



CANADIAN FOOD INSPECTION AGENCY 59 Camelot Drive Ottawa, (Ontario), Canada K1A 0Y9 (Tel: 613-225-2342; FAX: 613-228-6602)	D-07-03
	(EFFECTIVE DATE) September 28, 2009 (5^h Revision)
Title: Plant Protection (Phytosanitary) Import Requirements to Prevent the Entry of <i>Epiphyas postvittana</i> (Walker) (light brown apple moth)	

SUBJECT:

This directive contains the phytosanitary import requirements to prevent the entry and spread of light brown apple moth (*Epiphyas postvittana*). The directive outlines requirements for the importation of host species that may contain life stages of light brown apple moth (LBAM).

This directive has been revised to clarify the requirements for the Certificate of Origin.

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Review

This directive will be reviewed every five years. The next review date for this directive is September 25, 2014. The contact for this directive is Joanne Rousson. For further information or clarification, please contact the Canadian Food Inspection Agency (CFIA).

Endorsement

Approved by:

Chief Plant Health Officer

Amendment Record

Amendments to this directive will be dated and distributed as outlined in the distribution below.

Distribution

1. Directive mail list (Regions, PHRA, USDA)
2. Provincial government, industry (via Regions)
3. National industry organizations (determined by Author)
4. Internet

Introduction

Epiphyas postvittana (light brown apple moth [LBAM]) has recently been detected in California where it is considered by the United States (U.S.) to be a transient pest that is actionable, as per International Standard for Phytosanitary Measures (ISPM) No. 8 (*Determination of pest status in an area*). The United States Department of Agriculture (USDA) has undertaken eradication activities on this pest. In order to prevent the spread of LBAM to other areas of the U.S., the USDA Animal and Plant Health Inspection Service (APHIS) has established, through a Federal Domestic Quarantine Order, measures to restrict interstate movement of certain articles that present a risk of spreading LBAM. This Federal Domestic Quarantine Order, which is authorised under Section 412(a) of *The Plant Protection Act* of June 20, 2000, as amended, 7 U.S.C 7712(a), applies to all LBAM infested areas of California and the entire state of Hawaii. LBAM is also found in Australia, Ireland, New Caledonia, New Zealand, and Great Britain.

In Canada, the geographic and climatic conditions mean that LBAM could become established in parts of south coastal British Columbia (B.C.) and Vancouver Island as well as in greenhouses and other protected environments.

Scope This directive is for the use of Canadian importers, Canadian Food Inspection Agency (CFIA) inspectors, Canada Border Services Agency, producers, exporters

and plant protection organizations in countries exporting regulated commodities to Canada. This directive outlines the import requirements for plants and plant products of host taxa of LBAM.

- References** ISPM No. 4, *Requirements for the Establishment of Pest Free Areas*, 1995, FAO, Rome.
ISPM No. 5, *Glossary of Phytosanitary Terms*, FAO, Rome.(updated annually)
ISPM No. 8, *Determination of Pest Status in an Area*, 1998, FAO, Rome.
ISPM No. 10, *Requirements for the Establishment of Pest Free Places of Production and Pest Free Production Sites*, 1999, FAO, Rome.
ISPM No. 13, *Guidelines for the Notification of Non-compliance and Emergency Action*, 2001, FAO, Rome.

This directive supercedes D-07-03 (4th Revision).

Definitions, Abbreviations and Acronyms

Definitions for terms used in the present document can be found in the Plant Health Glossary of Terms at www.inspection.gc.ca/english/plaveg/protect/dir/glosterme.shtml.

1.0 General Requirements

1.1 Legislative Authority

The Plant Protection Act, S.C. 1990, c.22

The Plant Protection Regulations, SOR/95-212

Canadian Food Inspection Agency Fees Notice, Canada Gazette, Part 1 (05/13/2000)

1.2 Fees

The CFIA is charging fees in accordance with the *Canadian Food Inspection Agency Fees Notice*. For information regarding fees associated with imported products, please contact the Import Service Centres (ISC) at the following phone numbers: Eastern ISC 1-877-493-0468; Central ISC 1-800-835-4486; Western ISC 1-888-732-6222. Anyone requiring other information regarding fees may contact any local CFIA office or visit our Fees Notice Web Site:

<http://www.inspection.gc.ca/english/reg/cfiaacia/feesfraiss/feesfraise.shtml>

1.3 Regulated Commodities

All unrooted and rooted plants, cut flowers, cut foliage and decorative branches and fresh fruits and vegetables of regulated LBAM host taxa. Appendix 1 contains the complete list of taxa regulated for LBAM.

1.4 Exempt Commodities

- Processed fruit and vegetables*
- Dried plant material
- Dormant deciduous plants without leaves
- Forage
- Seeds
- Below ground parts of plants (e.g. roots, tubers, corms)

* For the purpose of this directive, the term “processed” refers to material that has been prepared or altered from its original state such that it is unlikely to contain living stages of LBAM (e.g. sliced, chopped, peeled, cooked, dried, frozen, pickled, etc.).

1.5 Regulated Areas

Appendix 2 contains the list of areas regulated for LBAM. This information is subject to change at any time without notice.

2.0 Specific Requirements

2.1 Import Requirements

The pest-specific import requirements for LBAM are contained in Appendix 3 and Appendix 4.

Shipments of plants must be free of quarantine and regulated non-quarantine pests. They may also be subject to additional phytosanitary requirements depending on their species and origin. The importer must ensure that the consignment is in compliance with all Canadian import requirements prior to arriving at the port of entry.

Soil and related matter, whether in association with plants or alone, is prohibited entry into Canada from all countries other than the continental U.S. Additional restrictions and declarations may be required from those regions of the continental U.S. that are regulated for soil borne pests. The phytosanitary requirements for soil with or without plants are described in D-95-26.

2.1.1 Permit to Import

A Permit to Import may be required. Refer to Appendices 2 and 3 for commodity-specific import requirements based on origin.

2.1.2 Phytosanitary Certificate

A Phytosanitary Certificate may be required for LBAM host material originating from regulated areas. Refer to Appendices 2 and 3 for commodity-specific import requirements based on origin. Please see Appendix 1 for a list of taxa regulated for LBAM. The Phytosanitary Certificate must be issued by the National Plant Protection Organization (NPPO) of the exporting country within 14 days prior to shipment. The Phytosanitary Certificate must clearly state the place of production of the consignment and the original Phytosanitary Certificate must accompany the shipment to Canada. Appendix 3 and Appendix 4 of this directive list the additional declarations that are required on the Phytosanitary Certificate based on the commodity being imported and its origin.

The Phytosanitary Certificate and commercial invoice which accompany the shipments must be routed through one of the three ISC for examination. If the shipment is deemed acceptable for release, the ISC will immediately notify the appropriate CFIA inspection office of the arrival of the shipment.

2.1.3 Certificate of Origin

A Certificate of Origin must accompany shipments of regulated fresh fruits and vegetables destined to the province of B.C. which originate from a county in the U.S. state of California that is not regulated for LBAM. Regulated cut flowers, decorative branches and cut foliage that originate from a county in the U.S. state of California that is not regulated for LBAM and are destined to any province in Canada also require a Certificate of Origin. If a shipment includes commodities from several counties, each county must be listed on a separate certificate. Please refer to Appendix 2 for the list of regulated California counties and to Appendix 5 for the Certificate of Origin.

3.0 Non-Compliance

Shipments that do not meet the import requirements described in this directive will be refused entry, returned to origin, or destroyed, at the expense of the importer. If requested by the importer and determined feasible by the inspector, such shipments may be rerouted to other destinations or diverted to approved processing facilities, provided all documentation is in order and such a course of action does not cause unwarranted pest risk.

The CFIA will advise the NPPO of the exporting country of any pest interceptions and/or non-compliance with any of the conditions outlined in this directive that are of a significant or emergency nature. The discovery of quarantine pests during inspection in Canada or other non-compliance may result in suspension of the importation program until remedial action is taken at origin.

The importer is responsible for any and all costs relating to treatment, disposal, removal or re-routing, including costs incurred by CFIA to monitor the action taken. Violations of the *Plant Protection Act and Regulations* may be assessed according to the Administrative Monetary Penalties (AMPS).

Notification of non-compliance to the exporting country may be required as per D-01-06, *Canadian Phytosanitary Policy for the Notification of Non-Compliance and Emergency Action*.

4.0 Appendices

- Appendix 1: List of Taxa Regulated for Light Brown Apple Moth
- Appendix 2: List of Areas Regulated for Light Brown Apple Moth
- Appendix 3: Commodity-Specific Import Requirements for the United States
- Appendix 4: Commodity-Specific Import Requirements for all Other Countries Where LBAM is Known to Occur
- Appendix 5: Certificate of Origin

List of Taxa Regulated for Light Brown Apple Moth

www.inspection.gc.ca/english/plaveg/protect/dir/lbamtaxe.shtml

List of Areas Regulated for Light Brown Apple Moth

www.inspection.gc.ca/english/plaveg/protect/dir/lbamareae.shtml

Commodity-Specific Import Requirements for the United States

www.inspection.gc.ca/english/plaveg/protect/dir/lbammuse.shtml

**Commodity-Specific Import Requirements for All Other Countries Where LBAM Is
Known to Occur**

www.inspection.gc.ca/english/plaveg/protect/dir/lbammothe.shtml

Certificate of Origin

To: The Canadian Food Inspection Agency

A Certificate of Origin is required in order to export material to Canada that is regulated for light brown apple moth (LBAM)* and that was **produced** in a county of California that **Canada does not** regulate for LBAM. Appendix 2 of D-07-03 lists the California counties that are regulated by Canada for LBAM.

- The Certificate of Origin must be filled out completely. Any shipment accompanied by a Certificate of Origin that is not completed correctly may be refused entry into Canada.
- If a shipment includes commodities from several counties, each county must be listed on a separate certificate.
- A single Certificate of Origin must be completed for each different commodity within a shipment.

* Carrots with tops removed, radishes with tops removed as well as highly processed vegetables and highly processed fruit (chopped, sliced, peeled, etc.) are exempt from the requirements for light brown apple moth. Refer to Import Directive D-07-03.

The products described below are produced in the California county of _____ in an area where light brown apple moth (*Epiphyas postvittana*), is known not to occur.

Exporter's Name: _____
Exporter's Address: Street Address: _____ City/ Town: _____ State: _____ Zip Code: _____
Product Description: Scientific (Botanical) Name: _____ Common Name: _____ Quantity (weight, # of lots, etc.)**: _____ Document reference (bill of landing #, airway bill #, invoice #, Canada Customs Invoice #, etc.)**: _____ _____
** Information provided must be sufficient to show that the commodity referred to on this certificate of origin corresponds directly to that shown on import documents.

By signing this Certificate of Origin, the above named exporter certifies that the material described above was produced in a California county in which light brown apple moth is known not to occur.

Name of exporter (printed)

Signature of exporter

Date (yyyy/mm/dd)