would leverage the results of the development of harmonised approaches and best practices.

### ***Dissemination***

23. Since the implementation of some of the provisions of this Recommendation is supported through collaborative activities at the OECD, these implementation activities are also reflected in the section on its ‘dissemination’.

24. Since the adoption of the Recommendation, both the Recommendation and Best Practice Guidance have been disseminated through various internal and external events such as the FAO/WHO Joint Meetings on Pesticide Management, training organised by the Secretariat of the Basel, Rotterdam and Stockholm Conventions, an academia event, as well as an industry organised event at the triple COP of the Basel, Rotterdam and Stockholm Conventions.

25. The OECD co-operates closely with other international organisations, most notably the nine other United Nations (UN) organisations involved in chemical safety, through the Inter-organization Programme for the Sound Management of Chemicals (IOMC)<sup>5</sup> towards the implementation of the Strategic Approach to International Chemicals Management (SAICM)<sup>6</sup> to strengthen international co-operation in the field of chemicals.<sup>7</sup>

26. Trainings organised in Africa through the OECD outreach and capacity building activities further increased the dissemination of the Recommendation and Best Practice Guidance, as did supported publications by the Transnational Alliance to Combat Illicit Trade (TRACIT) and the press.

27. Dissemination by Respondents focuses on information about the dangers of illegal pesticides but less so about seizures of illegal pesticides shipments, while only one Respondent mentioned to have specifically disseminated the Recommendation and Best Practice Guidance.

28. Dissemination about suspect shipments using the RAS occurs very sparingly and it appears that Respondents are still unfamiliar with its use and purpose. The existence of a similar regional system creates issues, i.e. preferential use of the Rapid Alert System for Food and Feed in the EU region versus the RAS. Nevertheless, several Respondents noted to consider using the RAS in the future.

29. Half of the Respondents have disseminated the Recommendation across all levels of government, while the other half responded not to have done so. The latter occurred through lack of awareness of the Recommendation or the perceived lack of need to

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<sup>5</sup> <https://partnership.who.int/iomc>

<sup>6</sup> [www.saicm.org](http://www.saicm.org)

<sup>7</sup> This has resulted in publications and a webinar organised with the organisations involved in IOMC, while the planned development of a dedicated module on “Countering Illegal Trade of Pesticides” within the [IOMC Toolbox for Decision Making in Chemicals Management](#) aims to further disseminate and strengthen available tools to counter illegal pesticides worldwide.

disseminate the Recommendation. Only a few Respondents have reported dissemination of the Recommendation beyond Adherents, to non-Adherents or non-governmental actors.

30. While these actions have already contributed to the dissemination of the Recommendation to both Adherents and non-Adherents, more needs to be done to raise awareness about the Recommendation.

### *Continued relevance*

31. The aggregated questionnaire responses indicate that the Recommendation remains effective, up-to-date and relevant. The Recommendation does not, therefore, require any revision in the short-to-medium term.

32. Some Respondents suggest strengthening activities related to online/internet trade, the support of OECD for developing countries and developing specific technical activities. These could be achieved through the activities of ONIP and an update of the Best Practice Guidance without the need to update the Recommendation itself.

33. Accordingly, the CBC will continue to support Adherents to implement the Recommendation and it is proposed to report back to the Council on the implementation, dissemination and continued relevance of the Decision-Recommendation in 10 years. The rationale for a longer reporting period is that efforts to implement the Recommendation mainly occur through collaborative work, which is embedded in the mandates of the WPP and ONIP. An earlier reporting would be prepared if changes in the area would warrant it.

### **Proposed action**

34. In light of the preceding, the Secretary-General invites the Council to adopt the following draft conclusions:

#### THE COUNCIL

- a) noted document [C\(2024\)96](#), in particular the Report set out in its Annex, and agreed to its declassification;
- b) encouraged Adherents to the Recommendation to continue disseminating and implementing all aspects of the Recommendation, and in particular address the challenges identified in the Report at paragraphs 96-113.
- c) invited the Chemicals and Biotechnology Committee, through the Working Party on Pesticides and the OECD Network on Illegal trade of Pesticides ONIP to:
  - (i) continue supporting the implementation of this Recommendation including by strengthening its efforts to ensure co-operation with other international organisations, in particular with the other Participating Organisations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC);
  - (ii) explore the need to develop new guidance and methodologies, notably to strengthen the support of OECD for developing countries;
  - (iii) report back to Council on the implementation, dissemination and continued relevance of the Recommendation in 10 years or earlier if developments in the field warrant it.

## Annex. Report on the Implementation of the OECD Recommendation on Countering the Illegal Trade of Pesticides

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## Acronyms

ASEM	Asia-Europe meeting
APVMA	Australian Pesticides and Veterinary Medicines Authority
BRS	Secretariat of the Basel, Rotterdam and Stockholm Conventions
CAN	Andean Community of Nations
CBC	Chemicals and Biotechnology Committee
DIAN	National Tax and Customs Directorate (Colombia)
EC-JRC	European Commission – Joint Research Centre
EHS	Environment, Health and Safety Division of the OECD Environment Directorate
EMPACT	European Multidisciplinary Platform Against Criminal Threats
EPA	U.S. Environmental Protection Agency
EPOC	Environment Policy Committee
EU	European Union
EUIPO	European Union Intellectual Property Office
EUROPOL	European Union Agency for Law Enforcement Cooperation
FAO	Food and Agriculture Organization of the United Nations
IOMC	Inter-Organization Programme for the Sound Management of Chemicals
IPR	Intellectual Property Rights
JCO	Joint Customs Operation
JMPM	FAO/WHO Joint Meeting on Pesticide Management
JWPTE	Joint Working Party on Trade and Environment
MoU	Memorandum of Understanding
NEA	National Environment Agency
OECD	Organisation for Economic Co-operation and Development
OLAF	European Anti-Fraud Office
ONIP	OECD Network on Illegal Trade of Pesticides
POPs	Persistent Organic Pollutants
PPP	Plant Protection Products
RAS	Rapid Alert System (OECD)
RASFF/ iRASFF	Rapid Alert System for Food and Feed (EU)
RTA	Regional Trade Agreements
SAG	Agricultural and Livestock Service
SAICM	Strategic Approach to International Chemicals Management
SIENA	Secure Information Exchange Network Application
SPSMoA	State Plant Service under the Ministry of Agriculture of the Republic of Lithuania
TAD	Trade and Agriculture Directorate
TRACIT	Transnational Alliance to combat illicit trade
UN	United Nations
UNEP	United Nations Environment Programme
USTR	Office of the United States Trade Representative
WCO	World Customs Organization
WPEP	Working Party on Environmental Performance
WPP	Working Party on Pesticides

## 1. Background

1. The OECD Recommendation on Countering the Illegal Trade of Pesticides [[OECD/LEGAL/0446](#)] (hereafter the “Recommendation”) was developed by the Joint Meeting of the Chemicals Committee and the Working Party on Chemicals, Pesticides and Biotechnology (now the Chemicals and Biotechnology Committee, hereafter the “CBC”), and was adopted on 20 February 2019 by the Council [[C\(2019\)13/REV1](#)].

2. During the last decade there has been a growing awareness of a world-wide increase in known incidents of the trade of illegal pesticides (e.g., counterfeit pesticides and pesticides that are not registered in the country of destination). The illegal international trade of pesticides can impact human health, food chain safety and the environment, since these illegal products evade regulatory oversight intended for the safe use of chemicals. Illegal pesticides also distort pesticide markets and can damage crops or otherwise affect crop yield for farmers, e.g. through ineffective protection against pests.

3. Therefore, in 2012, the Working Group on Pesticides (now the Working Party on Pesticides, hereafter the “WPP”) - a subsidiary body of the CBC - established an informal network of experts and inspectors knowledgeable and active in fighting illegal trade of pesticides that could be used for the rapid exchange of information on suspicious or rejected shipments. A “Rapid Alert System” (RAS) protected website restricted to regulatory authorities was launched for rapidly exchanging information on suspicious or rejected shipments of pesticides between experts/inspectors.

4. Subsequently at its 28<sup>th</sup> meeting held on 15-16 April 2013, the WPP established the OECD Network on Illegal Trade of Pesticides (ONIP) and adopted its Mandate [[ENV/JM/PEST\(2013\)4/REV1](#)]. The main task of ONIP was to “*assist the [WPP] in reducing risks to human health and the environment from pesticides, strengthening the pesticide regulatory framework and helping countries harmonise and improve pesticide risk assessment and management, as they relate to fighting illegal international trade of agricultural pesticides.*” In particular, the Mandate stated in section 2 (iii) that ONIP shall “*foster the cooperation among Member and non-Member countries by assisting the [WPP] in the creation of the Global Alliance against Illegal International Trade of Pesticides*”.

5. In 2014, the CBC supported the ONIP’s proposal on fighting illegal international trade of pesticides, including by establishing a legal framework for strengthening, at the international level, the fight against illegal international trade of agricultural pesticides (see [ENV/JM\(2014\)20](#), [ENV/JM\(2014\)20/ANN](#) and [ENV/JM/M\(2014\)2](#)). In 2016, in its Standard-Setting Action Plan, the CBC agreed to develop a Recommendation to address the illegal trade of pesticides [[ENV/JM/WRPR\(2016\)83](#)].

6. The main focus of the Recommendation is to reflect the increasing trend in the number of cases of illegal international trade of pesticides, and the negative impact that illegal trade of pesticides can have on human health, food chain safety and the environment, also taking into account the Strategic Approach to International Chemicals Management (SAICM) and the objective of its Overarching Policy Strategy of addressing illegal international traffic in toxic, hazardous, banned and severely restricted chemicals [[C\(2008\)32](#)].

7. The Recommendation also recognises that illegal trade undermines national legislations and governments’ risk reduction schemes, and public confidence in such schemes. Pesticides are among the most regulated products in the world, since pesticide registration is aimed at safe uses for pesticides while protecting health and the environment.

8. Finally, illegal products economically distort the pesticide market, leading to reduced revenue for legitimate pesticides producers as well as reduced income for governments through evaded taxes [[OECD/LEGAL/0446](#)].

9. The Recommendation provides definitions for the purposes of the Recommendation of several terms, such as the term “illegal trade of agricultural pesticides”, which refers to any form of trade of an agricultural pesticide that leads to a violation of domestic law, including counterfeiting, fraud, and other forms of deception. This allows for concerted international efforts from Adherents to address the illegal trade in pesticides and a more efficient utilisation of national and international resources.

10. The Recommendation also provides information about OECD tools that can be used to support the implementation of the Recommendation, such as the RAS, and refers to the Best Practice Guidance to Identify Illegal Trade of Pesticides (hereafter the “Best Practice Guidance”) [[C\(2019\)13/ADD1](#)]. The Best Practice Guidance provides guidance for inspectors and regulatory authorities to identify and tackle illegal pesticides throughout the complete lifecycle of a pesticide, i.e. from manufacture, through formulation, trade and use to destruction. It provides practical advice, which inspectors and regulatory authorities can consider to strengthen national frameworks relevant to countering the illegal trade of pesticides.

11. The Recommendation recommends that Adherents establish or strengthen national procedures aimed at countering the illegal trade of agricultural pesticides in line with the Best Practice Guidance, taking into account national priorities, policies and programmes. To that effect, the Recommendation comprises 3 substantive provisions, which are presented in Table 1.

**Table 1: The 3 provisions set out in the Recommendation**

<b>Countering the illegal trade of agricultural pesticides</b>
i. Recommendation: Ensure there is an appropriate regulatory framework for the management of agricultural pesticides.
ii. Recommendation: Ensure there are systems in place to detect and take regulatory action against illegal trade of pesticides.
iii. Recommendation: Co-operate on minimising the illegal trade of pesticides

Source: Adapted from OECD (2019).

12. In the Recommendation, the Council instructs the CBC, through ONIP, to:
- i. Develop guidance and methodologies which will facilitate the identification of illegal pesticides;
  - ii. Serve as a forum, using the RAS, for the rapid exchange of reports on suspicious or rejected shipments of pesticides, when such information is deemed relevant and urgent;
  - iii. Serve as a forum to exchange information on progress and experience with respect to the implementation of this Recommendation;
  - iv. Monitor the implementation of the Recommendation and to report to the Council five years from the date of its adoption and every ten years thereafter.

13. In line with this last instruction, this Report provides an assessment of key activities undertaken to disseminate and implement the Recommendation, as well as conclusions regarding its continued relevance.

## 2. Methodology

14. In order to collect information on the implementation, dissemination and continued relevance of the Recommendation, a survey questionnaire was developed by the Secretariat and circulated to the Adherents to the Recommendation as well as the European Union (EU) considering that the management framework for chemicals is coordinated and enacted at European Union level [[ENV/CBC\(2023\)18](#)].

15. Since the Recommendation was also intended to increase the awareness of illegal pesticides, e.g. to build a "global alliance" against illegal pesticides, the survey questionnaire [[ENV/CBC\(2023\)18](#)] was also circulated to Accession Candidate Countries and non-Adherents active in the policy area covered and collaborating with the OECD in combating illegal trade in pesticides.

16. The survey questionnaire consisted of two main parts, a Part I consisting of questions related to the implementation of the Recommendation and a Part II focussing on dissemination and continued relevance of the Recommendation.

17. Responses were collected between August and October 2023. 20 Adherents provided responses to the questionnaire: Australia, Belgium, Canada, Chile, Colombia, Costa Rica, Finland, Germany, Israel, Italy, Japan, Lithuania, the Netherlands, New Zealand, Poland, Spain, Sweden, Switzerland, Türkiye, the United States as well as the EU (whose activities represent those of 23 Adherents) and 4 Accession countries: Bulgaria, Croatia, Peru and Romania (together referred to as "Respondents"). For the purpose of this Report, the responses provided by the EU describe the collective activities at the EU level related to implementation and are therefore reflective of activities of Adherents that are EU Member States. Several EU Member States also provided individual responses (Belgium, Bulgaria, Croatia, Finland, Germany, Italy, Lithuania, the Netherlands, Poland, Romania, Spain and Sweden).

18. The questions for implementation and dissemination were not subjective, requiring a 'yes' or 'no' response, followed by additional prompts that allowed Respondents to provide further information.

19. Activities by ONIP and the OECD Secretariat to disseminate the Recommendation and to support the implementation of provisions of the Recommendation are included in Sections 4 and 5.

20. Finally, additional information was gathered from related OECD activities on information exchange, outreach and capacity-building which are supporting the implementation of provisions of the Recommendation and is benefitting from collaboration with ONIP experts. This information is provided in Table 8.

### 3. Implementation by Adherents through Domestic and Regional (EU) Activities

21. This section presents a summary and analysis of responses received to the sixteen questions in the survey questionnaire, covering all three substantive provisions of the Recommendation as reproduced below. The first section addresses responses related to the first two provisions of the Recommendation while the third provision related to cooperation are addressed in a separate section.

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**II. RECOMMENDS** that Adherents establish or strengthen national procedures aimed at countering the illegal trade of agricultural pesticides in line with the Best Practice Guidance, taking into account national priorities, policies and programmes. To that effect, Adherents should:

- i) Ensure there is an appropriate regulatory framework for the management of agricultural pesticides;
  - ii) Ensure there are systems in place to detect and take regulatory action against illegal trade of pesticides;
  - iii) Co-operate on minimising the illegal trade of pesticides.
- 

#### 3.1. Establish or strengthen national procedures aimed at countering the illegal trade of agricultural pesticides in line with the Best Practice Guidance

##### *Establishment of national procedures*

22. Fourteen Respondents indicated that they established national procedures aimed at countering the illegal trade of agricultural, and ten Respondents indicated that they did not.

23. Those Respondents indicating that they did establish new procedures, provided responses on new procedures for diverse topics, i.e. import, registration/authorisation, export, identification and compliance and enforcement, for instance:

- Australia introduced the monitoring of chemical imports through the provision of automated data reports from the Australian Border Force to detect illegal pesticides. Further import specific measures were implemented by Finland through the creation of a pesticides import profile in pesticide import declarations for their customs authority. Colombia established requirements, permits and authorizations required prior to the submission of applications for registration and import licenses by the entities participating in the Foreign Trade Single Window (VUCE), this includes pesticides trade.
- Colombia introduced several procedures relating to pesticides authorisation/registration on a national but also regional level, e.g. the Andean Community of Nations<sup>8</sup>. Similarly, Spain has updated their Official Control Programme for the Placing on the Market of Plant Protection Products for the 2021-2025 period and introduced new legislation in relation to establishing the conditions

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<sup>8</sup> The Andean Community of Nations (CAN) is a sub-regional organisation that seeks to promote the integration and economic and social development of its member countries. It was created in 1969 by the Cartagena Agreement and has its headquarters in Lima, Peru. The countries that form part of the Andean Community are Bolivia, Colombia, Ecuador and Peru.

of storage, marketing, import or export, official control, and authorization of tests with pesticides.

- Switzerland indicated the introduction of new measures to regulate the export of pesticides in relation to safety requirements for human health and the environment. If pesticides do not meet these requirements, export of these pesticides has either been banned or has been made subject to licence requirements, with explicit consent needed from the importing country.
- Lithuania introduced a new procedure for the detection of and action on illegal pesticides and introduced procedures for the sampling of plants and soil in farmer fields with regard to fight the use of illegal pesticides. Italy strengthened import controls by Decree of the Ministry of Health and using a notification system. Also the United States developed new tools to facilitate inspection targeting and identification of illicit products. On the enforcement side, Bulgaria introduced a new measure by amending the Criminal Code, in fact criminalising acts related to the illegal import and distribution in the country of unauthorised and false pesticides. Similarly the Netherlands improved their procedure for seizure under administrative law with the benefit of holding the offender accountable for the costs of destroying the illegal pesticides. Peru noted their Post Registration Inspection of Pesticides for Agricultural Use, (Compliance with Surveillance and Control Activities).
- Germany indicated to have established a central control unit that specifically monitors illegal pesticide offers on the internet.
- Finally, Romania indicated to be part of the “Silver Axe” Operation. This is an annual operation which started in 2015 and is coordinated by EUROPOL specifically targeting the trade of illegal pesticides around the globe. During the eighth edition of Operation Silver Axe in 2023, law enforcement authorities from 32 countries i.e. all EU Member States and five third-party countries (Australia, Brazil, Ukraine, the United Kingdom, and the United States) participated, and 2040 tonnes of illegal pesticides were seized.

24. The ten Respondents that responded not to have established national procedures did not provide additional details, except for New Zealand indicating that the established processes already cover illegal trade.

25. In conclusion, since the introduction of the Recommendation, many Adherents have established various and diverse new procedures to counter illegal pesticides domestically, e.g. ranging from updated legal texts to improvements to technical procedures for the detection of illegal pesticides. This indicates the wide range of possibilities for countries to strengthen their national procedures and showcases the impact of the Recommendation on countries to introduce these new measures.

### ***Strengthening of existing national procedures***

26. Sixteen Respondents indicated that they did indeed strengthen their national procedures aimed at countering the illegal trade of pesticides. Responses can be grouped by the following main topics: strengthened compliance procedures, improved import checks, increased enforcement options, for instance:

- Bulgaria has strengthened common procedures for the inspection of agricultural pharmacies, warehouses for trade in pesticides, pesticides repacking sites, pesticides manufacturer's sites, and farmer's warehouses. The illegal trade aspect is a mandatory element of these inspections. Also Croatia noted to have strengthened

their procedure for the implementation of inspections of compliance with requirements for pesticides on the market, similar to Italy who have audited their control checks and system. Colombia also updated legislation covering pesticides subject to control by the National Environmental Licensing Authority (ANLA), while Poland adopted updated guidelines related to inspection in 2020.

- Germany has created a common working group involving pesticide inspection services as well as customs to improve the controls of pesticide imports. Also the European Union noted that controls in the EU zone have been strengthened to counter the illegal trade of pesticides. Finland similarly responded to have created a customs and market surveillance enforcement authority co-operation model to strengthen controls, as did the Netherlands who started a programmatic approach in 2023 with the aim of improving the information position and improve cooperation between different administrations and departments. Furthermore, Finland has strengthened their analysis capabilities through the accreditation of pesticide analysis laboratories. Türkiye noted their Veterinary Services, Phytosanitary, Food and Feed Law and the Regulation on the Import of Plant Protection Products and Plant Protection Product Raw Materials, with recent notifications added to assign authorised customs administrations for the import controls of pesticides.
- Lithuania responded to have strengthened their Code of Administrative Violations by detailing and increasing penalties for infringements of illegal pesticide activities. In addition the Law on Plant Protection was amended setting new requirements of strict penalties to legal entities for infringements of illegal pesticide activities. The United States have increased the focus on information sharing between civil and criminal enforcement programs.
- Romania indicated to have started a national inspection campaign in 2022, “Fitos 2022”, after participating in the Operation Silver Axe VI in 2021, where several authorities cooperated. “Fitos 2022” detected a large number of infractions and resulted in seizures of large amounts of pesticides.
- New Zealand indicated to have been working to improve their procedures in general.

27. The eight Respondents answering not to have strengthened national procedures did not provide additional details.

***Use of the Best Practice Guidance to establish or strengthen national procedures aimed at countering the illegal trade of agricultural pesticides***

28. On the question if countries have a regulatory framework for the management of agricultural pesticides in place that incorporates elements to counter illegal trade of pesticides in line with the Best Practice Guidance, Adherents overwhelmingly responded yes.

29. Eight Respondents indicated that they used the Best Practice Guidance when establishing or strengthening their national procedures.

- Australia used a Memorandum of Understanding (MoU) to formalise the cooperation between the Australian Pesticides and Veterinary Medicines Authority (APVMA) and the Australian Border Force for the identification and referral of illegal pesticide imports, and additionally introduced the capability to have alerts raised for suspect entities or pesticides of concern.

- Canada used the Best Practice Guidance as one of their reference documents, while Croatia answered that procedures for agricultural inspectors are in line with the Best Practice Guidance. Poland indicated to have strengthened their controls by adopting new risk assessment criteria and to have implemented controls along the entire supply chain of pesticides (import, production, packaging and sales points).
- Lithuania used the Best Practice Guidance to strengthen international communication, exchanging information in cases of import, transit (transportation) of suspicious pesticides consignments, and participate in international and national trainings and seminars with regard to fight trade of illegal pesticides.

30. Of the sixteen remaining Respondents that did not use the Best Practice Guidance, several indicated that they either would do so in the future, or that current established measures already include the elements mentioned in the Best Practice Guidance (or the majority of them).

31. Respondents were asked if they found that elements were missing from the Best Practice Guidance, when they established national and international procedures, and to expand on those elements that should be included in the Best Practice Guidance. Eight Respondents indicated that they missed certain elements, for example:

- Some Respondents highlighted online trade/e-commerce as an element that could be included in the Best Practice Guidance.
- Colombia mentioned that their Post-consumer Product Return Management Plans provided useful information about illegal practices such as illegal pesticides introduced into the country, fraudulent packaging, fake labels, concealment, and double layer covering and that this could be a useful element to include in the Best Practice Guidance.
- Both Switzerland and Lithuania mentioned the issuance of permits, during import or export, as an element that could be added. Though export certificates are specifically mentioned in the Best Practice Guidance, specific guidance regarding one-time import permits or for issuing permits for goods leaving customs warehouses could be included. Canada additionally mentioned that artificial intelligence could be considered to aid in the risk assessment of illegal goods. Bulgaria mentioned that results from investigations could be a useful element to include as this would be useful for control authorities to improve future inspections. Spain noted to have established an electronic register for transactions and operations with pesticides regarding commerce and control, which is in line with the elements regarding forms to be transmissible electronically, in the Best Practice Guidance.
- Finally, the Netherlands noted that an additional element could describe international cooperation to combat the modus operandi of importing technical materials or concentrates (i.e. of the pesticide active ingredients) in one country and formulate illegal pesticides in a different country.

32. In general, Adherents note that regulations are in place within the country that are in line with the Best Practice Guidance, and require all pesticides to be approved and registered, that offence provisions exist for the possession, sale or supply of unregistered pesticides. This includes provisions that prohibit the importation and/or exportation of pesticides that are not approved or registered with the country. Compliance and enforcement activities are mentioned by some of the Respondents, indicating the specific authority/office responsible for such controls.



### 3.2. Capacity of Adherents to detect and to take regulatory action against illegal trade of pesticides.

33. All Respondents indicate to have evaluated the existing capacity to detect illegal trade of pesticides, and some routinely re-evaluate that capacity for needed improvement. Respondents also provide varying responses on the type of detection that are in place to counter illegal trade in pesticides. Responses ranged from having administrative arrangements (e.g., MoU) in place to facilitate the interaction between border control and the regulatory authority to listing the various controls carried out in countries to detect illegal trade of pesticides, e.g., control of labels, documents, traceability of products, use and import of pesticides, etc.

- Additionally, for instance Switzerland mentioned to have digitalised customs processes, thereby facilitating the detection of illegal trade and the exchange between the Federal Office for Customs and Border Security and the competent Federal Offices who have access to the system. Similarly, several other Adherents mention a single window - digital platform for import.
- Chile defines illegal trafficking of goods as a criminal offence of smuggling, and this includes trafficking of pesticides.
- Colombia refers to the Andean Decision 804 of 2015, as the current legal instrument for registration, inspection and control of pesticides for agricultural use, which includes measures for the exchange of information related to the export of chemical pesticides for agricultural use and the creation of national systems of information integrated to an Andean System of Information Exchange on Pesticides for Agriculture Use to support the management of the registration and control of pesticides and follow-ups relevant to the Decision. The Decree-Law 920 of 2023 issued by the Ministry of Finance and Public Credit introduces a new sanction regime and procedure for the seizure of goods in customs matters and the applicable procedure to be followed by the Special Administrative Unit of the National Tax and Customs Directorate (DIAN) to impose the sanctions and the seizure of the goods referred to in this Decree.
- The European Union mentioned several systems that are in place in Europe to detect illegal trade in pesticides, including the EU Food Fraud Network, where suspicions of fraud are notified. These notifications concern the trade and usage of non-EU approved substances or approved active substances that do not meet the technical requirements. This Network launched an EU coordinated action in 2023 targeting illegal trade of pesticides within the EU. Furthermore guidance published by the European Commission – Joint Research Centre (EC-JRC), “[Fighting fraudulent and deceptive practices in the agri-food chain](#)”, provides information on how to apply controls on pesticides in the framework of Regulation (EU) 2017/625. The European Commission also regularly audits Member States to assess their control systems on marketing and use of plant protection products, including on identifying fraudulent or deceptive practices. The European Anti-Fraud Office (OLAF) supports customs authorities in the detection of dangerous goods, including pesticides and OLAF’s experience helps to identify potentially counterfeited and illegal products or ingredients. OLAF will also coordinate a Joint Customs Operation (JCO) on dangerous substances, including pesticides, as a result of the conclusions of the 13<sup>th</sup> Asia-Europe meeting (ASEM) of Directors-General/Commissioners of Customs.

- Furthermore, EUROPOL, the European Union Intellectual Property Office (EUIPO) and the European Commission combat illegal pesticides trade through [the action Silver Axe](#) (with focuses on illegal, Intellectual Property Rights (IPR) related, plant protection products) and the European Multidisciplinary Platform Against Criminal Threats (EMPACT) action coordinated by EUROPOL. Several of the Respondents mention to cooperate in the international Silver Axe operation, which aids their national detection potential, and can serve as a template for similar, but national, coordinated operations as mentioned for instance by Romania.
- Finland also noted to have a notification channel for reactive notices to aid in the detection of illegal trade, which is in accordance with the EU's whistle-blower regulation, and to have set up a co-operation group for enforcement authorities with a joint national annual enforcement plan for pesticides. Regulatory actions are set in national legislation in Finland.

34. Not all Respondents answered to have evaluated the existing capacity to take regulatory action against illegal trade of pesticides, while others mentioned to do this on a routine basis and to revise their regulatory action accordingly.

35. The regulatory action mentioned by Respondents against illegal trade of pesticides largely consists of administrative fines, the withdrawal of permits, and seizure of pesticides. Some Respondents specifically mention to have both administrative and criminal law options in place.

36. Several of the European Respondents make reference to the relevant provisions in Regulation (EU) No 1107/2009 describing the powers of the agricultural inspection service under this Act.

### 3.3. Co-operate on minimising the illegal trade of pesticides

#### *Developing or updating existing national co-operation mechanisms to minimise the illegal trade of pesticides*

37. On the question if national cooperation mechanisms were evaluated eighteen of the Respondents answered to have done so. Follow-up questions asked for additional explanations about the different national entities involved and asked about the impact of the developed or updated mechanisms.

38. Many of the Respondents mentioned the national cooperation between regulatory authority, or authorities, and Customs, either formalised with a MoU or not. In some cases, the digital processing of customs procedures and a digitalized licence management system (for export and import) has optimised the cooperation amongst the competent authorities.

39. It appears that in some Adherents multiple Ministries/Authorities/regulatory agencies are involved in the registration of pesticides, though in general no specific information was provided on how the cooperation between different Ministries functioned.

40. As indicated previously, in Europe there is cooperation between EUROPOL, EUIPO and the European Commission, while OLAF provides support to Customs in general. Both EUROPOL and OLAF exchange information with the EU Food Fraud network.

41. Some Respondents also mentioned additional national cooperation with tax authorities, police, military force, the judiciary system, water authorities, and with private partners. For example:

- Lithuania specifically mentioned written agreements between the State Plant Service under the Ministry of Agriculture (SPSMoA) with police, Customs, National Paying Agency, State Food and Veterinary Service, CropLife Lithuania and others regarding the exchange of information about, and implement effective control of, illegal pesticides.
- Poland mentioned the existence of an “Interinstitutional Group on Illegal [pesticides]” as well as training workshops on the regional level which helped to exchange experiences and raised the awareness about the possible threats of illegal pesticides. Italy similarly mentioned that training courses with participants from different health safety related authorities are a useful means of exchanging information between the different national entities.

42. Several Respondents mention that the exchange of information between authorities has improved, and that the quality and effectiveness of enforcement has increased because of that. Furthermore, that there is better insight in pesticide trade patterns in general. Respondents provided the following additional explanations about the impact of the developed or updated cooperation mechanisms.

- Belgium noted that additional cooperation with transport authorities will be established to identify illegal pesticides during road transport controls.
- New Zealand noted that their improved systems and industry awareness of the non-compliance and complaints systems has resulted in increasing industry reporting of potential non-compliances to allow action to be taken where necessary.
- Cooperation with water authorities now allows the Netherlands to investigate in the future the use of illegal pesticides by using data from these water authorities.
- The United States concludes that the frequent communication, between other regulatory authorities on matters of overlapping interest and/or jurisdiction, has led to enforcement referrals, sharing of expertise and greater understanding and leveraging of regulatory authorities.

***Developing or updating existing international co-operation mechanisms to minimise the illegal trade of pesticides.***

43. Eighteen Respondents indicated to have evaluated their international cooperation mechanisms.

- For instance, Belgium highlighted various international interactions of their National Investigation Unit of the Federal Agency for the Safety of the Food Chain. These include interactions with EU-Member States, with members of international actions like Silver Axe, with members of ONIP, exchange of information via the RAS, and with the police from other EU-Member States through the Secure Information Exchange Network Application (SIENA).
- Several other European Respondents similarly mentioned exchanging information between EU Member States on the basis of Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, via the RASFF system.
- Other international regional initiatives exist for cooperation, as mentioned by Colombia with the release of their Resolution 2075, which adopts the Andean

Technical Manual for the Registration and Control of Chemical Pesticides for Agricultural Use, developed by all countries of the CAN.

- Finland noted cooperation between Nordic countries in exchanging information about illegal trade in pesticides, while Lithuania highlighted the regular exchange of information with neighbour countries, and the Netherlands note to have increased their bilateral communication with Germany, France and Belgium since the adoption of the Recommendation.
- The United States noted that there are many international cooperations in place, and provided a recent example of a [United States-Mexico-Canada agreement](#), which includes the administration of a grant program offering funding for projects designed to combat illegal trade of regulated chemicals that pose a risk to human health and the environment.
- International cooperation with non-OECD Members was also mentioned, e.g. the Canadian Pesticide Compliance Program provided advice to the National Environment Agency (NEA) from Singapore in their planning to instate a post-registration pesticide surveillance process.

44. Follow-up questions asked to provide additional explanations about the type, and about the incidence/timeframe of international cooperation. Many Respondents highlighted corporation within the OECD's ONIP or the action Silver Axe, more regional activities within the European Union (e.g. EMPACT, SIENA, RASFF) or between the Nordic countries, as well as bilateral interactions with neighbour countries.

45. The submitted information regarding the incidence/timeframe of international cooperation varied.

- Belgium mentioned daily cooperation with neighbouring countries, while Bulgaria referred to the operational phase of Silver Axe, which is often from January to April.
- The United States mentioned that communications take place on an established schedule, e.g. monthly or quarterly, while others are scheduled on an ad hoc basis.
- New Zealand noted that the timeframe depended on the use of OECD tools supporting the implementation of the Recommendation. Germany noted that under the Regulation (EU) 2017/625, EU Member States are obliged to respond within 10 working days when a notification is made via the RASFF. This is so far the only mention of formalised response times for international cooperation, albeit in a legislation context. Finally, Canada noted to have delivered the training on best practices for preventing the importation of illegal pesticides to participants from 12 countries in West Africa which was held in Senegal in 2018, and part of the OECD Outreach and Capacity building activities (see Table 8).

## 4. Implementation of the Recommendation through collaborative activities

46. Implementation of the provisions of the Recommendation is done both domestically by Adherents and also through collaborative work at the OECD, in particular through ONIP, a level III body under the WPP. The Recommendation INSTRUCTS the CBC, through ONIP, to:

- i. Develop guidance and methodologies which will facilitate the identification of illegal pesticides;
- ii. Serve as a forum, using the RAS, for the rapid exchange of reports on suspicious or rejected shipments of pesticides, when such information is deemed relevant and urgent;
- iii. Serve as a forum to exchange information on progress and experience with respect to the implementation of this Recommendation.

47. The mandate of the WPP and ONIP are aligned with the Recommendation to support Adherents to implement it through collaborative activities<sup>9</sup>. The WPP mandate, amongst others, now states that the WPP shall:

- provide a forum for countering illegal international trade of agricultural pesticides and support the implementation and dissemination of OECD standards related to the illegal trade of pesticides;

48. The ONIP mandate includes three main objectives, which say that the ONIP shall:

- oversee the development and use of the OECD Rapid Alert System on illegal international trade of agricultural pesticides, as part of daily practice activities;
- discuss relevant issues such as traceability, suspicious/rejected international shipments, integrated inspection, risk analysis, risk communication or multilateral cooperation, with a view to exchanging experience, learning from each other and elaborating solutions to identified common problems;
- support the implementation and dissemination of OECD standards related to the illegal trade of pesticides

49. Since some of the provisions are implemented through collaborative work at the OECD, the related activities are presented below.

### 4.1. OECD Network on Illegal Trade of Pesticides (ONIP)

50. ONIP meets on a yearly basis to exchange experiences related to the *modus operandi* of illegal traders, discuss new methodologies to counter illegal trade and develop activities to counter illegal trade of pesticides. When appropriate, ONIP invites external experts on an *ad hoc* basis, e.g. from other Intergovernmental Organisations like the Food and Agriculture Organization (FAO) of the United Nations (UN) or the World Customs Organization (WCO), from non-Adherent, from international organisations like INTERPOL and EUROPOL, and from Industry.

51. Table 2 lists meetings and events of the ONIP or supported by ONIP since the year of adoption of the Recommendation that provided a platform (i) for Adherents to discuss

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<sup>9</sup> [Link to OECD Bodies Guide](#)

amongst themselves issues associated with the implementation and dissemination of the Recommendation and (ii) for Adherents and non-Adherents to develop and harmonise hazard assessment methodology, exchange information, share best practices and discuss challenges in relation to the Recommendation.

**Table 2. Meetings and events of the ONIP in relation to the implementation and dissemination of the Recommendation**

Date	Meeting / Event Title	Meeting Type	Venue
13-14 February 2019	7th Meeting of the OECD Network on Illegal Trade of Pesticides	Expert Group meeting	OECD Conference Centre
8 June 2020	8th Meeting of the OECD Network on Illegal Trade of Pesticides	Expert Group meeting	Virtual
16-17 February 2022	Slovak Republic Seminar on Identification of Illicit Trafficking of Pesticides	Expert Group meeting	Hybrid (Vyšné Nemecké, Slovak Republic / Virtual)
14 June 2022	9th Meeting of the OECD Network on Illegal Trade of Pesticides	Expert Group meeting	Virtual
27 February 2023	10th Meeting of the OECD Network on Illegal Trade of Pesticides	Expert Group meeting	Hybrid (OECD Conference Centre / Virtual)

#### 4.2. Activities of other committees

52. In addition to the ONIP meetings, discussions and collaboration among Adherents, as well as non-Adherents, also happen through the participation in meetings, and otherwise support of, relevant activities under the Environment Policy Committee (EPOC). Some of these activities have focussed on developing compliance assurance approaches to environmental crime and are listed in Table 3. The mentioned activities could build on the pioneering work by ONIP and have referenced the Recommendation in the broadening policy developments related to environmental crime, and by doing so aided the increase in awareness about illegal trade in pesticides.

**Table 3. Illegal trade-related activities by the Environment Policy Committee since the adoption of the Recommendation**

Year	Publication/Presentation Title	Reference
2019	Building the EPOC work programme 2021-2022 - Overview and Scoping Note: Compliance Assurance Approaches to Environmental Crime	<a href="#">ENV/EPOC(2019)5</a> and <a href="#">ENV/EPOC(2019)5/ANN1</a>
2020	Joint Working Party on Trade and Environment - New Digital Technologies to Enhance Traceability of Trade in Environmentally Sensitive Products	<a href="#">COM/TAD/ENV/JWPTE/A(2020)1</a>
2020	Developing a compendium of best practices in monitoring and enforcing compliance and fighting environmental crime	<a href="#">ENV/EPOC/WPEP(2020)7/REV2</a>

53. The above activities resulted in the Joint Working Party on Trade and Environment (JWPTE) authoring two Working Papers that reference the Recommendation and Best Practice Guidance. First, the study into new digital technologies to tackle trade in illegal

pesticides<sup>10</sup>. This paper explores the potential of blockchain technology – a digital distributed ledger system – to support the implementation of policy actions for tackling trade in illegal pesticides. The ONIP Secretariat supported the drafting of this paper. This document is an important tool for the development of new techniques to better secure the supply chain of pesticides and can help build confidence in novel methods and encourage their adoption by regulatory agencies and other stakeholders.

54. The JWPTE also published a report describing the nexus between illegal trade and environmental crime in 2023<sup>11</sup>. This report provides a snapshot of cross-border environmental crime and available initiatives to tackle illegal activities at a transnational scale, with a particular focus on multilateral and regional frameworks. The key message from this report is that the increasing prevalence of cross-border environmental crime is due to regulatory failures and the growing involvement of transnational organised crimes, which require an internationally co-ordinated response, both at the multilateral and regional level. The latter corresponds very well with the ONIP approach and third provision of the Recommendation.

**Table 4. Illegal trade-related publications in cross-committee activities since the adoption of the Recommendation**

Year	Publication Title	Reference
2020	New digital technologies to tackle trade in illegal pesticides	OECD Trade and Environment Working Papers 2020/02
2023	The nexus between illegal trade and environmental crime	OECD Trade and Environment Working Papers 2023/02

<sup>10</sup> <https://doi.org/10.1787/9383b310-en>

<sup>11</sup> <https://doi.org/10.1787/8dae4616-en>

## 5. Dissemination of the Recommendation

**III. INVITES the Secretary-General to disseminate the Recommendation.**

**IV. INVITES Adherents to disseminate the Recommendation at all levels of government.**

55. In the Recommendation, the Council invited the Secretary-General and Adherents to disseminate the Recommendation. Dissemination of legal instruments typically refers to promotion of the existence of the Recommendation, however since collaborative work is on-going at the OECD also in terms of implementation of the Recommendation, this is also included in the description of dissemination, as well as dedicated activities from the OECD Secretariat.

### 5.1. Dissemination of the Recommendation by Adherents through collaborative OECD work and by the OECD Secretariat

56. With a view to increasing the dissemination and impact of the collaborative implementation carried out at the OECD of the Recommendation, the Secretariat has attended events at the OECD and international events. Examples of these are listed in [Table 5](#) and [Table 6](#). In addition, the meetings of the WPP and ONIP, which are subsidiary bodies of the CBC, constitute fora for the exchange of information, policy practices and lessons learned along with the development of methodologies and approaches which constitute implementation aspects of this Recommendation. While the meetings of the Working Party and ONIP are vehicles for implementation, they are also a vehicle for dissemination of the guidance, documents and other tools implementing the provisions (as described above). A listing of these events can be found in Section 4.

**Table 5. Example of dissemination of the Recommendation implementation activities by the OECD Secretariat through collaborative OECD work**

Date	Event	Nature of dissemination
10-11 June 2021	OECD Workshop on Regional Trade Agreements and the Environment, with a session on “Potential of RTAs in addressing the nexus of illegal trade of environmental crime”	Presentation of OECD work related to illegal trade in pesticides and participation in the discussion panel

**Table 6. Examples of dissemination of the Recommendation implementation activities by the OECD Secretariat at external events**

Date	Event	Nature of dissemination
19–22 November 2019	12 <sup>th</sup> FAO/WHO Joint Meeting on Pesticide Management	Presentation of OECD work related to illegal pesticides, and supporting the development of a “Guidance Note” on Addressing Illegal Trade in Pesticides ( <a href="#">report</a> )
20–21 October 2020	13 <sup>th</sup> FAO/WHO Joint Meeting on Pesticide Management	Presentation of OECD work related to illegal pesticides, and supporting the development of a “Guidance Note” on Addressing Illegal Trade in Pesticides ( <a href="#">report</a> )



14–15 October 2021	14 <sup>th</sup> FAO/WHO Joint Meeting on Pesticide Management	Presentation of OECD work related to illegal pesticides, and supporting the development of a “Guidance Note” on Addressing Illegal Trade in Pesticides ( <a href="#">report</a> )
15–18 November 2022	15 <sup>th</sup> FAO/WHO Joint Meeting on Pesticide Management	Presentation of OECD work related to illegal pesticides, and supporting the development of a “Guidance Note” on Addressing Illegal Trade in Pesticides ( <a href="#">report</a> )
12-13 and 19-20 January 2022	Secretariat of the Basel, Rotterdam and Stockholm Conventions - Regional training on legal frameworks/illegal trade and traffic	Online training event ( <a href="#">report</a> )
10 May 2023	Supply chain transparency and traceability in agrochemicals supports the responsible use of crop protection products	Triple COP of the Basel, Rotterdam and Stockholm Conventions; Side-event organized by CropLife

57. The OECD co-operates closely with other international organisations, most notably nine United Nations (UN) agencies involved in chemical safety, through the Inter-organization Programme for the Sound Management of Chemicals (IOMC)<sup>12</sup> towards the implementation of the Strategic Approach to International Chemicals Management (SAICM)<sup>13</sup> which bring together governments from more than 150 countries and various stakeholders.

58. The objective is to strengthen international co-operation in the field of chemicals and to increase the effectiveness of the organisations’ international chemicals programmes; and to promote co-ordination of policies and activities, pursued jointly or separately, to achieve the sound management of chemicals in relation to human health and the environment.

59. In 2020, UNEP, supported by GRID-Arendal, produced a publication which provides an overview of the knowledge gap and enforcement challenges in the illegal trade of toxic, hazardous and severely restricted chemicals, as well as in non-existing or low areas of chemical regulations. The OECD Secretariat provided substantial support in drafting the section on illegal pesticides of this report, listed in Table 7, which references ONIP, the Best Practises Guidance and the Recommendation. The report furthermore references the Guidelines on Pesticide Compliance and Enforcement (OECD, 2012), which include recommendations to strengthen control of pesticides at national borders but was published prior to adoption of the Recommendation.

60. In 2021, the IOMC convened a series of webinars on issues related to the sound management of chemicals and waste beyond 2020 and the first webinar addressed the illegal trade and traffic of industrial chemicals, pesticides, and waste.

61. The webinar highlighted that illegal traffic of chemical and waste affects everyone, particularly the most vulnerable, including farmers and consumers. Speakers also noted that a holistic approach is needed to address the illegal traffic of pesticides, including by improving legislation, developing global or regional policy and technical guidelines, strengthening cooperation among all stakeholders (farmers, law enforcement, and the private sector), and increasing awareness regionally and globally. The OECD secretariat presented the Recommendation and the work of ONIP.

<sup>12</sup> The Participating Organisations include, in addition to the OECD, the Food and Agriculture Organization (FAO), the International Labour Organization (ILO), the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP), the United Nations Industrial Development Organization (UNIDO), the United Nations Institute for Training and Research (UNITAR), the World Health Organization (WHO), the World Bank and the Basel, Rotterdam and Stockholm Conventions [Home \(who.int\)](#)

<sup>13</sup> [www.saicm.org](http://www.saicm.org)

62. A webinar report and the presentations are available on the IOMC website dedicated to the IOMC Webinar Series in Support of the Beyond 2020 Process, listed in Table 7.

**Table 7. IOMC related activities on illegal trade of pesticides since the adoption of the Recommendation**

Year	Publication Title	Reference
2020	UNEP GRID Arendal report on the illegal trade in chemicals	<a href="#">UNEP GRID Arendal report via UNEP website</a>
29 March 2021	Addressing illegal trade and traffic of industrial chemicals, pesticides and waste for sound management of chemicals and waste beyond 2020	<a href="#">IOMC webinar report</a>

63. Further dissemination of the Recommendation is planned through the development of a dedicated module “Countering Illegal Trade of Pesticides” within *the IOMC Toolbox for Decision Making in Chemicals Management*. This is an internet-based tool that enables Adherents and non-Adherents to identify the most relevant and efficient tools to address specific national problems in chemicals management and is managed by the Inter-Organisation Programme for the Sound Management of Chemicals (IOMC).

64. The Toolbox currently contains recommendations for setting-up seven types of management schemes: a pesticides management scheme; an occupational health and safety system; a chemical accidents prevention, preparedness and response system for major hazards; a Pollutant Release and Transfer Register; an industrial chemicals management system; a Globally Harmonised System for Classification and Labelling implementation scheme and a public health management scheme of chemicals.

65. Adherents and non-Adherents will find different options proposed, according to their level of available resources (low, medium, high), for setting up or improving their chemical management scheme and all the related guidance documents and tools available for each implementation step. Special focus is given to identifying simple cost-effective solutions to national chemicals management issues.

**Figure 1: Screenshot of IOMC Toolbox for Decision Making in Chemicals Management**



Source: <https://iomctoolbox.org/>

66. The activity to include a module on countering illegal trade of pesticides, funded by the EU, is coordinated by the Secretariat under the outreach and capacity building activities of the CBC, and also consists of promotion of the new module through global webinars.

67. Subsequent capacity building events specific to the new IOMC Toolbox module will be targeted to specific countries and regions in need of support.

68. Further to the activity to include a module on countering illegal trade of pesticides in the IOMC Toolbox, the Secretariat has engaged in outreach and capacity building activities in Africa, as listed in Table 8.

**Table 8. Outreach and capacity building activities related to illegal trade of pesticides of the organisation since the adoption of the Recommendation**

Year	Event
June 2022	Côte d'Ivoire: Training Workshop Promotion of Recommendation and Best Practice Guidance on countering illegal trade of pesticides (funded by the EU, with expertise from Belgium)
March 2023	Kenya: Workshop on pesticide inspection, countering illegal trade of pesticides (funded by the UK, expertise from Belgium)
November 2023	Cameroon: OECD presenting at a CropLife Workshop on Countering Illegal Trade of Pesticides

69. Finally, the Secretariat is occasionally requested to provide expertise for activities outside of the OECD, but which can broaden the knowledge about the OECD activities on illegal trade of pesticides in general, and the Recommendation and Best Practice Guidance in particular, these are listed in Table 9. Additional activities by stakeholders are also included in Table 9.

70. The e-training module, in Spanish, created by CropLife Latin America is a good example of very valuable dissemination of the Best Practice Guidance through third parties. The course was launched in September 2022 and had close to 200 completed trainings by February 2023, with trainees originating from México, Honduras, Guatemala, Colombia and Costa Rica.

**Table 9. Illegal trade of pesticides-related publications outside of the organisation since the adoption of the Recommendation**

Year	Publication Title	Reference
9 February 2020	In agricultural giant Brazil a new and growing hazard – the illegal trade in pesticides	<a href="#">Washington Post</a>
7 October 2021	University of Cape Town's Division of Environmental Health's Pesticide Community of Practice: Pesticide Discussion Forum: Illegal trade of pesticides and the OECD activities related to it	<a href="#">Pesticide Discussion Forum Summary Digest</a>
29 August 2022	OCDE: Guía de Buenas Prácticas para combatir el comercio ilegal de plaguicidas, by CropLife	<a href="#">Youtube</a>
September 2022	CropLife training course about the Best Practice Guidance (in Spanish)	<a href="#">e-training module</a>
2023	Exposing supply chain vulnerabilities to illicit trade – a global report on dynamics, hotspots and responses across 10 sectors	<a href="#">TRACIT</a>

## 5.2. Information dissemination at all levels of government

71. Another important element is the dissemination of the Recommendation at all levels of government (e.g., among the relevant ministries, levels of government and other relevant public institutions), to which eleven Respondents reacted positively and twelve

Respondents reacted not to have disseminated the Recommendation at all levels of government.

72. Respondents were also asked to indicate how the Recommendation was disseminated, i.e. by adding a web-link to their website, translation of the Recommendation in their language, via communications and briefings, or using other means with the request to specify what those other means are. Most of the Respondents indicated to have used communications and briefings to inform all levels of government about the Recommendation. Otherwise, links to the OECD website were used to disseminate information about the Recommendation.

- Colombia's Ministry of Environment and Sustainable Development is currently developing an "Environmental Guide on the Use of Chemical Pesticides for Agricultural Use", which cites the Recommendation. The Environmental Guide includes translations of the Recommendation's key aspects and the Best Practice Guidance. Furthermore, Colombia convened meetings during the process of updating the Environmental Guide as well as dedicated meetings to disseminate both the Recommendation and the Best Practice Guidance.
- Other means that were mentioned included setting up working groups by Bulgaria to disseminate OECD tools as part of Bulgaria's accession process to the OECD.

73. Those Respondents that answered not to have disseminated the Recommendation were asked to specify why this was not done. The received responses varied between Respondents, ranging from lack of awareness of this recommendation to perceived lack of need to disseminate the Recommendation either because legislation and other guidance is readily available, or countries already worked according to most of the principles of the Recommendation.

74. Some Respondents expressed either that the survey was a good reminder of the existence of the Recommendation or that the Recommendation was disseminated to the relevant ministry offices after receiving the survey.

### 5.3. Information dissemination and the Rapid Alert System (RAS)

75. Only eight Respondents responded to exchange information about suspected shipments of illegal pesticides via the Rapid Alert System (RAS).

- Belgium and the Netherlands answered that they use the RAS though this was used less in recent years.
- Germany described that since almost all cases involving Germany concern other EU Member States, the European iRASFF system is used preferentially to communicate in cases related to the illegal trade of pesticides.
- Additionally, the United States noted that though the civil enforcement programme within the Environment Protection Agency is not aware of any Agency use of the RAS, it does recognise the potential benefits of the RAS and will further explore its use with its internal and external enforcement stakeholders.

76. Respondents were also asked to provide additional explanations about why the RAS could not be used in their opinion.

- Canada finds it more suitable to issue domestic advisories and recall alerts when there is a concern related to the quality and safety of pesticides.

- Chile informed that the RAS is unknown to the public officials of the Health and Environment Authority of Chile, but that it could be a good tool to use in the future. Finland and Poland noted that they use the EU's RASFF system.
  - Japan, Lithuania, Sweden and New Zealand noted that there have been no cases that were applicable/relevant for the RAS.
  - Finally, Belgium has no explanation about why the RAS could not be used, as to their experience, the RAS is a user-friendly tool to notify other members, while Peru notes that greater dissemination of the use of the RAS is lacking.
77. Finally, the Respondents were asked to provide additional explanations to improve the RAS use, with only limited reaction.
- Canada noted that the details provided for submitting a RAS-submission can only be available and confirmed after a thorough investigation.
  - Costa Rica responded that access to the RAS should be improved.
  - Belgium has the impression that notifications on RAS are rarely read and further notes that there is generally limited feedback from notified countries after a RAS notification is made. Belgium suggests, in order to improve the use of RAS, to make sure that every participant of ONIP has access to RAS and that every member of RAS receives notifications of new RAS-messages.
78. The OECD Rapid-Alert System (RAS) is used by a limited number of countries, and it appears that Respondents are still unfamiliar with its use and purpose. Furthermore, the existence of a similar regional system in the EU, the RASFF, creates resource issues, i.e. preferential use of the RASFF in the EU region versus the OECD RAS. Nevertheless, several Respondents noted to consider using the RAS in the future.

#### **5.4. Information dissemination vis-à-vis non-Adherents and non-governmental actors**

79. Only five Respondents indicated to have disseminated the Recommendation externally, largely through communications and briefings though no further information was provided.
80. Four Respondents indicated to be aware of the dissemination of the Recommendation by other actors (e.g. non-Adherents, including international organisations other than the OECD and non-governmental actors). This occurred through web-links to the OECD website, communications and briefings though no further clarifications were provided. One Respondent noted through “requests for information like this one”.
81. It should be noted that academia, press and industry organisations like CropLife are and have been disseminating the Recommendation and Best Practice Guidance, for instance through their activities indicated in Table 9. These are relatively simple and easily accessible tools that Adherents can use and highlight, within authorities as well as to the public, to increase the awareness about illegal trade of pesticides and the Recommendation.

#### **5.5. Information dissemination and the public.**

82. Respondents were asked about the type of information disseminated to the public, namely on the dangers/impact of illegal pesticides trade and on seizures of illegal pesticides shipments.

83. Sixteen Respondents reacted to provide information to the public and where possible provided website links used to disseminate information about the dangers/impact of illegal pesticides trade. Nine Respondents provided information and website links used to disseminate information about seizures of illegal pesticides shipments.

84. When communicated, the information about the dangers/impact of illegal pesticides trade is often only available in the national language, though sometimes translations in English or other languages are provided which can aid in the dissemination of the provided information about the dangers/impact of illegal pesticides trade.

- Belgium mentions not to disseminate this type of information, though the dangers/impact of illegal pesticides are sporadically mentioned in press releases related to the topic of official controls on pesticides.
- Colombia does provide this type of information and highlights that their Ministry of Environment and Sustainable Development is presently developing an “Environmental Guide on the Use of Chemical Pesticides for Agricultural Use”, which contains a dedicated chapter on “Measures to Control the Illegal Trade in Pesticides”. This chapter makes direct reference to the OECD Recommendation, and procedures to regulate the life cycle of pesticides are outlined. Private and public sector organisations were involved in the development of this guide. Additionally, Colombia also developed a guideline dedicated to pesticides that are Persistent Organic Pollutants (POPs) and the health effects derived from the use of these pesticides. Though currently banned in Colombia, these pesticides were used in the past for coffee, cotton, rice, potato, and corn crops.
- Peru notes that the information that is made available to the public is in accordance with Peruvian legal regulations, not in accordance with the Best Practices Guide. Peru makes their information to the public available via several social media-platforms.

85. Notably less Respondents provide information about seizures of illegal pesticides shipments to the public.

- Poland however does provide this type of information to raise the awareness of pesticides users and conducts an annual information campaign for farmers in cooperation with the Customs Authority, Police and with the private sector. The campaign warns against the purchase of illegal and counterfeit pesticides.
- Also Belgium provides information about seized shipments through publicly available reports and press releases of the Federal Agency for the Safety of the Food Chain, the competent authority for the control on pesticides.
- New Zealand would report this type of information if shipments were held at the border, and the party was prosecuted.



## 6. Continued relevance of the Recommendation.

86. The survey proceeded with a question on the overall relevance of the Recommendation in a format that allowed Respondents to choose between a) *The Recommendation is still relevant and no further action is needed*, b) *The Recommendation is still relevant but it needs to be updated*, and c) *The Recommendation is obsolete*. This was complimented with a follow-up question asking *If updating is needed or the instrument is deemed obsolete, what are the primary reasons for that?*

87. The aggregated questionnaire responses indicate that the Recommendation remains effective, up-to-date and relevant. The Recommendation does not, therefore, require any revision in the short-to-medium term.

88. Only four Respondents specifically expressed that the Recommendation remains relevant but there is a need for an update. One Respondent provided no information, while the other three Respondents all indicated that it could be considered to strengthen those sections related to online/internet illegal trade. Such an update could however be achieved through an update of the Best Practice Guidance without the need to update the Recommendation itself.

89. Another Respondent noted that it would be of great support if there could be an expert training for the implementation and incorporation of the Recommendation into national regulation.

90. On the question asking whether any changes in the existing provisions of the Recommendation are necessary, fourteen Respondents indicated that this was not the case, while three Respondents indicated that they did not know. Of the four Respondents indicating that a change should be made to the existing provision two Respondents referred to specifically address online illegal trade.

91. One Respondent indicated that the provision referring to cooperation should be stronger, i.e. that “stronger recommendations should be made for law enforcement authorities to cooperate, involve and give support to administrative authorities in case of illegal and counterfeited plant protection products”.

92. Finally, one Respondent recommended to develop a forum or process so that authorities can better engage with legitimate manufacturers and producers to distinguish between illegal and legitimate products and develop countermeasures when illegal products are found. However, the Respondent also specifically noted that this could maybe be more appropriately addressed through another vehicle than revising the existing provisions of the Recommendation.

93. On the final question of the survey, where Respondents were asked to indicate if, since the adoption of the Recommendation, any new issues have arisen that the OECD should subsequently work on, responses were divided equally over the three options. Six Respondents answered that no new issues have arisen, six answered not to know if any new issues have arisen, while eight Respondents indicated that indeed new issues have arisen. Out of these eight Respondents, five reported a need for further work on illegal online/e-commerce/internet trade, in line with the responses for the previous two questions.

94. The three remaining Respondents suggested to report the information and outcome of this investigation, strengthen the support of the OECD for developing countries and to conduct a pilot study to analyse packages for illegal content, returned through container

return projects. All of these are or can be addressed through the current activities of ONIP and the Outreach and Capacity building activities.

95. Strengthening the support of OECD for developing countries could for instance consist of the following:

- Development of a module on illegal trade that will be integrated into the IOMC Toolbox.
- Development of guidance that is adapted to the situation in developing countries, in particular considering the extremely limited resources that are available in those countries.
- Establishing a mechanism for information exchange amongst countries that would complement and build on existing mechanisms, in particular the Rotterdam Convention.



## 7. Summary and Conclusions

### 7.1. Implementation

96. The information gathered by the Secretariat, and the collected survey responses suggest that Respondents, domestically and in the context of collaborative work at the OECD, have made significant and continued efforts to implement the Recommendation, including continued efforts in raising awareness about the dangers of illegal trade in pesticides, in particular through ONIP.

97. Respondents have established various and diverse new procedures to counter illegal pesticides domestically, and strengthened existing national procedures aimed at countering the illegal trade of pesticides, particularly by strengthening compliance procedures, improving import checks, and increasing enforcement options.

98. The Best Practice Guidance was used by some Adherents to establish or improve national procedures, mostly those elements focused on an increased or improved communication between authorities, where the regulatory framework in place was not yet in line with the Best Practice Guidance or where no such regulatory framework existed yet. Experience with using the Best Practice Guidance has shown that it could be updated to:

- include guidance about illegal online trade,
- include guidance about the use of Product Return Management Plans to gather intelligence about illegal pesticide products,
- investigate the use of artificial intelligence to aid in the risk assessment of illegal goods, and
- include an element describing international cooperation to combat illegal pesticides.

99. Some caution is necessary when including elements in the Best Practice Guidance as this is a publicly available document, and therefore for some elements it will be more appropriate to discuss or circulate guidance in a confidential manner e.g. through ONIP. This particularly relates to information about investigative techniques or other specific information to identify and counter illegal trade, that illegal traders could benefit from.

100. Regulatory frameworks, national and regional, are in line with the Best Practice Guidance and require that all pesticides are approved and registered, with offence provisions existing for unapproved or unregistered pesticides. Compliance and enforcement activities are in place, though the latter often consist of administrative fines, which could be insufficient to deter illegal traders, hence enforcement options could be more severe.

101. National and international cooperation mechanisms were evaluated and in general seem to have improved since the adoption of the Recommendation. Noteworthy are the introduction of formalised procedures, like MoUs, between the various national agencies and institutions involved in countering illegal trade, though it is not always clear if this is consistently introduced across all Respondent.

102. With regard to international cooperation, besides the ONIP activities, Respondents consider the Silver Axe action of the European Union Agency for Law Enforcement Cooperation (EUROPOL) to be very valuable, as well as bilateral exchanges with neighbouring countries and regional activities e.g. in Europe, Andean and Nordic countries.

103. While the Recommendation is overall well-implemented by Adherents, there are some challenges to its implementation, which mainly relate to the evolving modus operandi of illegal traders, i.e. to gather the necessary intelligence and construct counter actions to new modus operandi requires time. To do this effectively and efficiently, quick communication between authorities and institutions is necessary, which is best served with formalised agreements (e.g. MoU) between national, and where necessary international, actors.

104. To continue to promote efficiencies and effectiveness in countering illegal trade in pesticides, Adherents could build upon the experience gained and practices carried out by other Adherents in preparing counter measures (provisions ii and iii). This would leverage the results of the development of harmonised approaches and best practices.

## 7.2. Dissemination

105. Since elements of this Recommendations are implemented through collaborative activities at the OECD, these implementation activities are also reflected in the context of ‘dissemination’.

106. Since the adoption of the Recommendation both the Recommendation and Best Practice Guidance have been disseminated through various internal and external events such as the FAO/WHO Joint Meetings on Pesticide Management, training organised by the Secretariat of the Basel, Rotterdam and Stockholm Conventions, an academia event, as well as an industry organised event at the triple COP of the Basel, Rotterdam and Stockholm Conventions.

107. The OECD co-operates closely with other international organisations, most notably the nine other UN organisations involved in chemical safety, through the Inter-organization Programme for the Sound Management of Chemicals (IOMC)<sup>14</sup> to strengthen international co-operation in the field of chemicals as the Recommendation invites Adherents and the Secretary-General to do.

108. This has resulted in publications and a webinar organised with the Participating Organisations of the IOMC, while the planned development of a dedicated module on “Countering Illegal Trade of Pesticides” within the IOMC Toolbox for Decision Making in Chemicals Management aims to further disseminate and strengthen available tools to counter illegal pesticides worldwide.

109. Trainings organised in Africa through the OECD outreach and capacity building activities further increased the dissemination of the Recommendation and Best Practice Guidance, as did supported publications by the Transnational Alliance to combat illicit trade (TRACIT) and the press.

110. Dissemination by Respondents focuses on information about the dangers of illegal pesticides but less so about seizures of illegal pesticides shipments, while only one Respondent mentioned to have specifically disseminated the Recommendation and Best Practice Guidance.

111. Dissemination about suspect shipments using the RAS occurs very sparingly and it appears that Respondents are still unfamiliar with its use and purpose. The existence of a similar regional system creates issues, i.e. preferential use of the Rapid Alert System for Food and Feed in the EU region versus the RAS. Nevertheless, several Respondents noted to consider using the RAS in the future.

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<sup>14</sup> <https://partnership.who.int/iomc>

112. Half of the Respondents have disseminated the Recommendation across all levels of government, while the other half responded not to have done so. The latter occurred through lack of awareness of the Recommendation or the perceived lack of need to disseminate the Recommendation. Only a few Respondents have reported dissemination of the Recommendation beyond Adherents, to non-Adherents or non-governmental actors.

113. While these actions have already contributed to the dissemination of the Recommendation to both Adherents and non-Adherents, more needs to be done to raise awareness about the Recommendation.

### 7.3. Continued relevance

114. The aggregated questionnaire responses indicate that the Recommendation remains effective, up-to-date and relevant. The Recommendation does not, therefore, require any revision in the short-to-medium term.

115. Some Respondents suggest strengthening activities related to online/internet trade, the support of OECD for developing countries and developing specific technical activities. These could be achieved through the activities of ONIP and an update of the Best Practice Guidance without the need to update the Recommendation itself.

### 7.4. Next steps

116. In light of the above, it is proposed that Adherents continue disseminating and implementing all aspects of the Recommendation, and in particular address the challenges identified above.

117. This could be done by further disseminating the activities and outputs (reports, webinars, trainings, etc.) in relation to the implementation of the Recommendation to all levels of government, as well as to non-Adherents, including non-governmental actors; as well as disseminating the harmonised approaches within and beyond OECD bodies supporting the implementation of the Recommendation.

118. Adherents could also assess whether enforcement options are sufficient to deter illegal traders and whether national and international cooperation mechanisms can be further improved by introducing more formalised procedures, like MoUs. Adherents could continue building upon the experience gained and practices carried out by other Adherents in preparing counter measures against illegal trade as this leverages the results of the development of harmonised approaches and best practices.

119. The CBC, through the WPP and ONIP, could continue supporting the implementation of this Recommendation, notably by serving as a forum for collaborative work; and strengthen its efforts to ensure co-operation with other international organisations, in particular with the other Participating Organisations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC).

120. It could also continue its work to develop and update, in a timely manner, guidance and methodologies which will facilitate the identification of illegal pesticides. In particular, it could explore the need to update the Best Practice Guidance, for instance to include guidance about illegal online trade, the use of Product Return Management Plans to gather intelligence about illegal pesticide products, to investigate the use of artificial intelligence to aid in the risk assessment of illegal goods, and to include an element describing international cooperation to combat illegal pesticides. In addition, it could explore ways to strengthen support for developing countries, for instance by supporting the development of a dedicated tool on illegal trade into the *IOMC Toolbox for Decision-Making in Chemicals*

*Management*, develop guidance that is adapted to the situation in developing countries, in particular considering the extremely limited resources that are available in those countries, and supporting the development of a mechanism for information exchange amongst developing countries that would complement and build on existing mechanisms.

121. It is proposed that the CBC, through WPP and ONIP, continues use the RAS, for the rapid exchange of reports on suspicious or rejected shipments of pesticides, and continue to promote the use of the RAS by all Adherents.

122. It is also proposed that it continues to serve as a forum to exchange information on progress and experience with respect to the implementation of the Recommendation and continue to promote international awareness of this Recommendation, with a view to informing, advising and encouraging non-Adherents to participate in the OECD's work in the field of illegal trade of pesticides.

123. Finally, it is proposed that the CBC, through WPP and ONIP, report back to Council on the implementation, dissemination and continued relevance of the Recommendation in 10 years or earlier if developments in the field warrant it.