Ms. Heather Coady,
Regulatory Policy Specialist,
Plants for Planting Policy
PPQ
APHIS

Docket No. APHIS-2008-0011

Dear Ms. Coady,

The Coalition Against Forest Pests (Coalition) consists of non-profit organizations, for-profit corporations, landowners, state agencies and academic scholars who have joined together to improve our nation’s efforts to address this critical threat to our forests. Our Coalition seeks to create real and lasting change by advocating for stronger programs and policies that work to combat this threat, mitigate the existing impacts, and restore healthy forest ecosystems. The above-listed participants in the Coalition appreciate the opportunity to comment on the proposed regulation to restructure the regulations governing imports of living plants, also called plants for planting.

The Coalition’s participants applaud the USDA Animal and Plant Health Inspection Service’s (APHIS) proposal as an important step forward in efforts to curtail the introduction of non-native insects and pathogens that threaten America’s forests and natural resources. We look forward to working with you as you finalize and implement the proposal.

The Coalition’s participants are pleased to support the proposed amendments that consolidate in one section all the regulations that govern imports of plants for planting (Proposed §§319.37-5 - 319.37-11). We support further the proposal to add most of the plant types now listed as prohibited in §319.37-2(a) to the new category, “not authorized for importation pending pest risk assessment” (NAPPRA) per §319.37-2a.

The Coalition’s participants support APHIS’ efforts to streamline its procedures so that the agency may act more expeditiously when it becomes aware of a pest threat or when the threat of a pest is deemed alleviated. For this reason, we support the proposal to shift the process for amending specific requirements pertaining to imports of plants for planting from the rulemaking process to revisions of the Plants for Planting Manual (Proposed §319.37-20). Our support for this provision rests on the fact that these revisions would be made only after publication of a notice and the opportunity for public comments – including new or augmented restrictions. This streamlined process has been accepted in several areas under APHIS’ jurisdiction, including amendments to phytosanitary restrictions on imports of fruits and vegetables, specific treatment specifications, and lists of plant taxa in the NAPPRA category.

The Coalition’s participants support the proposal to establish the agency’s authority to offer an integrated systems approach as a promising approach to mitigating pest risks associated with particular plants for planting offered for importation into the United States. It is important that the agency also continue to recognize that a systems approach is not the only way of mitigating pest risk, and that other mitigation strategies may be appropriate. In addition, when it is determined that an integrated measures approach is necessary, the USDA-APHIS should look to the international standard (ISPM-36), developed by International Plant Protection Convention (IPPC), as its primary guiding reference rather than the regional standard, RSPM-24. With greater emphasis on ISPM-36 growers and exporters will have an easier time adopting and meeting a single standard that is applied globally, rather than regionally, making industry more capable of successfully fulfilling the mitigation strategies while
continuing to grow this segment of U.S. agriculture. Use of the international standard is preferable to the use of a regional standard.

Members of the Coalition generally support the framework outlined in proposed §319.37-21, and the suggested process for developing integrated measures for specific types of plants when such an approach is deemed necessary. The Coalition’s participants recognize the value in addressing the plant broker’s role in the shipping chain of events and the need for documentation related to traceability is maintained. In addition, when the broker takes physical possession of the material the plants should be maintained in a fashion that is consistent with (although, obviously, not identical to) the approved integrated measures approach.

The Coalition participants continue to support APHIS’ authority for maintaining and establishing trust funds to facilitate transfer of funds to reimburse APHIS for its completion of various tasks in foreign countries that are components of the plant health program (proposed §319.37-22).

The Coalition participants support the general framework for post-entry quarantine contained in Proposed §319.37-23, as well as the proposal to shift actions amending the lists of taxa to which post-entry quarantine restrictions are applied to the notice and comment process.

Thank you for considering our views. Participants in the Coalition Against Forest Pests look forward to working with APHIS to ensure adoption and implementation of adequate pest-prevention strategies.

Sincerely,

Alliance for Community Trees, Inc.
American Forest Foundation
American Forests
American Nursery and Landscape Association
California Forest Pest Council
National Alliance of Forest Owners
National Association of State Departments of Agriculture
National Association of State Foresters
National Network of Forest Practitioners
National Wooden Pallet & Container Association
Society of American Florists
Society of American Foresters
The Davey Tree Expert Co.
The Nature Conservancy
Vermont Woodlands Association