



# Phytosanitary Issues

Emerging Issues Working Group

Tampa, FL

January 25, 2015

# **Brazil Normative 36 (Now Ordinance 380)**

- New version of N-36, Ordinance 380, was released through WTO for comment (60 day)
- Comment period closes Feb 22; Brazil's goal for entry into force is June 1, 2015
- Main changes from most recent version:
  - Back to country annexes; more pests added
  - Field inspection option for viruses/viroids removed

# Brazil Normative 36

- APHIS/ASTA are preparing comments
  - No indication that previous responses have been considered – technically unjustified pests are still on the new U.S. annex. No acknowledgement from MAPA that comments were even received
  - APHIS (CPHST) is reviewing the annex and will provide its analysis to ASTA to review (by Feb 1)
  - APHIS will share draft comments with ASTA for review/input (before Feb 10)
  - Comments to be submitted in Portuguese
  - ABRASEM has been very helpful!

# Brazil Normative 36

- MAPA has sent the signal that a phase-in (up to 2 yr.) plan is being planned
- MAPA has indicated that initially there will be 100% retesting at POEs, but will reduce frequency based on test results
- Testing methods to be used may become a major issue
  - For example, there are internationally recognized tests for only 4 viruses/viroids and many ELISA –based tests that are largely unproven for regulatory use
- ASTA continues to partner with ISF on this process

# Brazil Ordinance 59 (Seed For Research and Testing)

- Brazil has been in the process of revising its rules for all types of germplasm (both plant and animal) for several years
  - This process has been largely kept internal
- ASTA received a draft copy late last summer
- APHIS, although never officially notified, sent comments to MAPA
- Rule has apparently been finalized and is to become effective February 15

# Brazil Ordinance 59

- Major issues:
  - Sample size and testing of small lots!
  - Risk levels of seed appear not to be considered; e.g. seed for lab analysis vs. open field evaluation
  - What is a seed lot? (one envelope of seed, or one carton with many envelopes?)
  - Should conform to new draft international seed standard or perhaps wait until standard is adopted

# Brazil Ordinance 59

- Major issues:
  - Process and time involved for obtaining import permits appear excessive
  - Nobody yet knows what will be in the final rule; there appears to be no more opportunity to impact the final rule
  - Wait-and-see.....

# New Chile Regulation

- Chile has recently published an update of seed phyto import requirements which go into force Feb 15, 2015
- Applies to all trading partners
- Covers 49 plant (seed) species, 21 quarantine pests, 67 host/pest combinations
- Pests include pathogens plus several insect (Bruchid) species
- Fumigation required for insect pests



# New Chile Regulation

- Pathogens requiring wither a field inspection **or** a treatment:
  - *Colletotrichum truncatum*
  - *Colletotrichum acutatum*
  - *Colletotrichum capsisi*
  - *Colletotrichum orbiculare*
  - *Phoma apiicola*
  - *Asochita rabiei*

# New Chile Regulation

- Pathogens requiring...”shipment comes from a nursery inspected **and** analyzed (specify diagnostic technique):
  - *Xanthamonas campestris* pv *cucurbitae*
  - *Xanthamonas hortorum* pv *carotae*
  - *Pseudamonas syringae* pv *lachrimans*
  - *Pseudomonas syringae* pv *pisi*
  - *Curtobacterium floccumfaciens* pv *floccumfaciens*
  - Arracacha virus B

# New Chile Regulation

- Requirements for PSTVd: Inspection and analysis **or** lab test
- The major problem is for pathogens requiring analysis of mother plant material (assuming this is what this requirement means)
- ANPROS has negotiated an agreement with SAG to also accept seed testing (Resolution 9425)
- APHIS is requesting SAG to remove the requirement for analysis of mother plant material
- Bottom line: much more testing!

# Pilot Accreditation Program

- New approach being considered for protecting against entry/establishment of seed transmitted pathogens (STPs)
- The model STP will be CGMMV
- The recent detections of CGMMV in California have awakened a sleeping giant.....

# APHIS Seed Summit (July 15-17, 2014)

- Brought together 80 participants from USDA, universities, and the seed industry/ASTA (17) to:
  - Begin a dialogue to explore and identify new/improved approaches to address/mitigate phytosanitary risk associated with **seed transmitted pathogens**
  - Identify/address seed trade/export issues of concern to the industry

# Summit Outcomes

- Cross-functional working groups have been established for each topic area (Corn diseases, vegetable seed viruses/viroids, etc.)
  - Approaches to reducing/managing phytosanitary risk will be a joint industry/APHIS effort!
  - Approaches will be customized according to the specific issues associated with each topic
- **APHIS is looking for voluntary industry actions that will significantly reduce the need to develop additional regulations**

# Summit Outcomes, continued

- **A pilot project based on CGMMV is under construction:**
  - **Voluntary** accreditation program for seed companies (will include seed testing, traceability)
    - Up to 10 companies to be in the pilot
    - The accreditation will also serve as a brand for marketing
  - Baseline monitoring of seed (to be implemented by USDA and States)
  - Growers will be encouraged to only purchase seed tested for CGMMV
  - CGMMV workshop planned for January 28, 2015

# Accreditation Features

- Quality management programs/procedures used by companies that reduce phytosanitary risk of introduction/establishment of CGMMV will be accredited/recognized by APHIS
  - Proposed new accreditation category under NSHS
  - Could be used as a brand for marketing purposes
  - Apply to large companies that have control over all aspects of seed production as well as dealers/brokers



# Accreditation Features

- Application process will be similar to other categories of NSHS accreditation
  - Companies that are accredited under ISO, NAL, etc. will only have to submit their manuals with reference to those sections/chapters that apply to this program
  - Other companies will have to develop a QM manual (with NSHS guidance/assistance)

# Accreditation Issues

- This accreditation will also cover seed import (until now , NSHS has been an accreditation system to support export certification)
- APHIS wants to find ways to recognize foreign lab test results
  - NAKT, GEVES, etc. : ASTA has proposed that APHIS develop equivalency agreements with the EU (as per ISPM 24)
  - Company labs overseas to be addressed as well

# Workshop Agenda

	Topic	Presenter	Time
I.	Opening Remarks	Ric Dunkle William Thomas, APHIS Robert Bailey, APHIS*	8:30 a.m.
II.	Setting the stage: CGMMV in California; Challenges To, and Options for, regulating seed	Robert Bailey, APHIS* Shailaja Rabindran,, APHIS Nick Condos, CDFA*	8:35 a.m.
III	Stakeholder Issues: Potential Impacts on Growers and Others in the Value Chain	Bob Morrissey, NWA	9:00 a.m.
III.	Overview of ASTA Farm Bill Proposal “Development of a Pilot Biosecurity Framework for Importation of Seeds to Prevent Entry/Establishment of Seed Borne Diseases”	Ric Dunkle	9:30 a.m.
IV.	Seed Industry Quality Management Practices that Reduce Risk of Seed Transmitted Pathogens	Dr. Samantha Thomas	10:00 a.m.
V.	Break		10:30 a.m.
VI.	Elements of A Seed Monitoring Program	Nick Condos, CDFA* William Thomas Robert Bailey*	11:00 a.m.
VII	Elements of an Accreditation System: Report from APHIS/Industry Denver Meeting Nov 18-19, 2014	William Thomas Shailaja Rabindran Alec Ormsby, APHIS	11:30 a.m.
VIII	Lunch		Noon
IX	Review of Accreditation Documents and Industry Comments	Shailaja Rabindran William Thomas Ric Dunkle	1:00 p.m.
X.	Setting Up the Pilot Program: <ul style="list-style-type: none"> <li>• Accreditation component</li> <li>• Seed monitoring component</li> <li>• Evaluation component</li> </ul>	Breakout sessions	1:30 p.m.

# Workshop Agenda

X.	<b>Setting Up the Pilot Program:</b> <ul style="list-style-type: none"> <li>• Accreditation component</li> <li>• Seed monitoring component</li> <li>• Evaluation component</li> </ul>	Breakout sessions	1:30 p.m.
IX.	Reports from Breakout Sessions		2:30 p.m.
XI	Break		3:15 p.m.
XII	Q/A session	Workshop Participants	3:30 p.m.
XI.	Summary, Next Steps	Ric Dunkle William Thomas Nick Condos*	4:00 p.m.
XII	Adjourn		4:30 p.m.

# Australia Virus/Viroid Testing

- Australia continues to forge ahead with developing its own testing methods for viruses/viroids and imposing them in its phytosanitary import regulations
- ISF, through ISHI-Veg has been working hard to develop more practical testing methods for viruses/viroids (CGMMV, PSTVd) based on smaller sample sizes
- So far, these have had little impact on Australia's testing requirements
- APHIS/Australia technical bilateral (December 10-11, 2014) yielded little progress
- CGMMV in Australia: too little, too late?



# ASTA Food Safety Pathogen WG (FSPWG)

- ASTA holds 2 WG meetings per year and reviews/updates its “Statement on Field and Greenhouse Planted Seeds and Human Pathogens”
- Statement has had minimal revision since its creation in 2008.
- Some purchasers still either require seed testing or a statement from the seed supplier regarding the safety of the seed relative to human pathogens
  - ASTA model letter

***Below is a draft letter that individual companies may consider using as the basis for their own responses to customer inquiries about the quality and specifications of seed the companies produce and their individual practices. This draft letter is intended as a model and is not intended as, and should not be construed as, legal advice or a substitute for a seed company's own legal counsel. In preparing this model letter, ASTA has not assessed the practices of any individual member company. Providing the model does not define or create legal rights or obligations, and ASTA specifically disclaims any such rights or obligations. ASTA does not make any warranties or representations, either express or implied, with respect to any company's products or practices; nor does ASTA assume any liability of any kind whatsoever resulting from the use of this model.***

Thank you for your request for information on our standards related to seed quality and “Good Agricultural Practices (GAP)”. XX (company name) strives to develop and produce seed products following the industry’s recommended best practices guidelines for managing product quality and purity. These guidelines utilize a comprehensive, systems-based approach designed to minimize the occurrence of seed-borne plant diseases and seed quality related issues.

As of today, no formal system of GAP for seed production has been developed by industry or issued by any local, state or federal regulatory body. However, as industry continues to analyze best practices individual companies, including ours, have developed and maintain integrated quality management systems to meet the specifications of the marketplace. These systems combine process controls based on continuous improvement principles and are subject to internal and external audits. Our quality management systems include seed tracking capabilities from origin to customer. We have also established phytosanitary, sanitation, and hygiene guidelines to help ensure quality seed production in protected culture or open field environments. We remain customer focused to deliver the highest quality seed for all vegetable species.



Furthermore, the American Seed Trade Association (ASTA, [www.amseed.org](http://www.amseed.org)) has created a Guide to Seed Quality Management Practices which provides a roadmap for industry recommended best practices to maintain seed integrity from the initial research and development phase through commercial sale. In addition to our own internal measures and standards, our commercial seed must conform to regulations stipulated by domestic (“Federal Seed Act” and state laws) and international laws.

Finally, we agree with the ASTA Statement on Field and Greenhouse Planted Seeds and Human Pathogens (<http://www.amseed.org/issues/phytosanitary/key-issues/#phkey1>) conclusions that extensive existing data has shown that human pathogens are **not** transmitted from seed planted for field or greenhouse production of fresh produce, to this harvested produce. (ASTA, through its Food Safety Pathogen Working Group, actively monitors new research results as they become available.) Thus there is no significant value, or food safety benefit, in testing seed lots for the presence of human pathogens. Therefore, such testing is not currently part of our quality management program.

# FSPWG

- ASTA requested the United Fresh Producers Association (United Fresh) to review and endorse its statement
  - UF's original response: the statement is too defensive and needs to better characterize the risk of seed (minimal, but not absolute zero)
  - Point out that seed (other than that used for sprout production) is not in FSMA regulations
  - Point out that seed is not included in UF's guidelines

# FSPWG

- Main focus of January 26 meeting: develop a revised statement that addresses and incorporates these concerns
- Feel free to attend (Monday, January 26, 4:30-5:50 PM)!