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Re: Proposed United States-Canada Greenhouse-Grown Plant Certification Program (GCP)

The Society of American Florists (SAF) and AmericanHort submit the following joint comments on behalf of the floriculture and nursery industry in the U.S., in response to the proposed United States-Canada Greenhouse-Grown Plant Certification Program (GCP). We thank you for the opportunity to comment.

AmericanHort was formed in 2014, with the consolidation of the American Nursery & Landscape Association (ANLA) and OFA—The Association of Horticultural Professionals. Together we have a combined 220 years of experience in supporting the horticulture industry. AmericanHort membership is comprised of nearly 16,000 active members and affiliates that grow nursery and greenhouse plants, sell lawn and garden products, design, install, and care for landscapes, and sell supplies to the industry. Typical members include growers, garden center retailers, horticultural distributors, landscape professionals, and suppliers to the industry. A number of firms are engaged in more than one of these operations.

SAF is the national trade association representing the floriculture and greenhouse industry in the U.S. Membership includes some 10,000 small businesses, including growers, wholesalers, retailers, importers and related organizations, located in communities nationwide and abroad. The industry produces and sells cut flowers and foliage, foliage plants, potted flowering plants, and bedding plants, which compete in the international marketplace.

The floriculture and nursery industry represents a vibrant and economically significant part of American agriculture. Floriculture and nursery crops are the third-largest domestic U.S. crop in value, ahead of wheat, tobacco and cotton, and
outranked only by corn and soybeans. Nursery and floriculture crops represent about 15 percent of total U.S. crop receipts, and comprise over $15 billion of the U.S. farmgate economy.

GENERAL COMMENTS
As a general and overarching comment, we want to thank APHIS and its team of negotiators and policymakers for the strong effort they have made to communicate with stakeholders regarding the revision of the current GCP. This communication effort has been particularly important in light of the impact that the proposed revisions will have upon participants in the current program, as well as upon existing trade patterns between the United States and Canada. Further, as we have urged, the effort to ensure that the revised GCP harmonizes with other national and international certification efforts (including SANC, and the RSPM-24 and ISPM-36 standards) is essential and we greatly appreciate the efforts that have been made to ensure that harmonization.

The GCP is an important component of horticultural trade between the U.S. and Canada. Aligning the two nations’ regulatory approaches, as envisioned by the “Perimeter Approach” of the Regulatory Cooperation Council, is increasingly important as trade becomes increasingly global. Providing realistic and consistent delivery of harmonized regulatory programs will, we believe, both facilitate trade and, just as importantly, provide improved phytosanitary risk management.

AmericanHort and SAF strongly support integrated measures as a way to address many phytosanitary concerns, when necessary. It is important to keep in mind throughout this discussion, however, that not every instance of risk requires implementation of a systems approach. In many cases, a simple mitigation may address the concern.

In general, we believe that an approach which allows the greatest amount of flexibility, based on the risk as determined by the importing country and giving the place of production the maximum amount of flexibility in designing a production manual, will best serve the needs of protection, trade, and will encourage participation in the program. Overly rigorous or complicated expectations, as seen with the U.S.-Canada Nursery Certification Program, discourages participation and very likely does not reduce risk.

An example of that flexibility being deployed in the new draft version of the GCP is the addition of interfacility shipping labels and the ability to more easily move GCP material from an approved facility in one country to the other then back again. This
is a valuable change to the respective industries and encourages confidence in the program and the need for industry to maintain its credibility.

Harmonization of Plant Taxa
Under the proposal (as under the current program), facilities must maintain records of plant taxa in production and the origins of those plants. The program summary states that only plants that could be imported directly to both Canada and the U.S. are eligible for GCP certification and this requirement is restated in Section 3.0 of the Technical Requirements. However, the Technical Requirements Introduction states that Certified Plants are those which “...must be enterable into the United States and Canada as per each country’s phytosanitary requirements.” [emphasis added] Although this point is very minor, the wording should be changed in the Introduction.

Obviously, it is essential that both nations maintain an open and easily accessible list of prohibited taxa.. We are concerned that the lack of accessibility, particularly of Canada’s regulations, may create significant problems for this program.

We strongly support the movement away from “white lists” or “black lists” of plants as originally considered for the GCP, because the nature of horticultural markets requires continual changes to meet consumer preferences. Trying to establish predetermined lists of acceptable or unacceptable plants just for the GCP will only inhibit the economic opportunities of producers on both sides of the border, without increasing phytosanitary protection.

We continue to urge the harmonization of the two countries’ “NAPPRA” (Not Authorized Pending Pest Risk Assessment) lists. While the proposed language would prohibit material from third countries being trans-shipped it would be very difficult to validate the origins. Implementation of the revised GCP will become increasingly complex and confusing for users and regulators as the two countries’ respective NAPPRA lists continue to grow and change.

As we have stated in other comments, “plants for planting” is not a homogenous category. We continue to urgently request that USDA and Canada data collection on pest interceptions be improved to include data specific to materials such as unrooted cuttings, budwood, and tissue culture from other types of imported plant material. This change (and perhaps additional ones to reflect other types) will help to better quantify the levels of risk associated with each of the various types of plants for planting. Trade and import decisions based on incomplete or inaccurate data, in a world of international commerce, will simply harm this important
segment of our agricultural economy. In order for offshore producers to improve their programs, the two nations must have and be able to provide accurate data regarding interceptions and quarantine concerns.

**Harmonization of Pest Lists**
This inconsistency is perhaps the most important one needing to be addressed. While neither country may prohibit entry of pests except those prohibited under that country’s own regulations, the differences between the two nations’ requirements and inspection regimes is in some cases significant. The program must be revised to ensure that pests which might not survive in Canada’s colder climate yet which would survive and be of regulatory concern in the warmer U.S. climate not be allowed. Perhaps the only way of accomplishing this goal, given the differences in climate and inspection regimes between the two nations, is to clearly recognize those differences from the outset in the GCP. Because of the higher potential of pest survivability in the warmer U.S. climates, it would not be unreasonable to require inspection for pests of U.S. regulatory concern at some point during the Canadian growing process. Differences between the two nations’ pest lists of regulatory concern should, by now, be identified. Once those differences have been enumerated, if there are indeed pests of Canadian concern that are not addressed by the existing U.S. regulations, those specifics can also be incorporated into the program itself.

**The “28-Day” Requirement**
The proposed GCP requires that all plants with a country of origin other than Canada or the United States must undergo a minimum growth and monitoring period of 28 days (Section 4.0). This requirement is not workable when applied to vegetative cuttings. Most unrooted cuttings come from offshore farms and have gone through proper phytosanitary certification. Because the plants have a head start, have been evaluated for pests of concern, and received a phytosanitary certification, they should not be held to the 28-day requirement. A period of 18 days would likely be sufficient for pest and pathogen monitoring and be in keeping with current industry practices. Any period of time longer for unrooted cuttings would require these growers to hold young plants (liners) past the point of acceptability to the customer. An exception to the 28-day rule for unrooted cuttings that have already gone through the phytosanitary certification process clearly seems warranted. We believe these concerns have been expressed by both U.S. growers of young plant liners and their customers and colleagues in Canada.
**Hardening-off**
With the recognition that this is a greenhouse program, some crops that have been included since the program’s beginnings thrive when grown exposed to the elements for a period of time. In some cases, like calla lily, that period of time is beyond the 28-day hardening-off maximum. For crops like this, where the risk is known to be low and the growers have documented practices in their pest management plan to mitigate the risks that are present, then greater flexibility would seem appropriate. This is perhaps best tackled on a taxon by taxon basis and would be in keeping with the program’s intent to facilitate trade of low risk material.

**Post-Entry Quarantine**
The GCP proposal is largely silent on the different post-entry quarantine requirements of both countries, and those differences should be addressed.

**Definition of “Authorized Facility”**
Greater attention should be placed on the definition of “authorized facility” and the importance of flexibility in interpreting how the term applies. Some companies have a single production facility while others may have many. It is important that the GCP be flexible and avoids creating greater complexity in record keeping just because growing facilities are separated geographically. If through the pest management plan an operation is able to show that appropriate practices for mitigating pest risk concerns are in place at each location and with oversight of a Pest Control Manager then that operation could operate under a single compliance agreement. This will provide the company with flexibility in how records are managed and facilitate a streamlined management process for their internal controls.

In keeping with the approach described above we suggest that the beginning of the “Pest Control Manager” definition be changed from, “The person at an Authorized Facility who is responsible for developing...” to “The person assigned by the Authorized Facility to develop...”

**Training of Auditors**
It is essential that the regulators who will be responsible for the initial approval and subsequent monitoring of participating facilities be trained and understand the requirements of the program to ensure consistency not only between countries, but among states/provinces. It is vital that any implementation of the new GCP be carefully and thoroughly monitored so that any problems regarding inconsistencies and be identified and corrected quickly.
Traceability and Segregation of Program Plants

It is impossible, for many faster-growing crops, to keep records on such things as “location of plants for planting within the place of production.” Within greenhouse production, the limitations of space, timing of turns and modern production practices would make it nearly impossible and certainly too costly to accomplish this level of traceability.

While there is broad recognition within the industry that a distinction must be maintained at a facility between plants included in the GCP and plants that are not it should be up to the individual operation to identify how they maintain those distinctions. Greater separation does reduce risk of comingling but that is a business risk that should be shouldered by the company and not prescribed through regulation.

Implementation

Once program changes are finalized we suggest that implementation should not be required in less that 12 months and perhaps not before 24 months. Businesses participating in the current GCP have developed and grown with the current procedures over a 20-plus year period. It is a burden and will be an expense and often, a complicated process to meet the new requirements. For these reasons an extended implementation period is necessary.

CONCLUSION

We very much appreciate the commitment of APHIS to support trade while preventing new incursions of pests and pathogens and the opportunity to continue to provide comments to APHIS as it continues the revision of the GCP. We ask, of course, that our comments and stated concerns be addressed directly.

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