



EUROPEAN NURSERYSTOCK ASSOCIATION

President: Mr. Jaime Riera - Secretary: David Brown

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Dear Mr Baayen

Towards a New Plant Health Law

I am writing as President of the European Nurserystock Association (ENA), the umbrella organisation for growers of Nurserystock across Europe, to offer further input into the development of the Community Plant Health Regime (CPHR). You will recall that ENA has already made submissions, both in writing and through contributions at EU workshops. Please accept these further comments in addition to those earlier submissions.

The members of ENA have asked me to write on a number of specific issues, as highlighted below. The operation of the CPHR is very important to growers of nurserystock across Europe and is likely to become even more important in future years. We hope that you will be able to take our ideas forward in your review.

- **SCOPE OF THE PLANT HEALTH REGIME**

ENA wishes to stress again that we do not believe that the CPHR is the correct legal mechanism for dealing with problems associated with Invasive Alien Species (IAS) of plants. ENA does not dispute the damaging effect that IAS can have, particularly on ecosystems. However, because of the importance of plant health to our industry ENA is very concerned that limited plant health resources will be diverted to deal with issues that should be funded from the environment budget. ENA also believes that this will send a clear message to the European taxpayer that IAS are an environmental problem and NOT a problem associated with the health of plants.

- **MODALITIES OF CO-FINANCING LOSSES**

ENA members welcome moves to introduce mechanisms to co-finance losses associated with quarantine pest and diseases. ENA stresses that we do not believe that there can be one single model to co-finance losses incurred by growers. We believe that there will need to be different models of co-financing to cover different scenarios if co-financing is to be seen as equitable by European taxpayers. For example, if the reason a grower faces destruction of crops (and therefore possibly the loss of his/her business) is to protect the wider environment the taxpayer should bear a greater degree of the costs because this is in the public interest, than if the destruction is to protect an economic sector of the industry. In this second case ENA can see the rationale for the industry sector taking a greater responsibility and share of the costs.

- **REVISION OF THE PLANT PASSPORT SYSTEM**

ENA can support greater harmonization of the Plant Passport (PP) system. However, ENA stresses that any moves to greater harmonization must keep the system flexible, easily workable and cost-effective for nurseries to operate. ENA does not believe that PPs should be extended to the final consumer. This will entail an additional expensive

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and very bureaucratic demand on suppliers and ENA does not believe it will add any value to the final consumer. We believe that the final consumer will have no interest in the PP, will certainly not retain the PP and will simply discard it. All this at a time when other areas of EU legislation are seeking to reduce waste (not increase it).

- **PROTECTED ZONES**

ENA re-iterates our support for Protected Zones (PZ) and again calls for harmonization on how PZs are financed, particularly outside the production nurseries. As with co-financing we believe that there should be different approaches to financing PZs if they are for the public/environmental good rather than the economic good of one sector. ENA also believes it is important that PZs are not used as an artificial barrier to trade.

- **REVISION OF THE IMPORT REGIME**

In the ongoing discussions regarding strengthening the import regime, particularly post-entry quarantine ENA urges that the Commission takes a proportionate view. It is vital that nurseries are not obliged to invest in expensive quarantine facilities on the nursery. Rather a risk-based approach should be taken on nurseries.

- **LINKS WITH THE PLANT MARKETING REGIME**

ENA is aware of the recent discussions surrounding revision of the seed and plant reproductive material (SPRM) legislation. ENA stresses the need to ensure close linkage between the CPHR and SPRM to avoid unnecessary duplication. For example, it would be a bureaucratic nonsense if nurseries had to undertake separate registration with authorities for both CPHR and SPRM.

I hope the above comments are useful in your deliberations.

Yours sincerely

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