

STATE AND FEDERAL NURSERY INSPECTION: BANE OR BOON?

RAY BRUSH

Ray Brush Horticultural Consulting Services

P.O. Box 266

Madison, Virginia 22727

My dictionary defines "bane" as a cause of destruction or ruin and "boon" as something that is beneficial or a blessing. How do you look upon the nursery inspectors who come to your nursery? Do you look upon them as intruders and unwanted guests—a bane, or as friendly, helpful persons—a boon?

During my 27 years on the staff of the American Association of Nurserymen I maintained contact with the state and federal nursery inspection agencies. During that time I observed many changes in both the nursery industry and the inspection services. Now as I look back I have to conclude the nursery industry and the general public is not benefiting as much as either should from the state and federal plant inspection services. Too many nurseries tolerate the plant inspection regulations and do not really try to understand what the system can do for them. Unfortunately, a few nurseries are uncooperative or outright antagonistic. These few give the whole nursery industry a black eye. And lest you think I am unjustly placing the full responsibility on the nursery industry, there is opportunity for improvement on both sides. However, the nursery industry is the one that stands to gain the most by modifying this situation. My objective today is to give you background on state and federal plant inspection services and outline some things that each of us can do to improve.

First let us all accept the fact that nursery inspection regulations are here to stay and that there can be valuable benefits to the industry from them. Collectively we can do much to increase these benefits.

Nursery inspection services were carried on by many states well before 1900. Plant pest regulations were needed because of outbreaks of new insects and diseases and to prevent the artificial or long distance spread of plant pests. It was recognized early that many plant pests could move on nursery plants. These regulations have provided valuable protection to the developing farm crop enterprises of the United States.

During the 1800's the U.S. had no national plant regulation. Some states had effective regulations for within state shipments. However, these regulations were not effective for interstate shipments unless the state established either border or arrival inspections. By 1900 the following pests, which continue to be serious pests in the United States, had gained entry: elm leaf beetle from

Europe in 1837; gypsy moth from France in 1869; the cotton boll weevil from Mexico in 1892; chestnut blight from Asia sometime between 1897–1899, and white pine blister rust from Europe in 1898.

Our first national plant pest legislation was the Insect Pest Act of 1905. It prohibited importation or interstate movement by any means of transportation “of any living insect notoriously injurious to cultivated crops.” By itself this act was not very effective. Serious plant pests still gained entry into the U.S. and became established.

Next came the Plant Quarantine Act of 1912 which gave the United States Secretary of Agriculture broad authority to prevent entry of hazardous plant pests and to prevent spread of introduced pests of limited distribution in the U.S. The act was not fully implemented until after World War I. Quarantine 37 which regulates the importation of plants, plant products, and other articles which might carry plant pests was promulgated in 1919. In the meantime oriental fruit moth had come from Japan in 1913, Japanese beetle from Japan in 1916, European corn borer from southern Europe in 1917, and pink bollworm from Mexico in 1917.

Other major plant pests which came into the United States and became established after Quarantine 37 was invoked are: Dutch elm disease, Mexican fruit fly, Mediterranean fruit fly, white fringe beetle, imported fire ant, European chafer, witch weed, golden nematode, and citrus canker.

The U.S. Department of Agriculture (U.S.D.A.) with authority from the Quarantine Act of 1912, established interior or domestic quarantines regulating the interstate trade in plants and other articles which might carry hazardous pests. As a result considerable concern developed over possible conflict between the roles of the state departments of agriculture and the U.S.D.A. This, plus the recognized need for the states to begin to work toward uniformity in state regulations, led to the formation of four regional plant boards and eventually the National Plant Board. The first regional plant board to be established was the Western Plant Board in 1919. This was followed by the Central, the Southern, the Eastern Plant Boards and in 1926, the National Plant Board.

One of the early accomplishments of the National Plant Board was to prepare a document entitled “The Principles of Plant Quarantine.” It was adopted in 1930 and has stood the test of time with only one minor amendment. This is a clear cut list of those factors which must be considered if a quarantine is to be successful.

I began to attend the Regional and National Plant Board meetings in 1959. AAN Executive Vice President, Dr. Richard White, requested that I continue his close contact with state and federal plant regulatory officials. I quickly observed that the Plant

Boards are very, very important to the nursery industry. Their meetings are devoted to well planned discussions of current insect and disease problems, research, changes in state programs and revisions to state and federal quarantines. Representatives from the U.S.D.A.'s Animal and Plant Health Protection Service are always invited and do participate in the programs.

Much of the uniformity that has been achieved in state regulations and inspection procedures has to be credited to the Plant Boards. In the early 1950's, with help from AAN, the Central Plant Board produced a nursery inspector's handbook part of which, I understand, is still in use today. The Western Plant Board continues to have a standing committee on uniform regulations.

As invited guests to the Plant Board meetings, Duane Jelinek, David Hamilton or I, as the AAN representative, have always been given time on their programs to make comments on topics of our choosing. During the board meetings we have been free to offer constructive criticism. Our attendance at these meetings has also provided us an opportunity to bring together the regulatory officials from shipping and receiving states to discuss industry problems that we know to exist between those states.

AAN representatives have had a direct input in the resolutions adopted by the Plant Boards. The presence of a nursery representative at a Plant Board meeting has automatically drawn board members attention to nursery pest problems. Each of us has had the opportunity to suggest topics for resolutions. At times we have been asked to meet with their resolutions committee to assist in drafting a resolution vital to the industry. I have even been asked to draft resolutions for the consideration of their resolutions committee.

Whenever a plant pest regulation problem occurs with an interstate or international shipment of plants there are 4 key individuals who should be involved in getting that situation resolved. In interstate shipments these are the shipping nurseryman, his state regulatory official, the receiving nurseryman and his state regulatory official. In international shipments the key persons are the shipping nurseryman, a U.S. quarantine official, the receiving nurseryman, and his national quarantine official. The regulatory officials in these cases are important because they know the requirements of the other state or country and can relate these to the nurserymen. If there has been a regulatory mistake the officials are then in a better position to get it corrected.

In 1959 I found plant board members to be men whose sole responsibility was plant inspection and regulatory work. Each was reporting directly to his state secretary of agriculture. These professionals usually had the final say on plant regulatory matters in their states. Then, as now, a few of the state chief plant regulatory officials were and remain political appointees, sometimes without experience in plant regulatory work.

Since 1959 the state departments of agriculture have changed. The Nation Association of State Departments of Agriculture (NASDA) was organized in 1915. In the mid-60's after NASDA had established its national headquarters with a full time staff, it mandated that regional organizations of state departments of agriculture employees, such as the plant boards, no longer send their resolutions directly to federal agencies as USDA and EPA or Congressional Committees. Now regional plant board resolutions must first go to the National Plant Board before being forwarded to NASDA for consideration at its annual meeting before being sent on to federal agencies and Congress.

Many of the state departments of agriculture have reorganized their administrative structure so that the senior person whose sole responsibility is plant regulatory matters now reports to a divisional director instead of directly to the state secretary of agriculture.

As a result of these changes, the nursery industry has to maintain a greater circle of contacts in the state departments of agriculture and the plant boards to have effective representation.

The nursery plant inspectors today are better trained scientifically than in the past. To expand the opportunity for in-service training some have formed a nursery inspectors' society to which many of the inspectors in the Eastern and Central Plant Board regions belong. Members in the Eastern chapter meet annually in conjunction with the Eastern Board while the Central chapter meets independently. Their programs concentrate on plant and pest identification, improved inspection techniques, and recent research findings on plant pests of their region.

It is my observation that today's plant regulatory officials are more willing than their predecessors to recognize when a quarantine has outlived its usefulness. An example of outliving its usefulness is the federal cereal leaf beetle quarantine. It was cancelled because; first, the insect had spread to most of the area in the United States to which it could be expected to spread and secondly, the successful establishment of introduced parasites had greatly diminished its economic significance.

In the mid-70's pine nematode was discovered to be the causal agent for rapid deterioration and death of Japanese black pine and other pines in the U.S. Midwest. A national quarantine was discussed. Surveys quickly showed that pine nematode was already established throughout much of the United States so plans for a national quarantine were promptly dropped.

Let me now turn to some of the observations and findings of the "Blue Ribbon Panel" appointed by the U.S. Department of Agriculture in late 1984 after citrus canker was discovered in Florida. At United Nations headquarters in Rome the subcommittee I was on was informed that the need for nursery plant regulations is univer-

sally recommended. All countries with a plant regulatory system have a regulation dealing with soil on plant roots. These vary from total prohibition of any soil to permitting soil if upon examination no hazardous pest is found in the soil ball. Similar information was given us when we visited officials of the plant protection section of the European Common Market organization.

Any of you who have traveled in Europe have undoubtedly been told that the United States quarantine 37 is unduly rigid. The panel found that some countries have regulations just as rigid and a few have regulations more strict than ours. I believe that many of the Europeans who are critical of our Quarantine 37 are not aware of the diversity of soil, climate, and crops in the United States and the overall importance of agricultural production to our economy. Another possible reason for their criticism is that we had no national quarantine regulating the importation of plants until Quarantine 37 was invoked in 1919. Our going from "no regulation" to "a firm regulation" continues to be interpreted by many Europeans as an industry instigated barrier to trade. The panel concluded that the severity of the restrictions in Quarantine 37 are directly proportional to the pest risk involved with the importation of specific plants and related articles.

Some of us on the Panel were surprised to learn that scientists are frequent violators of U.S. regulations by smuggling live plant and animal pests into the U.S. for their research. The regulations provide scientists a permit system which requires safeguards to prevent a repeat of our experience with gypsy moth. I fail to understand why a scientist who should understand the threat that exotic pests may pose to the economy of the U.S., ignores the regulations.

The U.S. Postal Service has continued to refuse to allow USDA quarantine inspectors to open and examine first class parcels suspected of containing contraband plant and animal products. The Panel after review of the situation recommended that the USDA seek legislative authority to open and inspect such parcels.

I believe that the U.S. nursery industry needs a better understanding of our state and federal quarantine systems. Each nurseryman needs to recognize that even though a pest is well established in his area and is not a problem for him it might be a serious threat under different conditions elsewhere.

Within the United States every state nursery association should urge and possibly mandate that their chief state plant regulatory official attend and take part annually in the regional plant board meeting of that region. Also that officials should attend and take part in the National Plant Board meeting at least every other year. How else can he get to know his counterparts in other states and be prepared to fully interpret the regulations of other states to the nursery industry in his state. By attending those meetings and

participating he in turn is able to inform his peers of his state's regulations.

If for any reason a nurseryman feels that the nursery inspection and certification that is being provided by his state is not adequate he should go to his state nursery association seeking its assistance in getting the situation remedied. When a nurseryman has questions regarding certification of plants for foreign shipment he should contact AAN or USDA's Animal and Plant Health Inspection Service.

Today's nursery industry is in an age of specialization and very few nurseries produce a complete line of nursery stock. Every nurseryman is to some extent dependent upon another. Each one needs to cooperate and think of himself as a team member. Each nurseryman needs to respect the certification requirements of both his and other states and in turn expect nurserymen in other states to respect the requirements of his. With the increasing restrictions on pesticide usage this industry must as never before make sure that the plants we ship meet the level of freedom from insects and diseases indicated by the accompanying inspection certification.

If you live up to the certification accompanying your plants and earnestly seek the assistance of the state and federal plant inspection people to help you in making sure that you meet the certification you will find that the plant inspection regulations and quarantines in the United States are truly a "boon" and not a "bane."