



October 21, 2009

Docket No. APHIS–2006–0011,
Regulatory Analysis and Development, PPD,
APHIS, Station 3A–03.8, 4700
River Road Unit 118, Riverdale, MD
20737–1238.

Re: Docket No. APHIS–2006–0011.

Thank you for the opportunity to comment of the proposed revisions to the regulations governing imports of plants for planting, specifically 7 CFR Secs. 319.37 through 319.37-14, which pertain to pests associated with importation of living plants and plant parts; and 7 CFR part 360, “Noxious Weed Regulations,” which govern the importation of noxious weeds or plant products that could transport noxious weeds.

The National Association of State Foresters (NASF) considers improvement of these regulations to be an important component of a comprehensive program by which the USDA Animal and Plant Health Inspection Service (APHIS) can minimize the risk of introduction of additional plant pests that threaten our nation’s forests.

The present regulatory system was adopted in 1918, when the U.S. imported a few small shipments of plants each year and all of the shipments were treated to kill any insects that might be hitching a ride. Now the U.S. imports more than 500 million plants each year – overwhelming inspectors. The regulatory system has not evolved fast enough to meet the nature and scope of today’s challenges. As a result of rising trade volumes and restrictions on phytosanitary measures resulting from trade promotion, rising numbers of pests entering the country – about 30 new pests each year.

NASF supports the intent of APHIS’ proposed Not Authorized for Importation Pending Plant Risk Assessment (NAPPRA) category, under which the agency could temporarily prohibit importation of plant taxa suspected of carrying damaging pests or having the potential to become invasive in the United States until risk assessment is complete and effective restrictions put in place. Creating the NAPPRA category is an important first step toward developing a more proactive and effective system for preventing additional introductions of plant pests. Many pests damaging to forests our trees have been introduced on imported plants; they include some of the most deadly, such as chestnut blight, white pine blister rust, hemlock woolly adelgid, and sudden oak death.

Executive Director
Jay Farrell

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We would like to suggest several improvements to the proposed regulations:

- The revised regulations should clearly prohibit importation of any taxon being considered for inclusion in NAPPRA during the 60 day public comment period and subsequently until a final decision to list or not list the taxon under NAPPRA is published (see p. 36409).
- The public should be empowered to suggest species to be considered for NAPPRA listing. This process would be in addition to the continuing process under which APHIS will add species.
- An on-line a database including *all* species evaluated for NAPPRA listing and a summary of the information considered would be helpful. The database should include species that were evaluated but not listed under NAPPRA, species listed under NAPPRA, and species that were NAPPRA-listed earlier but subsequently were determined either to not pose a risk of invasion (and therefore were removed from the NAPPRA list) or were listed as noxious weeds. This would prevent repeated proposals of the same species and allow transparency in the listing process.

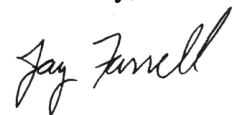
We recognize that APHIS will need additional resources to implement the NAPPRA rule - to carry out such activities as development of the database of plant taxa already imported to the U.S; to improve and expand use of post-entry quarantine; and to encourage plant importers to shift to lower-risk types of plants and adopt hazard-reduction operational practices. NASF stands ready to assist APHIS in this regard.

NASF strongly supports APHIS' plans to strengthen the Q-37 regulations.

Thank you for consideration of these comments.

Regards,

Sincerely,



Jay Farrell