EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Crisis management in food, animals and plants
Plant health

Minutes

Meeting of the Expert Group on Plant Health (E00925)
Exceptions for Movement of Scientific Material
16 January 2018, 14h30-18h00

Chair : European Commission (COM), DG SANTE (Unit G1 - Plant Health)
Present : Experts of the Member States

	Topic	Documents
	Objectives of the meeting Presentation of an annotated agenda in view of drafting a Delegated Regulation setting out rules concerning exceptions for pests, plants, plant products and other objects for the purpose of scientific trials under the new Regulation 2016/2031 (Basic Regulation).	
	Introduction The Chair opened the first meeting of the Expert Group, welcomed the participants and presented the agenda. The Commission noted that the Council and the Parliament were not present.	
1	**General framework of the revision** - The Commission introduced the annotated agenda. The Commission is empowered by Articles 8(5) and 48(5) of the Regulation 2016/2031 (Basic Act) to adopt a Delegated act in three specific areas, namely: (a) exchange of information between Member States and the Commission concerning the introduction into, and movement within, or holding, multiplying, use or release within the Union, or protected zones therein, of specified pests or plants, plant products and other objects; (b) procedure and conditions under which a temporarily authorisation shall be granted by Member States for the performance of the specified activities; (c) monitoring of compliance, and actions to be taken in case of non-compliance. - The aim of the meeting was to ask assistance to the Experts on the drafting of the Delegated act and on the possible need for additional requirements. - The Commission explained that the Delegated act shall recall some of the provisions of the Directive 2008/61/EC. - Since the Delegated act shall repeal the Directive 2008/61/EC, the Experts suggested that the Commission examines how to avoid a re-authorisation procedure of all the current authorizations. - The Experts highlighted that the requirements of the Delegated act should be very clear, so that all stakeholders will have a clear idea of the procedure, e.g. for the scientific community; - Experts noted that the EPPO standard is more restrictive that the provisions laid down in the Regulation 2016/2031. The Commission clarified that the revision of	Annotated agenda

	the EPPO standard is currently questioned and that international standards (in general) could be referred in the final Delegated or Implementing acts if appropriate.	
2	**Definitions and scope** - The Experts suggested to define a scope before proposing definitions. They suggested modifications or precisions for some of the proposed definitions, and especially the term 'quarantine measures', to be in line with the respective definitions of the IPPC. - The Commission clarified that exemptions of plants passports or phytosanitary certificates for harmful organisms, plants, plants products and other objects as defined into this Regulation are provided in Articles 74(5) and 79(5). The Commission will analyse the present situation of material regulated under the Directive 2000/29 compared to the further situation. - The Commission clarified that the Delegated Regulation will not cover pests subject to national measures and which are not Union quarantine pests, protected zone quarantine pests or pests subject to the temporary measures of Article 30 of the Basic Regulation. This is already the case under the Directive 2008/201/EC - The Experts suggested to the Commission to evaluate the need of references to the Official Control Regulation, especially concerning the control of the material.	Annotated agenda
3	**Exchange of information between Member States and the Commission** - The Experts suggested to detail or rephrase some of the requirements concerning the information to be exchanged, and to check their legal basis. - The Experts suggested to the Commission to investigate the necessity of notifications of import of such material using the TRACES system.	Annotated agenda
4	**Procedure and conditions under which a temporarily authorisation shall be granted by Member States for the performance of the specified activities** - The Commission explained that if any new requirements concerning the quarantine stations or the confinements are required, they could only be laid in new implementing acts, as provided in Articles 61 and 64 of the Basic Act. In this context, Annex I of Directive 2008/61/EC will not be part of the Delegated act, nor the requirement set in the Annex III on the release of material quarantine stations and confinement facilities. The Commission proposed to convene two working groups for revision of Annexes I and III, in order to be adopted as Implementing Regulations pursuant to Articles 61 and 64 respectively. **(i) General conditions for application** - The Commission clarified that the harmful organisms can be preserved into reference strain collections. - The Experts suggested to clarify several conditions such as the meaning of "conditions of importation" as well as the conditions for movements within a Member State. **(ii) Assessment of spread or accidental release of the material** - The Experts questioned the Commission about the need of risk assessment for official laboratories as well as their frequency. The Experts also underlined that the Regulation does not aim to regulate National Reference Laboratory activities. - Experts suggested to avoid overlaps with provisions already indicated in Articles 59 – 64 of the Basic Regulation concerning the requirements for quarantine stations and confinement facilities.	Annotated agenda

	(iii) Authorisations issued for the performance of the specified activities: / **(iv) Letter of Authority** - Several Experts suggested a simplification of the authorisation procedure and the issuance of a single Letter of Authority covering the case of multiple introductions or moves between the two same stakeholders. This simplification should be reflected in additional options indicated in the format of the Letter of Authority, such as dates of starting and expiration of the authorisation - For this simplification, Experts also suggested to use two types of Letter of Authority: one for importation and one for internal movements within the Union. - Besides simplification, Experts suggested to add in the format of the Letter of Authority precisions aiming to help the Member States to take any timely measures, such as phone numbers, maps, descriptions of the risk, type of transport, final action (destruction or collection).	
5	**Monitoring of compliance, and actions to be taken in case of non-compliance.** **(i) General provisions concerning monitoring of compliance** - Experts suggested to align the rhythm of control to the potential danger, and asked the Commission to consider if the inspections are needed for each move; the Commission clarified that provisions on this issue are laid down in Article 63. Therefore some Experts suggested not to include them as already fully described in the Basic Act. - The Commission clarified that revocation is used in the meaning of abrogation and suspension in the meaning of temporary suspension. **(ii) Actions to be taken in the event of non-compliance** - An Expert suggested notifying the escape of materials but also near-escape. The Commission will examine whether to introduce the term of 'near-escape' or something equivalent.	Annotated agenda
	Conclusion - The Commission thanked the Experts for their assistance. It noted that they are favourable to the general framework proposed into the annotated agenda, in view of revising the Directive 2008/61/EC by drafting a Delegated act and two Implementing acts. - The following planning was agreed by the Experts: 1. By 16 February : comments of experts expected on : 1) the DA ; 2) the IA on quarantine and confinement requirements. 2. Drafting of DA and IA texts by the Commission. 3. Second half of April : 2nd Expert group meeting on the drafted DA, directly followed the same day by a 1st Working group on the drafted IA on quarantine and confinement requirements. 4. A working group on an Implementing act recalling the Annex III requirements will be envisaged at a later stage on.	