NOTIFICATION OF EMERGENCY MEASURES

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| **1.** | **Notifying Member:** Kenya**If applicable, name of local government involved:** N/A |
| **2.** | **Agency responsible:** KENYA PLANT HEALTH INSPECTORATE SERVICE (KEPHIS) |
| **3.** | **Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):** Seed for sowing - amendment of the Tomato and capsicum Schedule to include Tomato brown rugose fruit virus (ToBRFV) |
| **4.** | **Regions or countries likely to be affected, to the extent relevant or practicable:****[****X] All trading partners** **[ ]** **Specific regions or countries:**  |
| **5.** | **Title of the notified document:** Updating import conditions for Tomato and capsicum imports to include Tomato brown rugose fruit virus (ToBRFV) **Language(s):** English. **Number of pages:** 2 |
| **6.** | **Description of content:** Amendment of import conditions for tomato and Capsicum imports to include tomato brown rugose fruit VIRUS (ToBRFV)The amendment describes the import conditions to certify the absence of Tomato brown rugose fruit virus (ToBRFV) in the seed of paprika (*Capsicum annuum*) and tomato (*Solanum lycopersicum*) in addition to mandatory testing requirement for the pest.Tomato brown rugose fruit virus (ToBRFV) is listed as a quarantine pest of tomato and capsicum in Kenya. The virus is a threat to countries importing seeds of tomato and capsicum. ToBRFV affects all growth stages of *Capsicum annum* (bell pepper) and *Solanum lycopersicum* (tomato); both in the *Solanaceae* family. It is spread through seed from infected to non-infected areas. |
| **7.** | **Objective and rationale: [ ]****food safety, [ ]****animal health, [****X] plant protection, [ ]****protect humans from animal/plant pest or disease, [ ]****protect territory from other damage from pests.**  |
| **8.** | **Nature of the urgent problem(s) and reason for urgent action:** To prevent the introduction into Kenya of Tomato brown rugose fruit virus (ToBRFV) on tomato and capsicum on seed for sowing from all countries. The following pathway will now require regulation:* Seed for sowing -the schedule for tomato and capsicum is amended with new requirements for tomato brown rugose fruit VIRUS (ToBRFV).
* This virus has been identified as an emerging risk with current spread into previously disease free trading areas. The pathway must now meet the requirements as specified in the relevant import standard.
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| **9.** | **Is there a relevant international standard? If so, identify the standard:** **[ ]** **Codex Alimentarius Commission *(e.g. title or serial number of Codex standard or related text)*:** **[ ]** **World Organization for Animal Health (OIE) *(e.g. Terrestrial or Aquatic Animal Health Code, chapter number)*:** **[****X] International Plant Protection Convention *(e.g. ISPM number)*:*** International Standards for Phytosanitary Measures (ISPM) Nos. 1, 2, 4, 5, 6, 8, 11, 17, 19 and 27 DP24.

**[ ]** **None****Does this proposed regulation conform to the relevant international standard?****[****X] Yes [ ]** **No****If no, describe, whenever possible, how and why it deviates from the international standard:**  |
| **10.** | **Other relevant documents and language(s) in which these are available:**  |
| **11.** | **Date of entry into force (*dd/mm/yy*)/period of application (as applicable):** 11 November 2020**[ ]** **Trade facilitating measure**  |
| **12.** | **Agency or authority designated to handle comments: [ ]****National Notification Authority, [****X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:** Kenya Plant Health Inspectorate ServiceP. O. Box: 49592-00100 Nairobi Tel: +(254) 020 661 8000Email: kephisinfo@kephis.org or  director@kephis.org  |
| **13.** | **Text(s) available from: [ ]****National Notification Authority, [****X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:** Kenya Plant Health Inspectorate Service P. O. Box: 49592-00100 Nairobi Tel: +(254) 020 661 8000 Email: kephisinfo@kephis.org or  director@kephis.org  |