Overview of the FRSMP Program

Last Modified:

APHIS established the Federally Recognized State Managed Phytosanitary (FRSMP, pronounced “free-stamp”) program to promote greater consistency in actions taken against certain plant pests, whether those pests arrive at U.S. ports of entry or are moving interstate. By better harmonizing import and interstate requirements, APHIS strengthens its ability to advocate for safe, fair, and reciprocal treatment of U.S. exports by our trading partners.

The FRSMP Program and the Plant Protection Act

Under the Plant Protection Act (PPA), States are prohibited from regulating in foreign commerce any plant pests, plants, plant products, or other articles to control, eradicate, or prevent the introduction or dissemination of a plant pest or a noxious weed. However, individual States may establish plant health (phytosanitary) regulations and procedures to address pests of concern to them when those pests are moving in interstate commerce as long as the State’s regulations are consistent with and do not exceed any PPA regulations.

Through the FRSMP program, states may petition APHIS to recognize state-managed plant health programs. Federal recognition will justify actions ordered by APHIS officials to mitigate the risk when a pest covered under a FRSMP program is moving in foreign commerce and intercepted at a U.S port of entry.

How the FRSMP Program Works

The FRSMP program establishes a process for States to petition APHIS for Federal recognition of State-managed phytosanitary programs developed to eradicate, exclude, or contain plant pests of limited distribution within the United States that APHIS is not currently regulating or is considering no longer regulating under a Federal program. Federal recognition will justify actions ordered when a FRSMP program pest is intercepted at a U.S port of entry. Such actions could include treatment (if available), re-direction to a State that does not restrict the pest, re-exportation, destruction of the shipment, or restrictions on interstate movement. This means that only those shipments arriving in or moving through a State that is regulating a specific pest must comply with the import requirements. This gives importers and trading partners more opportunities to trade with fewer restrictions with States not participating in a FRSMP program for that pest.

Under the Deregulation Evaluation of Established Pests (DEEP) process, APHIS, in close collaboration with the States, re-categorize certain pests to no longer require action at ports of entry. To be considered for re-categorization, the pest must be established and unlikely to harm the U.S. environment or the economy. APHIS and the states have already identified 126 such pests. States may request FRSMP recognition of State programs that eradicate, exclude, or control deregulated pests.

APHIS will accept and consider petitions from States interested in obtaining Federal recognition of a State-managed phytosanitary program. APHIS will evaluate each petition using rigorous criteria. States must provide detailed information about the absence or limited distribution of a pest, pest pathways and likelihood of introduction, potential economic and environmental harm that the pest may cause, and a regulatory program for the pest that includes monitoring, surveillance, and control methods.

- Understanding the FRSMP Program (191.37 KB)
- Understanding the DEEP Process (522.49 KB)

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