



**NOTIFICATION OF EMERGENCY MEASURES**

1.	<b>Notifying Member:</b> AUSTRALIA <b>If applicable, name of local government involved:</b>
2.	<b>Agency responsible:</b> Australian Government Department of Agriculture and Water Resources
3.	<b>Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Seeds for sowing of tomato ( <i>Solanum lycopersicum</i> ) and capsicum ( <i>Capsicum annuum</i> species complex)
4.	<b>Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5.	<b>Title of the notified document:</b> Emergency measures for tomato and capsicum seeds. <b>Language(s):</b> English. <b>Number of pages:</b> 3
6.	<b>Description of content:</b> Emergency phytosanitary measures for the importation of tomato and capsicum seeds are being introduced to mitigate the biosecurity risk posed by <i>Tomato brown rugose fruit virus</i> (ToBRFV).
7.	<b>Objective and rationale:</b> <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input checked="" type="checkbox"/> protect territory from other damage from pests.
8.	<b>Nature of the urgent problem(s) and reason for urgent action:</b> ToBRFV ( <i>Tobamovirus</i> genus) is an emerging biosecurity risk with a rapidly expanding global distribution. This virus is known to naturally infect tomato and capsicum resulting in unmarketable fruit, and has plant disease resistance breaking capability.  Australia's existing import conditions for the importation of tomato and capsicum seeds do not require specific risk mitigation measures against ToBRFV. Therefore, emergency measures will be introduced for tomato ( <i>Solanum lycopersicum</i> ) and capsicum ( <i>Capsicum annuum</i> species complex).  To be least trade restrictive, the emergency measures will be implemented in three phases.  Consignments shipped from an exporting country before midnight preceding 5 March 2019 will be permitted entry into Australia under existing arrangements (no additional measures).  <b>Phase 1:</b> Consignments that are shipped between 5 March 2019 and midnight preceding 31 March 2019 must be tested with a sample size of 3,000 seeds (or 20 per cent for small seed lots) using the existing commercial seed test protocol (ISTA 7-028) and found free of ToBRFV. The test may be conducted off-shore or on-shore.

Phase 1 conditions expire at midnight preceding 31 March 2019 and will be replaced by Phase 2 conditions. However, Phase 2 or Phase 3 conditions can be adopted before Phase 1 expires.

**Phase 2:** Consignments that are shipped after midnight preceding 31 March 2019 must be tested by enzyme-linked immunosorbent assay (ELISA) with a sample size of 20,000 seeds (or 20 per cent for small seed lots) using an existing commercially available kit (AGDIA-TMV OR Prime Diagnostics-ToMV) and found free of ToBRFV. The ELISA test may be conducted off-shore or on-shore. Other ELISA kits will be considered on a case-by-case basis.

Phase 2 conditions will expire when an agreed polymerase chain reaction (PCR) testing protocol(s) is/are developed and will be replaced by Phase 3 conditions.

**Phase 3:** A PCR testing protocol for ToBRFV is under development, which will replace the ELISA test when it is ready. The PCR test may be conducted off-shore or on-shore. An Australian Biosecurity Import Conditions (BICON) alert will be published when the PCR test is implemented.

Phytosanitary certification requirements:

Seed lots of tomato (*Solanum lycopersicum*) and capsicum (*Capsicum annuum* species complex) that are tested off-shore must be accompanied by an official government Phytosanitary Certificate endorsed with the following additional declaration [Thema]:

Phase 1 (interim):

'The consignment of [*botanical name (s) (Genus species)*] comprises [*insert number of tomato/capsicum seed lots*] seed lot(s); for each seed lot, seeds were tested by ISTA 7-028 [*insert laboratory name(s) and report number(s)*] on a sample size of 3,000 seeds (or 20 per cent of small seed lots) and found free from *Tomato brown rugose fruit virus* (ToBRFV).'

Phase 2 (interim):

'The consignment of [*botanical name (s) (Genus species)*] comprises [*insert number of tomato/capsicum seed lots*] seed lot(s); for each seed lot, seeds were tested by ELISA [*insert laboratory name(s) and report number(s)*] on a sample size of 20,000 seeds (or 20 per cent of small seed lots) and found free from *Tomato brown rugose fruit virus* (ToBRFV).'

Phase 3 (ongoing):

'The consignment of [*botanical name (s) (Genus species)*] comprises [*insert number of tomato/capsicum seed lots*] seed lot(s); for each seed lot, seeds were tested by PCR [*insert laboratory name(s) and report number(s)*] on a sample size of 20,000 seeds (or 20 per cent of small seed lots) and found free from *Tomato brown rugose fruit virus* (ToBRFV).'

Optional (for each phase): For consignments that do not have the specific additional phytosanitary declarations but have laboratory testing reports.

The consignment must be accompanied by a Phytosanitary Certificate that links to, and is accompanied by, a laboratory report. The botanical name and lot number(s) must be presented on the Phytosanitary Certificate. The laboratory report must state:

the seed species tested that a minimum seed sample was tested as required in each phase the test result confirming freedom from ToBRFV the lot/batch number(s), and these numbers must match the Phytosanitary certificate the date, the laboratory name and address. Australia will notify WTO Members once a risk assessment has been developed and released for stakeholder comment.

<p><b>9. Is there a relevant international standard? If so, identify the standard:</b></p> <p><input type="checkbox"/> <b>Codex Alimentarius Commission</b> (<i>e.g. title or serial number of Codex standard or related text</i>):</p> <p><input type="checkbox"/> <b>World Organization for Animal Health (OIE)</b> (<i>e.g. Terrestrial or Aquatic Animal Health Code, chapter number</i>):</p> <p><input checked="" type="checkbox"/> <b>International Plant Protection Convention</b> (<i>e.g. ISPM number</i>): IPPC Article 7 and IPSM 1</p> <p><input type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b></p>
<p><b>10. Other relevant documents and language(s) in which these are available:</b></p>
<p><b>11. Date of entry into force (dd/mm/yy)/period of application (as applicable):</b> 5 March 2019</p> <p><input type="checkbox"/> <b>Trade facilitating measure</b></p>
<p><b>12. Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>The Australian SPS Contact Point GPO Box 858 Canberra ACT 2601 Australia E-mail: sps.contact@agriculture.gov.au</p>
<p><b>13. Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>The Australian SPS Contact Point GPO Box 858 Canberra ACT 2601 Australia E-mail: sps.contact@agriculture.gov.au</p>