

Basic Principles to Deal with Detection of a Quarantine Pest

(Notice of the Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries of No. 650, Shouan 24 dated May 17, 2012)

History:

Partial amendment of No. 104, Shouan 29 dated May 12, 2017

I. Purpose

In the event of detection of a quarantine pest that could cause great damage to economic plants if it spreads throughout Japan, the national government and the prefectures must collaborate in accordance with the Plant Protection Act (Act No. 151 of 1950; hereinafter the "Act") and take prompt and proper measures necessary to control and prevent the spread thereof.

The purpose of these basic principles is to specify the roles of the national government and prefectures and the standard procedures for taking precautionary measures to control a quarantine pest, conduct proper surveillance and identification of an injurious pest, carry out an efficient analysis of the risk of a quarantine pest, and make decisions concerning pest control measures based on scientific knowledge.

II. Definitions

The term "quarantine pest" hereinafter means any injurious pest or injurious plant that is newly introduced into Japan or has already presented in a part of Japan (hereinafter "injurious pest ") and falls under any of the following items.

A decision as to whether a certain pest exists in Japan should be made with reference to "Common names of plant diseases in Japan (Phytopathological Society of Japan) and "Major Insect and Other Pests of Economic Plants in Japan" (The Japanese Society of Applied Entomology and Zoology):

(1) An injurious pest included in Attached Tables 1-2, 2, 2-2, and 7 of the Regulation for Enforcement of the Commercial Code of the Plant Protection Act;

(2) An injurious pest included in 1-1 or 2-1 of Attached Table 1 of said Regulation that does not fall under (1);

(3) An injurious pest specified in Public Notice No. 542 of the Ministry of Agriculture, Forestry and Fisheries that has not been confirmed to be established in Japan; and

(4) In addition to the injurious pest mentioned in (1) to (3) above, an injurious pest designated by Director-General of the Food Safety and Consumer Affairs Bureau,

Ministry of Agriculture, Forestry and Fisheries that could cause damage to economic plants if it spreads.

III. Precautionary measures

1. Establishment of communication routes, etc.

(1) In order to immediately take proper actions after the detection of a quarantine pest, the Ministry of Agriculture, Forestry and Fisheries must set up the contact points to communicate with the prefectural departments in charge of plant protection such as a pest control station ("prefecture") and also with pest experts in universities and other specialized agencies and notify each prefecture of those contact points.

(2) In order to immediately survey detection of a quarantine pest and take pest control measures after its detection, each prefecture must collect, in advance, information about the locations of production sites, and the types and yields of cultivated plants.

2. Maintenance of personnel and materials

(1) The Plant Protection Station and each prefecture must list the staff members in charge of pests so that they can immediately survey an detection and take pest control measures.

(2) In preparation for detection of a quarantine pest, the Plant Protection Station must secure materials such as traps, attractants, etc. necessary for pest surveillance and control and must establish a system to secure such materials.

3. Gathering and sharing of information

(1) The national government and each prefecture must actively gather information about detection of any new injurious pest and disease, etc. by participating in academic conferences on pests and exchanging information with experts in universities and experimental and research institutions.

(2) In order to monitor detection of any injurious pest in a foreign country, the national government must gather information from literature and reports issued by the international organizations, governmental agencies, and academic societies etc. in charge of plant quarantine and must share useful information with the prefectures.

(3) The national government must organize the information gathered through such activities as specified in (1) and (2) and send the prefectures information useful for controlling quarantine pests. Each prefecture must sort out the received information and provide farmers, etc. with necessary information.

4. Improvement of the skills for identification, control, etc.

The national government must strategically provide training programs, etc. concerning the identification, control, etc. of injurious pest and improve the skills of prefectural officials and other people concerned.

IV. Detection and reporting of a quarantine pest

1. Detection survey for newly introducing pests and other surveys

(1) The Plant Protection Station and each prefecture must strategically conduct detection for newly introducing pests in order to detect a quarantine pest at an early stage.

(2) In addition to the detection survey mentioned in (1) above, the Plant Protection Station and each prefecture must conduct plant pest forecasting programs and provide farmers, etc. with instructions as to how to control pests in order to detect a quarantine pest at an early stage and must thereby gather information on the type of any injurious pest living in the area within their jurisdiction and the scale of damage.

(3) If the Plant Protection Station or a prefecture suspects detection of a new injurious pest based on the results of the monitoring surveys specified in (1) and (2), the Plant Protection Station and the prefecture must share the information without delay. The Plant Protection Station must promptly report the information to the Plant Protection Division, Food Safety and Consumer Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries (the "Plant Protection Division") by using Attached Form 1.

2. Identification of the detected injurious pest

(1) If the Plant Protection Station or a prefecture detects an injurious pest in a survey specified in 1, the Plant Protection Station and the prefecture must promptly identify the pest.

(2) If the prefecture finds it difficult to identify the injurious pest detected in a survey specified in 1, the prefecture must promptly request the Plant Protection Station or a university, or an experimental and research institution, etc. to identify the pest.

If the prefecture requests a university, or an experimental institution to identify the injurious pest and finds that it is likely to be a quarantine pest, the prefecture must notify the Plant Protection Division to that effect without delay.

(3) If a prefecture requests the Plant Protection Station to identify the injurious pest under (2), the Plant Protection Station must identify it as soon as possible and notify the prefecture of the result.

If the Plant Protection Station, which receives such request, finds it difficult to identify the injurious pest, the Protection Station must promptly request a university, or an experimental and research institution, etc. to identify the pest.

3. Report of the detection

As a result of the identification specified in 2, if the prefecture finds or suspects the injurious pest to be a quarantine pest, the prefecture must promptly report, to the Plant Protection Division, the name of the injurious pest, the date and place of detection, the

name of the plant infested with the injurious pest, the scale of damage, etc. by using the Attached Form 2. Such report must also be submitted if the Plant Protection Station detects a quarantine pest in a monitoring survey for newly introducing pests and so on.

If the injurious pest is any of the quarantine pests specified in II. (1), the prefecture must report the detection to the Plant Protection Division and also to the Minister of Agriculture, Forestry and Fisheries under Article 21 of the Act in accordance with the standards for administrative procedures related to the Plant Protection Act (Notice of order of the Vice-Minister of Agriculture, Forestry and Fisheries, No. 2652 of Nousan 12 dated April 11, 2000).

V. Initial measures

1. Surveillance of detection

(1) Upon receipt of the report specified in IV. 3, the Plant Protection Division must examine the scale of damage and instruct the Plant Protection Station to promptly conduct surveillance on detection of the quarantine pest and request the prefecture to conduct an surveillance in cooperation with the Plant Protection Station.

(2) Upon request from the Plant Protection Division as specified in (1), the prefecture must conduct surveillance specified in (1) in cooperation with the Plant Protection Station.

(3) Upon receipt of an instruction under (1), the Plant Protection Station must conduct surveillance and promptly report to the Plant Protection Division the results of the surveillance covering the following items:

[i] What led to the detection;

[ii] Affected and damaged plant;

[iii] Details of the detection and the scale of damage (the infested area, the size of the affected and damaged area, etc.);

[iv] Infested area and the surrounding areas where the host plant is grown (locations of the cultivation areas);

[v] Cause of the detection (the origin of the infested plant);

[vi] Storage and management of samples; and

[vii] Other necessary matters.

(4) Upon receipt of the report specified in (3), the Plant Protection Division must instruct the Plant Protection Station to conduct additional surveillance if the Plant Protection Division finds it necessary, such as in the case where the quarantine pest has possibly presented in any area other than the areas reported under IV. 3.

The provisions (1) to (3) must be applied *mutatis mutandis* to such additional surveillance.

2. Implementation of initial pest control measures

(1) Regarding the quarantine pest reported under IV, 3, if the Plant Protection Division finds it necessary to take prompt action to prevent the spread of the pest, the Plant Protection Division must instruct the Plant Protection Station to take some pest control measures as emergent steps such as the use of pesticides and the removal of the plants that are actually or possibly infested with the quarantine pest ("initial pest control measures"). The Plant Protection Division must also request the prefecture to take initial pest control measures in cooperation with the Plant Protection Station.

(2) Upon request from the Plant Protection Division under (1), the prefecture must take initial pest control measures in cooperation with the Plant Protection Station.

(3) Upon receipt of the instruction to take initial pest control measures from the Plant Protection Division under (1), the Plant Protection Station must take such measures after explaining the outline, necessity, etc. of those measures to the owner or manager ("owner") of the orchard, farm, etc. where the initial pest control measures will be taken and obtaining his/her consent.

3. Quarantine pest risk analysis

(1) Based on the information obtained from the surveillance specified in 1 conducted on the quarantine pest reported under IV, 3, the Plant Protection Division must instruct the Plant Protection Station to conduct an analysis or a re-analysis of the risk of the pest on economic plants in Japan, if necessary.

(2) Upon receipt of the instruction specified in (1), the Plant Protection Station must conduct a quarantine pest risk analysis and promptly report the results to the Plant Protection Division.

In the course of the quarantine pest risk analysis, if the Plant Protection Station finds that the damage caused by the detected quarantine pest to economic plants in Japan could rapidly spread, the Plant Protection Station must notify the Plant Protection Division to that effect without delay.

(3) When conducting a quarantine pest risk analysis, the Plant Protection Station must seek opinions from experts on pests and other related matters in universities and experimental and research institutions, if necessary.

4. Pest control meeting held in the affected area

(1) Based on the result of the quarantine pest risk analysis, if the Plant Protection Division finds it unnecessary to take special pest control measures such as the pest control measures specified in Article 17, paragraph (1) of the Act against the detected quarantine pest, the Plant Protection Division must instruct the Plant Protection Station to stop the initial pest control measures and request the prefecture to provide farmers and

other people concerned with detailed instructions for effective control.

(2) When making a request specified under (1), the Plant Protection Division must hold a pest control meeting in the affected area and decide the control policy to combat the detected quarantine pest.

VI. Adoption and implementation of pest control measures

1. Pest control meeting

(1) Based on the results of the surveillance and the quarantine pest risk analysis specified in V, if the Ministry of Agriculture, Forestry and Fisheries finds it necessary to take special pest control measures such as the measures specified in Article 17, paragraph (1) of the Act against the detected quarantine pest, the Ministry must hold a meeting to discuss possible pest control measures ("pest control meeting").

(2) Those who should be invited to a pest control meeting include persons with relevant knowledge and experience related to the detected pest and the persons representing relevant institutions.

(3) In a pest control meeting, the participants must analyze and evaluate the detected quarantine pest based on the information gathered from the surveillance and the quarantine pest risk analysis specified in V from the perspectives listed below and must sort out basic information necessary to develop pest control measures and draft detailed pest control measures:

[i] Details of the detection and the scale of damage

[ii] Cultivation area, production, distribution of the host plant and geographical and environmental conditions;

[iii] Selection of the techniques necessary for surveillance, control, etc.;

[iv] Costs of surveillance, control, and its effect of control;

[v] Latent capability to spread and the predicted speed of spread;

[vi] Expected economic loss caused by the spread (including the influence on the export of domestic agricultural products and on related industries);

[vii] Necessary personnel and equipment;

[viii] Necessary costs for surveillance such as the monitoring of detection;

[ix] Impact on the local environment; and

[x] Any other necessary matters.

2. Adoption of pest control measures

The Ministry of Agriculture, Forestry and Fisheries must examine the pest control measures drafted in the pest control meeting and must promptly adopt the pest control measures against the detected quarantine pest if any of the following pest control

measures needs to be taken:

- [i] Restrictions on transfer under Article 16-2 of the Act;
- [ii] Prohibition on transfer under Article 16-3 of the Act;
- [iii] Emergency action under Article 17 of the Act;
- [iv] Recommendation on pest control under Article 30 of the Act;
- [v] Instructions regarding the office work of the pest control station under Article 32, paragraph (6) of the Act; and
- [vi] Any measures other than those specified in [i] to [v] above that are necessary to control the detected quarantine pest.

3. Implementation of pest control measures

(1) Regarding pest control measures adopted under 2, the Plant Protection Division must instruct the Plant Protection Station to promptly implement those measures. If the pest control measures specified in 2 (iv) or (v) are adopted, the Plant Protection Division must also instruct the prefecture to take necessary measures.

(2) If the Plant Protection Division finds it necessary to gain cooperation from the prefecture in order for the Plant Protection Station to implement pest control measures under (1), the Plant Protection Division must request the prefecture to implement pest control measures in cooperation with the Plant Protection Station.

(3) Upon request from the Plant Protection Division as specified in (2), the prefecture must implement pest control measures in cooperation with the Plant Protection Station.

(4) Before implementing pest control measures, the Plant Protection Station and the prefecture must explain the outline, necessity, etc. of those measures to the owner and obtain his/her cooperation, consent, etc.

(5) The prefecture must provide the farmers or other people concerned with information on the measures to control the detected quarantine pest and other matters, if necessary.

4. Evaluation and modification of the pest control measures

(1) After the commencement of the pest control measures under 3 (1), if there is a significant change in the circumstances surrounding the detection of the quarantine pest subject to those measures, the Ministry of Agriculture, Forestry and Fisheries must hold a pest control meeting as specified in 1 and evaluate the pest control measures in effect, if necessary.

(2) As a result of the evaluation specified in (1), if the Ministry of Agriculture, Forestry and Fisheries finds it necessary to modify the pest control measures, the Ministry must newly adopt pest control measures in accordance with the procedure specified in 2.

(3) Based on the evaluation specified in (1), if the Ministry of Agriculture, Forestry and Fisheries finds it unnecessary to continue implementing the pest control measures, the

Ministry must decide to terminate measures.

5. Public announcement and reporting of the detection

(1) If a quarantine pest is detected, the Ministry of Agriculture, Forestry and Fisheries must make public announcement of the detection, the scale of damage, pest control measures, etc. by the time of the adoption of pest control measures at the latest.

(2) If a quarantine pest is detected, the Ministry of Agriculture, Forestry and Fisheries must notify the governmental agencies, etc. in the relevant countries in accordance with international standards concerning plant protection measures (the "international standards"), if necessary.

(3) If the Ministry of Agriculture, Forestry and Fisheries finds that the quarantine pest has been eradicated or otherwise controlled thanks to the pest control measures against the quarantine pest reported under (2), the Ministry of Agriculture, Forestry and Fisheries must report necessary information to the governmental agencies, etc. in the relevant countries in accordance with the international standards.

VII. Others

(1) The Ministry of Agriculture, Forestry and Fisheries must establish or amend relevant laws and regulations necessary to modify pest control measures and import quarantine procedures.

(2) The Ministry of Agriculture, Forestry and Fisheries must secure a budget that can be used by the relevant organizations in order to control quarantine pests.

(3) After the termination of the pest control measures against a quarantine pest, the Ministry of Agriculture, Forestry and Fisheries must record the information concerning the series of measures implemented against the quarantine pest and retain the record for a certain period of time.

(4) The Plant Protection Division must establish pest control principles specifying the measures that must be implemented in peacetime and in the event of detection of a quarantine pest that is certain to cause great damage to the agricultural industry in Japan.