

Mr. Robert Baayen
DG SANCO
European Commission
1049 Brussels

By email: robert.baayen@ec.europa.eu

29 October 2010

Comments on the evaluation of the EU Plant Health Regime

Dear Mr. Baayen,

Union Fleurs, the International Flower Trade Association, has welcomed, from the start of the process, the initiative of the Commission to evaluate and review the existing EU Plant Health Regime. In this framework, Union Fleurs representatives have attended and contributed to the various stakeholders meeting organized since December 2008.

Following the Conference organized on this topic on 28 September 2010 and after having carefully reviewed the various evaluation outcomes and recommendations presented during this conference, we would like to submit to your attention the following comments from the viewpoint of traders in cut flowers and pot plants:

- General comments:
 - From a general point of view, the floricultural trade has always been well-aware that stringent phytosanitary control measures are necessary to ensure that the international trade in plant products can continue to take place in safe conditions, while preventing the introduction and spread of harmful organisms into the EU. Nevertheless, we also believe that it is crucial for EU rules in this area to strike a **balance** between the need to protect the EU territory of plant health issues and the need to minimize the potential negative effects of phytosanitary measures on the trade.
 - Securing the free movement of plants & plant products within the EU and with exporting third countries should remain a strong objective for the EU Plant Health regime and the **facilitation & speeding up of control procedures** as much as possible should be encouraged, for example via the introduction of electronic phytosanitary certificates in the near future. Likewise, even though strong rules are necessary, over-regulating should be avoided by all means. On the opposite, **simplification and even de-regulation** when rules are no longer appropriate or necessary should be promoted: for instance, the existing lists of harmful organisms should be clarified and simplified where possible, and HOs and pests against which protective action is no longer effective or required should be removed from the list.
 - Plant health is a **public good and a societal issue** and, as such, an appropriate balance should be found to adequately share the costs of the implementation of efficient phytosanitary measures between public authorities and private operators. In this respect, we also believe that public financial means dedicated so far by the EU and Member States in the plant health area are far too limited and do not adequately reflect the importance that plant health issues should have within the EU; decisions-makers and public authorities should make every effort to increase the **awareness of the general public** to these matters, as has been done in countries like New Zealand, as the introduction of harmful organisms into the EU territory is not only generated by international trade and transport but can also result from non-trade related activities such as tourism.
 - **Prevention and a risk-based approach** are key to the efficient protection of the EU territory from any phytosanitary problem. Higher investment should be secured towards the development of prevention measures, training and sharing of knowledge, capacity-building and infrastructures. In this respect, we also believe that efforts made in the third countries exporting to the EU to tackle plant health issues at the origin should be better recognized and the plant health systems and phytosanitary measures enforced in these countries should be better valued and taken into account. In this framework, we believe it would be worthwhile to explore the possibility of fully recognizing existing private certification schemes at EU and international

levels and integrate them into the EU plant health strategy; it would improve cost-efficiency and help contribute to the monitoring of any plant health issues from the origin to the delivery point.

- A **stronger and more systematic coordination** between the Member States authorities should also be enforced, as well as a harmonized implementation of phytosanitary measures throughout the EU 27 territory and **a full recognition & mutual acceptance** between the EU 27 authorities of their respective application of control measures. It is still too often the case that double inspections take place both at the point of entry into the EU and at the point of destination, which proves very costly and time-consuming and is very damaging in the case of perishable products like cut flowers.
- Efforts in improving the **communication policy** between phytosanitary authorities and EU operators differ from one Member State to another and there are clear margins for improvement with respect to greater transparency and clarity, as well as better justification and explanation, in an understandable language, of the implemented measures. EU operators are often still short of relevant and clear arguments to explain to their business partners in third countries the necessity of the EU phytosanitary rules. We therefore hope that efforts towards **clarity and transparency of the rules** will be continuously pursued, especially in the direction of third countries' authorities and operators, which often lack necessary information, explanations and clarifications as regards the objectives and the justification of the phytosanitary measures put in place by the EU.
- Because they are perishable and sensitive, floricultural products need to undergo phytosanitary inspections and customs procedures as quickly as possible in order to remain as fresh as possible until the time of delivery. Efforts have certainly been made by the EU Commission in the past not to hinder too much the **logistical needs of the floricultural sector** by unnecessary and out-of-proportion phytosanitary requirements, notably thanks to the introduction of flexibility measures such as the reduced checks option. Nevertheless, it sometimes appears that the practice is different from the theory and that operators have to suffer from delays in the checks that are greatly damageable to the freshness of the products, mostly due to the lack of capacity and of staff resources, as well as limited working hours, of the national phytosanitary services in some EU Member States. We would therefore greatly appreciate if the European Commission could regularly remind the national phytosanitary services of their service duties and to make sure that progress will be made in this respect in the very near future.

- Specific comments on some of the recommendations presented in the evaluation report:

Recommendation 1: Invasive Alien Species (IAS)

While it is certain that IAS-related issues must be adequately tackled by the EU, we are questioning the appropriateness of including IAS within the framework of the EU Plant Health Regime if no adequate financial measures are taken to secure appropriate funding to cover this additional issue. We are concerned that otherwise this matter is going to absorb too much of the existing resources dedicated to plant health issues, which are already too limited financially as well as in human resources.

Recommendation 4: Prevention strategies at import

We agree that prevention at import is very important and believe, as pointed out above, that efforts should also focus on the pre-import stage i.e. in the origin countries exporting to the EU. We would nevertheless stress that any strategy aiming at reinforcing prevention should not only consist of sanctions for non-compliance where necessary but should also provide appropriate incentives and rewards where particular efforts have been made by exporting countries to tackle and control plant health risks at the origin.

In that respect, the reduced phytosanitary checks on-low-risk floricultural products from safe exporting countries introduced in 2005 have proven very efficient both for operators and authorities, in so far as it facilitates and speeds up the phytosanitary import procedures for those safe products and allows Member States authorities to concentrate their efforts and capacity on actual risks. We would strongly encourage those Member States that are not yet enforcing reduced checks to use this option as much as possible in the future.

The introduction of the reduced checks scheme also gave a clear signal that the EU is able to trust the quality and efficiency of control measures enforced by phytosanitary authorities in third countries. The floricultural trade is very supportive of this risk-based approach and believes

that it should become the principal rule for the worldwide application of phytosanitary measures (controls based on actual phytosanitary performance and a proven level of risks).

Finally, we are very concerned with the mention of 'import bans' under recommendation 4. Even though the proposal seems to be limited to plants for planting and propagating material only, we have with great concerns seen it mentioned by other stakeholders with a much larger scope. We would therefore herewith strongly call against any introduction of import bans by all means, unless an extraordinary unmanageable situation at origin requires extremely stringent measures of that kind and every other instruments of control have proven inefficient. If so, any such measure should have to be strictly limited in time and be open for review as soon as the origin country has provided sufficient guarantees that the situation is under control. But in any case, this should be strictly limited to extraordinary circumstances and considered only in the very last resort.

Recommendation 7: Plant Passport system

We can agree with the need to review the application of the plant passport and harmonise it throughout the EU27, as it is important to secure uniformity in intra-EU trade procedures so as to avoid trade distortions within the EU. Nevertheless we are quite concerned with the potential additional red-tape and administrative burden that this could create for operators, and therefore we would require that every effort be made to ensure clarification, simplification and harmonization without making the procedure more complex or burdensome.

Recommendation 12: Training

We would like to stress again the importance for the EU and national authorities of investing, both financially and in human resources, in training and capacity-building, not only at EU level but also internationally. An effective international exchange of information and knowledge as well as the sharing of experiences are crucial to tackle any phytosanitary issue as early as possible.

Recommendation 14: Communication and transparency

As mentioned above, public awareness of phytosanitary issues is crucial and information campaigns should be developed within the EU. Improving communication with third countries is also essential and should consist of clear and easily understandable messages.

Recommendation 15: Financial framework

The decrease in human and financial resources dedicated to plant health issues in the EU Member States, which is mentioned several times in the evaluation report, is of great concern for the future. If the importance of plant health issues for the future of our societies is clearly acknowledged, there should be a clear political commitment by the EU 27 Member States and the European Commission to significantly increase the public resources dedicated to tackling these issues, both in terms of budget / financial instruments and human resources. Moreover, and in the meantime, efforts should be made to increase cost efficiency wherever possible through a risk-based approach as mentioned above and through greater cooperation between the national authorities and inspectors to develop synergies and avoid cost-redundancy where possible.

We hope that our comments will prove useful in the framework of the evaluation and thank you in advance for taking our views into consideration in the next steps that will lead to the review of the EU Plant Health Regime. Please note that we might in the future further contribute with additional and more detailed comments on this matter.

Yours sincerely,



Lennart Loven
Chairman - Union Fleurs EU section

Union Fleurs is the International Floricultural Trade Association and officially represents the interests of traders in cut flowers and pot plants. Union Fleurs has members in 18 countries worldwide. The Union Fleurs Autonomous EU section specifically represents towards the European Union Institutions the Union Fleurs members located in the EU Member States.