



European Commission
DG Sanco
Attn. Mr. R. Baayen

Aalsmeer, April 15, 2011

Dear Mr. Baayen, Beste Robert,

The International Association of Horticultural Producers (AIPH) is pleased to be able to contribute in the consultation process for the development of the impact assessment regarding the review of the Community Plant Health Regime. The comments are focussed on the working document, prepared by the European Commission for the Working Group meeting on 18 February 2011.

A. Modalities for EU co-financing of losses

As mentioned in our contribution to the evaluation report and the working document of the conference of 28 September 2010, AIPH supports the recommendation of developing a specific financial instrument to cover the losses of destroyed material for producers. Although growers are responsible to take adequate measures in preventing the introduction of harmful organisms and to comply with EU plant health regime, growers do not always have the possibilities to prevent the introduction of harmful organisms on their farm and can become victim of measures to prevent spreading to e.g. public green. For that reason plant health is of private and public interest, which means that also co-financing by member states and EU is essential.

In principal all production sectors should be included in the scope of the coverage of EU co-financing and should be focussed on direct costs and losses for the grower. The financial compensation has to prevent growers to be forced to stop business due to crop losses and reduced income.

The implementation has to be based on criteria that it makes clear for growers in which cases they can appealing for a financial compensation for their losses. Growers must show that they have taken the right preventive measures in relation to the risks of the crop they are growing. Therefore criteria have to be based on the sector/crop, the measures taken by the grower and member state, the economic impact and financial contribution by the sector itself. The extent of public interest also defines the share of financial contribution between growers and member state (tax payer).

It is clear that in this way not one single system can be put in place. Prevention and incentives for the operator are leading. It will be the responsibility of the different sectors how to contribute financially in the system. The contribution of the member state in the co-financing system may not lead to distortion of competition between member states. In the same circumstances of losses and costs the contribution of growers and member states and the compensation must of the same level in the different member states (level playing field).

B. Rearrangement of the EU plant health and plant reproductive material regimes in relation to harmful organisms

When deciding on adjustments between the CPHR and the S&PM regime, the existing role of private operators in S&PM shall not reduce. S&PM is primarily focused on quality aspects and therefore AIPH is not oppose the positioning the Annex listing HOs of the S&PM regime in the new CPHR.

C. Revision of plant passport system

Although the plant passport system has shown to be a workable system within the EU, some alteration can improve the system, like harmonisation and recognizability of the document. Such improvements may not lead to an increase of administrative or financial burden for growers and the provision must maintain to use their own format.

As mentioned in our letter of 31 October 2011 AIPH is in favour of a more equal system of costs payable by private operators for inspections and the plant passports system (level playing field).

A plant passport is in the opinion of AIPH not a tool for traceability. The traceability has to be fulfilled by the administration of the private operators in the chain (seller and buyer). Many systems of traceability are already in practise.

AIPH is opposed an extension of the plant passport system to the consumer. In our view it does not increase the awareness of the consumer for the risks of introduction and spreading of harmful organisms and will only lead to more costs and administrative burden for operators.

The same applies for the extension of the plant passport system to all plants for planting. This will have serious impact for producers of plants for planting and will lead to more costs and administrative burden.

A plant passport to individual smallest unit of plants can have in certain circumstances advantages, e.g. when is expected that a lot will be split up further on in the chain, but to make it obligatory will lead to more costs. In many cases one passport or document is suffice, e.g. for a consignment of seeds or young plants for planting intended for a grower.

D. Revision of the Protected Zones system

AIPH supports the recommendation of the evaluation report of tightening the Protected Zone system. Distortion of competition between private operators inside and outside the protected zone has to abandon. Adjustment of the two-years eradication period after an outbreak would be necessary in this context.

E. Revision of the import regime in relation to high-risk trade

In the reaction dated 31 October 2011 AIPH supported the recommendation that complementary measures have to be taken for emerging risks, particularly new trade in plants for planting/ propagating material (PM), included commodity pathway analysis and post entry inspections for latent harmful organisms. Normal import inspections should be the basis for the import regime in relation to harmful organisms. As post entry quarantine has disadvantages, only in exceptional cases and well underpinned, post entry quarantine can be introduction as a measure to prevent import of high-risk trade of plants for planting. Adequate conditions have to be available during a PEQ to prevent a decline of the quality of the product.

AIPH endorses the opinion that new trade in imported plants for planting grown outdoors in the EU has shown to be a major source of introduction of new pests. The introduction of a legal provision in the new plant health law, that allows restriction of the importation of a specific group of high-risk commodities, contributes in preventing the introduction of new harmful organisms. Just as PEQ these import restrictions should be introduced in exceptional cases and well underpinned.

A good definition of high risk trade and commodities is necessary to make it possible to clarify those measures to third countries. Cooperation with third countries will help to better understanding.

Best regards,

INTERNATIONAL ASSOCIATION OF HORTICULTURAL PRODUCERS

George Franke
Secretary Committee for Environment & Plant Health