



June 2, 2016

Animal and Plant
Health Inspection
Service (APHIS)

Plant Protection and
Quarantine (PPQ)

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Yulia A. Shvabauskene
Deputy Head
FEDERAL VETERINARY AND
PHYTOSANITARY SURVEILLANCE SERVICE
1/11, Orlikov per., Moscow, 107139,
Russian Federation

Dear Ms. Shvabauskene:

We are writing to respectfully request the Russian Federation promptly lift the temporary suspension of U.S. soybean imports or provide a detailed response to our February 26, 2016, letter and the enclosed *Weed seed contaminants in soybean (Glycine max (L.) Merr.) grain imports from the United States to the Russian Federation: response to comments provided by the NPPO of the Russian Federation*. Please be informed that this letter will be followed by a similar request for U.S. corn.

The VPSS March 2, 2016, letter dismissed the findings, supporting documentation, and application of International Plant Protection Convention (IPPC) principles by APHIS but fell short on providing the requisite information for both the imposition and maintenance of emergency measures consistent with IPPC guidelines. Please find enclosed a point by point clarification of the information sought by APHIS regarding the emergency action taken by the Russian Federation.

As stated in our October 3, 2012, March 19, 2012, February 12, 2016, and February 26, 2016, letters, the grain is a low risk pathway for the introduction of quarantine weeds and consequently there is no justification for the imposition of the most trade disruptive measure—suspension of imports. Furthermore, we reiterate our challenge to the quarantine status of the following seven weeds of concern:

1. *Ambrosia artemisiifolia* L.,
2. *A. trifida* L.,
3. *A. psilostachya* DC
4. *Ipomoea hederacea*
5. *I. lacunose*
6. *Cenchrus longispinum* (Hack) Fern
7. *Bidens pilosa* L.

We requested, in accordance with Article VII.ec of the IPPC, 1997, the rationale for phytosanitary requirements and the provision of the technical and biological information necessary for pest risk analysis. Instead, we received notice that the information we provided was biased, not based on any official or reliable sources, and that our conclusions are incorrect. APHIS provides counterpoints in the enclosed and additional citations in support of its position, all of which meet the International Plant Protection Convention guidelines as outlined in ISPM No. 8—*Determination of Pest Status in an Area* (FAO, 2006) and ISPM No. 17—*Pest Reporting* (FAO, 2006).

Yulia A. Shvabauskene

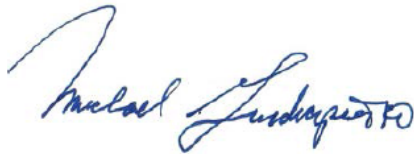
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The Russian Federation March 2, 2016, letter concedes that 4 of the 7 quarantine weeds of concern have limited distribution and are under official control, but fails to provide any documentation on how the four pests are being eradicated or contained. Glossary Supplement No. 1 (FAO, 2006) makes clear that any program of official control, include program evaluation and pest surveillance to determine the need for and effect of control to justify measures applied at import for the same purpose, and incorporate seven required elements of official control:

1. Non-discrimination
2. Transparency
3. Technical Justification (Risk Analysis)
4. Enforcement
5. Mandatory Nature of Official Control
6. Area of Application
7. NPPO Authority and Involvement in Official Control.

We request a description of eradication or containment efforts and their evaluation, and how the Russian Federation is fulfilling the seven objectives required as elements of official control. We also request clarification, irrespective of weed status in the Russian Federation, for why safeguarding imported soybeans from port of entry to point of processing, and processing under a compliance agreement is no longer accepted as a mitigation, particularly when no viable pathway has been delineated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael A. Guidici Pietro".

Michael A. Guidici Pietro
Acting Assistant Deputy Administrator
Phytosanitary Issues Management
Office of the Deputy Administrator

Enclosures