

Public Policy Update

Improvement Evident from the Results of the 2008 Survey on Satisfaction with the APHIS Permitting Process

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The American Phytopathological Society (APS), the Entomology Society of America (ESA), the Society of Nematologists (SON), and the Mycological Society of America (MSA) all desire to prevent the introduction and movement of pests that could impair the availability and affordability of our food, feed, and fiber. Therefore, these societies support the APHIS-PPQ mission. In response to concerns and questions from their membership and members of affiliated scientific societies regarding the processes in place to obtain permits to move and study plant pests, the APS Public Policy Board developed a survey for the four societies. The survey, which was posted online between February and early April 2005, focused on learning about the membership's experiences and concerns related to the 526 permitting process. A summary of the responses was presented along with an APHIS response in the July 2005 issue of *Phytopathology News*. In the nearly 3 years following that article, APHIS has made numerous permitting improvements, including new organism labels, the ePermits system, commercial carriers negotiations, and organizational strengthening. As a follow up to these changes, another survey was conducted online in the spring of 2008. While we recognize that the survey responses are not comprehensive of all permit applicants, as all that use the permit system have not necessarily had access to or responded to the survey, we do believe that it provides a good perspective of the experiences permit applicants had.

Summary of Responses on the Permitting Process

Several questions were posed on the experiences of respondents with the APHIS permitting process within the last 3 years. Most respondents indicated an appreciation of the need for regulation of certain pests. Overall satisfaction with the permitting process was 57% positive and only 22% negative. This is a reversal of the first survey, when only 22% indicated a positive experience and 56% had negative experiences.

Thus, the progress in improving the permitting experience by APHIS is reflected in this survey. The most cited frustration with the system was the *delay in receiving permits* after submission of the request. Nearly half of the respondents received their permit within 1–3 months and two-thirds had theirs within 6 months. However, there were 20% that reported from 7 months up to a year or more or had not received their permit at the time of the survey. The ePermit process was reported to be a major improvement over the paper process, and some respondents had received their permits within a few days. Consequences of the delays in receiving permits were predominantly on research not conducted, grant proposals unable to be submitted, and graduate programs, as well as research, delayed for months.

A common concern among the respondents in both surveys is the perceived “over-regulation” of movement of indigenous pathogens. The concern is that the permitting process has the same requirements for shipment of indigenous pathogens between states as it has for importation of nonindigenous pathogens. The lack of regulation of pathogens associated with agricultural products (e.g., sunflower seeds for feeding birds or seed for planting), contrasts with the need for regulation of pests and pathogens for study. A holistic approach is needed. The work being carried out by APS committees on widely prevalent viral, bacterial, fungal, and now nematode pathogens will hopefully help address this issue.

In the previous survey, “a lack of rapid and informed communication between APHIS and the applicants” was another commonly stated frustration among the respondents. While most respondents were sympathetic with the increasingly heavy workload and the evolving processes facing the APHIS personnel, many commented that responses to queries for clarification of the permit application, the process, or the shipping requirements were slow (more than 1 week) or nonresponsive. In the recent survey, the mention of problems with APHIS communication was less (only 19% compared with 33% previously), and there was praise of helpful, knowledgeable APHIS personnel contacts. The increase in the number of staff that APHIS has hired in the permitting unit is one reason for the better communication. There were still

some problems for some respondents with calls or e-mails not being returned.

In the process of finalizing permits, nearly 75% of respondents indicated that stipulations were reasonable, although some permit requirements are thought to be too restrictive and are not based on risk/benefit as is the case of the use of chemicals used for plant disease management or antibiotics/pharmaceuticals used for human disease intervention. Hand-carry allowances were cited as an important improvement for keeping pests and pathogens viable during importation.

The response to the question, “Has the new APHIS ePermitting system improved the process of permit application and renewal?” was 72% indicating yes or somewhat, and only 11% indicating no. The no answers were sometimes accompanied by the comment that the system was confusing.

Recommendations

We are pleased to work with APHIS on obtaining input from our society (APS, SON, MSA, ESA) membership on the 526 permitting process and receiving the response from APHIS on concerns gleaned from the survey. The following suggestions taken from the survey are proposed to APHIS to address the needs of members in the scientific community concerned about balancing plant health and biosecurity in the United States.

- Consider the European system where permission is given to receive “commonly occurring” plant pathogens with no permitting requirements when “for research purposes.”
- Consider the Canadian system for considering distribution based on ecozones rather than political boundaries.
- Improve interactions with DHS to facilitate importation of permitted live pathogens/pests.
- Have a flow chart on the APHIS website for steps in the permit application process with the person(s) responsible at each step.
- The most frequent suggestions concerned over-regulation of indigenous pathogens, especially those that are widely prevalent. ■



Summary of the Survey on Satisfaction with APHIS Permitting Process Questions and Responses

In the last 2 years, how would you rate your experiences with APHIS permitting?
(please select one rating)

Response	Count	Percent	Percent (not including “no experience”)
+2 (very positive)	80	17.6	25
+1	104	22.9	32
0	66	14.5	21
−1	41	9.0	13
−2 (very negative)	30	6.6	9
No experience	134	29.5	

Was the permit for (please select one):

Response	Count	Percent
Movement of a state-to-state plant pathogen	160	48.0
Import of a plant pathogen from another country	56	16.8
Both state-to-state movement and import from another country	69	20.7
Other	48	14.4

What amount of time did it take from application to receipt of your permit?
(please select one)

Response	Count	Percent
1–3 months	159	47.7
4–6 months	61	18.3
7–9 months	25	7.5
10–12 months	6	1.8
More than 12 months	13	3.9
Have not yet received	21	6.3
Permit denied	3	0.9
Other	45	13.5

How would you rate the stipulations on your permit? (please select one rating)

Response	Count	Percent
+2 (very reasonable)	81	25.1
+1	105	32.5
0	52	16.1
−1	47	14.6
−2 (very unreasonable)	23	7.1
No stipulations	15	4.6

Has ePermitting improved the process of obtaining and renewing permits?

Response	Count	Percent (not including “no experience”)
Yes	121	61
No	37	19
Somewhat	21	11
No experience/not used	34	
Not sure	18	9

If you’ve contacted APHIS staff in the last 2 years, how would you rate your
satisfaction with your most recent contact? (please select one rating)

Response	Count	Percent	Percent (not including “have not contacted”)
+2 (very satisfied)	102	23.8	36
+1	86	20.1	30
0	43	10.0	15
−1	30	7.0	11
−2 (very dissatisfied)	21	4.9	8
Have not contacted	146	34.1	