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Importation of Bromeliads in Approved Growing Media from Belgium, Denmark, and the Netherlands

Environmental Assessment August 2011

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I. Purpose and Need

The purpose of the proposed rule change is to remove the current restrictions that prohibit the importation of bromeliads belonging to the genera *Aechmea, Cryptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia*, and *Vriesea* from Belgium, Denmark, and the Netherlands in approved growing media. International trade agreements require that such requests be honored as long as there are no science-based reasons for denial or modification of the requests.

The United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Plant Protection and Quarantine (PPQ) has conducted a pest risk assessment (PRA) to determine the potential of the proposed action to introduce a plant pest, should the importation request be honored. Based on the results of the PRA, PPQ has advised an amendment to import regulations under 7 Code of Federal Regulations (CFR) § 319.37, which would add bromeliads belonging to the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera originating from Belgium, Denmark, and the Netherlands, to the list of plants in approved growing media that may be imported into the United States. All importation would be subject to specified growing, inspection, and certification requirements as delineated in 7 CFR § 319.37–8(e).

This environmental assessment (EA) of the proposed action, prepared in accordance with Council on Environmental Quality, USDA, and APHIS regulations under National Environmental Policy Act (40 CFR parts 1500–1508, 7 CFR part 1b, and 7 CFR part 372, respectively), will be used to help determine whether to prepare an environmental impact statement (EIS), which is a more comprehensive study of the proposed action and alternatives considered by an EA. If the analysis and mitigation procedures presented in an EA satisfy regulatory officials of the safety of this proposed action to the human environment, a finding of no significant impact (FONSI) is then issued for the proposed action.

Background

The Plant Protection Act of 2000 (PPA), Title IV of Public Law 106–224 (7 United States Code (U.S.C.) 7701 et seq.), as delegated by the Secretary of Agriculture, authorizes APHIS to take actions to prevent the entry and establishment of harmful plant pest species, provide for the control, and minimize the economic, ecological, and human health impacts that harmful pests can cause. APHIS enforces regulations (7 CFR parts 300–399) to carry out its safeguarding mandates under the PPA. Under these regulations, APHIS provides notices of quarantine on agricultural commodities; requires permits for the importation of agricultural

commodities; inspects cargo and passengers; has the authority to refuse entry of commodities found to be infested with certain pests; can require treatment of commodities with chemical methods, nonchemical methods, or a combination of both; monitors for pests; provides preclearance inspection programs of certain agricultural commodities in some countries; participates in cooperative efforts at the international, Federal, State, and local levels, in an effort to protect against the introduction and spread of harmful pests; and conducts control or eradication programs.

Title 7 CFR § 319.37 pertains to foreign quarantine notices for nursery stock, plants, roots, bulbs, seeds, and other plant products. The proposed changes for allowing the importation of bromeliads of genera Aechmea, Cryptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia, and Vriesea from Belgium, Denmark, and the Netherlands in approved growing media would affect 7 CFR § 319.37. Bromeliad plants, including these genera, are most commonly used as houseplants or landscape ornamentals in warmer climates. All bromeliad consignments entering the United States must be accompanied by a USDA permit and phytosanitary certificate issued by the plant protection service of the exporting country. This must indicate that the plant material in question has been inspected and is free from harmful pests and plant diseases. Currently, bromeliads are imported from Belgium, Denmark, and the Netherlands (in addition to some other European countries) into the United States as bare-root or unrooted cuttings; this means that upon importation, they are free of soil, sand, earth, or other growing media. These plants are enterable into the United States, subject to inspection results at designated ports of entry that have plant inspection stations (i.e. ports with facilities where live plant material can be examined).

A number of other species, including rhododendrons from Europe, *Begonias, Gloxinias, Ananas*, and other plants were permitted to be imported in approved growing media. To date, in all of these cases, the phytosanitary measures are believed to have been effective in reducing potential environmental impacts, that is, no associated pests are known to have been imported and become established as a result of the importation of these plants in approved media.

As required by 7 CFR § 319.37–8(g), APHIS has performed a single, comprehensive pest risk assessment for the importation of *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* species in approved growing media from the requesting countries. The risk assessment (USDA–APHIS, 2009) indicated that the bromeliad species associated with this proposed action are relatively disease-resistant taxa. However, one quarantine pest was found to be connected with *Aechmea*, one of the bromeliad genera associated with the proposed

action. The quarantine pest, *Fusarium oxysporum* f. sp. *opuntiarum*, is a fungus characterized as having a low pest risk potential.

Importation of bromeliads from Belgium, Denmark, and the Netherlands into the United States is currently limited to bare-root or unrooted cuttings, which are then propagated and/or grown by U.S. nurseries, and sold throughout the country. The importation of plants already established in growing media is not permitted under current regulations. The result of the current practice is that imported plants and cuttings are not available in the market place until after they have been planted and grown in media and then shipped to retail outlets. This additional handling of plants results in some loss of merchandise. It does, however, provide business to the U.S. nurseries that supply the labor, materials, and space for the rooting, potting, and growing of the plants. The number of U.S nurseries which currently import bromeliad plants from Belgium, Denmark, and the Netherlands is unknown, but is estimated to be no more than three (USDA–APHIS, 2010).

An economic analysis completed by APHIS (USDA–APHIS, 2010) as part of the review of this proposed rule change indicates that the volume of U.S. imports of bromeliad plants from the Netherlands has steadily declined from 2,350,476 in 2006 to 759,684 in 2009. In 2007, the number of *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* plants imported to the United States from Belgium totaled 2,662,367. The volume of imports of these bromeliad species originating in Denmark is unknown at this time.

II. Alternatives

A. No Action

This alternative would maintain the current import restrictions on bromeliad species originating from Belgium, Denmark, and the Netherlands without any changes to those restrictions. That is, importation would be restricted to bare-root plants and unrooted cuttings. Importation of plants in approved media would not be permitted.

B. Proposed Action

The proposed rule would allow bromeliads of the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera in approved growing media to be imported into the United States from Belgium, Denmark, and the Netherlands subject to the requirements of §319.37–8(e).

For plant species of the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera imported under the conditions of the proposed rule, importation would be allowed only if the measures summarized below are followed. These measures constitute a "systems approach" to addressing potential risk and environmental impacts of the proposed importation. A systems approach refers to a combination of specific mitigation measures that provide overlapping or sequential safeguards. Additional detailed information on the associated phytosanitary requirements discussed below is available in the risk management document (USDA–APHIS, 2009c).

1. Approved Plant Sources

All species of the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera imported into the United States must be greenhouse-grown plants. Wild and non-domesticated species cannot be imported. All mother stocks are to be determined to be as pestfree by an approved official of the exporting country's national plant protection organization and an APHIS–PPQ inspector no more than 60 days prior to being established (planted) in the greenhouse environment.

2. Approved Growing Media

All *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* species plants imported into the United States must be in approved growing media (as defined in 7 CFR § 319.37–8) to prevent the introduction of pest species. No sand, soil, earth, or other unapproved media can be present with the imported plants.

3. Agreements

All species of the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera must be grown in accordance with written enforcement agreements among APHIS, the plant protection organization of the exporting country, and growers. This includes requirements for written operational workplans for detecting and eradicating any pests before importation, and any applicable registration or permitting of growers in the exporting country.

4. Exclusionary Greenhouse

Bromeliad species grown for importation into the United States must be grown in pest exclusionary greenhouses following all applicable phytosanitary measures outlined by APHIS in 7 CFR § 319.37–8(e)(2)(ii).

5. Raised Benches

Benches on which plants belonging to the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera that are grown for importation into the United States must be at least 46 centimeters (cm) above the floor.

6. Floors

Floors in greenhouses where plants belonging to the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera are grown must be composed of permanent material that can be sanitized, if necessary, and be free of soil.

7. Automatic Doors

Automatic closing doors to exclude flying insects and, to a limited extent, prevent windborne pests from entering the greenhouse, are required.

8. Screens

Greenhouse air exchange and temperature control vents must have screens with openings no larger than 0.6 millimeters (mm) to exclude pests.

9. Sanitation

Sanitary procedures must be in place to maintain the greenhouse free of injurious pests.

10. Detention Periods

Mother stock bromeliads must be grown in the exporting country for at least 9 months prior to export of the plants to the United States. Mother plants imported into Belgium, Denmark, or the Netherlands from another country must have been grown in the exporting country for 9 to 12 months (the actual time period is dependent upon the treatment of the mother stock in the exporting country). Descendant plants must be grown in an active state of foliar growth for at least 4 consecutive months before export.

11. Clean Water Sources

Water sources used in the growing of bromeliads belonging to the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera for importation into the United States must be either rainwater that has been boiled or pasteurized, clean well water, or potable water.

12. Phytosanitary Certificate

Aechmea, Cryptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia, and Vriesea genera plants for importation into the United States must be accompanied by phytosanitary certificates issued by the plant protection organization of the exporting country, which represents a finding based on monitoring inspections that the conditions outlined by 7 CFR § 319.37–8 are being met.

13. Inspection

Inspection of mother stock by a PPQ inspector or an inspector from the plant protection organization of the exporting country will take place no more than 60 days before the bromeliads are established in the greenhouse. Descendant plants will be inspected no more than 30 days prior to export. APHIS inspectors will visit Belgium, Denmark, and the Netherlands periodically to ensure that the program is working properly. In addition, inspection of imported *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* species will take place at the port of entry into the United States by PPQ inspection personnel.

Pest interceptions or repeated detection of a quarantine pest may result in PPQ requiring more specific mitigations of the pest(s) of concern.

14. Packing and Storage

Plants belonging to the *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera intended for importation into the United States must be packed and stored in areas that are free of sand, soil, earth, and plant pests. Packaging should be designed to prevent contamination and the introduction of hitchhikers. Bromeliad plants shall not be packed in the same container as prohibited articles.

III. Environmental Impacts

A. No Action

As described above, the no action alternative would maintain the current import restrictions on bromeliad species originating from Belgium, Denmark, and the Netherlands without any changes to those restrictions. That is, importation would be restricted to bare-root plants and unrooted cuttings. Importation of plants in approved media would not be permitted.

The potential environmental consequences of maintaining the importation restrictions to bare-root plants and unrooted cuttings are minimal. The current practice of importation of bare-root and unrooted cuttings of bromeliad species from Belgium, Denmark, and the Netherlands has not resulted in any incidence of identified environmental impacts as a result of either the imported bromeliad species or any pests that may have been present on the imported bare-root and unrooted cutting plant material.

B. Proposed Action

Under the proposed rule, as discussed above, the current importation rules would be revised so that bromeliad species originating from Belgium, Denmark, and the Netherlands could be imported into the United States in approved growing media. The requirements associated with the propagation, rearing, shipping, and importation of *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera under this option are designed to minimize any potential environmental impacts associated with the plants being brought into the United States in growing media.

There are some bacterial and fungal diseases that are identified in phytopathological literature sources that have the potential to infect species of the *Aechmea*, *Crptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera. However, as discussed in the PRA and risk mitigation document completed for this proposal (USDA–APHIS, 2009b; USDA–APHIS, 2009c), there was one quarantine pest identified

for Aechmea species which could reasonably be expected to be imported on these plants. This quarantine pest, Fusarium oxysporum f. sp. opuntiarum, is a fungus, characterized as having a low pest risk potential (USDA-APHIS, 2009b). This was determined by analyzing the biological profile of the pest, along with several factors, including the consequences of introduction and the likelihood of introduction. Likelihood of introduction takes into account the number of plants which would be imported annually, the likelihood of the pest's survival following postharvest treatment, the likelihood of detection at the port of entry, and the pest's restrictive climatic and dispersal requirements. The PRA also assessed the weediness threat posed by Aechmea, Crptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia, and Vriesea. The PRA indicated that three species of the *Tillandsia* genus are considered weed species in Chile (*T. landbecki* Phil) and Argentina (*T. recurvata, and T. aeranthos*). However, these plants have presented little evidence of adverse impacts in these countries, and grow without incident as established plants in the United States.

Systems Approach

The systems approach described previously (which includes all mitigation measures listed in this document under II.B., Proposed Action) is designed to be a fail-safe system that includes tiered safeguards. Thus, if one of the above mitigation measures were to fail, other safeguards built into the system are designed to ensure that risks are managed. Even though the risk of any environmental impacts associated with the importation of *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genera into the United States in approved growing media is extremely low, this systems approach further minimizes any potential environmental impacts.

Under the proposed action—

- all plants must be grown in compliance with a written agreement for enforcement signed by the plant protection service of the exporting country and PPQ;
- plants must be developed from mother stock that was inspected by an APHIS inspector or foreign plant protection service inspector and found free of diseases and pests no more than 60 days prior to the time the plant is established in the greenhouse;
- all plants must be grown in compliance with a written agreement between the grower and the plant protection service of the country in which it is grown that allows for inspections and monitoring of compliance;
- plants must be grown in a greenhouse in which sanitary procedures are sufficient to exclude plant pests and diseases;

- plants must be rooted and grown in an active state of foliar growth for at least 4 consecutive months immediately prior to importation into the United States;
- plants must be grown from seeds germinated in the greenhouse unit or descended from a mother plant that was grown at least 9 months in the exporting country prior to importation into the United States;
- plants must be watered only with rainwater that has been boiled or pasteurized, with clean well water or with potable water;
- plants must be rooted and grown in approved media as listed in § 319.37–8(e)(1) on benches supported by legs and raised at least 46 cm above the floor;
- plants must be stored and packaged only in areas free of sand, soil, earth, and plant pests.

Previously, a number of plant species, including penjing species, *Phalaenopsis*, *Schlumbergera*, *Rhipsalidopsis*, *Rhododendron*, *Begonias*, *Gloxinias*, *Ananas*, and other plants were permitted to be imported in approved growing media. To date, in all of these cases, the phytosanitary measures included in the systems approach have been effective in reducing potential environmental impacts, that is, no associated pests are known to have been imported and become established as a result of the importation of plants in approved media.

IV. Endangered Species Act

According to 40 CFR § 1508.27(b)(9), APHIS–PPQ is required to consider the "degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973." In addition, Section 7 of the Endangered Species Act (ESA) and ESA's implementing regulations require Federal agencies to consult with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service to ensure that their actions are not likely to jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of critical habitat.

In meeting these requirements, APHIS prepared and submitted a biological assessment (BA) (USDA–APHIS, 2009a) to the FWS in Arlington, Virginia. The BA used the results of the PRA (USDA, 2009b; USDA, 2009c) and analyzed (1) the potential of quarantine pests to be included in commercial shipments of plants, (2) any federally listed endangered or threatened species that are potential hosts for these quarantine pests, and (3) the potential invasiveness of *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, *and Vriesea* species.

APHIS has determined that the importation of commercial shipments of *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* spp. plants in approved growing media from Belgium, Denmark, and the Netherlands will have no effect on federally listed species or their habitats. There are no federally listed species in the plant family Bromeliaceae (FWS, 2010). There are no listed plant species that would be susceptible to *F. oxysporum* f. sp. *aechmeae* because it is pathogenic to only a single plant genus, *Aechmea*, in the family Bromeliaceae. Within the United States and its territories, *Aechmea* species occur as native plants in Puerto Rico and the Virgin Islands. However, the pathogen is effectively removed from the pathway and effectively precluded from establishment in the United States by the mitigation measures already present in the applicable regulations (USDA–APHIS, 2009b).

Based on information presented in the BA, along with previous programmatic consultations concerning the importation of nursery stock established in APHIS-approved growing media, FWS concurred with the APHIS determination that the importation of plants from the *Aechmea*, *Crptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, and *Vriesea* genre in growing media from Belgium, Denmark, and the Netherlands will have no effect on federally listed or proposed endangered or threatened species or their habitats.

V. Listing of Agencies and Persons Consulted

U.S. Department of Agriculture Animal and Plant Health Inspection Service Policy and Program Development Environmental and Risk Analysis Services 4700 River Road, Unit 149 Riverdale, MD 20737

U.S. Department of Agriculture Animal and Plant Health Inspection Service Plant Protection and Quarantine Commodity Imports Analysis and Operations 4700 River Road, Unit 133 Riverdale, MD 20737

U.S. Department of Agriculture Animal and Plant Health Inspection Service Plant Protection and Quarantine Phytosanitary Issues Management 4700 River Road, Unit 140 Riverdale, MD 20737

U.S. Department of Agriculture Animal and Plant Health Inspection Service Plant Protection and Quarantine Planning, Analysis, and Regulatory Coordination 4700 River Road, Unit 156 Riverdale, MD 20737

U.S Fish and Wildlife Services Division of Consultation, Habitat Conservation Planning, Recovery, and State Grants 4401 N. Fairfax Drive, 420 Arlington, VA 22203

VI. References

FWS—See U.S. Fish and Wildlife Service

USDA-AHPIS—See U.S. Department of Agriculture–Animal and Plant Health Inspection Service

- U.S. Department of Agriculture–Animal and Plant Health Inspection Service, 2010. Initial regulatory flexibility analysis: Importation of bromeliad plants in growing media from Belgium, Denmark and the Netherlands. March, 2010. Riverdale, MD.
- U.S. Department of Agriculture–Animal and Plant Health Inspection Service, 2009a. Biological assessment for importation of bromeliads in approved growing media from Denmark, Belgium, and the Netherlands. September, 2009. Riverdale, MD.
- U.S. Department of Agriculture—Animal and Plant Health Inspection Service, 2009b. Plant Protection and Quarantine. A pathway-initiated pest risk assessment: importation of *Aechmea*, *Cryptanthus*, *Guzmania*, *Hohenbergia*, *Neoregelia*, *Tillandsia*, *and Vriesea* in growing media, into the United States from Belgium, Denmark, and the Netherlands. July, 2009. Raleigh, NC.
- U.S. Department of Agriculture–Animal and Plant Health Inspection Service, 2009c. Plant Protection and Quarantine. Risk management document: Importation of *Aechmea, Cryptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia, and Vriesea* in growing media, into the United States from Belgium, Denmark, and the Netherlands. Revised: July, 2009. Raleigh, NC.
- U.S. Fish and Wildlife Service, 2010. Species report. Threatened and endangered species system. [Online]. Available: http://ecos.fws.gov/tess_public/ [2009, July 7].

Finding of No Significant Impact for

Importation of Bromeliads in Approved Growing Media from Belgium, Denmark, and the Netherlands Environmental Assessment August 2011

The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), has prepared an environmental assessment (EA) that analyzes potential environmental consequences of a proposal to amend the regulations governing the importation of plants in approved growing media. This is a proposed rule to allow the importation of bromeliads belonging to the genera *Aechmea, Cryptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia*, and *Vriesea* from Belgium, Denmark, and the Netherlands in approved growing media, subject to certain conditions. The EA, incorporated by reference in this document, is available from—

U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine
Regulatory Coordination and Compliance
Risk Management & Plants for Planting Policy
4700 River Road, Unit 133
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http://www.aphis.usda.gov/plant_health/ea/index.shtml

The EA analyzed two alternatives—approval of the proposed rule and no action. The no action alternative is defined as continuation of the current program for phytosanitary regulation of bromeliads imported from Belgium, Denmark, and the Netherlands. Both of the alternatives have some environmental impacts, including the no action alternative.

I have decided to approve the proposed rule to amend the regulations for importation of plants and plant products to add bromeliads belonging to the genera *Aechmea, Cryptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia*, and *Vriesea* from Belgium, Denmark, and the Netherlands to the list of plants that may be imported in approved growing media, subject to specified growing, inspection, and certification requirements. The reasons for my decision are:

- •The PPQ risk analysis determined that importation of bromeliads belonging to the genera *Aechmea, Cryptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia*, and *Vriesea* from Belgium, Denmark, and the Netherlands under the conditions required by 7 Code of Federal Regulations § 319.37–8(e) poses no greater pest risks than the risk presented by bromeliads currently allowed entry into the United States as bare rooted plants.
- •Implementation of the proposed rule will not significantly impact the quality of the human environment.

- •Importation of bromeliads belonging to the genera *Aechmea, Cryptanthus, Guzmania, Hohenbergia, Neoregelia, Tillandsia*, and *Vriesea* from Belgium, Denmark, and the Netherlands in approved growing media will have no effect on threatened or endangered species or their habitats.
- •Implementation of the proposed rule poses no disproportionate adverse effects to minority populations, low income populations, or children, as consistent with Executive Order (EO) 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" and EO 13045, "Protection of Children from Environmental Health Risks and Safety Risks".

Lastly, because I have not found evidence of significant environmental impact associated with the proposed amendment in the phytosanitary regulations, I find that an environmental impact statement does not need to be prepared.

Mulael Walson Far

Executive Director, Plant Health Programs
Plant Protection and Quarantine

Animal and Plant Health Inspection Service

Date