

## Plan for the implementation of NAPPO standards

### 1. Name of Standard

*RSPM No. 33 - Guidelines for Regulating the Movement of Ships and Cargo from Areas Infested with the Asian Gypsy Moth*

### 2. Country Reporting

United States

### 3. Relevant Authority

#### 3.1 *Plant Protection Act*

Under the *Plant Protection Act*, USDA-APHIS-PPQ has the authority to control any importation or entry “to prevent the introduction of plant pests within the United States”. This includes conveyances or cargoes that may be infested with a quarantine pest. United States lists *Lymantria dispar* (Asian biotype) as such a pest based upon the pest risk analysis (PRA) conducted in July 1991. The PRA identified marine vessels and cargoes as primary conveyances for pest introduction into the United States and as such regulations and policies necessary to prevent the insect’s entry into the United States are applicable. The United States established regulations in 1991 for vessels entering Canada following visits to ports known to be infested with the pest in the Russian Federation. In 2007, infested ports in Japan were also regulated.

#### 3.2 Revisions to authority

No revisions to relevant regulations (*Plant Protection Act*) are thought to be required.

### 4. Obtaining Authority to Adopt the Standard

Changes to Legal Authority: no changes to regulations are expected to be required by the United States.

### 5. Implementation of Standard

The implementation of RSPM No. 33 is dependent on revision of administrative requirements prescribed in policy documents: *Manual for Agricultural Clearance: Examining Carriers: Clearing Vessels: Taking Emergency Action for Suspect Asian Gypsy Moth (AGM) Ships*. It requires minor amendments to reflect RSPM No. 33. In addition, the standard requires that countries undertake consultation with the maritime communities and that regulated countries should be provided with sufficient time to adapt to the new regulations. As such, a graduated enforcement approach that is harmonized amongst NAPPO countries is advocated.

## Proposed Timeline:

- August 2009 – Adoption of RSPM No. 33 by NAPPO Executive Committee.
- August 2009 - March 2011 – The US will revise its policy documents and continue undertaking consultation with maritime communities and the national Plant Protection Organizations of regulated countries.
- March 2011- March 2012 - Ships and cargo which have visited ports at the time of AGM flight; and which arrive in North America at a time when larvae may spread through ballooning should meet the requirements of RSPM 33. Written notification of non-compliance will be provided to the Ship's Master and National Plant Protection Organization of the regulated country.
- March 2012- Full Implementation
- Ships and cargo which have visited ports at the time of female AGM flight; and which arrive in North America at a time when larvae may spread through ballooning must meet the requirements of RSPM 33. Written notification of non-compliance will be provided to ships and the National Plant Protection Organization of the regulated country.