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## Invasive Plants Policy of the Canadian Food Inspection Agency - Draft

Consultation Closed (2010-09-17)

### 1. Purpose

This policy establishes the intent of the Canadian Food Inspection Agency (CFIA) to develop and implement regulations and phytosanitary measures as they apply to the importation and domestic movement of invasive plants designated as pests and/or prohibited noxious weeds.

### 2. Authority

This policy is enabled by the *Plant Protection Act*, *Seeds Act* and related regulations.

### 3. Scope

This policy applies to the importation and domestic movement of plants and plant parts designated as or suspected as being potential pests under the *Plant Protection Act* and *Plant Protection Regulations* and/or prohibited noxious weeds under the *Weed Seeds Order* of the *Seeds Act*. Both intentional and unintentional pathways of introduction are included under the policy. However, phytosanitary control measures will only be applied to pathways that are feasible to regulate.

### 4. Policy Statement

Under the *Plant Protection Act* and *Plant Protection Regulations*, the CFIA is responsible for protecting Canada's plant resource base, as well as the Canadian economy. Phytosanitary measures relating to imports keep new pests out of Canada and domestic activities limit movement and spread of pests within Canada. Phytosanitary measures relating to Canadian exports prevent the introduction of pests into other countries. Pests include, but are not limited to pathogens, insects, molluscs and plants.

Regulation of plants as pests is not new for Canada. For many years, under the *Plant Protection Regulations*, some plant species (e.g. *Striga* spp.) have been on the List of Plants Regulated by Canada. Likewise, the CFIA has designated certain plant species as weeds and regulated them under the *Weed Seeds Order* of the *Seeds Act*.

Pest plants are regulated in the same manner as other pest organisms such as pathogens and insects. The decision to regulate a plant as a pest will be made based on science and relevant practical considerations. This is consistent with Canada's obligations under the World Trade Organization (WTO) Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) and as a signatory to the International Plant Protection Convention. Under these agreements phytosanitary protection is: a) determined by scientific principles as well as technical and economic feasibility; b) minimizes negative trade effects; c) is applied only to the extent

necessary; and, d) is transparent.

Pest risk analyses (PRAs) will be conducted and used as the scientific basis for regulating invasive plants. If a plant species presents a significant risk to Canada's plant resource base, it will be considered for regulation. Stakeholders will be consulted and encouraged to provide input. Once a plant has been designated for regulation, the measures that will be taken will depend on the pathway by which the pest plant can enter Canada or spread within Canada, as well as the risk mitigation measures that are available for the pathway or end-use of the plant or plant product. The List of Pests Regulated by Canada will be updated, as needed, to reflect new information on pest plants.

## 5. Policy Requirements

Individuals or companies planning to import plants and plant products into Canada or to move such products within Canada should confirm the phytosanitary requirements with the [CFIA](#) through any of the following means:

- requesting an [import permit](#)
- consulting the [Automated Import Reference System](#)
- contacting their [local CFIA office](#)

The full scientific name must be provided to the [CFIA](#) in all documents. If, according to the [CFIA's](#) records, the species is not known to have previously been imported into Canada, the [CFIA](#) will conduct a PRA to determine whether or not the species could be designated as a regulated pest. The import of such species would be restricted until the results of the PRA are known. Importers should contact the [CFIA](#) if they are unsure of the status of a particular species.

Even for a species that has previously been imported into Canada if the [CFIA](#) has since determined that the species is a regulated pest, further importation or domestic movement of that species itself or plant products contaminated with it may be prohibited or, in some instances, importation or domestic movement may be authorized subject to specific risk mitigation conditions.

It is expected that the major pathways by which species to be regulated would enter Canada and spread within Canada are:

- seed (for propagation)
- plants for planting (e.g., ornamentals, soil stabilizers, medicinal plants)
- grain
- hay, straw, packing material
- soil

Plants designated as pests and any product contaminated by such pest plants would be subject to regulatory control or action, including but not limited to:

- prohibition (import and domestic movement)
- import permit to allow the material contaminated with the regulated article to enter or move within Canada for a specific end use under specific conditions
- phytosanitary certification from the exporting country
- combination of import permit and phytosanitary certification
- destruction, treatment or ordered to be returned to origin

The [CFIA](#) will verify compliance with Canadian regulatory requirements and work with the

National Plant Protection Organizations of trading partners to provide reasonable assurances that imported products meet Canada's phytosanitary import requirements.

## 6. Communication and Consultation

The CFIA is committed to developing and implementing a fair and transparent program with continuous improvement through consistent engagement with stakeholders. The Agency is actively engaging with stakeholders through the development of a Canadian Invasive Plant Framework in order to build active partnerships that could be used in the delivery of an invasive plant program.

Before plants are added to the list of [Pests Regulated by Canada](#), stakeholder consultation will occur. Risk management documents (RMDs) developed from weed risk assessments will be shared with stakeholders for comments. Stakeholder feedback will be considered in determining the CFIA's decision on each species.

Through WTO notification, the CFIA will meet its international obligation to inform trading partners of changes to Canada's import regulations. Furthermore, the CFIA can enter into bilateral or multilateral agreements with trading partners to ensure that Canada's import requirements are met while maintaining trade.

Regulatory decisions rendered on pest plants added to the List of Pests Regulated by Canada will be published on the CFIA website. The species will be included in [Plant Protection Policy Directives](#) (D-memos) maintained by specific commodity sections and on the [Automated Import Reference System](#) (AIRS) such that specific import and domestic movement requirements are clearly communicated.

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