

Regulatory area to be addressed**Plant Health**



The CFIA and USDA-Animal and Plant Health Inspection Service (APHIS) will continue to advance a perimeter approach to plant protection (PAPP) to protect Canada and the U.S. from the unintentional introduction of pests and invasive alien species through movement of plants and plant products through equivalent approaches to regulatory compliance and enforcement and information sharing. This will include the alignment of phytosanitary import requirements and related systems wherever possible and streamlining of the certification processes for plants and products flowing between Canada and the U.S.

Work stream A**Binational implementation of ISPM 15**

In order to prevent the spread of serious pest risks associated with the movement in trade of untreated wood packaging between the U.S. and Canada, the countries are seeking to:

- Develop a bilaterally harmonized, trade sensitive approach (e.g. delayed enforcement) to the adoption of the regulatory requirements for wood packaging moving between Canada and the U.S. in keeping with ISPM 15, *Regulation of wood packaging in international trade*
- Undertake effective cooperation in outreach resulting in a cross-border trading sector fully capable of meeting the requirements at the time regulations are fully enforced

REGULATORY COOPERATION COUNCIL – WORK PLANNING FORMAT

Department/Agency	 United States	 Canada
	United States Department of Agriculture – Animal and Plant Health Inspection Service (USDA – APHIS)	Canadian Food Inspection Agency (CFIA)

Planned initiatives and sub-deliverables		Date
Prior to publication of the U.S. regulation on wood packaging/Canadian Risk Management Document	Produce Risk Mitigation Report in response to proposed changes to Canadian policy on regulating wood packaging from the US: <ul style="list-style-type: none"> Share draft report with stakeholders, update based on feedback and finalize report. Solicit stakeholder input for required education / outreach materials for compliance requirements. Develop a Canada-US communication/outreach plan. <ul style="list-style-type: none"> Develop necessary education / training materials, presentations, policy guidance. 	1 – 6 months* *start of work conditional on publication of rule.
Public ation	Updated regulation under U.S. Federal Rule-Making process and Canadian revised policy directive	
Following publication of U.S. regulation on wood packaging	Launch stakeholder outreach and education on revised regulations / policy directive, and enforcement approach during transition period. Establish priority project list for identification and resolution of long-term issues (e.g. fruit bins) Use stakeholder outreach and education on compliance to confirm and identify additional stakeholder priorities	1 – 3 months
	Conduct joint evaluation of compliance to identify potential barriers to full enforcement implementation and update operational guidance/procedures as required. <ul style="list-style-type: none"> Update outreach / education material to reflect findings. 	3 – 12 months

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	Host public webinar and targeted industry outreach to reinforce compliance requirements / expectations.	10 – 18 months
	Implement full enforcement and jointly monitor compliance and to identify any persistent barriers.	18 – 24 months
	Establish "lessons learned" based on joint compliance and enforcement results and stakeholder feedback to inform the Canada-U.S. Perimeter Approach to Plant Protection	

Work stream B	<p>Post-Entry Quarantine</p> <p>Certain plant taxa from designated countries must be grown for up to two years under specific post-entry quarantine (PEQ) conditions to be eligible for importation into the United States, as per CFR 319.37-7. This also applies to these plants if they first enter Canada prior to re-export to the United States. APHIS recognition of PEQ conducted under CFIA oversight as meeting U.S. phytosanitary import requirements would facilitate trade in these plant taxa and provide additional assurance to the U.S. of the safety of these products. The goal of this project is for CFIA and APHIS to develop and implement a process for plant taxa grown in Canada that require post-entry quarantine to be recognized by the United States as meeting U.S. phytosanitary import requirements. The process will include mechanisms for clear communication between APHIS, CFIA and stakeholders to ensure successful implementation and operation over the long term.</p>
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Planned initiatives and sub-deliverables		Date
	Establish a plan to inform stakeholders on development of a Canadian Program recognized to meet U.S. import requirements.	May 2015
	In line with US PEQ requirements, develop Canadian program documents describing operational requirements for stakeholders and regulatory officials.	June-Sept 2015
	Consult with stakeholders on draft regulations and program policies and revise documents as needed to reflect stakeholder input.	Oct-Dec 2015
	Develop stakeholder outreach and education material on Canadian program to meeting U.S. import requirements	Oct-Dec 2015
	Finalize Canadian program documents	Jan-Feb 2016
	Conduct outreach to US Customs and Border Protection officials and stakeholders regarding new protocol	Feb-March 2016
	Implement the program to produce plants under post-entry conditions equivalent to 319.37-7	April 2016

Work stream C	<p>Electronic Certification</p> <p>Phytosanitary certificates are official documents issued by the National Plant Protection Organization (NPPO) of the exporting country to the NPPO of the importing country to indicate that consignments of plants, plant products or other regulated articles meet specified phytosanitary import requirements. Electronic exchange of certificates (e-Cert) would increase the efficiency of the exchange of certificates between importing and exporting countries, improve reporting and security of the transmission of the certificates, and reduce the opportunity for fraudulent activity. APHIS and CFIA will build upon existing initiatives within our respective countries towards implementing a mechanism that will allow electronic exchange of phytosanitary certificates (e-Phyto). In the United States, the Phytosanitary Certificate Issuance and Tracking (PCIT) system tracks the inspection of agricultural commodities and certifies compliance with plant health standards of importing countries. This capability provides USDA/APHIS/PPQ better security, reporting functions, and monitoring capabilities for exported commodities. In Canada, the Electronic Service Delivery Platform (ESDP) is currently under development for Canada’s major trading partners and is intended to provide an electronic system that will enable industry to more readily access CFIA programs and conduct regular business transactions, using secure information exchange protocols. Significant work has already been undertaken, and continues to occur outside of RCC, to develop a project plan for ESDP, including the identification of business requirements, time frames and stakeholder communication to ensure their business requirements are being addressed. The focus of this work plan will be to further streamline the efficient export and import of plants and plant products through electronic certification processes by identifying priorities, technical options for the exchange of electronic certificates.</p>
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Planned initiatives and sub-deliverables		Date
Electronic Certification		April 2015 - February 2016
	Undertake bilateral discussions on technical options for our respective systems.	April 2015- November 2016
	With input from stakeholders, develop and implement a Canada-US communication/outreach plan to provide updates on the development of our respective electronic certification systems and solicit feedback	February 2016
	Develop and implement our respective electronic platforms as required.	April 2015 - 2016
	Establish or/update standard operating procedures / guidance manuals for staff to manage receipt and administration of E-certificates in line with the overall project plans for electronic	2017

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	certification..	
	Determine the feasibility of initiating a pilot to test the ability of our systems to transmit electronic certificates between the two countries and address any deficiencies identified. Make necessary system updates and procedural guidance based on user feedback and outcomes from pilot.	2017 or sooner if feasible