



Northern Ireland
Assembly

Committee for Agriculture and Rural
Development

OFFICIAL REPORT (Hansard)

Review of Tree Disease and Biosecurity
Issues: Forest Service/DARD Briefing

7 May 2013

NORTHERN IRELAND ASSEMBLY

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Review of Tree Disease and Biosecurity Issues: Forest Service/DARD Briefing

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Members present for all or part of the proceedings:

Mr Paul Frew (Chairperson)
Mr Joe Byrne (Deputy Chairperson)
Mr Thomas Buchanan
Mr Trevor Clarke
Mrs Jo-Anne Dobson
Mr William Irwin
Mr Kieran McCarthy
Mr Oliver McMullan
Mr Ian Milne
Mr Robin Swann

Witnesses:

Mr Alan McCartney	Department of Agriculture and Rural Development
Mr Peter Toner	Department of Agriculture and Rural Development
Mr Stuart Morwood	Forest Service

The Chairperson: I welcome to the Committee Alan McCartney, agriculture inspector, and Stuart Morwood and Peter Toner, who are principal officers. You are very welcome to the Committee. Thank you very much for your attendance. Stuart, are you kicking off?

Mr Stuart Morwood (Forest Service): I will start proceedings. Thank you, Chair and members, for the invitation to come to brief you today on the Committee's review of tree diseases. I am aware that we have provided the Committee with a number of documents in relation to tree diseases, including a general overview on tree diseases, a copy of the draft all-Ireland Chalara control strategy, a rapid risk assessment for Chalara, a risk assessment of introducing Chalara in wood and bark, the Department of Agriculture and Rural Development (DARD) contingency plan risk assessment for Chalara and a departmental response to queries raised by the Committee on tree diseases.

I am also pleased that the Committee has taken time to visit Belfast harbour to see at first hand biosecurity measures that the Department has in place to reduce the risk of spreading plant disease in wood and bark, and to nearby woodland to see biosecurity to tackle ramorum disease of larch. I hope that the site visits and the documents will be helpful in your review.

It will be useful if I introduce my colleagues and briefly describe their roles and responsibilities in respect of plant and tree diseases. Peter Toner is head of farm policy. He is responsible for the development of plant health policy for the Department, including some aspects of forestry. Alan McCartney is head of the agrifood inspection branch. He is responsible for implementing plant health policy, including aspects of forestry. In the absence of Malcolm Beatty, who is unavailable today, I

represent Forest Service. Forest Service is responsible for plant health legislation regulating the movement of wood and bark. It carries out its own programme of work to reduce pests and disease threats in Forest Service-managed woodland and, on request, provides policy advice where disease affects trees.

I will hand over to Peter, who will provide you with a little more detail on farm policy's role, and then Alan will do similarly for the agrifood inspection branch. Finally, I will make a brief comment on Forest Service's role.

Mr Peter Toner (Department of Agriculture and Rural Development): Good afternoon. During my presentation, I will give you an overview of farm policy's role in managing the policy and legislation associated with plant health matters. I intend to keep this section of the presentation fairly concise, as we have covered it in some detail in the briefing paper that you received. I also recently gave you an overview of plant health policy in advance of your Brussels visit.

Turning first to the legislation governing plant health, EU directive 2000/29/EC is the principal piece of legislation regulating the movement of plants into and within the EU. The directive is transcribed in domestic legislation in the Plant Health Order (Northern Ireland) 2006 and the Plant Health (Wood and Bark) Order (Northern Ireland) 2006. As required, the legislation is amended to deal with new circumstances, such as was the case with *Chalara fraxinea*. As you know, these Orders were amended in late 2012 to include *Chalara fraxinea* as a plant pest and to introduce restrictions on the movement of ash plants, seeds, wood and bark. In addition, the Department is considering, in conjunction with colleagues in the South, the introduction of further legislation, which would require the pre-notification of imports of ash and certain other plant species in the EU.

As you will be aware from my recent presentation in advance of your Brussels visit, the European Commission has been reviewing the plant health regime, with a view to the introduction of new plant health law in the near future. The proposals there aim to simplify, streamline and increase transparency and cost-effectiveness. The plant passports for internal movement of plants would be simplified, creating a more transparent and stable system for the growers. Better import control would reinforce the protection against the entry of new pests and diseases from third countries, which resulted in the past in additional burdens for pest control by EU growers or damage to the natural environment.

In that context, we have begun to engage with the Department for Environment, Food and Rural Affairs (DEFRA) and the Department of Agriculture, Food and the Marine (DAFM). Incidentally, the review provides us with the opportunity to raise our concerns around the existing regime. In engagement outside of DARD, we engage with other Departments, in so far as we engage regularly with DEFRA, which has lead responsibility for European matters in the UK, including on the review of the EU plant health regime. Long-standing co-operation also exists between DARD and DAFM on plant health matters, not least in the context of our joint strategic approach to plant health and pesticides in the context of North-South Ministerial Council structures. That provides, as far as possible, for the convergence of the respective approaches to the prevention and control of plant pests and diseases on the island.

Turning to DARD's policy position, in line with the Plant Health Order (Northern Ireland) 2006, which prohibits the import or spread of plant diseases, DARD's policy aim is to prevent, contain and eradicate plant diseases where appropriate. That is also in line with DARD's strategic objective to maintain low incidence of plant diseases of significant economic or environmental consequence.

Turning finally to the question of funding, the Department's policy is not to offer compensation to landowners or to pay for costs associated with disease outbreaks. That is in line with UK policy. It is considered more appropriate to concentrate resources on surveillance, research and containment and eradication work. That is what we have done in relation to ash dieback. If DARD was to consider funding beyond that, it would be subject to state aid rules, a business case and affordability considerations. That is it, as far as farm policy's role is concerned. I will pass you over to Alan.

Mr Alan McCartney (Department of Agriculture and Rural Development): OK. Peter has outlined the various statutory instruments in place, so I will go directly to deal with how we implement those. Implementing plant health policy requires maintaining a register of places of production, monitoring their activity and the operation of plant passport arrangements. In addition to that, we carry out surveillance for quarantined pests and diseases, including those for which Northern Ireland has protected zone status, and also issue phytosanitary certificates for goods leaving the EU.

The implementation role is largely carried out by two of five inspectorates in agrifood inspection branch. One of those inspectorates deals with arable crops, and the other deals with non-arable plants. That includes production and amenity horticulture. Since late 2010, agrifood inspection branch has also provided the implementation and enforcement role in respect of outbreaks of *Phytophthora ramorum* in Japanese larch and aspects of surveillance and statutory testing of forest trees. That work has since expanded to include implementation in relation to *Phytophthora lateralis* outbreaks, along with a significant contribution to the recent response to *Chalara fraxinea*.

We utilise the Agri-Food and Biosciences Institute (AFBI) for a range of diagnostic services that underpin our inspection and sampling programmes. Forest Service has responsibility for wood and bark, and utilises AFBI to conduct protected zone surveys for various forest pests and diseases in its forest estate. Agrifood inspection branch and Forest Service have arrangements in place with Veterinary Service portal inspection in respect of import controls.

During 2012-13, the plant health and horticulture inspectorate in agrifood inspection branch delivered just under 3,400 plant health inspections and lifted 136 samples across a range of horticultural and silvicultural landscape businesses and amenity settings. As part of that process, we engaged with around 350 businesses. In addition to that, there were 1,084 inspections in relation to *Chalara*, and 409 samples were lifted. In that same period, our crop certification, plant and bee health inspectorate delivered some 5,400 inspections in relation to arable plant health.

I want to bring you quickly up to date with the three tree diseases that I have mentioned. We have kept the Committee informed about *Chalara fraxinea* throughout, and members will be aware that the first finding was confirmed on 16 November. As a result of general surveillance and trace-forward exercises, 56 premises have been confirmed positive for the fungus to date, 53 of which are recently planted sites, while an additional three findings are in the trade.

We have ongoing disease management arrangements in place with a *Chalara* strategy group, a *Chalara* incident management team, daily bird-table meetings where required, and regular briefings with the Minister and the Committee, along with ongoing stakeholder engagement. The focus has been on taking swift action to detect and remove infected material to reduce the level of inoculum in the environment. We have surveyed 1,000-plus sites, and we continue to take that work forward as part of our 2013 surveillance programme.

We have worked closely with colleagues in DAFM and in GB, and we have developed a draft *Chalara* control strategy that has been informed by the developing scientific knowledge around the organism and the draft pest risk analysis that has been completed for GB and Ireland. We are considering the views that have been obtained from stakeholders in recent weeks.

The aim of the strategy is to maximise our island status in order to contain and eradicate the disease and minimise the risk of establishment, along with trying to build the evidence to establish a pest-free area. Surveillance for 2013, which is under way, is one outcome of the draft *Chalara* control strategy. Our surveillance is risk-based, intelligence-led and targeted. I can take questions on that later on.

I will now bring the Committee up to date on *Phytophthora ramorum*. Following aerial surveys that took place in mid-June and early September 2012, and ongoing ground inspection work, infection has been confirmed in larch forest woodland at 14 sites across Northern Ireland, bringing the total number of infected sites to 29 since the organism was first detected in 2010.

The first finding of *Phytophthora lateralis* was confirmed in Lawson cypress trees in Tollymore forest in August 2011. Following that finding and ongoing aerial surveys and ground inspections, the disease was confirmed at a further four Forest Service sites and at a number of private sites. The findings of *Phytophthora lateralis* have largely been in the east, the majority in County Down.

Mr Morwood: As Alan mentioned, Forest Service's regulatory role in the Department is confined to the Plant Health (Wood and Bark) Order (Northern Ireland) 2006, which is the principal instrument for implementing plant health requirements in the European Community in respect of wood and bark. Within the EU, we continue to benefit from protected zones, which help to protect our forests from a wide range of pests that are widespread in continental Europe. Implementation depends on official monitoring. We are alerted by DARD's portal inspectors at points of entry, along with co-operation from importers and suppliers as well as others who are involved in the transit of goods in trade.

The Plant Health (Wood and Bark) Order (Northern Ireland) 2006 prohibits the landing of specified tree pests in wood and bark and lays down the conditions under which that wood and bark may be

permitted entry. During your recent visit to Belfast harbour, we showed you some bales of sawn redwood timber that were imported from Finland, and we explained how they met the regulatory requirements, which, in that case, were that they were to be bark-free. I illustrated the significance of bark by passing round a specimen of a bark beetle present in continental Europe and the damage that it causes to bark, which results in considerable damage to woodland there. I think that those who attended all saw how small those pests were and how similar they looked to beetles that are already present on the island of Ireland. Hence, the regulation on wood and bark focuses on excluding the risk material — in this case, bark — from the trade unless it has undergone some specified treatment to kill the pests.

We also showed you some wooden pallets used in trade. You saw how those carry an official international recognised mark that indicates that they have been heat treated to kill pests and diseases. Currently, as part of an EU-wide programme, we have focused our monitoring on pallets from China to ensure that they have been suitably treated. At the harbour, you also saw wood dunnage associated with steel imports and how it could be marked in a similar fashion to the wood pallets or to be free of bark, pests and signs of pests. You heard at the harbour how non-compliant wood pallets and dunnage were exported, destroyed, treated or buried at the importer's expense.

Forest Service also carries out its own programme of work to remove disease-affected trees on instructions of the Department. On your visit to Woodburn forest, you saw the results of removals of significant amounts of larch trees affected by the fungal pathogen called *Phytophthora ramorum*, which is sometimes referred to as sudden oak death. Felling is the best way of reducing the risk of disease spread. You saw how biosecurity measures were applied for the general public and those coming to the forest on business. The service also has a programme of removing other hosts of the fungal pathogen, such as rhododendron, to help to further reduce the disease threat.

Forest Service commissions AFBI to conduct annual surveys of forest pests and diseases to maintain our protected zones. Forest Service officials continue to monitor forest condition during specific disease surveys, such as the ones that Alan mentioned in relation to Chalara, and routine forest visits. There has been long-standing co-operation between Forest Service and Forestry Commission in GB and Forest Service in DAFM to share approaches to prevention and control of pests and to maintain intelligence about plant health threats and countermeasures.

Finally, in response to the requests from the core of the Department, we provide policy advice and practical assistance to disease queries and reports of ongoing incidents.

The Chairperson: Thank you very much, Stuart. It would be remiss of me not to mention the trip that was organised through your good selves for us, as a Committee, to Belfast harbour and Woodburn forest. It was very informative. Stuart, you did a lot of talking on the day. It was very good; it gave us a clear indication of where we are at the harbour and Woodburn forest. I commend you and your organisation for the trip that day. Members who were there found it very good and informative.

We are stuck for time, so we will go straight into questions. I remind members that we have half an hour. We do not need to take that half an hour, but we have to break in half an hour for agriculture Question Time. Peter referred to, and section 3.13 of your briefing paper to the Committee refers to, the introduction of further legislation. We know that DEFRA, on 17 January this year, strengthened its protocol on importation and pre-import notification measures, which is something similar to what you have suggested. Why are we still lagging behind? Why have we not been able to get that into the system quickly to assist us?

Mr Toner: We have been considering it in conjunction with colleagues in the South, with a view to dovetailing with the introduction of legislation there. The intention is to do so in the coming weeks.

The Chairperson: Are you saying that they have held it back?

Mr Toner: No. We have been working with them. GB introduced the legislation in, I think, early January. We gave a commitment to consider doing the same and to consider the implications here, and, in conjunction with colleagues there, we have been doing that. We also did that in conjunction with colleagues in the South, and the intention is to dovetail with them in due course.

The Chairperson: Can that be done immediately? Is our position different from DEFRA's, or is it slightly different legislation?

Mr Toner: Alan, would you comment on that?

Mr A McCartney: For the Committee's benefit, I will explain the process that has to be gone through. Where a member state identifies a pest or disease that is not normally found in its territory, it has to go through a particular process. It must first notify the EU Standing Committee on Plant Health, which will discuss how to progress. A member state has the facility to put in place national measures, but, before doing so, it has to demonstrate evidence that there is a real and credible threat to its territory. Once it has done that, it has to contain that threat so that it can move towards protected zone status, which essentially recognises the issue within the EU regulatory framework. If it is not moving towards that point, the EU Standing Committee on Plant Health will no longer support the national measures that the member state has put in place.

I can tell you where we are at the moment. Peter mentioned the legislation, and we are seeking to dovetail with colleagues in the South. Given that there are risks in planting, and so on, with these particular pests, it is important to get pre-notification legislation in place, certainly in advance of the next planting season, which will come in the autumn. In addition, and certainly from the point of view of the operation of my two inspectorates, that pre-notification legislation will help to provide good intelligence on what is moving in with those specific tree species. It will then help to target the follow-up inspection that we will take forward.

The Chairperson: I understand the point of scrutinising where we are and of trying to get something in front of us in the legislation that will suit both us and the two jurisdictions. However, have we been left at a disadvantage by not implementing the legislation sooner? Is it unhelpful that we did not implement it sooner, at the same time as DEFRA, or is that not a relevant question?

Mr A McCartney: At this point, where those particular tree species are concerned and where the draft legislation currently sits, we are not at a disadvantage in comparison to DEFRA.

The Chairperson: Before I open the meeting to members' questions, I will take you in a different direction. Whenever we take evidence on this, it keeps coming back to the fact that we import all or most of our trees. I know that, in this case, the considerations are mainly commercial and to do with enterprise. It is not necessarily something that the Government can really impact on, unless we look at what the Government procure. We can take NI Water, Roads Service and Forest Service, the Housing Executive and the education and library boards as examples. Nearly two and a half million trees are purchased for new roads, new water establishments, the landscaping of schools and everything else. So many trees are procured, but it seems that, of those, only 21,000-odd are grown locally. A vast percentage is brought in, which leaves us in a worse position defensively in trying to master this situation, in keeping us pest free and in fighting those diseases.

It seems that we could do more strategic planning to give local nurseries some time to plan their business and be able to supply government here with the necessary stock. Is that something that we could do? I know that we are fighting the disease hands-on, that we are on the ground and that we have done a lot of work over the past number of months inspecting and locating the disease. However, if we perhaps had more home-grown produce, is there any forward planning that will help to strategically guard against disease or defend this island better? It is about not just seeds that are grown somewhere else but home-grown plants. Have there been any discussions with any of the Departments to try to plan for that?

Mr A McCartney: I will say a few things first, Paul, and maybe Stuart will follow. Plants for planting is a very important pathway for disease introduction to Northern Ireland; you are right to point that out. If you grow a lot of material locally and reduce the number of imports, that does not necessarily mean that you will not still have to deal with plant disease and pests. That is because they can move in a variety of different ways; they can move in the wind, via water, people, animals, and so on. So, —

The Chairperson: Sorry, is it fair to say that all the Chalara was brought in?

Mr A McCartney: Yes. Certainly the evidence that we have would suggest that that would be one of the main pathways. I just wanted to make that point at the outset, because I think that it is important to understand that it is quite complex.

You made a valid point. You have had an opportunity to look at our draft Chalara control strategy. The fourth objective in that deals with resilience, and I think that some of the points that you made will be considered under that work stream.

I think that a lot of this is down to the economics. Part of the reason why trees are procured and sourced from mainland Europe and the UK mainland is because the capacity does not exist in Northern Ireland. I have taken that issue up with development advisers in the College of Agriculture, Food and Rural Enterprise (CAFRE), and I have asked them to consider what work they have done in the past and what work might be done in the future. As you pointed out, if you can identify your requirements in advance, that may give businesses the opportunity to try to develop to meet that demand. However, I think that the reality is that the levels of investment that would be involved to become competitive with some of the larger tree-production nurseries may be prohibitive for some of them. Colleagues in CAFRE also identified skills issues in developing the scale of the activity that is required and the necessary expertise on growing trees. There may also be issues with the climate, soil type, and so on, that may make it less productive here than for some of our competitors elsewhere in Europe.

You raised a very valid point that will have to be thought through and considered. So, those are some of the reasons why we are where we are with the level of imports.

The Chairperson: That leads me on to another problem with the control strategy that you alluded to. Now that it has been published and the experts and stakeholders have had a look at it, where do we go from here? How do we implement the strategy? How long term will it be?

Mr A McCartney: The closing date for responses and views was last week, and I think that we got seven or eight responses. They were generally supportive. Some interesting points were made, and we are in the process of working our way through them.

The draft Chalara control strategy has to be a dynamic document that we can adapt and change depending on the outcome of surveillance work that is being undertaken presently and over the coming months. We are keen to try to set up a small core group of stakeholders that we can engage with on the plan at short notice and keep involved in where we will move forward and how we will make some of these things happen in the coming weeks and months. We addressed that with stakeholders at our most recent stakeholder event at the end of April, and we hope to take that forward with them over the next couple of weeks.

Mrs Dobson: Thank you for your presentation. Were you to proceed with the proposals, do you have estimates of the amount of additional resources that the Department and Forest Service would require? Have you done your sums on that?

Mr Morwood: I think that that will be subject to what we find as a result of our summer surveillance of Chalara — ash dieback. As Alan mentioned, the strategy and plan in the Chalara control strategy are required to be responsive to our findings, and they have to be intelligence led. We in Forest Service can respond to that and reprioritise some of our existing work. In those instances, other pieces of work may have to drop down the list of priorities. So, I think that the important thing for us to be able to do is respond to the emerging situation and to the information that we get not only from the ground but from science. If needs be, we can then bid in the Department's monitoring rounds for wider resources.

Mrs Dobson: So, does that mean that you will not know fully until the surveillance is carried out?

Mr Morwood: It is a matter of responding to the firm information and intelligence. That is why it is so important that we have a surveillance plan and a strategy that are dynamic, as Alan mentioned. In other words, they should be able to respond to an emerging situation.

Mr A McCartney: I will add to that for clarification. Where the operational response from my branch is concerned, delivering 1,000-plus inspections on Chalara has been resource intensive. It has also been resource intensive for our colleagues in AFBI, as they have dealt with all the associated diagnostics. Similar to Forest Service, we have had to reprioritise work to assign appropriate levels of resources to take this forward. We have also procured some additional temporary resource, which will assist us over the coming weeks and months as we implement the current surveillance programme. As Stuart pointed out, once we start to see them, the outcomes of the surveillance work will indicate what our resource requirements will be and the necessary bids that we may have to make.

Mrs Dobson: Have you discussed the financial aspect of your all-Ireland strategy with the Government in the Republic so that it is clear who will pay for each aspect of the plan? I would be concerned if you did not have the figure.

Mr Morwood: I have had quite detailed discussions with my counterparts in Forest Service in the Republic. They have identified exactly the same issues that I represented to you. In other words, their response will be very much dependent on their surveillance plan, and the strategy is designed to be able to respond to that. We need to base it on firm information, which will emerge only as we progress during the summer and work through a more detailed surveillance plan.

The other important aspect to bear in mind is that the pest-risk analysis that has been completed for GB and Ireland is in draft form at the moment. We expect to have it in the near future. That will also point to issues on how the disease may spread, the pathways in which the disease may spread and where, specifically, we need to look.

Mrs Dobson: Would you say that there is no clear proposal on who pays what?

Mr Morwood: The clarity on that is that we need to respond to firm information from the surveillance and monitoring. That is the crux of it. Until we have that, we cannot start bidding and allocating more specific resources.

Mr Swann: Gentlemen, where the pre-disease situation is concerned, you are talking about being intelligence-led. Are you keeping an eye on any other diseases that are coming across Europe that might come here and then taking pre-emptive steps?

Mr Morwood: Horizon scanning is very important. We have links with the Forestry Commission in GB as well as with the Forest Service in DAFM. Their biosecurity work streams on tree health identify a long list of potential threats, unfortunately. Off the top of my head, I can tell you that we are talking about 40 to 50 pests and diseases. That includes everything from insects to fungi, nematodes and bacteria. We are combating some of those 40 or 50 at the moment here, but there are others. To take an example that some of the Committee saw, at the harbour visit, I passed around a sample of a bark beetle called *ips cembrae*. It has no common name. It is a beetle that feeds beneath the surface of the bark and effectively ring-girdles the tree. It is rather as though you went around the tree, or it is what you sometimes see with livestock. It literally eats away at the base of the bark and kills the tree. That is a really significant pest. It would create significant issues for the forest industry on the whole island of Ireland. When dealing with that particular threat, as described at the harbour, we try to exclude the risk material, which, in this case, is bark from trade, or the bark has to be treated in such a way that kills that pest.

It is not a comforting thought. There are a large number of pests and diseases, and when one looks at the wood or plant that is being imported, one sees that they are not necessarily all evident. That is why, for wood, we tend to focus on the risk material. That little bark beetle was a few millimetres long. To most of us, it looks like a bark beetle that is happily living in the forest outside this Building.

Mr A McCartney: When thinking about how we engage formally, DARD, along with the other devolved Administrations and DEFRA, form the UK Plant Health Service, which has what is known as a plant-health risk-management work stream. That is a formal meeting chaired by DEFRA on a monthly basis. The heads of my plant health horticulture inspectorate and crop certification plant and bee health inspectorate routinely participate in that meeting. It has two work streams: one is forestry and one is non-forestry. If you looked at the tracking tables, you would see that there are currently 29 pests and diseases associated with forestry and 18 pests and diseases associated with non-forestry elements.

That grouping will consider a range of issues on that. It will look at whether national measures are appropriate, whether we need to move to protected zoned status and what efforts need to be made to take us to that point. It will also look at whether we just manage the situation, which could also be an option. We also work with colleagues in the South who get engaged in that work stream, because the UK and Republic of Ireland work quite closely together on the EU Standing Committee on Plant Health.

It is also worth mentioning that Professor Chris Gilligan has been leading a sort of task force on plant and tree health and biosecurity. He issued an interim report in the early part of this year, and a final

report is due in the next couple of weeks, I think. It is likely to make some further recommendations on horizon scanning and how the plant-health risk-management work stream might work.

The thing that is worth saying about horizon scanning is that we are relying quite a lot on the scientific and other evidence that is available. Very often, science is not complete. Sometimes horizon scanning is only as good as the science that you have at a given time.

Mr Swann: Of the 40 or 50 threats — fungi, insects or whatever — is there any proposed legislation coming forward, or will the measures that you are talking about be enough to mitigate the risk of a high percentage of those threats?

Mr Morwood: Specific legislation is already in place for quite a number of those particular pests. That includes the diseases that we have been talking about today, such as Chalara and Phytophthora. There are other specific pests; for example, there is an ash bark beetle that is native to North America. Again, there are restrictions in place for the entry of that material. However, as Alan pointed out, it is very much dependent on being able to have good information about the pathways to infection and the knowledge of the pest or the disease.

The Chairperson: There are no further questions from members. Thank you very much, gentlemen, for your presentation and your answers.