

ROADMAP

Title of the initiative: **Modernisation of the existing plant health regime in view of globalisation and climate change** ("New plant health strategy")
Type of initiative (CWP/Catalogue/Comitology): CWP
Lead DG: SANCO, E1
Expected date of adoption of the initiative (month/year): **2012**
Date of modification: N.A.
Version No: 1

Initial IA screening & planning of further work

A. Context and problem definition

(i) What is the political context of the initiative? (ii) How does this initiative relate to past and possible future initiatives, and to other EU policies?

(i) The objectives of the EU common plant health regime, which prevents diseases from entering and spreading in the EU, are to contribute to plant health through sustainable production, to ensure agricultural competitiveness, to ensure food security and to protect forests, the landscape and public and private gardens. Preventing the introduction of new pests and diseases (and thus preventing pesticide use) is better than cure. **The political context is the need to modernise the regime, of which the basic structure dates back to 1977, to more effectively address the plant health impacts of globalisation, to mitigate the plant health impacts of climate change and to better protect the natural environment.**

The initiative supports political initiatives such as mitigating climate change and its impacts, competitiveness, innovation, better regulation, sustainability, and food security.

(ii) The initiative relates to the EU climate change policy, the common agriculture policy (CAP), the environment policy (including the policy for invasive alien species, biodiversity protection, and forest protection against climate change), the customs policy, the trade policy, the internal market policy, the research policy.

What are the main problems identified?

The main problems identified are the revision of the scope of the regime, prioritisation related to surveillance for presence of harmful organisms within the EU, the need to increase the effectiveness of import controls from third countries, the reinforcement of the plant passport system for the internal market movements, the utility of the existing concept of protected zones (which are kept free from specific harmful organisms by adding additional restrictions), rapid emergency action following outbreaks, the incentives given, EU co-financing, support from R&D.

Who is affected?

The regime affects the private sector (the seed industry; farmers / growers in agriculture, horticulture, forestry; traders of plants and plant products; logistic / transport companies transporting plants or plant products or using wood packaging material to transport other products; the wood packaging industry), private as well as public landscape managers, citizens, environmental NGOs, competent plant health and forestry authorities in Member States, third countries.

(i) Is EU action justified on grounds of subsidiarity? (ii) Why can the objectives of the proposed action not be achieved sufficiently by Member States (necessity test)? (iii) As a result of this, can objectives be better achieved by action by the Community (test of EU Value Added)?

The Common plant health regime is a fully harmonised regime and has been so since its inception in 1977. A broad territorial policy is needed to control pests and diseases, which can move throughout the EU by free trade and natural spread: diseases do not respect borders.

The Common plant health regime has shown to be able to protect the EU against the entry, establishment and spread of many harmful organisms that are common elsewhere in the world but so far do not occur in the EU. Protecting the EU against their incursion and rapid eradication of outbreaks or, if that is not possible, their containment is the main reason of existence of the regime.

B. Objectives of EU initiative

What are the main policy objectives?

The EU common plant health regime objectives are to contribute to plant health through sustainable production: prevention of introduction and spread of new pests and diseases which avoid expensive campaigns to eradicate or control in a later stage, to ensure food security and to protect forests, the landscape and public and private gardens, and to ensure agricultural competitiveness.

The modernisation of the regime should result in an updated scope as concerns organisms covered by the regime and the remit for preventive action (also for sake of environmental concerns) to counteract the plant health problems resulting from globalisation and climate change. It should result in better protection at import and more effective intra-EU movement provisions to reduce the risk of entry and spread of harmful organisms, and in improved surveillance and rapid and effective eradication of outbreaks. The new regime should be more risk-based. It should include appropriate financial incentives. Its organisational structures (laboratories, databases, training, communication, interaction with private sector) and support from research and development should where appropriate be improved.

The initiative to modernise the regime supports political initiatives such as mitigating climate change and its impacts, competitiveness, innovation, better regulation, sustainability, and global nutrition.

Do the objectives imply developing EU policy in new areas or in areas of strategic importance?

The objectives are to modernise the regime, not to develop new policies.

C. Options

(i) What are the policy options?

The policy options are currently being prepared in the ongoing evaluation of the regime.

While the modalities to improve the technical aspects of the regime will be further developed and assessed after conclusion of the evaluation, it appears already now that the options for the new regime will consider the extent to which (i) invasive alien species [all non-native plant, animal and microbial species which pose a threat to biological diversity] and (ii) harmful organisms impacting on the quality of plant products in the trade chain should be included, as well as the extent to which surveillance should become mandatory. Furthermore, the options will consider how the plant passport and protected zone systems should be further upgraded and how emergency preparedness and eradication provisions for new outbreaks can be improved. The options will also address how to introduce incentives in the regime, for example EU co-financing of surveillance by Competent Authorities and of losses incurred by farmers and growers because of imposed measures.

(ii) What legislative or 'soft law' instruments could be considered?

This is being studied in the current evaluation.

(iii) Would any legislative initiatives go beyond routine up-date of existing legislation?

The new plant health strategy will lead to a comprehensive revision of the regime which goes beyond routine up-dating.

Does the action proposed in the options cut across several policy areas or impact on action taken/planned by other Commission departments?

Yes. Other services are involved in an inter-service steering group (AGRI, TRADE, ENV, ENTR, RTD, BUDG, TAXUD, SG, LS) and intensive consultation is taking place with the stakeholders and Member States.

Explain how the options respect the proportionality principle

The ongoing evaluation of the regime will deliver possible options for the future, which will be further developed and subject to proportionality testing in the next phase (strategy development and impact assessment).

The fact that the revision is comprehensive and covers the entire regime ensures that all aspects are being considered and proportionality aspects will be an integral part of the planned impact assessment.

D. Initial assessment of impacts

What are the significant impacts likely to result from each policy option (cf. list of impacts in the Impact Assessment Guidelines pages 32-37), even if these impacts would materialise only after subsequent Commission initiatives?

This will be analysed fully in the strategy development phase.

Given the objectives, environmental impacts could relate to: protecting the health of plants and the vitality of ecosystems, sustainable production, climate change, pesticide use.

Economic impacts could relate to: operating costs for owner/producers, processors and traders of plants and plant-related products; cost for plant importers and exporters; operating costs for transporting and logistic companies; costs for public authorities, laboratories, research and development, innovation; costs for consumers resulting from increased plant health costs elsewhere in the production chain. The impacts could also relate to costs for third countries.

Social impacts could pertain to food safety and security, employment and rural development, and costs for developing countries.

Could the options have impacts on the EU-Budget (above 5 Mio €) and/or should the IA also serve as the ex-ante evaluation, required by the Financial Regulation?

Yes, especially the possible increased co-financing of costs (for Competent Authorities) and losses (for private sector). This will be considered in the IA.

Could the options have significant impacts on (i) simplification, (ii) administrative burden or on (iii) relations with third countries?

Simplification and reduction of administrative burden are being pursued where possible. The new strategy will be important in the EU's relationships with third countries (WTO-SPS).

E. Planning of further impact assessment work

When will the impact assessment work start?

The impact assessment will be started at the end of 2010.

(i) What information and data are already available?

Data are being generated in the ongoing evaluation (June 2009 – May 2010).

(ii) Will this impact assessment build on already existing impact assessment work or evaluations carried out?

Yes, it will build on the ongoing evaluation.

(iii) What further information needs to be gathered?

In principle, the evaluation should provide most of the necessary information. Input from the stakeholders is being gathered. Further information needs will be addressed in the Impact Assessment.

(iv) How will this be done (e.g. internally or by an external contractor) and by when?

The study on which the IA will be based (in addition to the evaluation results) will be contracted out in 2010.

(v) What type and level of analysis will be carried out (cf. principle of proportionate analysis)?

This will be considered after the conclusion of the evaluation.

Which stakeholders & experts have been/will be consulted, how and at what stage?

All relevant stakeholders are being consulted (evaluation) and will be consulted (IA): private sector and NGO stakeholders; Member State authorities.

Information on the ongoing evaluation and the development of a new strategy can be found at: http://ec.europa.eu/food/plant/strategy/index_en.htm