



Belgian Food
Safety Agency

The European Plant Health Legislation - an official tool to protect the Union agriculture and forestry by preventing the entry and spread of exotic pests



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Federal Agency for the Safety of the Food Chain

Content

- International context
 - IPPC, EPPO, SPS-WTO
- Legal base
 - Directive 2000/29/CE, implementation measures, emergency measures
- Organisation of surveillance at BFSA
 - Program, Planning, implementation
- Implementation of surveillance
 - General surveillance, import inspections to avoid the introduction, internal market checks and plant passport system to avoid spreading of HO
- Implementation of emergency measures
 - Example: CLB



**New
PHL**

New Plant Health Law (PHL) from 2018



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 - Example: CLB
- **New Plant Health Law (PHL)**



International context

- ***IPPC: International Plant Protection Convention***
 - International treaty signed in 1951
 - Aims to secure coordinated action to prevent and control the introduction and spread of pests of plants and plant products in contracting countries.
 - It aims to protect cultivated plants ... and also natural flora



International context

- ***IPPC: International Plant Protection Convention***
 - Provides a forum for cooperation, harmonization and technical exchange involving NPPOs (National Plant Protection Organizations)
 - Determines the list of tasks and responsibilities of contracting parties



International context

- ***IPPC: International Plant Protection Convention***
 - Develops International Standards for Phytosanitary Measures: **56 ISPM**
 - Example:
 - ISPM 4: Requirements for the establishment of pest free areas
 - ISPM 12: Phytosanitary Certificates (Template...)
 - ISPM 15: disinfestations treatment of WPM
 - <https://www.ippc.int/core-activities/standards-setting/ispms>





International Plant Protection Convention
Protecting the world's plant resources from pests

www.ippc.int

Adopted **International Standards for Phytosanitary Measures**

Texts of adopted ISPMs are available at:

<https://www.ippc.int/core-activities/standards-setting/ispm>

ISPM 1:2006	<i>Phytosanitary principles for the protection of plants and the application of phytosanitary measures in international trade</i> (originally adopted in 1993, revised in 2006)
ISPM 2:2007	<i>Framework for pest risk analysis</i> (originally adopted in 1995, revised in 2007)
ISPM 3:2005	<i>Guidelines for the export, shipment, import and release of biological control agents and other beneficial organisms</i> (originally adopted in 1996, revised in 2005)
ISPM 4:1995	<i>Requirements for the establishment of pest free areas</i>
ISPM 5	<i>Glossary of phytosanitary terms</i> (updated as needed) <ul style="list-style-type: none">- Supplement 1 (2012) - Guidelines on the interpretation and application of the concept of official control for regulated pests- Supplement 2 (2003) - Guidelines on the understanding of potential economic importance and related terms including reference to environmental considerations- Appendix 1 (2009) - Terminology of the Convention on Biological Diversity in relation to the Glossary of phytosanitary terms
ISPM 6:1997	<i>Guidelines for surveillance</i>
ISPM 7:2011	<i>Phytosanitary certification system</i> (originally adopted in 1997, revised in 2011)
ISPM 8:1998	<i>Determination of pest status in an area</i>
ISPM 9: 1998	<i>Guidelines for pest eradication programmes</i>
ISPM 10: 1999	<i>Requirements for the establishment of pest free places of production and pest free production sites</i>
ISPM 11:2013	<i>Pest risk analysis for quarantine pests</i> (originally adopted in 2001, revised in 2004 and 2013)



International context

- ***SPS-WTO agreement (1994)***
 - Ensures that phytosanitary requirement or restrictions measures for import of plants and plants products:
 - Are based on a risk assessment so that they have a scientific and technically justified basis for their placement and strength
 - are not used as unjustified barriers to international trade
 - If contracting parties question or challenge the phytosanitary regulatory requirements of other parties, the IPPC provides a neutral forum for conciliation on technical issues and can also provide non-binding dispute settlement



International context

- ***SPS-WTO agreement (1994)***
 - SPS agreement names the IPPC as the international organization responsible for phytosanitary standard-setting for measures affecting trade
 - To date: 181 contracting parties (countries, EU, Regions...)



International context

- **European and Mediterranean Plant Protection Organization (EPPO)**

- Intergovernmental regional plant protection organization

- for Europe and Mediterranean region.
- Established as provided in article IX of the IPPC
- responsible for regional cooperation in plant protection



- 50 members

- > **250 PM** (Phytosanitary Measures) published, regarding:

- Diagnostics
- National regulatory control systems
- Pest Risk Analysis
- ...



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Legal base

- **Council Directive 2000/29/EC**
+ emergency measures
(EU Directives or EU Decisions)
 - The Community plant health legislation is based on Article 43 of the Treaty on the Functioning of the European Union (under Title III: Agriculture and Fisheries).
 - It also takes into account the SPS agreement, to which the EU is a contracting party.
 - → it follows the WTO/SPS principles:
 - transparency of phytosanitary measures
 - technical justification of phytosanitary measures based on assessment of risk (PRA)



Legal base

New
PHL

EUROPA - Plant Health - Introduction - Windows Internet Explorer

http://ec.europa.eu/food/plant/strategy/index_en.htm

AVG plant health regime eu

EUROPA - Plant Health - Introduction

Food Safety - From the Farm to the Fork

EUROPA > European Commission > DG Health and Consumers > Overview > Plant Health

Plant Protection Harmful Organisms Property Rights Genetic Resources Seeds and Plant Propagating Material GM Plants & Seeds

Special Topics

- Harmful Organisms
- Plant Variety
- Property Rights
- Seeds & Plant Propagating Material
- Training Strategy
- EUROPHYT
- EFSA and Plant Health

FOOD AND FEED SAFETY


ANIMAL HEALTH AND WELFARE

PLANT HEALTH

FVO INSPECTIONS

Commissioner John Dalli

Review plant health regime



Review of the Common Plant Health Regime (CPHR)

The European Commission is developing a new plant health regime. An evaluation of the existing plant health regime has been carried out (2009-2010). The Commission Work Programme foresees adoption by the Commission of a proposal for a new plant health law by 2012. The reasons for developing a new plant health law and information on the review process are presented below.

▶ **Objective of the Common plant health regime**

The Common plant health regime (CPHR) aims to protect the EU against the harm caused by the introduction and spread of harmful organisms, and thus to:

- Contribute to sustainable production through plant health protection;
- Ensure competitiveness of the agriculture complex;
- Contribute to the protection of public and private green, forests, and the landscape (the natural environment);
- Ensure food security.

▶ **Evolution of the regime**

The CPHR is the product of decades of legislation. Initially, plant health was a national responsibility, secured through national control measures and border controls between Member

printable version

Resources

- Press Releases
- Consumer Voice
- Newsletter

International Affairs

- Organisations
- Codex
- OIE
- WTO
- Import Conditions
- Pets and Animal Welfare
- Enlargement
- Agreements
- EU - Russia: SPS issues

Legal base

- **Council Directive 2000/29/EC**
 - Legislation applicable to all 28 Member States
 - Member States decide on the type of national legislation and implementing measures to achieve the aim of the EC Directive



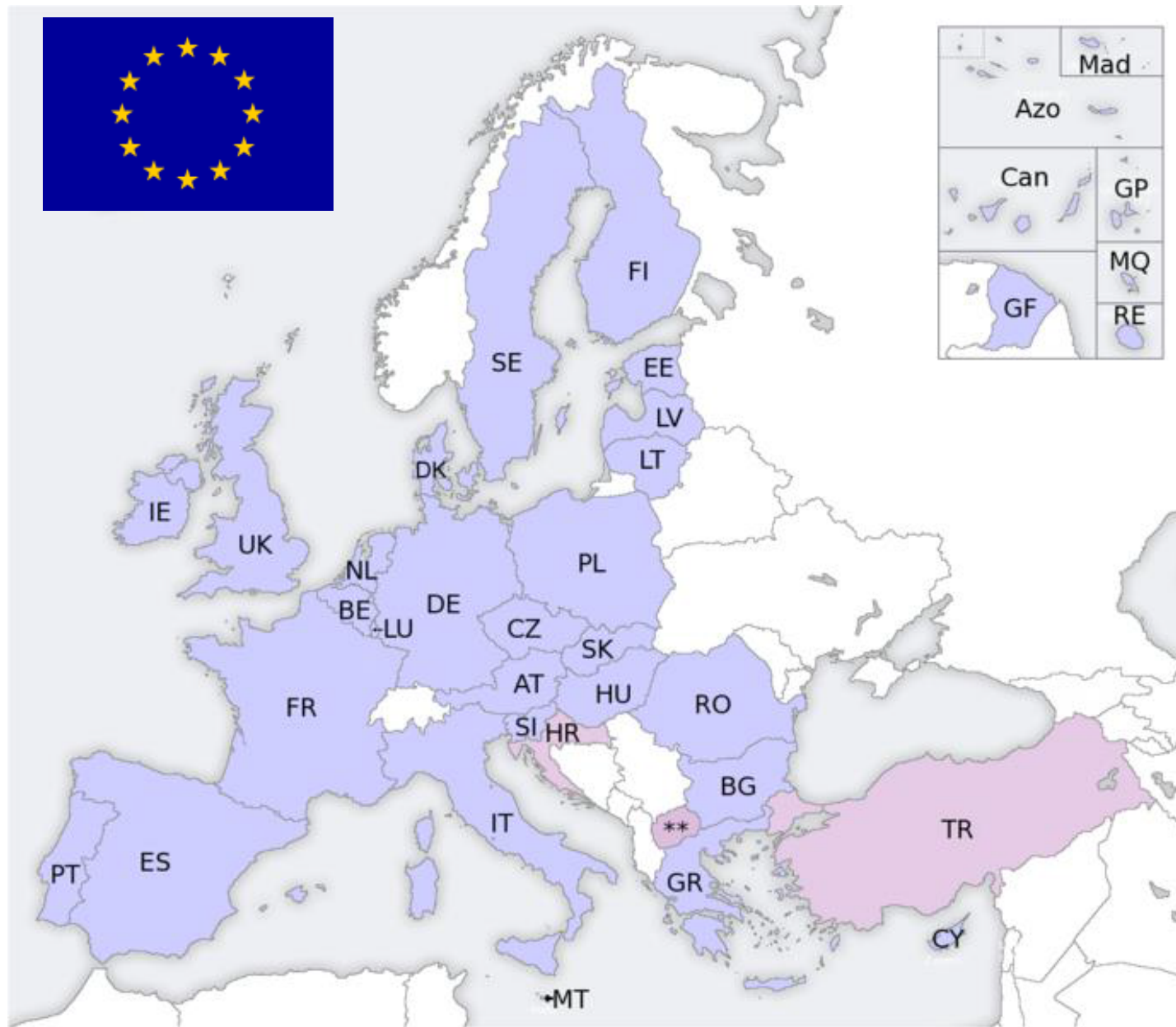
Legal base

- **Council Directive 2000/29/EC**

- **One** Internal market between all Member States since 1993
- adaptation to regional considerations:
 - Mainly Protected Zones
 - Choice of the specific control measures depending on the presence of HO or not.



28 Member States



Legal base

- **Council Directive 2000/29/EC
In Belgium**
 - Transposed into Royal Decree of 10 August 2005
 - Several Royal and Ministry Decree



Legal base

- **Council Directive 2000/29/EC:
SCOPE covers**

- Harmful organisms to plants and plant products
- So far, priority is focused on agriculture + horticulture although it covers also (semi-) natural environment (forests)
- Rules and requirements for import and internal movement of plants and plant products
 - There is nothing about exporting requisites for EU Member States to third countries



**New
PHL**



**New
PHL**



Legal base

- **Council Directive 2000/29/EC:
PRINCIPLE OF EQUIVALENCE**

- When the same pest, which affects a specific commodity, is present in a Member State and in a Third Country, the same specific requirements are required for the introduction and movement of that commodity into and within all Member States
- Example:
 - For Palms decay due to red palm weevil, (*Rhynchophorus ferrugineus*) or Citrus Black Spot disease (*Guignardia citricarpa*) on citrus fruit:
 - ➔ Compulsory measures (on import and intra EU movement) are also applicable in Belgium although no palm or Citrus growing



Legal base

- **Council Directive 2000/29/EC**

- Annexes

- Lists of prohibited or restricted harmful organisms (1 and 2):
- List of prohibited items (3)
 - Ex: plants of conifers from Non-European countries
- List of special requirements – specific phytosanitary measures (4)
 - Ex: wood of conifers from USA must be heat treated
- List of regulated items (5)
 - Requiring Plant Passport (intra EU) ex: seed potatoes
 - or Phytosanitary certificate (import from third countries)
 - » Ex: wood of conifers

New PHL
“Priority HO”

New PHL for
reproductive
material



Legal base

- **Council Directive 2000/29/EC:
IMPLEMENTING MEASURES**

- Registration of operators (Dir 92/90/EEC)
- Plant Passports (Dir 92/105/EEC)
- Derogation for scientific purposes and varietal selections (Dir 2008/61/EC)
- Protected zones (Regulation (EC) 690/2008)
- Import from Third Countries
 - Inspections, notifications
 - Derogations



**New PHL for
reproductive
material**



**New
PHL
"PFA"**



Legal base

- **Council Directive 2000/29/EC:
IMPLEMENTING MEASURES**
 - Solidarity fund to help Member States with eradication costs (Reg (EC) No 1040/2002)
 - EU inspections by FVO: to check how the MS and the exporting countries (non-EU) implement the requirements



Legal base

- **Emergency measures**

- Article 16 of the Council Directive 2000/29/EC:
According to the precaution principle: Commission or
Members State can decide specific emergency measures
for
 - 16.1. Annex A.I listed pests
 - 16.2. non listed pests (emergent pests, EPPO alert lists, national risk
assessment...)



Legal base

- **Emergency measures**

- Rapid and temporary reinforcement of the protection
 - against sudden phytosanitary threats of import and/or outbreaks within EU
 - with extra phytosanitary requirements for import and/or internal movements.
- PRA is required
 - to confirm the measures and to extend it to the whole EU territory
 - or to repeal them
or to not apply them (ex: *Chalara fraxinea*: already widespread).



Legal base

- **Emergency measures**
- Criteria for a pest to be regulated:
 - HO clearly identify
 - EU conditions are favorable for the HO to establish (climatic , presence of host plants, ...)
 - Economical (social, environmental) impact very important
 - Efficient measures to control the HO do exist.



Legal base

- **Emergency measures for controlling a pest**
 - may include:
 - List of host plants/plant product
 - Survey obligatory
 - for import/internal market
 - Registered producers
 - Plant passport
 - Eradication or containment measures



Legal base

- **Emergency measures taken in BE**

- Import ban of plants of *Acer* spp from China to avoid CLB
→ extended for 2 years at EU level
- BFSA may trigger a PRA as a result of alerts from:
 - Interceptions on consignments, findings on the wild;
 - Notifications from professional operators or Labs,
 - university, research centers, nature conservation associations
- Example: Warnemigen.be:
 - » *Drosophila suzuki*: already widespread
 - » *Callidelium rufipenne*: quick scan PRA ongoing





Callidiellum rufipenne (Motschulsky, 1860)

Groupe taxinomique: Coléoptères Famille: [Cerambycidae](#)  Statut de validation: Exotique

date 02-02-2014 14:00
protocole observation courante
méthode de comptage Indéterminé
nombre 1 ♂ imago sur place
échappé de captivité Non
détermination certain
site [Aarschot \[VB\]](#)
observateur   Raymond 
statut de validation approuvé
précision 10 m

Détails

[Traduire](#)

in houtblok gevonden. Ongeveer 13 mm lang.

Photos



Quick scan PRA is ongoing
(formerly in EPPO Alert list)



Legal base

- **Emergency measures**

- Not listed in Annexes I,II

- *Phytophthora ramorum*: Commission Decision 2002/757/CE amended by 2004/426/CE, 2007/201/CE
 - *Pepino mosaic virus*: Commission Decision 2003/64/CE amended by 2004/200/CE
 - *Dryocosmus kuriphilus*: Commission Decision 2006/464/CE
 - *Rhynchophorus ferrugineus*: Commission Decision 2007/365/CE amended by 2008/776/CE, 2010/467/EU
 - *Gibberella circinata*: Commission Decision 2007/433/CE
 - *Epitrix cucumeris*, *E.similaris*, *E. subcrinita*, *E. tuberis*: Commission Decision 2012/270/EU



Legal base

- **Emergency measures**

- Listed in AI

- *Diabrotica Virgifera* : repealed in 2014
 - *Potato spindle tuber viroid*: Commission Decision 2007/410/CE
 - *Anoplophora chinensis*: Commission Decision 2012/138/EU
`repealed 2008/840/CE amended by 2010/380/EU
 - *Bursaphelenchus xylophilus* : Commission Decision 2012/535/EU
(replace 2006/133)



Legal base

- ***Emergence measures:***
Contingency plans are developed with aim to :
 - ensure a rapid and effective response to an outbreak of a quarantine pest;
 - help the bodies involved in the eradication actions to be prepared, especially when several parties need to cooperate.



Legal base

- ***Emergence measures***

Contingency plan should clearly identify the single authority and set out:

- the roles and responsibilities of the bodies involved in implementation of control measures;
- the rules on the communication between:
 - the bodies involved,
 - the Single Authority,
 - and the concerned private sector and the public;
- the rules on laboratory testing;
- the rules on training of personnel



Legal base

- ***Emergence measures: emergency action plans***
 - **Specific eradication measures** are set out when outbreaks are discovered
 - In BE, EAP were produced for the following harmful organisms
 - *Diabrotica virgifera virgifera*
 - *Clavibacter michiganensis* subsp. *Sepedonicus*
 - *Ralstonia solanacearum*
 - *Specific regulation may be needed to ensure legal base to the application of statutory eradication measures; example in BE*
 - *ALB: Ministry decree (never used)*
 - *DVV: Royal decree to be repealed (after EU decision repeal)*
 - *Cms, Raso: 2 Royal decree (transposing 2 EU directives)*



Legal base

- ***Emergence measures:
compensation of costs and losses***

General rule: no compensation, including:

- Destruction costs
- Production costs for the destroyed commodities
- Income losses, ...

- **Exception in BE :**

- potato solidarity fund
- Managed by the Federal Public Service Public Health, Safety of the Food Chain and Environment
- Since 2004



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Surveillance: core process of the BFSA

- ***Organization of annual surveys: 3 stages***
 - Stage 1- draw up of an **annual control program** based upon risk;
 - Stage 2- Control program is translated into a **planning** of all control activities per province, per sector level, and taking into account the available resources;
 - Stage 3- controls carried out by the **Provincial Control Units (PCU)**
 - inspection and sampling for analyses
 - reporting the results
 - The laboratories report the results of analyses.



Surveillance: core process of the BFSA

- ***Stage 1- annual survey program based upon risk;***
 - composed of 2 parts: sampling and inspection (visual and documentary).
 - Methodology for survey/monitoring planning is based on:
 - Current risk evaluation with use of statistical tools and current scientific knowledge
 - Special PRA are performed for new possible threats
 - Other factors taken into account:
 - » Notification (obligatory) received from businesses, laboratories, private people and from EUROPHYT (EU reporting system for interception at import and during circulation between Member States);
 - » Results of control program
 - Formal advices of the Scientific Committee of BFSA

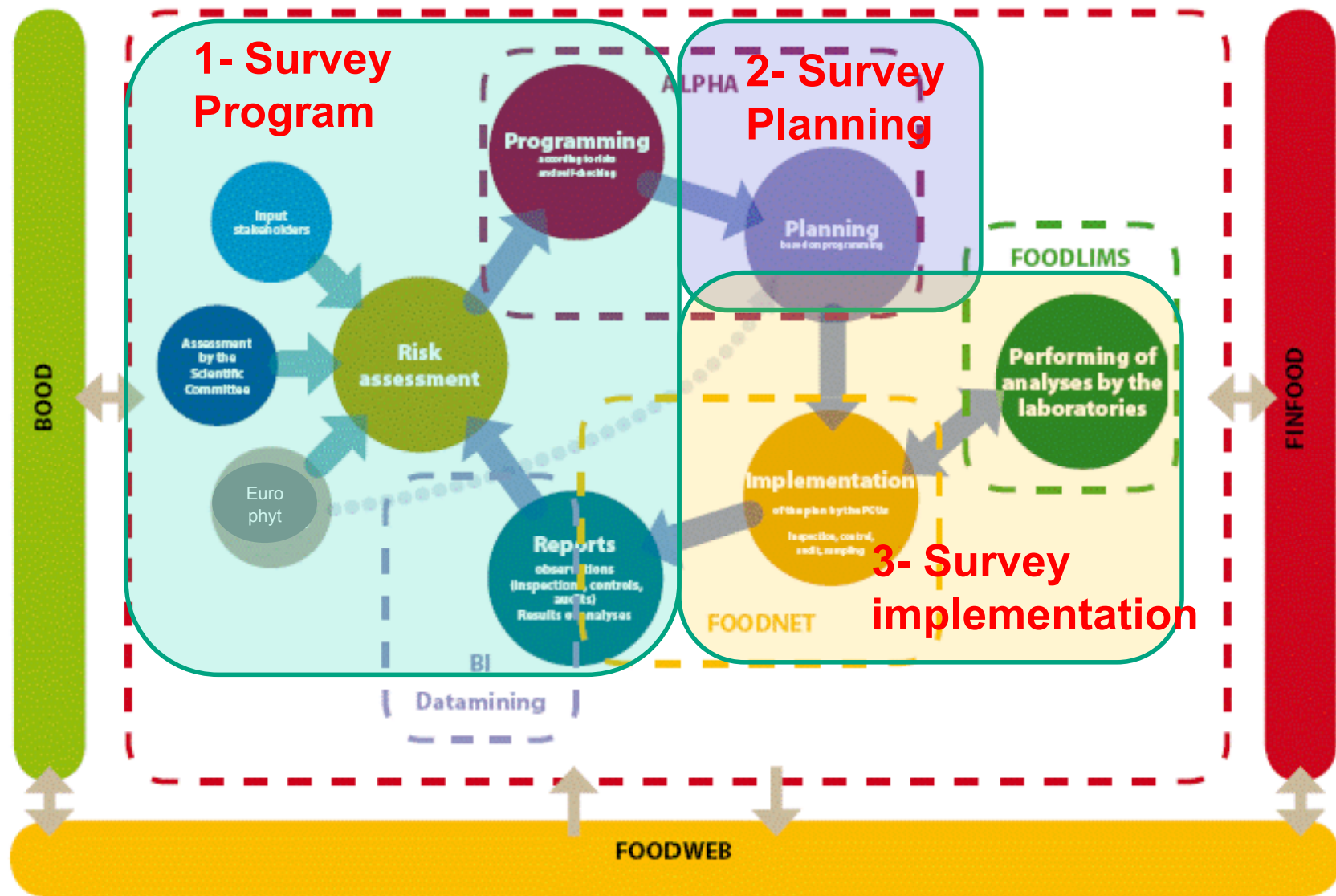


Surveillance: core process of the BFSA

- Samples related to plant health
 - General monitoring for all types of harmful organisms (insects, nematodes, fungi, bacteria, viruses/viroids)
 - Sample are taken when suspicious symptoms are detected
 - Specific monitoring for 8 insects, 5 nematodes, 8 fungi, 7 bacteria and 6 viruses/viroids
 - Fixed number of samples (for latent diseases)
 - Or sampling when symptoms



Surveillance: core process of the BFSA



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Surveillance

General surveillance

Where do we check ?

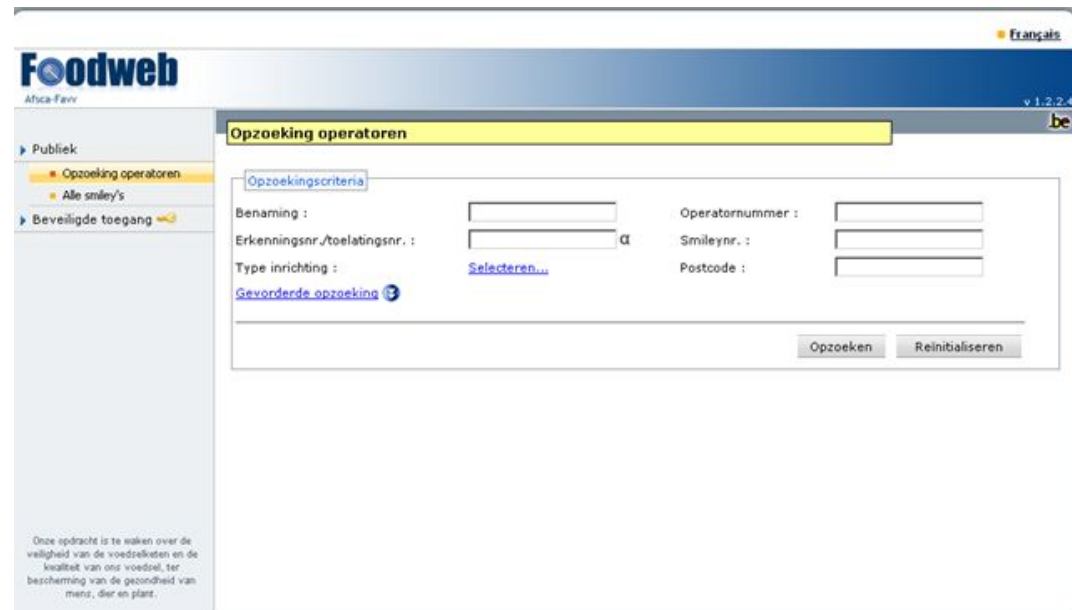
- Import
 - first points of entry in the EC
- Internal market
 - places of production (nurseries) and traders
 - public and private green



Surveillance

Who do we check ?

- companies and private persons
- Registered in database BOOD
 - unique registration number
 - public consultation possible (only for companies)



The screenshot shows the 'Opzoeking operatoren' (Search operators) page on the Foodweb website. The page is in French ('français'). The search criteria section includes the following fields:

- Benaming :
- Erkenningsnr./toelatingsnr. :
- Type inrichting : [Selecteren...](#)
- Operatornummer :
- Smileynr. :
- Postcode :

At the bottom of the search criteria section, there is a link for 'Gevorderde opzoeking' and two buttons: 'Opzoeken' and 'Reinitialiseren'. The page also features a sidebar with navigation options: 'Publiek', 'Opzoeking operatoren', 'Alle smiley's', and 'Beveiligde toegang'. A footer message states: 'Onze opdracht is te waken over de veiligheid van de voedselketen en de kwaliteit van ons voedsel, ter bescherming van de gezondheid van mens, dier en plant.'



Surveillance

3. Who do we check ?

– Registration

- all producers and traders of plants and plant products
- for each production unit (place of production)
- identification
 - Monitoring (frequency of inspection according to level of risk:
1/3 year → 1/8 year)

– Authorisation

- producers and traders using **plant passports**
- Identification + conditions
 - systematically, at least once a year



Surveillance

- Who do we check ?
 - Number of registered operators (2010) : 6.751

	Number of registered activities
Plant Production	2.997
Trade of plants	4.753
Import of plants	76

- Number of authorised operators (2010) : 1.035

	Number of authorised activities
Plant Production	802
Trade of plants	402
Import of plants	22



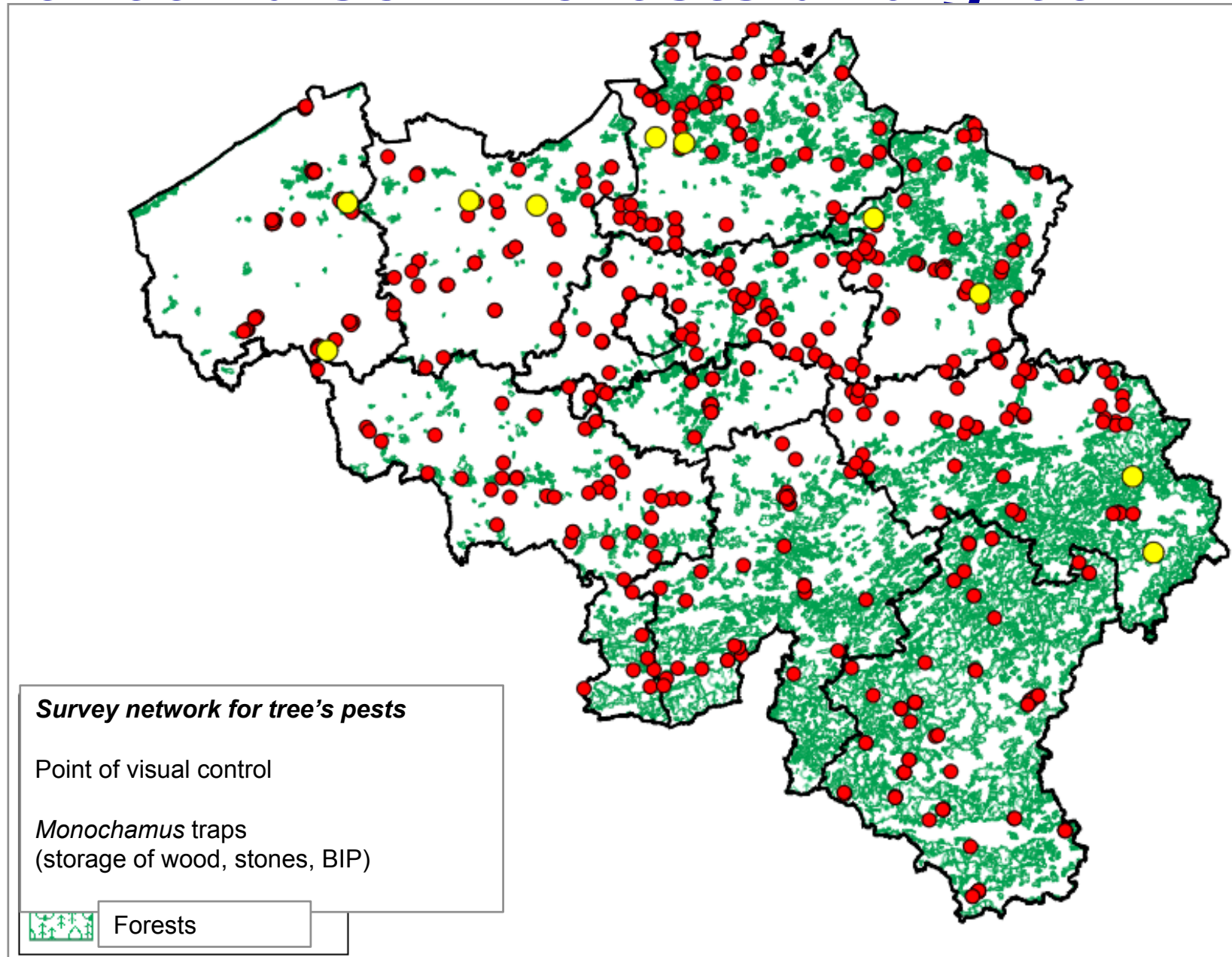
Surveillance

What do we check ?

- Plants and plant products
 - physical inspection - sampling
 - Registers
 - traceability
 - Obligations
 - compulsory notification
 - Know how –
training of professional operators
- If favourable for authorised operators : use of plant passports allowed



We check also in forests and green



General surveillance

Main regulated trees harmful organisms

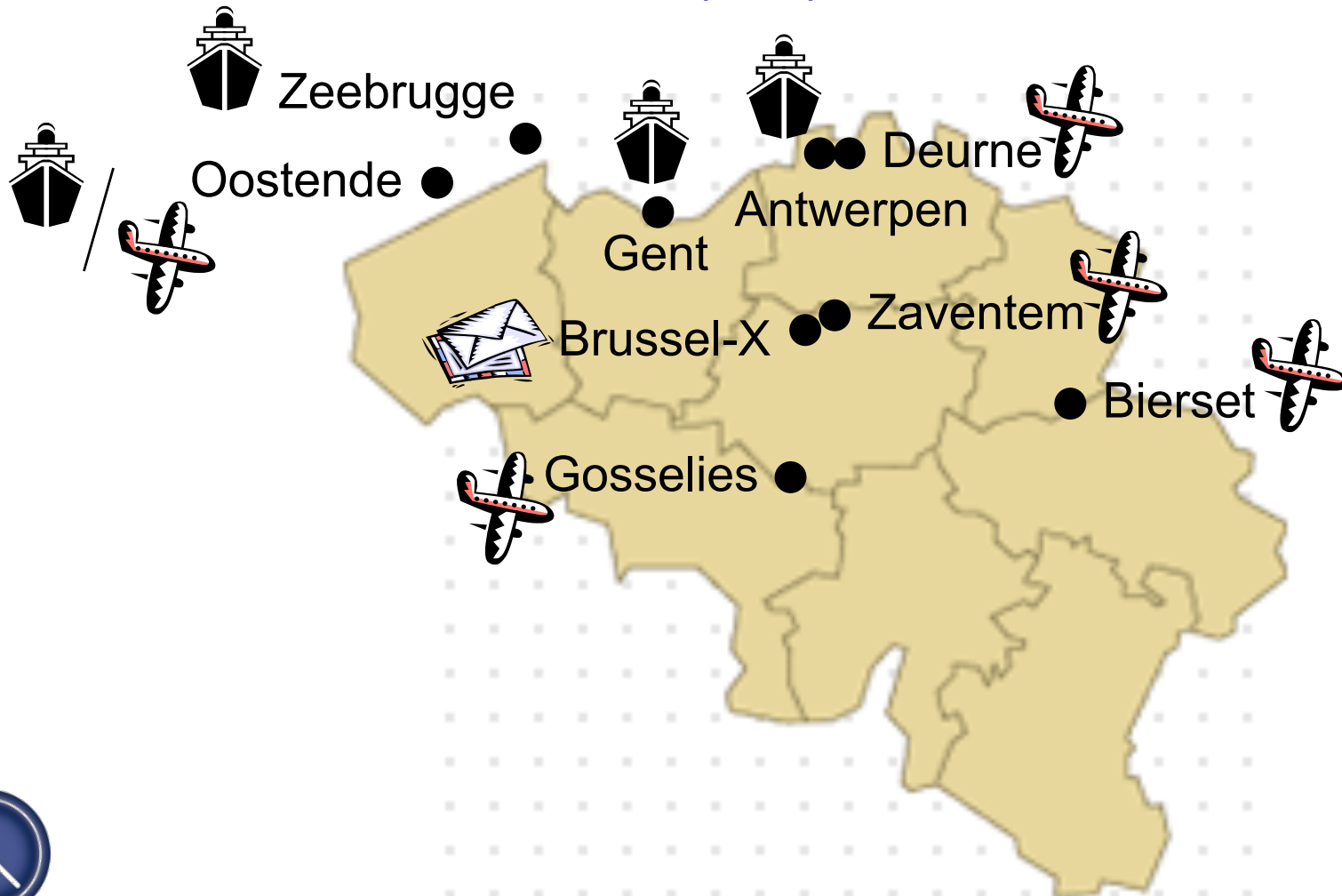
Nom scientifique	Nom commun	Norme
<i>Agrilus planipennis</i>	Agrile du frêne	II.A.1.
<i>Anoplophora chinensis</i>	Grand capricorne des agrumes (CLB)	I.A.1
<i>Anoplophora glabripennis</i>	Grand capricorne asiatique (ALB)	I.A.1
<i>Bursaphelenchus xylophilus</i>	Nématode du pin (PWN)	II.A.1; décision 2006/133/CE
<i>Ceratocystis fimbriata</i> f. sp. platani	Chancre coloré du platane	II.A.2
<i>Cryphonectria parasitica</i>	Chancre du châtaignier	II.A.2
<i>Dryocosmus kuriphilus</i>	cynips du chataigner	décision
<i>Gibberella circinata</i>	Chancre du pin	Décision
<i>Melampsora medusae</i>	Rouille du peuplier	I.A.2
<i>Phytophthora ramorum</i>	Mort subite du chêne	décision
<i>Scirrhia acicola</i> (<i>Mycosphaerella dearnessii</i>)	Taches brunes des aiguilles de pin	II.A.1
<i>Scirrhia pini</i> (<i>Mycosphaerella pini</i>)	Maladies des bandes rouges des aiguilles de p	II.A.2
<i>Hypoxylon mammatum</i>	Chancre du tremble	ZP
<i>Thaumetopoea processionea</i>	Processionnaire du chêne	(ZP)
<i>Cephalcia lariciphila</i>	Tenthredine du mélèze	ZP
<i>Dendroctonus micans</i>	Hylésine géant	ZP
<i>Gilpinia hercyniae</i>	Tenthredine de l'épicéa	ZP
<i>Ips amitinus</i>	Petit bostryche du pin	ZP
<i>Ips cembrae</i>		ZP
<i>Ips duplicatus</i>		ZP
<i>Ips sexdentatus</i>	Sténographe	ZP
<i>Ips typographus</i>	Grand scolyte de l'épicéa (Typographe)	ZP



Surveillance

Import Inspections

- Plant health inspections prior to customs clearance is systematic
- 10 Border Inspection Posts (BIP)



Surveillance

Import Inspections

- Inspections can be carried out in Approved Places of Inspection (API) provided that:
 - suitable areas for inspection
 - availability of a separate quarantine area
 - fully and permanent separation between production areas
 - Under customs supervision



Surveillance

Import Inspections

- Obligations for Importers & Agents
 - Be registered
 - Notify consignments to FASFC, before arrival



Surveillance

Import Inspections

- In case of non-compliance:
 - appropriate measures:
 - Treatment for disinfestations;
 - Turn back to export Country
 - Destruction
 - Forward towards another country (extra EU)
 - notification of interception
 - to country of origin,
 - To other Member States and to Commission
 - Via Europhyt



Surveillance

Plant passport system and internal market checks

- Plant passport
 - Required for risk material
 - Plants for planting of herbaceous species, coniferous species, ... fire blight host plants, *Prunus* sp, *Solanum* sp., *Citrus* sp,
 - Label guaranteeing that the place of production is authorised and has been inspected and complies with the specific requirements
 - Has to accompany the consignment

1 EG-PLANTENPASPOORT - PASSEPORT PHYTOSANITAIRE CE

2 BELGIË BELGIQUE 4 REGISTRATIENR. N° D'ENREGISTREMENT 3

5 Nr. N° Z

6 BOTANISCHE NAAM NOM BOTANIQUE

7 HOEVEELHEID QUANTITÉ

8 ZP

9 RP (vervangpaspoort) (passeport de remplacement)

10 LAND VAN OORSPRONG (buiten EG) PAYS D'ORIGINE (pays non CE)



Surveillance

Plant passport system and internal market checks



- Conditions for PP:
 - Specific requirements for movement of plants and plant products to be fulfilled at the places of production (stricter requirements when destination is a protected zone)
 - ZP PP FOR Protected Zones : officially recognized areas in the EU where one or more harmful organisms are not endemic
 - Compulsory notification to BFSA



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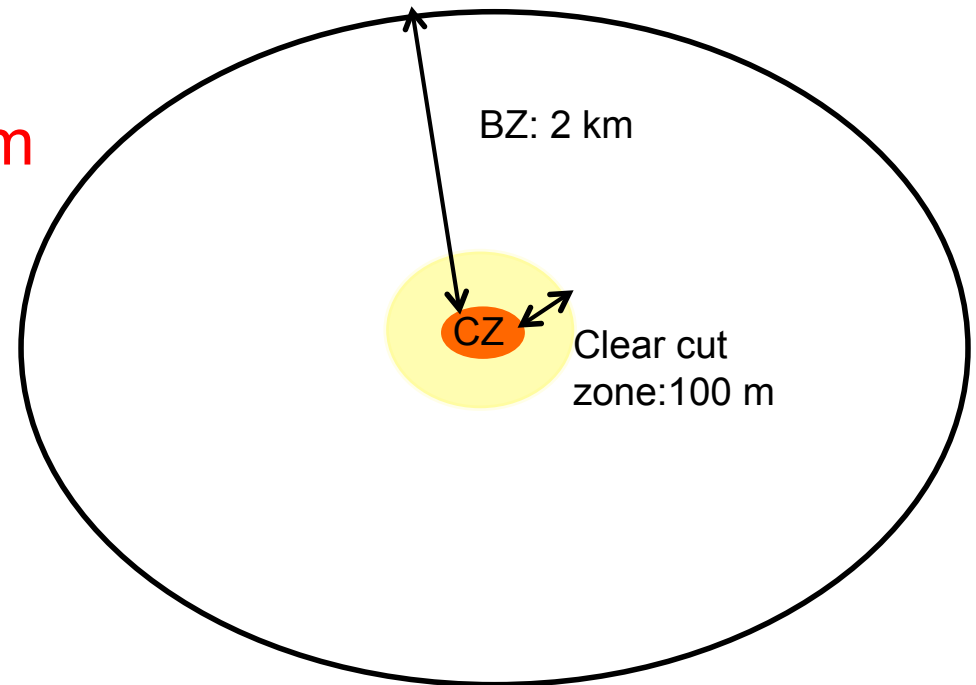
A example: Anoplophora chinensis **(CLB): Citrus Longhorned Beetle**

- Origin: China, Japan, Korea, ...
- Quasi-established in Lombardia
- Polyphagus on broad-leaves trees
- Pathway: plant for planting (mainly Acer from China)
- EU Decision 2012/138/CE



A example: Anoplophora chinensis (CLB): Citrus Longhorned Beetle

- Demarcated Zone
 - contaminated zone (CZ)
 - Buffer Zone behind CZ: **2 km**
- Mandatory clear cut zone:
 - All the host trees
 - In a radius of **100 m** behind CZ



A example: Anoplophora chinensis (CLB): **Citrus Longhorned Beetle**

- In the DZ
 - plant for planting (nurseries)
 - Interdiction of movement during **min 2 years**
 - Production under physical protection (or intensive monitoring in a 2 km buffer zone) and subject to extensive official controls
 - After 2 years and no new findings, plants may be sold provided they are accompanied with PP
 - High economical impact on nurseries !!!
 - Extensive official monitoring during **min 4 years**





© Matteo MASPERO

Federal Agency for the Safety of the Food Chain



A example: Anoplophora chinensis **(CLB): Citrus Longhorned Beetle**

- Citizen and operators awareness
 - Notification of presence of HO is mandatory
 - Special campaign: citizen are invited to notify when they found (signs of) HO (example: ALB-CLB)
 - Agreement with nature conservation associations:
 - Warnemingen.be – Observation.be
 - Media utilized:
 - Web site
 - Professional magazine
 - Special campaign for CLB : Posters, Folders, Press release



A example: Anoplophora chinensis **(CLB): Citrus Longhorned Beetle**

- Difficulties related to measures for eradication in forest:
 - Multitude of different owners (State, Regions, Municipalities, Province,...) and private.
 - Reluctance for notification of outbreaks:
 - → important delay to start eradication measures
 - → chances of eradication to succeed are reduced
 - Clear cut zone in protected areas (Natura 2000, ...)





Belgian Food
Safety Agency

Thank you for your attention

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