

Country SPS Issues Impacting the U.S. Seed Industry

- **Brazil:** Over the past several years Brazil has released proposed revisions to its Normative 36 which identifies phytosanitary import requirements for commercial seed species. In September, 2013 Brazil released another version of this proposed rule that contains major changes, many of which remain technically unjustified. Brazil recently extended the two week comment period until April 1, 2014. U.S. and Brazilian authorities need to aggressively work to resolve the remaining issues.
- **China:** China currently prohibits imports of U.S. corn seed due to the Stewart's wilt pathogen. U.S. seed companies successfully export corn seed to over 100 other countries that consider Stewart's wilt a quarantine pest. Because the Chinese seed industry is interested in developing business arrangements with U.S. companies involving corn seed, China needs to be encouraged to reconsider this ban. In addition, import permits issued at the provincial level often contain large lists of pests for which phytosanitary certification is required, many of which are not technically justified.
- **Australia:** For viruses and viroids associated with tomato and pepper seed, Australia has excessive testing requirements based on large sample (30,000 seeds) sizes. These tests are very expensive, time consuming, and the large sample sizes result in significant financial loss as these seeds are very high value. Many U.S. seed companies cannot meet these excessive phytosanitary requirements and therefore are losing market share.
- **Columbia:** Columbia recently prohibited imports of U.S. hybrid rice seed due to detection of rice smut. Rice imports began in early 2013. Since then, rice smut has been reported from at least six different rice production areas in Columbia, indicating that the pathogen is widespread and firmly established. Based on this new information, U.S. and Columbian authorities should be encouraged to re-open the import program for U.S. rice seed at least in time for the next growing season.
- **Vietnam:** Beginning in 2014, Vietnam will no longer issue import permits for the importation of U.S. seed until new pest risk assessments have been completed. This applies even for seed species that have been routinely imported in the past. Because there have been no significant phytosanitary problems associated with imports of seed from the U.S., this requirement appears technically unjustified. Because of the time and resources it will take to do the over 40 PRAs needed and because these represent small markets, it will likely disrupt seed trade for several years to come.
- **Kenya:** Export of edible bean seed (*Phaseolus* spp.) from the U.S. has been virtually halted due to excessive seed testing requirements for *Curtobacter flaccumfaciens* (CFF) coupled with Kenya's insistence that seed companies and/or the U.S. NPPO (APHIS) sign a document agreeing to compensate the Kenyan government for any detections or outbreaks of CFF associated with U.S. seed imports.

- **India:** Seed companies are experiencing issues with import permits coming in with special conditions that India requires listed as additional declarations. Not all county agricultural departments in California or other certifying officials recognize special conditions as additional declarations, causing hold ups at particularly at the Mumbai, India port of entry.
- **Yemen:** In 2013 Yemen began requiring U.S. seed companies that export seed to Yemen to be certified as licensed seed producers by the USDA. Because there is no such requirement in the U.S., there is no mechanism to comply with this requirement. Although an exemption was granted for this year, the problem remains unresolved in the longer term, and if not resolved, many U.S. companies that have been exporting seed routinely to Yemen will be excluded from this market.
- **Guatemala:** Guatemala represents a significant market for tomato and other vegetable seed imports. Discrepancies over seed testing methods and results routinely causes many seed shipments to be rejected entry.
- **EU:** Seed re-export continues to pose challenges for cases in which seed is produced in another country, brought to the U.S., and re-exported to the EU, and the EU is not initially known as the final destination. The EU requires specific additional declaration language that cites its appropriate directives, which must be on the phytosanitary certificate from the country of origin. International standards (ISPM 12) provide a mechanism for including information on additional pests as well as allowable language for the additional declaration; however, the EU remains committed to its own additional language requirements. (This and other phytosanitary issues are a focus of the ongoing TTIP negotiations with the EU.)
- **Japan:** The seed industry occasionally runs into circumstances where Japan's phytosanitary requirements include limited options where additional options are possible, which makes seed trade for that particular seed species impossible. For example, one of our members wants to ship pea seed (*Pisum sativum*) to Japan; however Japan requires an additional declaration for freedom from *Fusarium oxysporum* pv *sativum* based only on a phytosanitary field inspection. However, the seed was not grown specifically for the Japan market so no field inspection was done; however, there is a good seed test for *F. oxysporum*. The process for Japan to include a seed test as an additional option will take at least several years. A more streamlined process for making technical changes to phytosanitary import requirements is needed.