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Options for the future Common Plant Health Regime

UFS was informed by ESA of the possible options proposed by DG SANCO for the future plant health regime.

UFS points out the key-role played by seeds in being at the origin of various agricultural productions. Their sanitary status contributes to the health of crops, as well as to the protection of the environment.

UFS supports the objectives of the common regime and highlights that the specificity and the national and international aspects of our industry should be recognized.

UFS recommends more coherence with the seed law, as well as with the official feed and food controls regulation (EU 882/2004) in the aim of improving the plant health regime and optimizing the use of resources.

Within this framework, we underline the issues we support and those which seem too far from our position as seed industry in the 4 proposed options.

- **Option 1**, we support :
 - The **preservation of fundamental principles** and the progression to a fully **harmonized regulation** in EU;
 - The **integration of horizontal aspects** of food and feed legislation in the new regulation on official controls (EU 882/2004), accompanied by a **greater delegation of tasks to the private sector, under official supervision**, in the aim of saving resources;
 - The partnership between both private and public sectors for the **governance** of the health regime.

- **Option 2 (including option1)**, we support :
 - The addition of specific measures for the “**high risk trade**”, provided it is properly defined;
 - The **mandatory surveillance of harmful organisms** if they have been defined as priority and in accordance with their new classification. This already is part of the present mission of seed companies to achieve it by use of good practices and management of the quality of seed lots.
 - Seed companies have already informed the Commission of their **capacity to observe** the situation of pests in the EU and third countries. They are prepared to share their information on pathogens on seeds and plants as well as on emerging risks with the relevant authorities.
 - The slightly “theoretical” enforcement of eradication, but first of all the **containment** which, as far as seeds are concerned, relates to procedures mentioned above, which have proved their efficiency, especially for regulated quarantine pests (RQPs).
 - UFS recommends to carry out **phytosanitary risks assessments** in which professional seed companies should take part.
 - The modernisation of the **plant passport** which needs to be harmonised on EU level by a harmonized logo as a simple identification of the product, with delegation to private companies. For seeds, the scope of plant passport should apply only to species with **quarantine diseases** and any eventual extension must be made only **after the revision of the classification** of regulated quarantine pests.

- Updating of the **protected zones**, defined according to scientific criteria, rather than the development of pest free areas. The implementation of the latter system would be too strict.
 - Introduction of **mandatory fees** for the passport, if justified and acceptable with harmonisation of fees between the MS of EU.
 - Improvement of **coherence with the seeds and plants marketing regime** with:
 - The revision of the classification of seed borne regulated quarantine pests (RQPs) , according to IPPC and EPPO criteria ;
 - Including the transfer of certain RQPs towards the **regulated non-quarantine pests** (RNQPs), with a status close to the one of quality organisms and the implementation of a **tolerance threshold**.
 - **Delegation of quality management to private operators** under official supervision for these RNQPs.
- **Option 3 (plus 2 and 1)**, we support :
 - The principle of **increasing resources** in order to allow the regime to achieve a higher level of pest control:
 - Thanks to a reallocation of financial means, in accordance with the suggestion to delegate the tasks to the private sector
 - If a real harmonization is achieved on EU level,
 - In respect of individual economic constraints of each sector of crop production and in proportion with prevention efforts.
 - The principle of **co-financing** the mandatory surveillance and **compensating losses** incurred by pests, BUT in proportion with efforts to increase hygiene and prevention within each sector.
 - The **lifting of the degressivity rule** for eradication and containment measures, if all precautions have been carried out ;
 - Maintaining the **exclusion of natural spread related measures**, the responsibility of which must depend solely on EU solidarity.
- **Option 4 (plus 3, 2 and 1) we do not support :**
 - The inclusions of **invasive alien species** (IAS) as far as seeds are concerned, because this is not a priority. The risk is known and controlled during quality management of seed lots.

1. For Option 1, UFS supports:

- The principle of maintaining the fundamental measures of the regime and of progressing towards a regulation for a real harmonisation between all different EU member states.
- The integration of common aspects of food and feed legislation in the new regulation on official controls (EU 882/2004) with the option for a larger delegation of tasks to private operators, according to rules of official supervision which demonstrate their competence (expert knowledge) when performing the operations of inspection, laboratory tests and associated administrative tasks . The advantage of this would be the freeing of resources to the competent authorities that could then use it for more fundamental tasks such as surveillance, training, diagnostic methodology or research.
- Furthermore, the principle of a partnership between public and private players which would associate professional seed industry to the governance of the plant health regime would be a significant progress; the stakeholders joining forces to propose new regulatory measures.

2. For Option 2, which includes Option 1, UFS supports:

- The addition of specific measures concerning the high risk trade, if this latter is better defined; what it means for plants or crops, or the environment, or the consumer and human health.
 - Mandatory surveillance of priority pests if they have been defined as such following the revision of their classification. This surveillance is part of our mission as seed companies, not just for import-export, but also for trade within the EU. It can be achieved by applying good prevention practices during production, inspections in the fields and tests in laboratories and finally in our factories through sorting, management of lots which are not up to standard and plant protection product if needed. The seed companies have already informed the Commission about their important capacity of acting as an observatory for the situation of pests not only in the EU, but also in third countries, and that they were prepared to work in a transparent manner with the relevant authorities, so that they could exchange and share information on pathogens of seeds and plants and also on emerging risks.
 - The reinforcement of eradication, which, in principle, seems theoretical considering past outbreaks, and needs to be applied on a case by case basis if the above prevention proved inefficient. Above all, it is the containment which, as far as seeds are concerned, refers to the practices mentioned above, and has proved to be efficient namely for regulated quarantine organisms. In any case, we recommend carrying out the phytosanitary risks assessments together with the professionals.
 - The modernization of the plant passport, which needs to be harmonized and transparent on EU level as far as inspections carried out and the signification of its value are concerned. Its form should be simplified, using a harmonized logo allowing a clear and easy identification of the product. Traceability could be ensured by leaving the surveillance to private operators under official supervision, and application of sanctions in case of non-compliance with the obligations. Finally, for seeds, the scope of plant passport should apply only to species with quarantine diseases and any eventual extension must be made only after the revision of the classification of regulated quarantine pests.
 - Updating of protected zones by new assessment rules based on a real scientific justification of absence of pests. In our view, the concept of pest free areas does not seem to be pertinent. Its application would be too strict, with the immediate loss of status if a single case of presence of the harmful organism is reported.
 - The introduction of mandatory fees for the passport could be justified if the service was up to the needs described above and if they are economically tolerable. This brings up the question of harmonization of fees between MS of EU, which is far from being solved on every level of seed regulation, since formats differ from one member state to another.
- Improvement of coherence with the seeds and plants marketing regime , which we strongly request with:
 - The revision of the classification of seed borne regulated quarantine pests (RQPs) conveyed by seeds. This should be re-examined and corrected on a permanent basis, according to pertinent and objective scientific criteria, and in accordance with those of IPPC, ISPM 16 and EPPO recommendations.
 - Classification and transfer of some RQPs organisms towards regulated non-quarantine pests RNQPs would allow them with this new status to come closer to the one of quality organisms, with a tolerance threshold based on a risk assessment combined with a sampling lot method.
 - The delegation of quality management for these RNQPs to private operators under official supervision: thanks to inspections in the fields, control in laboratories and lot management of seeds which are not up to standard.

3. For Option 3, which includes Options 1 + 2, UFS supports:

- The principle of increasing resources in order to allow the regime to reach a higher level of pest control:
 - Through the reallocation of means according to the above suggestions of sharing (delegation) of tasks between competent authorities and private operators, alongside with the “accreditation” of private operators who wish it and have the proven ability.
 - If a real harmonization is achieved in the implementation of rules between all different member states (MS) of EU.
 - In respect of economic constraints within each different sector of crop production. Charges should not be shared evenly between sectors, but take into account specificities and efforts made by each sector, particularly as far as prevention is concerned.
- The principle of co-financing the mandatory surveillance and compensating the operators' losses caused by pests, BUT according to proportionality rules which apply to each sector and after consultation, which excludes any form of mutualisation and on condition that good hygiene and prevention practices have been put in place on an individual level for the species and pests concerned. Furthermore, financial incentives should be considered for operators who make a particular effort in implementing good practices to prevent harmful organisms.
- The lifting of the degressivity rule for eradication and containment measures sliding rule, if all precautions have been carried out. On the other hand, the extension of the regime to natural spread must depend solely on National and European solidarity funds.

4. For Option 4, which includes Options 1, 2 and 3, we do not support:

- The inclusion of invasive alien species (IAS) for seeds, because:
 - These species do not present a priority risk.
 - Seed companies already assure a strong surveillance of some known invasive species when controlling their lots, with guaranties required for international trade.
 - A reinforcement of regulations beyond those concerning quality organisms would only create blockages, disruptions and additional unnecessary costs for the seed industry.

5. In addition, UFS approves the discarding of the following options:

- Status Quo: not in conformity with the need of revision of the regime.
- Total deregulation: This would be a real danger in terms of plant health standards and would pose serious economic risks for the entire seed sector, not only on the European common market but also in international trade. It would infringe on existing legally commitments with international agencies (IPPC, EPPO, NAPPO...).
- Closed system: with importation licences which, due to their rigidity, would harm to commercial exchanges and to the EU agricultural economic activity as a whole.

6. At last, we regret that the issues on exportation and re-exportation of seed, as well as shipping of small lots for research and basic seed production purposes, do not enter in the scope of plant health regime, knowing that EU is ranked as N°1 worldwide for seed exportation.

UFS, Union Française des Semenciers, is a trade association which deals with Seed Industry and plant breeding promotion in France and Worldwide. UFS gathers 135 French seed companies involved in breeding, production and marketing of seeds for agriculture, gardens and landscape.

Basing its positions on professional expertise, UFS makes proposals to public authorities, agriculture stakeholders and international organizations.