



Julius Kühn-Institut

Bundeforschungsinstitut für Kulturpflanzen
Federal Research Centre for Cultivated Plants

EU phytosanitary import requirements and procedures for micro-organisms

EU phytosanitary import requirements and procedures for micro-organisms



1. Introduction: legal sectors
2. EU and German phytosanitary import procedure
3. EU phytosanitary import requirements
 - harmful organisms
 - plants and plant products
 - soil and growing medium
 - exceptions for research, trial and breeding purposes
3. Conclusions

1. Introduction: legal sectors

Possible relevant legal sectors

**Nature
Conservation**

Plant health

Fertilizer

In Germany:

§ 40 Federal Nature
Conservation Act

∅ official permit needed for
release of non native
plants and animals in
nature

∅ no risk for ecosystems,
biotypes and species

1. Introduction: legal sectors



Plant health

ISPM 5 (International Standard for Phytosanitary Measures)

Plant quarantine:

„All activities designed to prevent the introduction and/or spread of quarantine pests or to ensure their official control“ [FAO 1990, revised 1995]

Phytosanitary measure:

Any legislation, regulation or official procedure having the purpose to prevent the introduction and/or spread of pests [FAO 1995, revised IPPC 1997]

1. Introduction: legal sectors



Plant health

World Trade Organisation:

SPS-Agreement (Agreement on the Application of Sanitary and Phytosanitary Measure)

- Avoiding that regulations are used as barriers for international trade (minimizing influence on trade)
- Regulations must be transparent and technically justified
- Risk analysis is needed
- International Standards should be implemented
- Acceptance of the precautionary principle



1. Introduction: Plant Health



- Ø **Plant Health in the EU is no matter of the individual Member State**
- Ø **Phytosanitary legislation is **harmonized** on EU level**
- Ø **Community legislation is **implemented** into the national legislation of the Member States**
- Ø **Introduction of the **,Single Market'** (June 1st, 1993)**



- **De facto abrogation of the border lines between Member States**
- **Abrogation of phytosanitary controls at the borders between Member States**
- **One single customs area**
- **Transfer of phytosanitary controls into the premises**
- **Registration of producers/importers/suppliers**

2. EU and German phytosanitary import procedure



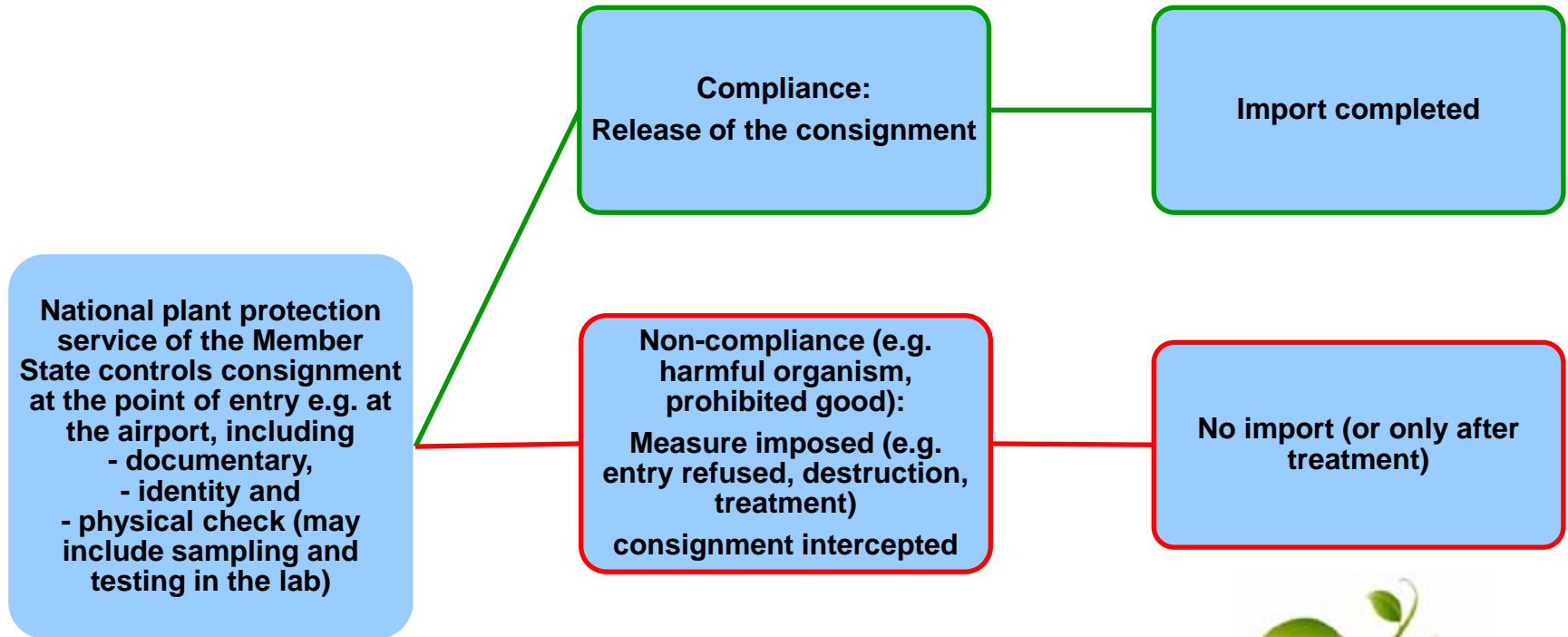
National plant protection service (country of export) issues phytosanitary certificate (PC) (including official inspection) if import requirements of importing country (EU) are fulfilled

Goods are sent to EU Member State accompanied by PC

National plant protection service of the Member State controls consignment at the point of entry e.g. at the airport, including

- documentary,
- identity and
- physical check (may include sampling and testing in the lab)

2. EU and German phytosanitary import procedure



3. EU phytosanitary import requirements

EU-Legislation concerning Plant Health (selection)

Council Directive 2000/29/EC (Plant Health Directive)

Control Directives (Council)

93/85/EC (*Clavibacter michiganensis* ssp. *sepedonicus*/potato)

98/57/EC (*Ralstonia solanacearum*/potato)

69/464/EC (*Synchytrium endobioticum*)

Decisions on emergency measures (Commission)

2002/757/EC (*Phytophthora ramorum*)

2007/433/EC (*Giberella circinata*)

2004/200/EC (Pepino mosaic virus)

2002/757/EC (*Phytophthora ramorum*)

2007/410/EC (Potato spindle tuber viroid)

2014/87/EU (*Xylella fastidiosa*)



3. EU phytosanitary import requirements



Council Directive 2000/29/EC (Plant Health Directive)

Article 1:

*„This directive concerns protective measures against the introduction into the Member States from other Member States or third countries of **organisms which are harmful to plants and plant products**. ...“*

Article 2 (e):

*„harmful organisms shall be considered to mean: **any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products**;“*

[= definition in ISPM 5: pest]

ISPM 5:

Organism:

Biotic entity capable of reproduction or replication, vertebrate or invertebrate animals, plants and micro-organisms [ISPM 1996]

3. EU phytosanitary import requirements



Council Directive 2000/29/EC (Plant Health Directive)

Quarantine pests

Annex I: harmful organisms whose introduction into, and spread within, all Member States shall be banned

e.g. *Xylella fastidiosa*, *Ceratocystis fagacearum*, Tomato ringspot virus, etc.

Annex II: harmful organisms whose introduction into, and spread within, all Member States shall be banned **if they are present on certain plants or plant products**

e.g. *Erwinia stewartii* on seeds of maize, *Diaporthe vaccinii* on *Vaccinium* plants, Plum pox virus on *Prunus* plants

3. EU phytosanitary import requirements



Council Directive 2000/29/EC (Plant Health Directive)

Plants and plant products (e.g. host plants of mycorrhiza, carriers of micro-organisms)

Annex V B: subject to a plant health inspection (in the country of origin) before being permitted to enter the Community

Examples:

- Isolated bark of conifers, and some deciduous trees like *Acer saccharum*, *Populus*, *Quercus* (other than *Q. suber*) etc.
- Wood of certain species (Conifers, *Quercus*, *Platanus*, *Populus*, etc.)

Phytosanitary import requirements in Annex IV A I

Phytosanitary Certificate is needed

3. EU phytosanitary import requirements

Council Directive 2000/29/EC (Plant Health Directive)

Soil and growing medium

Annex III No.14:

“...consists in whole or in part of soil or solid organic substances such as parts of plants, humus, including peat or bark, other than that composed entirely of peat”

import prohibited from

- Turkey, Belarus, Moldavia, Russia, Ukraine
- third countries not belonging to continental Europe (except Israel, Libya, Egypt, Morocco, Tunisia)



3. EU phytosanitary import requirements



Council Directive 2000/29/EC (Plant Health Directive)

Soil and growing medium

Annex V B No. 7:

- import permitted only from certain countries
- subject to a plant health inspection (in the country of origin) before being permitted to enter the Community

Phytosanitary import requirements in Annex IVAI No. 34 (soil and growing medium attached to plants)

Phytosanitary Certificate is needed

3. EU phytosanitary import requirements



Council Directive 2000/29/EC (Plant Health Directive)

1. Quarantine pests: Listed in Annex I and II of the Directive

2. Non-listed pests/new emerging pests:

Article 16 (2):

- Presence of the pest unknown in the territory
- consignments of plants, plant products or other objects from third countries considered to involve an imminent danger of the introduction or spread of those pests
- Member State shall take measure to prevent the spread of those pests

3. EU phytosanitary import requirements

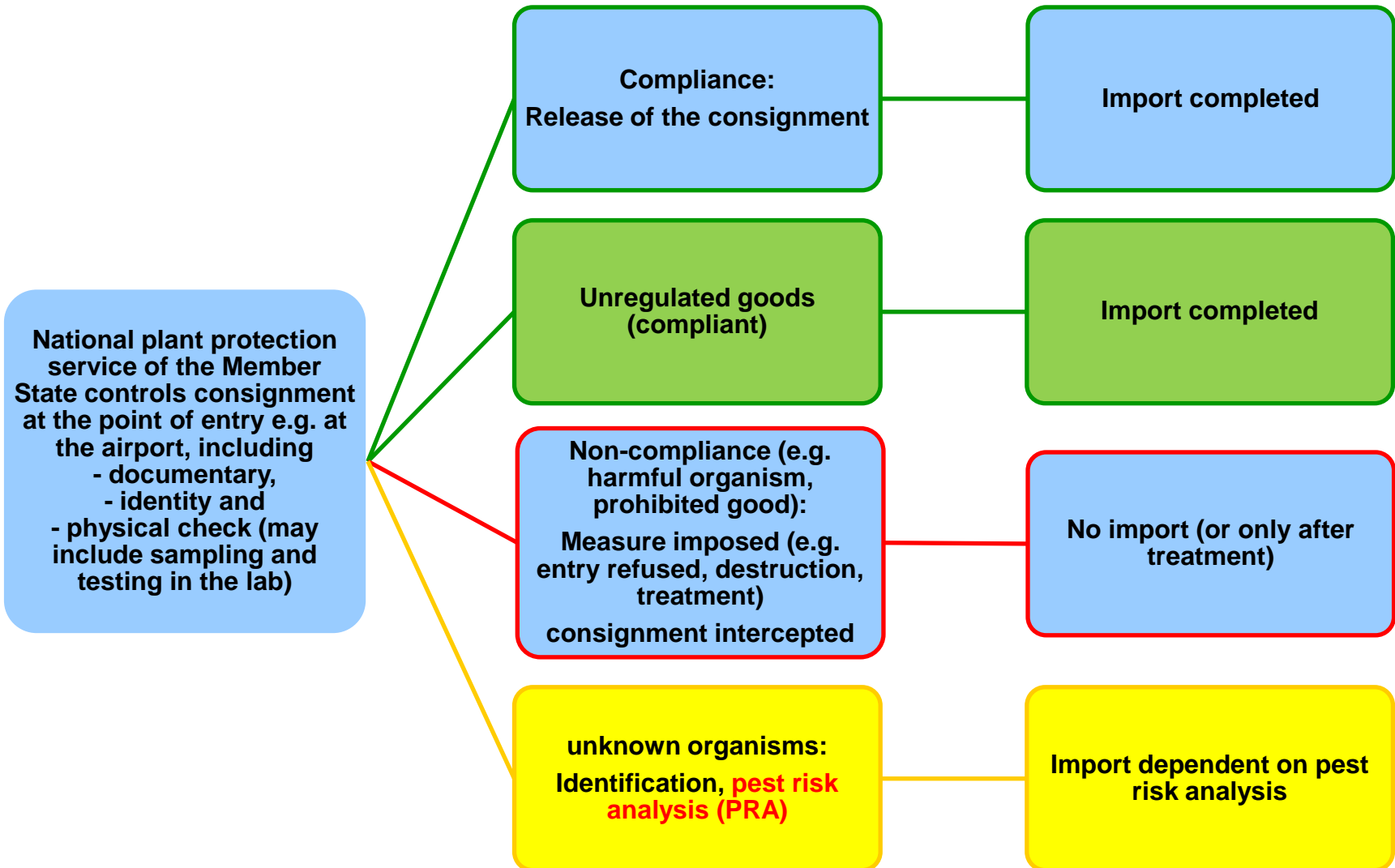
Imported micro-organisms may be ...

1. **Quarantine pests:** Listed in Annex I and II of the Directive
2. **Non-listed pests/new emerging pests**
3. **Non regulated organisms (native pests, no harmful organisms)**

Quarantine / new emerging pest?
Or non-regulated?



3. EU phytosanitary import requirements



3. EU phytosanitary import requirements



Pest risk analysis (PRA)

- biology and taxonomy of the organism
- vectors (if relevant)
- host plants, presence in the area
- symptoms
- impact on eco-system services
- known infested areas, known damage in these areas
- pathways
- natural spread
- expected establishment in the area
- limitation of endangered area, expected damage in the area
- control feasibility and measures
- detection and diagnosis
- conclusions
- **phytosanitary risk for a certain area**, certainty of assessment

3. EU phytosanitary import requirements – exceptions



Council Directive 2008/61/EC

establishing the conditions under which regulated harmful organisms, plants, plant products and other objects may be introduced into or moved within the Community

for **trial or scientific purposes** and for **work on varietal selections**

- authorization by national plant protection organisation
- handling of the organisms/goods only under quarantine conditions
- permission for release of the goods need

4. Conclusions (I)



- Ø For import of micro-organisms different legal sectors need to be taken into account. Plant health is one of them.
- Ø Different authorities may be responsible for the different sectors.
- Ø Phytosanitary requirements deal with organisms harmful to plants and plant products. They concern listed quarantine pests and new emerging pests.
- Ø Phytosanitary import requirements are harmonized within the EU (Directive 2000/29/EC).
- Ø Import of soil and growing medium from many countries is prohibited.
- Ø Phytosanitary certificates are needed for regulated plants and articles.

4. Conclusions (II)



- Ø Providing that quarantine conditions are fulfilled exceptions can be officially approved for trial, research and breeding purposes.
- Ø Phytosanitary inspection of non-regulated articles at the point of entry is possible. This may involve pest risk analysis if the organism is unknown to the plant protection service.
- Ø Revision of the EU plant health regime: new definition of quarantine pests: ...“its entry, establishment and spread would have an unacceptable economic, environmental or social impact for the entire Union“

Thank you for your attention!