

AMERICAN SEED TRADE ASSOCIATION



ASTA Comments on Brazil Normative 36

July 3, 2012

Cósam de Carvalho Coutinho
Departamento de Sanidade Vegetal
Secretaria de Defesa Agropecuária
Ministério de Agricultura, Pecuária e Abastecimento
Brasília, DF
Brasil

Dear Mr. Carvalho:

The American Seed Trade Association appreciates the opportunity to provide comments to Brazil's proposed changes to Normative 36. This normative establishes new phytosanitary import requirements for pests associated with seed species listed in the annex attached to the normative. ASTA understands that this proposal is intended to replace the current Normative 36.

The United States seed industry exports over \$20 million worth of commercial seed to Brazil, primarily vegetable seed, and market demands for vegetable and other types of seed such as turf seed are rapidly increasing. The proposed revisions to Normative 36 go a long way toward correcting the trade prohibitive phytosanitary measures in the original version; however, several clarifications in the language regarding intent are needed and a number of changes are proposed below. It is important to note that US seed exported to Brazil has not had any phytosanitary problems resulting in shipment rejections or delays in over 50 years of seed trade.

Art.1: This article defines the quarantine pests believed by Brazil to be associated with the seeds of species listed in the annex attached to this proposal. Also stated is that this article does not apply to weeds; however, it states that seed shipments must be free of seeds of the weeds provided under the quarantine pests for Brazil. US seed producers must meet the quality and purity requirements of the US Federal Seed Act which, due to extensive cleaning and inspection procedures, also serve to eliminate seeds of noxious and otherwise regulated weed species of concern.

ASTA recognizes that the USDA Animal and Plant Health Inspection Service conducted an extensive technical analysis of the pests believed to be associated with the seeds of species listed in the attached annex. After further review of this analysis ("Evaluation of the Phytosanitary Requirements for the Importation of True Seeds of Different Plant Species Produced in the United States: March, 2012"), submitted officially by APHIS to the WTO and the

Brazilian Ministry of Agriculture), ASTA fully agrees with, and supports, the findings and conclusions of this analysis. This analysis determined that of those species listed, only the following are technically justified for inclusion on the annex because they do not occur in Brazil, and the seed has been determined to be a potential pathway for the introduction of these pests into Brazil (literature references provided by APHIS in its full document):

Table 2. Pest of quarantine significance for Brazil on seed commodities imported from the United States.

Hosts	Associated Pests
<i>Allium cepa</i>	<i>Ditylenchus dipsaci</i> (Kühn) Filipjev (all races, except the ones from garlic)
<i>Vicia faba</i>	
<i>Apium graveolens</i>	<i>Strawberry latent ringspot virus</i> (SLRSV)
<i>Beta vulgaris</i>	<i>Arabid mosaic virus</i> (AMV)
<i>Lactuca sativa</i>	
<i>Beta vulgaris</i>	<i>Tomato black ring virus</i> (TBRV)
<i>Cucumis melo</i>	<i>Melon necrotic spot virus</i> (MNSV)
<i>Cucumis sativus</i>	
<i>Cynodon dactylon</i>	<i>Xanthomonas oryzae</i> pv. <i>oryzae</i> (Ishiyama) Swings et al.
<i>Cynodon dactylon</i>	
<i>Oryza sativa</i>	
<i>Sorghum bicolor</i>	<i>Balansia oryzae-sativae</i> Hashioka. Anamorph: <i>Ephelis oryzae</i> Syd.
<i>Dactylis glomerata</i>	<i>Anguina agrostis</i> (Steinbuch) Filipjev
<i>Avena sativa</i>	
<i>Dactylis glomerata</i>	<i>Urocystis agropyri</i> (Preuss) A.A. Fisch. Waldh.
<i>Lolium multiflorum</i>	
<i>Lolium perenne</i>	
<i>Cichorium endivia</i>	
<i>Cichorium intybus</i>	<i>Pectobacterium rhapontici</i> (Millard) Burkholder
<i>Dianthus barbatus</i>	
<i>Dianthus caryophyllus</i>	
<i>Dianthus chinensis</i>	
<i>Hippeastrum</i> spp.	
<i>Festuca arundinacea</i>	<i>Gloeotinia granigena</i> (Quélet) Schumacher
<i>Lycopersicon esculentum</i>	<i>Potato spindle tuber viroid</i> (PSTVd)
	<i>Pepino mosaic virus</i> (PepMV)
	<i>Perlargonium zonate spot virus</i> (PZSV)
<i>Medicago sativa</i>	<i>Clavibacter michiganensis</i> subsp. <i>insidiosus</i> (McCulloch) Davis et al
<i>Trifolium</i> spp.	
<i>Oryza sativa</i>	<i>Xanthomonas oryzae</i> pv. <i>oryzae</i> (Ishiyama) Swings et al.
	<i>Burkholderia glumae</i> (Kurita & Tabei) Urakami et al.
<i>Vicia faba</i>	<i>Botrytis fabae</i> Sardiña
	<i>Broad bean wilt virus</i> (BBWV)
<i>Sorghum bicolor</i>	<i>Clavibacter michiganensis</i> subsp. <i>nebraskensis</i> (Vidaver & Mandel)

	Davis et al.
<i>Zea mays</i>	<i>Clavibacter michiganensis</i> subsp. <i>nebraskensis</i> (Vidaver & Mandel)
	Davis et al.
	<i>Pantoea stewartii</i> (Smith) Mergaert et al. Syn: <i>Erwinia stewartii</i> (Smith) Dye

ASTA further agrees with, and supports the following conclusions from this analysis:

There were 216 host pathogen associations present in this pest list. The following 13 pests are either not present or have been eradicated from the United States and will not be of quarantine significance for Brazil on seed imported from the United States: *Xanthomonas oryzae* pv. *oryzicola* (bacterium); *Alternaria triticina*, *Gibberella xylarioides* (fungi); *Cydia fabivora*, *Earias biplaga*, *Eurygaster integriceps*, *Tetropium fuscum*, *Trogoderma granarium* (insects); *Anguina tritici*, *Ditylenchus africanus*, *Ditylenchus angustus* (nematodes), *Artichoke yellow ringspot virus*, and *Tomato black ring virus* (viruses).

The following host/pest associations (15 hosts and 8 pests) are doubtful or erroneous because they are not supported by literature or other evidence : *Allium porrum*, *Brassica oleracea* var. *botrytis*, *B. oleracea* var. *capitata*, *Cucumis melo*, and *C. sativus* with ***Fusarium camptoceras*** and ***Fusarium circinatum***; *Abelmoschus esculentus* with ***Pectobacterium rhapontici***; *Cichorium intybus*, *Cucumis melo*, *C. sativus*, *Glycine max*, *Tagetes erecta*, *Tagetes patula*, *Tagetes* spp., *Tanacetum coccineum* with ***Rhodococcus fascians***; *Foeniculum vulgare* with ***Neotyphodium coenophialum***; *Lycopersicon esculentum* with ***Arabis mosaic virus***; *Zea mays* with ***Limothrips cerealium*** and ***Paranthrene tabaniformi***. These pest-host associations should therefore not be considered of quarantine significance for Brazil.

In this list, there is an indication of regulation for all races of *Plasmopara halstedii* except race 2.2, but records indicate the existence of additional races of this pathogen in Brazil (Leite et al., 2007). This pest therefore should not be considered of quarantine significance until a final determination of the races present in Brazil is made.

Art.2: Additional Declarations:

I-DA1: ASTA interprets this to apply to only those quarantine pests (with the exception of weed species) listed on the annex attached to this normative. However, language on the phytosanitary certificate already exists for this purpose which makes this requirement redundant and unnecessary. In addition, ASTA interprets DA1 to indicate that the annex attached to this revision replaces all the annexes in Normative 36/2010.

II-DA2: ASTA believes that seeds should be treated for arthropods only when an official inspection determines that arthropod species of concern to Brazil are detected. It is possible to significantly impact and decrease seed quality with the addition of seed treatments, particularly in the case of vegetable seed species. Therefore, unnecessary seed treatments need to be avoided. A blanket requirement for seed treatments will not only significantly reduce seed

quality, but such treatments are also costly and burdensome on the seed industry. Therefore, treatments should be required only when arthropods of concern are detected during an official phytosanitary inspection of the seed by the NPPO.

III-DA15: The additional declaration should only indicate that the shipment is free of viruses, bacteria, fungi or nematodes (limited to those identified in the annex) based on an official laboratory analysis without including any details on the analysis other than what general language exists on the phytosanitary certificate such as the analysis number. It is the responsibility of the NPPO to ensure that laboratory analyses meet its standards sufficient to issue the phytosanitary certificate.

#1: ASTA fully supports the alternative of official phytosanitary field inspections for viruses, bacteria, fungi or nematodes as an alternative to laboratory analyses. The use of DA5 (with the modification proposed above) for this purpose is appropriate and supported by ASTA.

#2: DA7 and DA8: ISPM 12 allows information on pests that are not quarantine pests for the first country of importation to be included under “other phytosanitary information” by the NPPO of the country of origin. This information is considered official by the NPPO of the first country of importation and therefore can be used to issue re-export certificates. For phytosanitary certificates issued by the NPPO of the country of origin, this AD is unnecessary and redundant as language on the certificate already addresses this issue. If official pest free areas for pests of concern have been established by the NPPO in the country of origin, DA7 then appears to be appropriate.

If additional declarations for specific pests of concern to Brazil do not exist on phytosanitary certificates from the country of origin for seed to be re-exported to Brazil but are needed, ASTA would like verification that DA15 can be used by the NPPO of the country of re-export.

#3: This statement confirms that additional declarations (DA1, DA2, DA7, DA8, DA15) are only needed for pests listed on the attached annex.

The following issues remain of concern to ASTA as they are not explicitly addressed in this normative:

- Harmonization of seed testing methods: If Brazil holds and re-tests a seed shipment for a particular pest, officially recognized testing methods should be used, and the test method used should be communicated to the NPPO of the exporting country.
- What percentage of shipments will be held or delayed at the port of entry for re-testing? The original N36 indicated 100 percent. The percentage should be consistent with what other IPPC member countries do based on the history of risk associated with the (seed) product being imported.

Sincerely,

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