

# Revision of Quarantine 37; Addressing the Risks Associated with the Importation of Plants for Planting

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NISAW – Jan. 13, 2010

## What is Q-37?

- 7 CFR 319.37
  - Title 7 (Agriculture) of the CFR,
  - Part 319 (foreign quarantine notices)
  - Subpart 37
- The principal regulation governing the import of plants for planting



## Other Regulations Also Govern Plants for Planting

- 319.8 Cotton
- 319.15 Sugarcane
- 319.19 Citrus & related genera
- 319.24 & .41 Corn & related genera
- 319.55 Rice
- 319.59 Wheat
- 360 Noxious weeds

# Basic Premise of Current Q-37

- Majority of plant taxa are enterable with only a port of entry inspection
- Some plants for planting are further restricted by additional requirements
- Pest risk analysis required only for certain types of importations

## Import Risks

- Difficult to determine origin
- Difficult to detect some pests (*e.g.*, pathogens, small invertebrates)
- Introduced pests likely to become established
- Volume is increasing
- Production facilities moving off shore to remain competitive
- Commodity may be or become invasive

# Evolution of Q-37: Original Intent vs Current Practice

	Early Years	Now
<b>Trading Partners</b>	Europe	Worldwide
<b># of Items Allowed Import</b>	Limited (< 100 items) germplasm of clonal material only	Unlimited
<b>Purpose of Importation</b>	Nursery propagation program “starter” material <b>Slow distribution</b>	Direct field/homeowner planting <b>Immediate distribution</b>
<b>Fumigation</b>	Mandatory on all imported stock	Only when quarantine pest found

## Comparison of Q-56 (F & V) & Q-37

	Q-56	Q-37
<b>Enterability (subject to inspection)</b>	Only specific taxa/country combinations	All taxa except specifically prohibited
<b>Risk assessment &amp; mitigation</b>	Required before each new importation	Only for plants in growing media
<b>Genera imported</b>	About 200	Over 3,000
<b>Duration of risk</b>	Days to weeks	Months to years
<b>Suitable host/environment for establishment</b>	Less likely	More Likely

# Pests That May Have Entered With Plants for Planting

Plum pox potyvirus

Sudden oak death

Longhorn beetles, cedar, citrus, Asian

Emerald ash borer

Red gum lerp psyllid

Eucalyptus pitch canker

Hemlock wooly adelgid

Pink hibiscus mealybug

Ralstonia solanacearum race 3, biovar 2

Corn cyst nematode

Karnal bunt

Dogwood anthracnose

Day lily rust

Citrus canker

Devil's tear thumb

Japanese knotweed

*Inula britannica*

Climbing fern

## What's Happened so far with Q37?

- **ANPR** published 12-2004
- **Public Meeting** of 05-2005
- **E-Discussion** on Invasiveness
- **Regulatory Change** 2006-08 – 4
  
- **Federal Import Quarantine Orders -**
- **Rule making initiatives**

# Federal Import Quarantine Orders Prohibitions & Restrictions 2008 - present

- Citrus viruses (2) 18 host genera
- Climbing ferns 2 species
- Longhorned beetles (2) 65 host genera
- Tomato viruses (2) 11 host genera
- *Phytophthora alni* 1 host genus
- *Ps. syr. pv aesculi* 1 host genus
- Tomato leaf miner 1 (new) host

## Rule Making Initiatives

- NAPPRA proposed rule published – 07-2009
- Controlled Import Permits – in development
- Consolidation, Restructuring & Clean Stock
  - in development
- Periodic amendments
- Size – Age restrictions
- Hand carry restrictions & alternatives

# NAPPRA Proposed Rule

## Plants whose importation is Not Authorized Pending Pest Risk Analysis

- Creates new import category
- Performance standards - Criteria
- Establishes scope of regulation

# NAPPRA Components

- Pest Plants
  - List of species
- Hosts of Plant Pests
  - Based on pathway for quarantine pest
  - List of genus/origin/plant part combinations

# NAPPRA Criteria for Pest Plants

- Plant identification
- Meets PPA definition of noxious weed
- Meets intent of IPPC definition of a quarantine pest

## **NAPPRA Criteria for Host Plants**

- Pest id is established
- Pest meets definition of quarantine pest
- Determine area in which the pest is present
- Determine plant host range of pest
- Determine parts of host that can serve as pathway
- Determine exporting countries

# **Controlled Import Permits (CIP) – (proposed rule)**

## **Classes of Restricted and/or Prohibited Plant Material**

- Renames “departmental permit”
- Establishes 5 risk categories & corresponding permit conditions
- Promotes transparency & consistency
- Address intended use of import
  - Experimental vs Developmental

# Consolidation, Restructuring, and Clean Stock – (proposed rule)

- Consolidates misc. 319 Q's into Q37
- Reorganizes Q37
  - Index
  - Headings
- Establishes clean stock or systems approach for pest risk management

# Clean Stock or Systems Approach for Pest Risk Management

- Establishes performance standards
- Notifies the public and exporting NPPOs of our intent to modify and adapt the risk management programs in Q37 to meet the standards of the rule

# What is a Clean Stock or System Approach for Risk Management?

- Mandatory import requirements, which manage the pest risk in the exporting country, i.e. **offshore**
- Integrated mitigations with independent effects
- Specifically CS/SA will be based on:
  - NAPPO Standard RSPM # 24
  - US – exporting NPPO approved program
  - NPPO – producer/exporter compliance agreement

# Plants for Planting Websites

- PPQ Stakeholder Registry
  - <https://web01.aphis.usda.gov/PPQStakeWeb2.nsf>
- PPQ Plants for Planting
  - [http://www.aphis.usda.gov/import\\_export/plants/plant\\_imports/Q37\\_revision.shtml](http://www.aphis.usda.gov/import_export/plants/plant_imports/Q37_revision.shtml)
  - Summary papers, Meeting reports, Federal Register Notices, Federal Orders, etc.