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Plant Health Legislation in EU and Scotland

–

John Speirs
Scottish Government

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What is Plant Health?

- Quarantine – keeping pests out of areas where they do not occur (or not widely distributed and under official control)

- Non-quarantine – ensuring availability of healthy planting material (e.g. through certification schemes)

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EU Plant Health Regime

- Directive 2000/29/EC
- To prevent the introduction into and spread within the EC of pests and diseases harmful to plants & plant products
- Facilitate trade within the EC

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EU Plant Health Regime

- Member States are required to ban the introduction of prohibited organisms into their territory and to ban their movement within their territory
- In some cases, where certain organisms are present in the EU, but with limited distribution, there are additional Control Directives

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EU Plant Health Regime

- Control Directives (e.g. PCN, Wart Disease, Brown rot & Ring rot)
- Emergency Measures
- Derogations

Potato wart
Photo: Defra

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Pest Lists

- Annex I and II (harmful organisms)
- Annex III (commodities prohibited)
- Annex IV (specific requirements – both EU movement on imports from non-EU)
- Annex V (commodities subject to plant health inspections)

Clavibacter michiganensis subsp. *sepedonicus*

Photo: CSL

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Implementing Measures

- Registration of operators – Plant Passports
- Import from Third Countries – Inspection and notifications
- Protected Zones

Colorado beetle

Photo: CSL

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Other Measures

- ‘Comitology' procedure
- ‘Community Inspectorate’ – to investigate how Member States and non-EU countries implement requirements
- Member State’s competency through a single and central co-ordination and contact authority

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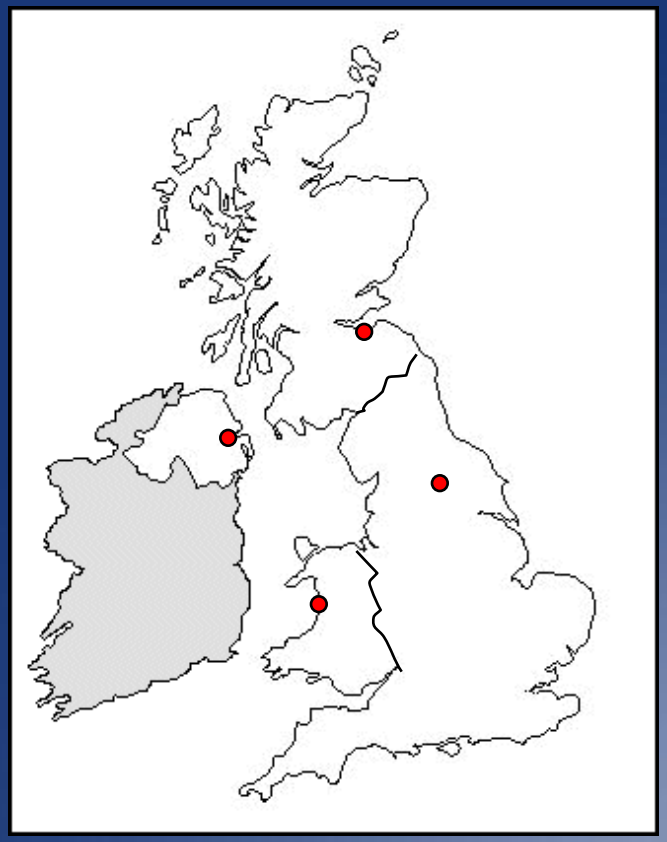
The UK Plant Health Service

- The Food and Environment Research Agency (FERA)
- Scottish Government
- Devolved Administrations for Wales and Northern Ireland
- Forestry Commission



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Scottish Legislation

- The Plant Health (Scotland) Order 2005, as amended
- The Plant Health (Potatoes) (Scotland) Order 2006, as amended
- Fees legislation

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Review of EU Regime

- Evaluation process started in November 2008
- Food Chain Evaluation Consortium (FCEC) appointed as consultants to conduct the evaluation
- EU Steering Group will oversee the review

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Review of EU regime

- Two evaluation questionnaires sent to Member States and stakeholders:
  - Experience of the regime
  - Costs
- Conference held 23-24 Feb 2010 in Brussels – for Member States and EU level stakeholders

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Progress at UK level

- Questionnaires complex – as a result focus has been on agreeing key points
- Key UK points cleared with Ministers
- Common elements in UK official and stakeholder responses
- FCEC have met with UK Government officials and stakeholders

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UK Key Points

- Timely decisions on risk management
- Better risk targeting
- Better co-ordination between Member State Inspectorates

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Timely Decision Making

- Identify threats early – before outbreaks
- Regulate pathways before they pose a risk
- Plan to find outbreaks early and take action
- Clarify responsibilities on unlisted pests
- Deregulate, or change to RNQP, quicker when quarantine status no longer appropriate

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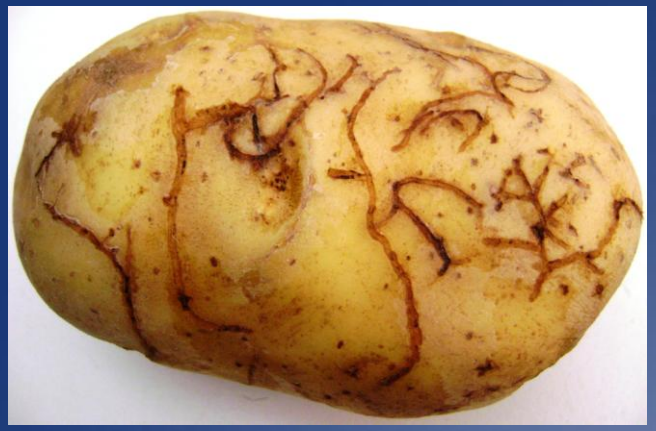
Better Risk Targeting

- Target the highest risk pathways
- Follow up import inspections at growing sites
- Some checks of unregulated trades
- Focus where the risks are – movements into un-infested or ‘at risk’ areas (regionalisation)



Epitrix damage on tubers.

Photo: C. Boavida, INRB, Portugal

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Co-ordination between Inspectorates

- Policy officials communicate (Standing Committee, etc)
- Scientists communicate (EPPO, etc)
- Co-ordination needed for level playing field
- Roles for Food and Veterinary Office (FVO) and EPPO

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Other issues and risks

- Costs and Responsibility sharing
- Are quarantine pest lists too long?
- Clarify rules for unlisted pests?
- More standardisation of plant passports?
- Standardisation of baggage concessions?
- Increase in publicity for passengers?

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Next Steps

- 28 September 2010 – EU presentation of evaluation results to stakeholders
- Commission development of action plan, options and risk assessments
- Legislative changes not likely until 2012, at the earliest

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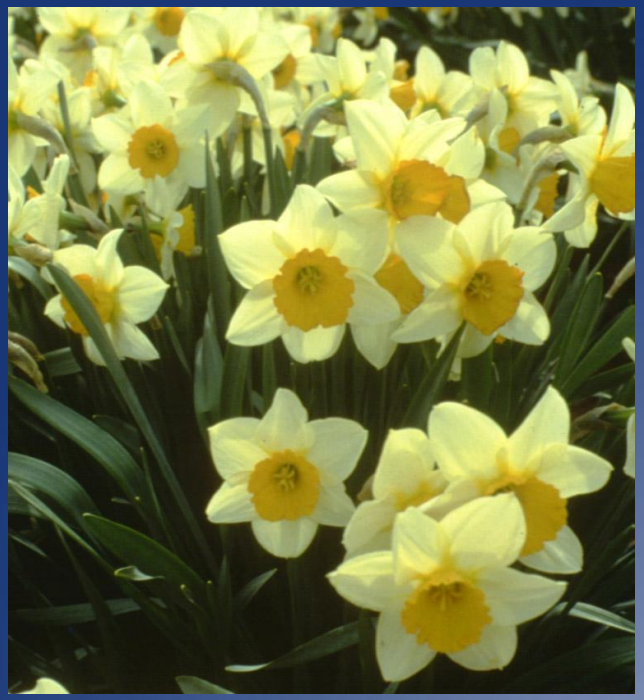
‘A Picture of Health’