



**National  
Trust**

## Working Towards A New Plant Health Law

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**To Robert Baayen .**

European Commission DG SANCO E7 - Plant Health

**Richard Harris,**

The Food and Environment Research Agency (Fera) UK

**From Ian Wright,**

NT Garden Adviser and Plant Health Lead

Date 15/10/10

Subject **Feedback on recommendations**

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Dear Robert and Richard

The following points are as a result of your request for feedback on the outline recommendations and options for inclusion in the forthcoming revision of the Common Plant Health Regime (CPHR). I would hope that you are able to take these into consideration when developing the new regime and as part of a UK response. We have previously shared with Conrad (Evaluator) and Martin Ward some initial thoughts which highlighted our main concerns. The recommendations and options introduced at the conference in Brussels in Brussels on the 28<sup>th</sup> September 2010 seem to cover most these points apart from the need to include and recognise the large economic value of recreation and tourism (both in the heritage and natural environment) in the context of plant health.

As a key stakeholder we look forward to taking an active part in the forthcoming process which we hope will result in a fully modernised plant health regime that is both flexible and dynamic throughout its expected 15 year lifespan. Please do contact me if I can clarify or expand on any of the points we have raised.

### **(1) Expanding the scope of the CPHR**

#### **Recommendation 1: Invasive Alien Species**

While the National Trust supports strict controls on non native invasive plant and animals, we would question whether the EC Plant Health regime is the best place to address this. In the UK FERA already have the Non Native Species Directorate which are better placed to address these issues. Inclusion of invasive alien species within the context of plant health is likely to direct valuable funding/resources away from plant health issues and will be very difficult to legislate against due to the diverse ecosystems within the EC and even within the UK and the differing invasive qualities of species from area to area.

There may be an opportunity to link into stakeholder cost sharing as part of a pest risk assessment prior to entry into the EC. We would seek clarification on the term 'Invasive

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Alien Species' which suggests pathogens and animals as well as plants but in recommendation 1 there is no mention of species other than plants. If implemented, this, as highlighted, would have significant impacts on member states.

In summary: Option (1) Status quo (no inclusion in new regime) would be preferred but with the proviso that part of any new Pest Risk Analysis (PRA) might include invasive qualities. This recommendation should also be part of (3) Recommendations with substantial financial impacts, when or if, were to be part of future discussions.

### **Recommendation 3: Regulated non-quarantine pests**

It seems sensible to combine inspections for both Plant Health Regime and Seed and propagating material (S&PM) in order to maximise resources with reference to administration, also adopting a zero tolerance regime can only have a positive impact if all Harmful Organisms (HOs) are covered within a combined regime, but what is the financial impact on the UK's agencies if this was to be adopted as Plant Health is at present only a quarantine regime.

In summary: Zero tolerance is a positive step forward and an ideal but we should assess the predictable financial impact of such a merger and if zero tolerance is actually realistic and affordable and not just desirable, we need more details on what that would mean for the UK in practice.

## **(2) Recommendations substantially modifying existing elements of the new regime or expanding obligations**

### **Recommendation 5: Intra EU surveillance**

Development of common principles and guidelines that are universally adopted and communicated would be beneficial and productive, although we were under the impression that this was already common practice. We also suggest that general surveillance for harmful organisms should be mandatory with more resources being directed at vulnerable habitats and landscape areas to prevent establishment. By doing this we have a better chance at eradication which will ultimately cost less if caught early enough. The objective must be to recognise and address problems early enough.

It would need a better understanding as to what is meant by co-financing for surveillance and the potential impact. Could this also be part of training and behaviour change rather than wholly a new and additional cost borne by the industry?

We need to have a clear understanding of which Harmful Organisms (HOs) we can actually keep out and which we will end up living with, either as a result of natural spread or as a direct or indirect result of climate change, that way we can focus resources through the regime to concentrate on the HOs we actually could prevent from establishing. One particular difficulty is knowing when to accept a lost cause, not least because scientific or technological developments can quickly and completely alter the classification here.

### **Recommendation 7: Plant passport system (PP)**

Clearly harmonising the plant passport document should be an ideal and a system that can be challenged in an open and transparent way. We would like to be able to challenge the system as customers so to establish the history of our purchase or proposed purchase from actual source to sales outlet only that way would the term 'transparency' (recommendation

14) become thoroughly meaningful. By doing this we would be able to establish our own purchasing protocols. Larger plants for planting may attract enhanced passporting procedures due to the bigger risk.

We believe that PP system is not widely understood outside of the industry and that if we are to make significant improvements in self protection and responsibility sharing, then public awareness of plant health issues needs to be considered as part of any changes. It must be recognised that serious bio security breaches in other countries or states will put others at enhanced risk.

We should be prepared to penalise heavily any breaches, such as lack of reporting just to protect trade or re labelling stock to mask country of origin.

### **Recommendation 8: Tightening the system of Protective Zones (PZ)**

Agree with the highlighted improvements to the current status quo. Of particular relevance is (b) Involving stakeholders and (c) improving communication and learning experiences between specific eradication programmes, especially from country to country, so that partners can quickly learn from each other's successes and failures.

## **(3) Recommendations with substantial financial impacts**

### **Recommendation 2: Natural spread**

It is very important that the scope of the new regime includes sufficient measures to prevent natural spread occurring once a HO is found. With *Phytophthora ramorum* it appears we have lost a small window of opportunity that may have offered options to prevent the large scale spread we are now dealing with. This may mean that the PH regime will need to include stronger measures that will ensure the ability of agencies to implement prompt and direct actions. The cost of such immediate action and the consistency of approach will need further debate also developing a better understanding as to which HOs are actually controllable (see also comment under recommendation 5) in the context of natural spread. Once here new HOs will be able to exploit new vulnerable hosts at which time it becomes too late to and a long term issue.

### **Recommendation 9: Incentives.**

Option 1 suggests extending the current scope to include loss of destroyed material. Does this include the wider environment? If not then can this realistically be supported? We feel that the term trade could include the losses from tourism or other recreational activities; if so we should encourage the development of a better system that would put economic values to these and other areas of the historic or natural environment. There may be an opportunity to co-finance surveillance but only when linked to better working practices. Improving the way we all operate must be a priority and those seen to be following good practice rewarded and supported in contrast to those who don't. This could be linked to an enhanced plant passport system.

### **Recommendation 15: Financial Framework**

We agree to provide more resources that will recognise the need for better food security and protection of our environment. The framework should be linked to better working practices and the sharing of responsibilities.

## **(4) Recommendations largely focussing on improved practices**

### **Recommendation 4: Prevention strategies at import**

As the quantity of trade continues to increase and diversify then preventing the entry of HOs becomes more difficult, but also more essential. Alongside established routes it is also essential we direct sufficient resources towards new trade routes or plants/food to establish better detection when dealing with HOs that might use new pathways for entry. Inspection at source becomes even more important along with post entry.

There are a number of issues that are not covered as yet but should form part of discussions when forming detail, for example the need to prevent masking of symptoms via the use of fungicide. We need to decide when fungicide might be restricted in order that inspections will be more effective, it might be that large specimens (these that might be more easier pathways for some HOs) or areas/countries known to have more outbreaks of HOs - if so could they be targeted in a zoning exercise pre-movement or entry?

There is also an issue that symptomless material will inevitably escape detection, so understanding the risk from source, origin or actual material is paramount. Inspections at origin could be co-financed by importers.

We understand current protocols only cover named organisms, if correct this is completely flawed and must be revisited. So preventing the HO from escaping its origin is a much better and more proactive approach. We must remember some of these organisms will have evolved with their natural hosts and so could express fewer symptoms.

### **Recommendation 6: Emergency action**

As there seems little financial impact if enhanced improvements to the current action are agreed then we should thoroughly support better horizon scanning and the speeding up of emergency measures and eradication as part of contingency planning. Quick action will ultimately save money if successfully implemented. We should support a better system of alerts (from PH agencies to public focussed) as a result of understanding what threats we might face short or longer term.

## **(5) Widely supported recommendations on horizontal issues without multiple policy options**

### **Recommendation 10: Research and development and scientific advice**

We feel that no further erosion of funding that delivers R&D should occur. Rather, the aim must be to reverse this trend in the short term – to address immediate compelling need - and provide adequate financial support to improve our understanding and better direct actions and management. We must ensure thorough coordination of research projects throughout the EC which should involve stakeholder consultation when proposing or commissioning any new projects. Stakeholder commissioned research might attract EC match funding if deemed beneficial to other partners. People must receive clear but succinct information in a language they understand, and must not be blinded and confused by scientific jargon.

**Recommendation 11: Diagnostics**

As no proposals are presented our feedback would reflect our points under recommendation 10.

**Recommendation 12: Training**

We agree that strengthening training is important and that, if possible, education surrounding plant health forms part of relevant curriculums throughout the EC.

**Recommendation 13: EU/MS emergency team**

We agree with the proposal to establish an emergency team.

**Recommendation 14: Communication and transparency**

We agree with the option/recommendation that there is a real need to improve public awareness which will have significant benefits. It is important that the public feel ownership and responsibility that will help safeguard food security and their environment. There are many lessons we can learn from New Zealand in the way public messages are communicated. We feel that changing perceptions will provide one of the biggest gains when dealing with new plant health threats.

In particular, well planned communications strategies are needed to help people see the big picture, rather than blinding and confusing them with specific details. We would like to see some exemplar case studies in this crucial but difficult area.

**Contact:**

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