

REVIEW OF THE EU PLANT HEALTH REGIME - UPDATE

Communication from the European Union

The following communication, received on 19 March 2012, is being circulated at the request of the Delegation of the European Union. It is a follow-up to the information delivered at the SPS Committee in October 2010.

Summary

1. The European Union is currently reviewing the EU plant health regime. A comprehensive evaluation of the regime was carried out by an external consortium from 2009 to 2010. The resulting evaluation report emphasized the need to modernize the system through more focus on prevention, better risk targeting (prioritization), and more solidarity. It also called for an increase in resources and/or better surveillance and implementation of eradication measures. Based on the evaluation report, a new EU plant health law is currently being developed. A draft legal text is expected to be proposed in 2012.

What changes can be expected?

2. Based on the recommendations in the evaluation report, the major issues for consideration are:
- (a) The relation between harmful organisms and invasive alien species, the position of regulated non-quarantine organisms, as well as the coverage of natural spread in the new plant health law;
 - (b) Complementary measures on imports, in particular: for emerging risks, e.g. screening the phytosanitary risks of new trade in plants or plant products: strengthening of measures for plants for planting via official post-entry inspections for latent harmful organisms;
 - (c) Introduction of general epidemio-surveillance of the EU territory and specific surveillance for priority harmful organisms;
 - (d) Rapid action where new threats are identified;
 - (e) Re-organization of the plant passport system, in particular by revising the scope of application and harmonizing the plant passport document;
 - (f) Consolidation of the Protected Zones system;
 - (g) Financial incentives throughout the system by extending the current scope of solidarity;

- (h) Improving support activities in terms of research and development, and scientific advice, diagnostic capacity and training.

Background

3. Plant health is a cornerstone for sustainable and competitive agriculture, global food security and environmental protection (forests, landscape, gardens). It is a public good, which as such deserves protection.

4. The EU plant health regime aims to prevent the entry, establishment and spread of harmful organisms, from third countries as well as inside the European Union.

5. The structure of the EU plant health regime dates back to 1977, with major updates in 1992 and 2002. Since that time, developments have taken place which necessitate a comprehensive review of the regime. These include the enlargement of the European Union, the establishment of the European Food Safety Authority, developments concerning international treaties, decreasing resources for public services and erosion of the scientific expertise underpinning the regime, and the evolution of related EU legislative regimes.

6. In recent years, major outbreaks have occurred in the European Union of harmful organisms previously absent from the European Union, such as the pine wood nematode, the citrus longhorn beetle and the red palm weevil. Increased effectiveness of the regime will be essential to better protect the European Union.

7. The need for reducing the administrative burden is to be considered (the so-called Better Regulation agenda).

8. The vulnerability of our crops, plants and forests to foreign pests, to which they often have little or no natural resistance, is exacerbated by the ongoing globalization of trade and by climate change.

9. In order to reinforce and modernize the regime, the European Union commissioned a comprehensive evaluation study by the Food Chain Evaluation Consortium (FCEC). The study was carried out from 2009 to 2010. Apart from an analysis of the existing regime, the evaluation also addressed options for the future.

10. Consultation of stakeholders and member States has been at the core of the process. Five third countries have also been consulted. Two conferences have been organized to discuss the review, in February and in September 2010.

11. The evaluation report and related documents are available on the website of the European Commission (http://ec.europa.eu/food/plant/strategy/index_en.htm).

12. At the core of the recommendations in the evaluation report is the need to modernize the system through: more focus on prevention; better risk targeting (prioritisation); and, more solidarity (moving from a member State-based approach to an EU approach for more joint action to tackle risks of EU significance). A need to increase resources and/or prioritize for better surveillance and implementation of eradication measures has been highlighted.

13. Based on the evaluation report, a new EU plant health law is currently being developed. An impact assessment concerning the major changes has been carried out in 2011.

14. The Articles of the present Plant Health Directive will be rewritten, however the specific EU import requirements for plants and plant products will remain largely untouched.
15. A draft text is expected to be proposed by the Commission by the second semester of 2012.
16. The legal proposal will be part of a package, including also a proposal for a Regulation reviewing Regulation (EC) No. 882/2004 on official controls, which will in future also cover plant health import control procedures.
17. The legal proposal by the Commission will be sent to the Council and the European Parliament, which will discuss and adopt the new law under co-decision procedures.

Legal reference

18. *Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community* (Official Journal of the EC, L169, 10 July 2000, pages 1-112). A consolidated version of the full text can be downloaded from the address indicated below:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2000L0029:20100113:EN:PDF>
