



Proposal to change the requirement for plants for planting to have been grown on a registered nursery and inspected prior to export

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The Ornamental Aquatic Trade Association (OATA) represents more than 800 UK businesses which provide fish-keepers with everything they need to set up and maintain a successful home aquarium or garden pond. Our members include retailers, breeders, importers, manufacturers and plant growers, many of which are SMEs. Analysis has found that the UK ornamental aquatic trade is worth over £1bn annually, of which £660m is generated from retail sales.

The majority of the flora and fauna imported for home aquariums and garden ponds are not native to the UK. Therefore, as an industry we understand the importance of both good biosecurity and educating customers about non-native invasive species. OATA recently relaunched its [Biosecurity Guidance for businesses](#), along with a simple tool to help them assess and improve their biosecurity. OATA also both [supports and promotes the GB Non-Native Species Secretariat's Be Plant Wise campaign](#).

The trade sources plants for planting for aquaria and ponds from both UK-based plant growers but also imports from nurseries in the EU and rest of world. Most imported plants are primarily intended for closed systems (indoor aquaria) although some plants are traded for semi-closed systems (outdoor ornamental ponds). This means that plants for planting traded for our sector have differing levels of biosecurity risk and this is reflected in the level of checks currently posed at the border (see [Frequency of plant health import inspections across GB - UK Plant Health Information Portal \(defra.gov.uk\)](#)).

We appreciate the opportunity to respond to the consultation letter regarding proposed changes to importing requirements for plants for planting (link here [Nursery-letter.pdf \(defra.gov.uk\)](#)). Whilst we recognise the importance of biosecurity when importing live plants for planting – as demonstrated by our industry biosecurity advice - we have several concerns with the proposed changes to import requirements of this commodity for our sector.

Will the new requirements result in reduced checks at the border?

The new Government has clearly stated its mission for growth, and has made commitments to facilitate the flow of trade to support this ([Britain reconnected – The Labour Party](#)). Given that the proposed requirements for plants for planting to only come from registered nurseries constitutes a potential barrier to trade, will the Government be aiming to reduced barriers elsewhere in the importing process? If the new requirements are designed to improve biosecurity will there be corresponding reductions in checks at border control posts to reflect the reduction in risk? If this is not the case, then the Government should provide a justification and details of any impact assessments undertaken to understand the negative impact this will have on trade flows and growth.

How will trade continue for countries unable to comply with new rules?

Although a large portion of our trade in plants for planting enters from EU nurseries which already have registration in place, a significant volume of trade for our sector enters from rest of world. As yet, It is unclear whether or not all countries that export aquatic plants to the UK have a system in place for the registration of nurseries, and therefore if they would be able to comply with the new requirements set out in the consultation letter. Has the Government done a risk assessment to understand which countries will and will not be able to comply with the new requirements and what negative economic impacts there might be if trade in plants is prevented?

In addition, can the Government provide justification for why trade cannot continue from countries unable to comply with the new requirements, instead of exploring alternative measures to promote the biosecurity of plant imports? There is significant concern in our sector that these requirements could effectively result in a trade ban on live aquatic plants from certain countries, even when there are biosecurity checks in place already at the UK border to prevent the spread of pests and disease in the UK. Trade could continue from these countries but at the highest risk level which would mean more checks at the border or other alternative measures at origin. Business can then make the choice themselves about whether they wish to carry the increased checks and fees for these commodities.

What is the justification for a trade ban on wild collected/harvested plants?

In the consultation letter, it states *“This would mean that it would not be possible for a phytosanitary certificate to be issued for plants grown in the wild, as they carry a greater biosecurity risk.”* This wording would imply that the import of wild grown plants will effectively be banned under the proposed changes. There is very little justification provided for this beyond what is quoted above regarding *“greater biosecurity risk”*. Can the Government provide justification why other alternative measures are not being explored to ensure biosecurity but allow the continued flow of trade of wild grown plants for planting into the GB? This could include increased levels of checks at the border, or periods of quarantine for high-risk plants. By making this change businesses themselves can make decisions about whether they are happy to have greater checks and fees in return for the ability to continue to have access to what is likely to be specialised plants. Outright prevention of a commodity type from entering GB would seem to run counter to the Government’s mission for growth and facilitating trade.

How are the proposed changes taking into account varying biosecurity risk?

The consultation letter does not clarify if there is any nuance to the proposed changes in importing requirements for plants for planting, in particular the variation in risk posed within that category. The Government currently recognises that not all plants for planting pose the same biosecurity risk and this is reflected in the levels of checks applied at the border. Given that many aquatic plants imported are intended for indoor use in closed systems (indoor aquaria) and are subjected to lower checks at the border compared with other plants for planting (e.g. trees), we would argue that the proposed measures are not reflective of the low biosecurity risk posed by plants traded for our sector. Has the Government considered the differing level of biosecurity risk posed by plants for planting and if certain commodities (e.g. indoor plants) could be exempted from the requirements outlined in the consultation letter? If not, can the Government provide justification for why this has not been considered in the design of these new measures?

Concluding remarks

Whilst we appreciate the opportunity to respond to the proposed changes for importing plants for planting, we are concerned that there has not been adequate consideration for the negative impacts these changes might have for trade and therefore economic growth in GB, which runs contrary to Government commitments. It does not appear from the consultation letter if any impact assessment has been conducted to understand the implications of these proposed changes. In addition, the proposed changes do not seem to reflect the variation in biosecurity risk posed by plants for planting or attempt to facilitate biosecure trade with alternative measures. These aspects could have been avoided if the government had presented issues and workshopped potential solutions with stakeholders prior to communicating any proposed changes for importing live plants for planting. We would urge the Government to provide clarity on queries we have outlined here and engage relevant stakeholders further before implementing any changes to importing requirements for plants for planting.