



Risk Management Proposal:

**Harmonisation of phytosanitary measures to manage
Drosophila suzukii on imported fresh table grapes**

FOR PUBLIC CONSULTATION

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While every effort has been made to ensure the information in this publication is accurate, the Ministry for Primary Industries does not accept any responsibility or liability for error of fact, omission, interpretation or opinion that may be present, nor for the consequences of any decisions based on this information.

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Submissions

The Ministry for Primary Industries (MPI) invites comment from interested parties on the harmonisation of phytosanitary measures for the management of *Drosophila suzukii* associated with fresh table grapes (*Vitis vinifera*). MPI has developed this proposal based on previously evaluated scientific evidence and assessment of this evidence (MPI, 2012b & 2013).

An Import Health Standard (IHS) “specifies requirements to be met for the effective management of risks associated with importing risk goods, including risks arising because importing the goods involves or might involve an incidentally imported new organism” (section 22(1) Biosecurity Act 1993).

The following points may be of assistance in preparing comments:

- Wherever possible, comments should be specific to a particular change in IHS requirements or a question asked in this document (referencing section numbers or commodity names as applicable).
- Where possible, reasons, data and supporting published references to support comments are requested.
- The use of examples to illustrate particular points is encouraged.

MPI encourages respondents to forward comments by email. Please include the following in your submission:

- The title of the consultation document in the subject line of your email;
- Your name and title (if applicable);
- Your organisation’s name (if applicable); and
- Your address.

Send submissions to: plantimports@mpi.govt.nz.

However, should you wish to forward submissions in writing, please send them to the following address to arrive by close of business on 24 July 2020.

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Submissions received by the closure date will be considered during the amendment of the affected import health standards (IHS) which are as follows:

- Import Health Standard 152.02: *Importation and Clearance of Fresh Fruit and Vegetables into New Zealand*; and,
- Import Health Standard Commodity Sub-class: Fresh Fruit/Vegetables table grapes *Vitis vinifera*, from China.

Submissions received after the closure date may be held on file for consideration when the issued IHS are next revised/ reviewed.

OFFICIAL INFORMATION ACT 1982

Please note that your submission is public information and it is MPI policy to publish submissions and the review of submissions on the MPI website. Submissions may also be the subject of requests for information under the Official Information Act 1982 (OIA).

The OIA specifies that information is to be made available to requesters unless there are sufficient grounds for withholding it, as set out in the OIA. Submitters may wish to indicate grounds for withholding specific information contained in their submission, such as the information is commercially sensitive or they wish their personal information to be withheld.

Any decision to withhold information requested under the OIA is reviewable by the Ombudsman.

Purpose

- 1) The purpose of this risk management proposal (RMP) is to:
 - a. Outline the proposed amendments to the import requirements for fresh table grapes from China for the management of *Drosophila suzukii* in order to harmonise the phytosanitary measures in place for the same pest and commodity approved for import from other countries;
 - b. Explain how the proposed amendment is consistent with New Zealand's domestic legislation and international obligations;
 - c. Seek stakeholder feedback on the amendment to the import requirements for fresh table grapes from China.

Scope

- 2) The draft amendment to the IHS is the subject of consultation under section 23(3) of the Biosecurity Act (1993). This RMP provides information to support the consultation on the IHS amendment but is not itself the subject of consultation. However, MPI will accept comments and suggestions on the RMP in order to improve future IHS consultations.
- 3) The RMP:
 - a. Provides background information to the existing and proposed phytosanitary measures.
 - b. Outlines the context for considering the proposed phytosanitary measures.
 - c. Provides information about how the proposed phytosanitary measure for *D. suzukii* is effective and harmonised with measures on other table grape import pathways.

Background

- 4) In October 2009, the Ministry for Primary Industries (MPI) conducted an Import Risk Analysis for fresh table grapes (*Vitis vinifera*) from the People's Republic of China which identified *D. suzukii* as a pest requiring additional measures. Proposed measures included:
 - pest free area, or pest free place of production, or
 - methyl bromide fumigation followed by cold treatment, or
 - cold treatment.
- 5) The IHS for table grapes from China was issued in 2010. Since then, MPI amended IHSs for table grapes from USA and Mexico to manage *D. suzukii* as it expanded its distribution into these countries. MPI undertook consultation on the amendment of these IHSs (MPI, 2012b, 2012c, 2013). The three options consulted for management of *D. suzukii* from USA and Mexico were:
- 6) Table 1: Measures to manage the risk of *D. suzukii* on table grapes from the USA and Mexico

TREATMENT	SPECIFICATION
Pest Free Area	"In country" pest free area
Methyl Bromide Fumigation	40g/m ³ for 2 hrs at 15.5°C or greater

TREATMENT	SPECIFICATION
SO ₂ /CO ₂ Fumigation AND Cold Disinfestation	SO ₂ /CO ₂ (1:6%) fumigation at a minimum of 16 °C or above for 30 minutes AND The core temperature of the fruit to be held continuously at -0.5°C (± 0.7 °C) for 6 days before or during transit to New Zealand. OR SO ₂ /CO ₂ (1:6%) fumigation at a minimum of 16 °C or above for 30 minutes AND The core temperature of the fruit to be held continuously at 0.9°C (± 0.7 °C) for 12 days before or during transit to New Zealand. [NB: Cold treatment may be performed at temperatures lower than the set temperature range]

- 7) MPI proposes to amend the IHS for fresh table grapes from China to include the above measures to manage the risk of *D. suzukii*, to align with MPI's requirements for *D. suzukii* for other countries, and provide transparency across MPI-approved table grape trade pathways.

COMMODITY DESCRIPTION

- 8) The commodity description "table grapes" for human consumption is defined as commercially produced grapes (berries) with pedicel and peduncle, but without tendrils, stems, leaves, roots or any other plant parts.

TRADE

- 9) No consignments of table grapes have been imported from China since the IHS was issued in 2010.

CURRENT REQUIREMENTS

- 10) The current options to manage the risk of *Drosophila suzukii* on fresh table grapes from China are documented in the IHS 152.02: *Importation and Clearance of Fresh Fruit and Vegetables into New Zealand* and in the Official Assurance Programme (OAP). The options in the OAP are:
- 11) Pest Free Area or, Pest Free Place of Production
- 12) Cold Disinfestation as specified to manage *Bactrocera dorsalis* (i.e. 0.99°C or below for 17 days or, 1.38°C or below for 20 days)
- 13) Fruit bagging as part of an integrated pest management programme (Fruit to be bagged from the time of fruit set and remain bagged until immediately prior to harvest)

PROPOSED IHS REQUIREMENTS

- 14) The following IHS amendments are proposed to update options to manage *D. suzukii* on table grapes (Commodity Sub-Class: Fresh Fruit/ Vegetables) from China:

Table 2: DROSOPHILA SUZUKII TREATMENT SPECIFICATIONS - GRAPES FROM CHINA

TREATMENT	SPECIFICATION
Pest Free Area	“In country” pest free area ¹
Methyl Bromide Fumigation	40 g/m ³ for 2 hrs at 15.5°C or greater
SO ₂ /CO ₂ Fumigation AND Cold Disinfestation	SO ₂ /CO ₂ (1:6%) fumigation at the fruit core temperature of 16 °C or above for 30 minutes AND The core temperature of the fruit to be held continuously at: [minus] -0.5°C or below for 6 days. OR SO ₂ /CO ₂ (1:6%) fumigation at the fruit core temperature of 16 °C or above for 30 minutes AND The core temperature of the fruit to be held continuously at: 0.9°C or below for 12 days.

¹ Xinjiang Province is recognised as being free from *D. suzukii*

NB: Only one of the above options is required to manage *D. suzukii*. However, where a treatment is required for *Bactrocera dorsalis* (Oriental fruit fly), then the treatment specification must be sufficient to manage both pests.

- 15) The Export Plan for table grapes from China will specify how each phytosanitary measure listed in Table 2 for *D. suzukii* will be implemented.
- 16) If phytosanitary treatment is selected as the option to manage *D. suzukii*, then full details of the phytosanitary treatment must be included in the “Disinfestation and/or Disinfection Treatment” area of the phytosanitary certificate or as an endorsed attachment to the phytosanitary certificate. Details of the treatment duration, fumigant concentration and temperature must be recorded.
- 17) For cold disinfestation completed in-transit; printouts of all temperature sensors or direct electronic downloads must be made available to MPI at the port of arrival in New Zealand for final clearance of the consignment.
- 18) Consignments that do not meet MPI specifications are considered to be non-compliant by MPI and appropriate mitigation action will be taken.
- 19) Trade will be suspended if live/viable *D. suzukii* are detected at the New Zealand border.

Context

DOMESTIC

- 20) The New Zealand biosecurity system is regulated through the Biosecurity Act 1993. Section 22 of the Act describes the meaning of an IHS, and requires that the IHS specifies requirements to be met for the effective management of risks associated with importing risk goods (including plants and plant products) into New Zealand.

- 21) The Ministry for Primary Industries (MPI) is the government authority responsible for the effective management of risks associated with the importation of risk goods into New Zealand (Part 3, Biosecurity Act 1993).
- 22) MPI engages with interested parties and/or affected New Zealand stakeholders, and the exporting country requesting market access, during the development of an IHS.
- 23) MPI follows MPI policies and procedures for the development and consultation of an IHS.

INTERNATIONAL

- 24) Where possible, phytosanitary measures are aligned with international standards, guidelines, and recommendations as per New Zealand's obligations under Article 3.1 of the World Trade Organisation (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) and WTO 1995.
- 25) The SPS Agreement states that phytosanitary measures must not discriminate unfairly between countries or between imported or domestically produced goods, and where there is a choice of phytosanitary measures to reduce risk to an acceptable level, WTO members must select the least trade restrictive measure.
- 26) For a phytosanitary measure to be non-discriminatory, WTO members (aka contracting parties) should, demonstrate that the status of the relevant pest is the same and that they apply identical or equivalent phytosanitary measures. Contracting parties should also apply phytosanitary measures without discrimination between comparable domestic and international phytosanitary situations.
- 27) Section 23(4)(c) of the Biosecurity Act 1993 requires that when developing a standard, MPI must be satisfied that the requirements proposed for inclusion in the IHS are consistent with New Zealand's obligation under the SPS Agreement.

Assessment

ASSESSMENT OF RISK

- 28) Previous MPI assessments have identified *Drosophila suzukii* as a pest of concern on fresh table grapes (*Vitis vinifera*) from China (MPI, 2009, 2012a).

ASSESSMENT OF RISK MANAGEMENT

- 29) The proposed phytosanitary measures for *D. suzukii* have previously been consulted by MPI on table grapes from the USA and Mexico pathways. This assessment has determined that the proposed phytosanitary measures are effective for managing the risk of *D. suzukii* on fresh table grapes (MPI, 2012b, 2012c, 2013).
- 30) The proposed measures are accepted by Australia to manage the risk of *D. suzukii* on fresh table grapes (BICON, 2020) including for grapes from China.
- 31) No *D. suzukii* have been detected arriving in New Zealand on table grapes from countries where the proposed measures are in place. This includes 47,000 tonnes of grapes imported into New Zealand from California, USA, since 2013.
- 32) Fruit bagging will remain as part of an integrated pest management system to manage *Conogethes punctiferalis*, *Guiganardia bidwellii*, *Lactrodectus mactans*, *Monilinia fructigena* and *Tetranychus kanzawai* and thus is likely to reduce the prevalence of *D. suzukii* in fruit prior to treatment.

FEASIBILITY AND PRACTICALITY OF MEASURES

- 33) China exports table grapes to Australia and undertakes the same phytosanitary treatments as proposed in this document to manage the risk of *D. suzukii*. Thus, the proposed treatments are operationally feasible.

References

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