

Halting the sale and distribution of pest plants: a proven collaborative model for change management

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Summary The Pest Plant Distribution Prevention Strategy is a comprehensive approach to halting the propagation, sale and distribution of a large number of plants that threaten economic, environmental and community health values in Victoria. It involves extensive consultation with the nursery industry, agreement on the list of included taxa, and a phase-out period before implementation to allow merchants to dispose of existing stocks. The Strategy also incorporates non-regulatory measures to minimise and prevent the spread of pest plants by accidental means, and an internal DNRE Code of Practice to ensure that DNRE does not promote, develop or otherwise involve itself with the spread of weedy species.

Keywords Pest Plant Distribution Prevention Strategy, codes of practice, nursery industry, legislative ban.

INTRODUCTION

In recent years the science of risk assessment, allied to cost-benefit analysis, has been applied to weed management. This work shows that resources applied to preventative measures give best return on investment and have the greatest chance of success (Morfe 2002 unpublished). Similarly, resources applied as rapid response programs to new weed incursions give good return on investment and also offer good chance of success. Applying resources to manage direct control of weeds at the widespread stage (e.g. compliance programs) generally return much lower benefit to cost and have little likelihood of achieving long term success. However these types of programs are normally developed to satisfy community demand and are often initiated subsequent to public complaint. In any case, programs involving a wide range of stakeholders must have broad community support to succeed both practically and on a political level.

It is useful to consider the management of weed incursions in Australia at various levels of incidence. Maintaining the first line at the national border is the responsibility of AQIS, which has protocols in place to prevent and intercept inappropriate plant imports. Plants that slip this net, at very low levels of incidence, are usually managed for eradication by States using rapid response programs. The third level of incidence includes plants that are generally not well distributed, and are propagated, developed, promoted or sold by

the agriculture, forestry, horticulture or other industries and research bodies. These taxa tend to be fashionable and are often heavily promoted. Because weed extension programs are highlighting these plants, there is an emerging community expectation that measures need to be taken to remove them from sale and distribution. However there exist few programs to ameliorate or prevent the spread of this group of plants. In many cases, people promoting the plants have no idea that the taxa are weedy.

The fourth level of incidence includes those generally widespread and often declared noxious weeds. These plants are usually distributed by natural vectors, or via accidental or contaminant means by human activity. Aside from biological control, management typically concentrates on control of existing infestations via compliance programs, and few initiatives exist to minimise or prevent accidental spread. The Pest Plant Distribution Prevention Strategy addresses these third and fourth level of incidence issues of weed spread via deliberate and accidental means.

Many current and potential pest plant species are sold in nurseries and informal markets or distributed through garden clubs, botanical societies, landscape designers, state and local government parks, etc. They are also unintentionally distributed via livestock, soil movement, machinery, seed, fodder and other means. Deliberate distribution (e.g. sale) acts as a strong disincentive for the community and sector groups to act against these plants. For this Strategy, species will be included in the *Victorian Catchment and Land Protection (CaLP) Act 1994* 'Restricted' noxious plants category, which allows for species to be declared for the purposes of propagation, sale and distribution only, i.e. there is no provision for control of existing infestations.

Many submissions have been received by the Victorian Department of Natural Resources and Environment (DNRE), from farming bodies, conservation organisations, water managers, local government, community groups and Catchment Management Authorities (CMAs), on the necessity of halting the distribution of weeds (particularly garden escapes). DNRE has committed itself to dealing with this issue but with the stated aim that the nursery industry shall not suffer financially as a result. The Strategy is based on a New Zealand model developed by Craw and

Vervoort *et al.* (unpublished), which worked successfully to remove 135 taxa from sale nationally, with no impact on industry viability.

A range of other non-regulatory means have been included to minimise the species' unintentional distribution. These include vendor declaration systems and industry codes of practice.

METHODS AND RESULTS

The project involves three major elements: 1) a legislative ban on sale and distribution; 2) codes of practice for industries to minimise accidental weed distribution; and 3) an internal Code of Practice for DNRE. Approximately 1100 taxa have been assessed as threats to primary production, the environment or community health in Victoria. Those species posing serious actual or potential threats have been submitted to Nursery and Garden Industry Victoria (NGIV), for extensive consultation in confidence, in order to coordinate the staged withdrawal from sale of an agreed list of species ahead of a legislative ban. This process is being conducted confidentially to avoid adverse publicity and the risk of merchants being stranded with unsaleable product. Informing the growers and merchants of the intended ban well ahead of public notification enables them to cease propagation, quit existing stock and produce alternative products. A partnership approach has been developed with agreement reached on the length of phase-out period (before application of legislative ban); the period before the strategy can be first revisited (five years); and a commitment from both sides to not engage in vilification tactics, i.e. 'to pillory the plants and praise the participants'. Publicity is handled jointly, and the partnership confers advantages to the industry: surety and security for planning, good publicity, and promotional opportunities. NGIV also exerted significant influence over the project timelines and some influence regarding included taxa.

In many cases, industry is amenable to accepting loss of species from trade, because these plants are sometimes weedy in the nursery, requiring extra labour to maintain hygiene in other stock. It is a general characteristic of sales that merchants will tolerate restrictions provided that they apply evenly to all, i.e. no-one is conferred any advantage. This is the single most important reason why voluntary approaches do not work beyond a certain point, e.g. the Weeds CRC Garden Plants Under the Spotlight campaign (Roush *et al.* 1999), which effectively raised awareness but failed to stop industry from marketing some species. However it was probably necessary to run this project to give industry a chance to make it work. If it had succeeded then projects such as this Strategy would not have been necessary. The fact that Garden Thugs

did not stop the sale of major weeds proves the need for legislative intervention.

Another overlooked factor is the environmental focus or conscience of nursery staff, many of whom are in the industry because they are conservation-minded. Many staff are aware of some species weedy nature and welcome change. In New Zealand the rare instances of merchants changing labels to attempt to circumvent the law were quickly halted when staff reported the actions to authorities. It appears that staff regularly raise weed issues at nursery workplaces.

To ensure equitability and increase effectiveness of the Strategy, the legislative ban will apply to weed distribution by any deliberate means, and includes swapping, giving away, propagating, transporting or storing. DNRE staff will be enforcing the CaLP Act at school fetes, garden clubs and all places where plants change hands. However past experience has shown that extensive publicity quickly reduces weeds' desirability and problems with trading after implementation of the ban soon become insignificant. The garden club network in Victoria has already been informed of the impending legal situation, even though at time of writing the list of included taxa has not been finalised.

The second element, measures to minimise or prevent accidental weed spread, covers major weed vectors such as livestock, contaminated produce, machinery and topsoil. The measures to be adopted include vendor declaration systems and codes of practice, working wherever possible to fill gaps between existing quality assurance systems. The advantages of these programs include self-regulation (hence greater industry ownership of the problems), avoidance of duplication or conflict with other programs, and less cost to DNRE in compliance effort.

Vendor declaration systems work by getting vendor, transporter and purchaser agreement to the specifications of a consignment of produce, livestock, topsoil, etc. The vendor signs the top of the document, stating that the consignment is of stated purity, or that certain weeds were or were not present at time of product collection. The transporter signs the second part, stating that the items consigned are the same as those delivered. The purchaser signs the third part of the declaration to acknowledge receipt. If contamination issues subsequently arise, then liability is, in the first instance, on the vendor. The system is very popular with the transport industry, as it essentially removes carriers from liability in most cases. Purchasers also favour the scheme as it normally guarantees better quality control. Vendors with good product hygiene also favour the declaration process, as it allows for value-added margins and is an aid to marketing.

The third element, the internal DNRE Code of

Practice, has been developed to ensure that weedy species are not introduced or promoted by the Department. This ensures that a good example is set and that a risk management framework applies to minimise future risks to the Department.

The Strategy has involved extensive consultation with all stakeholder groups, with the aim of building support across the conservation, Landcare, agriculture and political landscape and within communities generally. Liaison attempted to concentrate initially on building generic support at an organisational level without publicity, in order to minimise sensationalist reporting which might have fuelled a backlash from some sections of industry. At all times it was stressed that no strategy of this range and depth could possibly succeed unless all parties wanted it to work. Obtaining endorsement in writing from Catchment Management Authorities, Victorian Farmers Federation, Landcare and Coastcare groups, community health groups, local government, etc all assisted in effectively forcing the horticulture industry to become involved as not doing so would have left it exposed to community-wide criticism.

Consultation with NGIV revealed issues that could be overcome to ease the way. These included identifying alternative species or cultivars that could be promoted, and working through other channels to publicise the unattractive characteristics of some popular species in order to decrease buyer demand and thereby lessen value to industry in bargaining terms. One potential issue is the difficult role retailers might play in informing the public about what is noxious and what isn't. This problem will be overcome by provision of shopper's guides showing noxious plants next to recommended alternatives. A lot of publicity was generated at local and organisational level and relationships built with many stakeholder groups, to pre-empt negative reactions caused by lack of awareness. Information kits and FAQs were created, and media were briefed across a range of areas, including agricultural, gardening and general news. At all stages the positive contribution of NGIV was stressed. Potential strategic advantages to NGIV were identified and used. These included the fact that although NGIV members cover over 80% of the plant trade; they have less than 30% of nursery owners as members. NGIV sends its journal 'Groundswell' out to all in the trade and is always looking to expand its membership base. Involvement with the Strategy demonstrated membership benefits especially as DNRE committed itself to negotiating with NGIV alone.

DNRE field staff need to be trained in plant identification and names, including alternative names, to ensure compliance occurs at retail level. The issue

of plant naming and deliberate misnaming has been raised, with the use of consumer protection legislation being mooted as a remedy, as it normally carries far greater penalties than weed legislation.

DISCUSSION

This strategic approach is a proven model that can be made to work in any State or Territory. Probably the greatest benefits experienced are the public flow-on effects when people realise that plants they formerly desired now have noxious status. Many people clear these species from their gardens or join 'Friends of' or similar groups. Because a species desirability drops rapidly, its presence can even affect property asset value. This then becomes a powerful incentive to deal with weeds.

The major strength of the approach is that it doesn't give elements of the nursery industry bargaining space because it addresses all reasonable objections to the process. When allied to the collection of support from other powerful quarters, it becomes a virtually failsafe approach.

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REFERENCES

- Craw, C.H.J. (2001). A brief comparison of pest management legislation, administration, research, funding, issues awareness and staff training in Australia and New Zealand. Proceedings of the New Zealand Biosecurity Conference 2001.
- Craw, C.H.J. (1998). The National Surveillance Pest Plants Management Strategy – where to next? Proceedings of the New Zealand Biosecurity Conference 1998.
- Main, S. (2001). The National Pest Plant Accord. MAF Biosecurity Authority, New Zealand.
- Roush, R., Groves, R.H., Blood, K., Randall, R.P., Walton, C., Thorp, J. and Csurhers, S. (1999). 'Garden Plants Under the Spotlight, an Australian strategy for invasive garden plants'. Draft released for public comment. (CRC for WMS and NIAA).
- Vervoort, L. (1997). The National Surveillance Strategy – educating the enforcers. Proceedings of the New Zealand Biosecurity Conference 1997.