



National  
Trust

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## Options for the future EU Plant Health Regime

A consultation response from the  
National Trust (UK Stakeholder)

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To: Robert Baayen, DG SANCO E7 Plant Health  
From: Ian Wright, Plant Health Adviser, National Trust.  
Date: 20th June 2011

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Dear Robert

Thank you for inviting our organisation to comment on the grouped framework options for the overall policy of the new EU plant health regime. Our previous feedback highlighted that we feel there should be a number of key changes (within the remit of the plant health regime) that recognise and respond to the increasing challenges we face, these changes should include:

- **Plant passports:** Upgrading the current plant passport system to allow a more traceable and transparent control in the movement of plants covered under the system, also the flexibility to respond to changes (including better and clearer reporting of interceptions) in trade and/or threats in a timeliness way.
- **Risk targeting:** The quantity of global trade continues to increase and diversify so preventing the entry of Harmful Organisms (HO) becomes even more essential. However we appreciate that this could be challenging and costly to implement without restricting the free flow of trade. The new regime should include an annex of the priority pests to focus risk targeting according to threat (some current controls on specific HO's might be lifted if reassessed as now being of lower risk). Another priority should be to risk assess trade that we have no prior experience alongside general enhanced monitoring procedures. Lastly we strongly urge EU support for third countries (Outside the EC) to promote a better understanding of EU regulations (at source) all forming part of more general improvements to the current way we horizon scan for new and potential future risks.
- **Co-financing:** Mandatory fees for plant passport control and industry co-financing for surveillance as part of import costs would seem fair and just, whilst recognising this is likely to be passed on to the consumer. Changes should reflect 'plants for planting' generally pose a higher risk than produce.
- **Behaviour change:** We hope the new regime will recognise and support good industry practice and help those like ourselves in a third party situation. Currently we fully self-fund the aftermath of an outbreak of an HO which is mostly the result of a situation we cannot directly influence, as you can appreciate this significantly challenges our limited

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resources. Any clear breaches of the regulations must be firmly dealt with by the empowered agencies and authorities, supported by adequate resources to implement the appropriate legislation. We suggest that recognising and rewarding good industry practice, also actively promoting cross-state cooperation and flexibility at all levels should be covered by the new regime. Quick and early response to identify and then manage an outbreak is essential.

- **Public communication:** A targeted programme of communication aimed at the public that will help clarify and aid better understanding of the consequences and risk of introducing HO's posed via passenger baggage (this may result in further movement restrictions surrounding plant material) and also better clarification of the allowances and rules of plant movement within the EC.

## **Options**

It is helpful that there is clear definition in the proposed options recognising that additional financial resources may not be approved. Realistically in order to make any significant changes then additional support would be essential. It seems there is a clear case that should attract ministerial support for additional resources – improving practice and legislation that will enhance, improve and protect food security and general trade but as important protecting and recognising the importance of each other's natural, heritage and recreational environment (elements such as gardens, woodland, commercial forestry, bio-diversity, wildlife habitats and urban green space etc) even during the present challenging economic climate.

We clearly identified in our previous feedback that any changes (funded or not) must coincide with better stakeholder practice (engagement, behaviour change and self auditing) and improved public awareness to be fully effective. Ideally the perception that EC or member state governments own and are solely responsible for plant health should fade over time, taking its place would be greater industry and public ownership, facilitated by member state plant health agencies within the new PH regime.

The presentation from the New Zealand Plant Health Director in October 2010 clearly showed how the benefits surrounding the general public's understanding and perception of good plant health (such as robust import controls) ultimately aided good industry practice and better awareness of the significance and fragility of their own natural environment.

The following comments on the options are in order of our preference (please note however that Option 3 needs more clarification on actual benefits)

### **Option 3 (Our preferred option if additional funding is available and approved)**

#### ***Improve the substance of the regime with increased resources.***

Any additional resources should be directed towards action rather than administration so to bring the control of pests and diseases to a more acceptable level. The term 'compensation' is used within this option, but there should be a clear framework that centres on good practice both in terms of the industry, also recognition and support for affected third party stakeholders. Introducing compensation will need careful control and any clear breaches of plant health controls should be penalised, helping to off-set clear up costs incurred by

affected third parties. **There should be clarity on the actual improvements/outputs that would result from additional funding within the framework of option 3 and not just centred on compensation this is needed to assess the benefit fully against option 2.**

The negative affect of including compensation (confusion and an increased administration burden) might outweigh the actual phytosanitary benefits of any additional resources directed towards risk targeting and action. As a worst case scenario, a cushion of potential compensation may encourage more risk taking by some.

There could be a case for a distinction between high-value industries bearing the cost of outbreaks directly applicable to their industry as opposed to landscape outbreaks, in these situations the landowner is often an innocent by-stander managing an outbreak caused by an introduction unrelated to their business. This could mean key industries might pay for their own protection so reserving some scarce official funds for landscape pests and diseases that impact directly on the environment (natural, historic and urban).

**Option 2** (Our preferred option if additional funding is not available and approved)

***Improve the substance of regime without increased EU resources***

The addition of mandatory controls for high risk trade controls is now essential, but alongside eradication and containment of outbreaks. Upgrading the plant passport (PP) system and cross charging of PP controls seems sensible when promoting and supporting better industry practice.

Both of our preferred Options (3 & 2) fail to mention the importance of better public ownership, perception, cross-industry/stakeholder good practice (including working groups), improved co-operation and flexibility between member states, their plant health agencies and associated research institutes.

**Option 4**

***Improve the substance of the regime with increased EU resources*** (including invasive plants)

As the option describes, including invasive plants is likely to involve allocating significant additional funds as part of co-financing eradication action plans. While the National Trust supports strict controls on non-native invasive plant and animals, we suggest that the EC plant health regime is not the best place to address this. In the UK, FERA already have the Non-Native Species Directorate. Inclusion of invasive alien species within the context of plant health is likely to direct valuable funding and other resources away from plant health issues and will be very difficult to legislate against due to the diverse ecosystems within the EC.

**Option 1**

***Improve only the form and clarity of the regime.***

In practice we cannot see that this would address the threats we now face, either present or in the immediate future. There seems little improvement on the current regime therefore we would not see any benefit in this option.

**In summary** our preference is for Option 3 but with the proviso that this should not be centred on compensation, or that compensation consideration and associated issues mask

the need to improve the current scheme and its elements such as plant passporting and risk targeting, our concerns would then be that this would direct valuable resources away from actual increased prevention and surveillance actions.

As always we look forward to our continuing participation as the building blocks of the new regime are formed, then post launch when we would hope new stakeholder networks develop to support the implementation of the new Plant Health Regime

Best wishes

Ian

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