

National Plant Board Meeting Status of Official Control

In March 2008, APHIS-PPQ prepared draft guidelines for States to petition the agency for recognition of their programs to regulate plant pests of limited distribution. This draft was recently shared with representatives of the National Plant Board to provide feedback prior to sharing with the membership at large. The feedback indicated that it is necessary for PPQ to clarify the definition of official control.

Two other regulatory approaches are similar to official control but are creating some confusion in developing our program. They are the “special needs” provision of the Plant Protection Act and the “pest-free area” designation from the International Plant Protection Convention’s (IPPC) ISPM No. 4. The goal in establishing official control is to harmonize domestic and international import regulations and provide a vehicle by which the Federal Government can assist the States by protecting them from the introduction of regulated pests of limited distribution within the country or that may be transported in foreign commerce.

In the coming weeks, Plant Protection and Quarantine will be sharing some new concepts with the North American Plant Protection Organization and our trading partners to build consensus relative to the interpretation of the IPPC definition of official control and hope for resolution by the end of 2008. Concurrently, we are developing scenarios of how official control may be applied for various pests of interest to the agency and the National Plant Board.

The IPPC definition of official control is “the active enforcement of mandatory phytosanitary regulations and the application of mandatory phytosanitary procedures with the objective of eradication or containment of quarantine pests or for the management of regulated non-quarantine pests.”

The Plant Protection Act allows for a special needs exemption to a regulation under the following conditions: “A State or political subdivision of a State may impose prohibitions or restrictions upon the movement in interstate commerce of articles, means of conveyance, plants, plant products, biological control organisms, plant pests, or noxious weeds that are in addition to the prohibitions or restrictions imposed by the Secretary, if the State or political subdivision of a State demonstrates to the Secretary and the Secretary finds that there is a special need for additional prohibitions or restrictions based on sound scientific data or a thorough risk assessment.”

The IPPC defines a pest-free area as “an area in which a specific pest does not occur as demonstrated by scientific evidence and in which, where appropriate, this condition is being officially maintained.”

**Plant Protection & Quarantine
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