



EUROPEAN COMMISSION

Health and Food Safety Directorate General

sante.ddg2.g.5(2020)3786481

## Standing Committee on Plants, Animals, Food and Feed

### Section *Plant Health*

25 - 26 May 2020

**CIRCABC Link:** <https://circabc.europa.eu/w/browse/4fd60ae3-d94f-43df-aced-8d6188dbb4dd>

## SUMMARY REPORT

### **A.01 Evaluation of recent import interceptions with harmful organisms by Member States and the need for further action.**

The Commission and the Member States, exceptionally due to the COVID-19 crisis, discussed the interceptions of a period longer than one month (12 February - 13 May 2020).

As regards imports, the Commission highlighted the relevant in terceptions of priority pests, mainly: *Thaumatotibia leucotreta* on species of *Capsicum*, *Solanum* and *Rosa* from countries such as Kenya, Rwanda, Tanzania and Uganda; *Spodoptera frugiperda* on *Capsicum frutescens*, *Solanum melongena*, *Xanthosoma sagittifolium* *Diospyros kaki*, *Zea mays*, *Eryngium* and *Solidago* from countries such as Suriname, Brazil Senegal and Zimbabwe; *Phyllosticta citricarpa* on *Citrus aurantifolia* from Mauritius. It also highlighted the interceptions of Tomato Brown Rugose Fruit Virus (ToBRFV) on seeds of *Capsicum* and *Solanum* species from countries such as Israel, India, Japan, Jordan, US and Peru.

As regards EU trade, the Commission highlighted the interceptions of *Tomato Brown Fruit Rugose Virus* on seeds of *Capsicum annuum* and *Solanum lycopersicum*. The Commission also highlighted one interception by UK of *Elsinoe australis* on *Citrus limon* from Spain and one interception by Austria of *Curtobacterium flaccumfaciens* *pv. flaccumfaciens* on seeds of *Vigna radiata* from Germany. Spain and Germany reported on their investigations and the actions planned and concluded that the pest status of *Elsinoe spp* in Spain *Curtobacterium flaccumfaciens pv. flaccumfaciens* in Germany remain absent respectively.

Regarding follow-up actions, the Commission informed about the audit process under the COVID-19 crisis. It also informed about relevant communication to Uganda, Kenya and Rwanda about the interceptions due to *Thaumatotibia leucotreta*, and the letters to Bangladesh, Guatemala, and Uruguay about the interceptions in citrus fruit due to *Elsinoe sp*. Finally, it highlighted the ongoing interceptions for reasons related to the ‘additional declaration’ of the phytosanitary certificate. Member States were requested to present an inventory of the main non-EU countries and of the main reasons for rejection. The Commission also urged Member States to implement the agreement reached at the meeting of 23-24 January 2020, as regards the minimum

information to be included under the heading ‘additional declaration’, following complaints by certain non-EU countries.

**A.02 Evaluation of recent outbreaks of harmful organisms notified by Member States and of the control actions taken.**

The Commission presented the overview of the outbreaks notified by the Member States in the period from 1 April to 15 May 2020. Italy presented details on the eradication campaigns for *Erwinia stewartii*. The pest has been eradicated. Slovenia gave an overview of the eradication campaign for the same pest as well. Italy gave information on the outbreaks of *Euwallacea fornicatus* and *Popillia japonica*.

**A.03 EFSA newsletters on horizon scanning of media and literature for new and emerging plant health risks; EPPO monthly reporting service on harmful organisms.**

The EFSA media newsletters and the EFSA pilot of scientific literature newsletters of March, April and May 2020 and the EPPO Reporting Service No. 2, 3 and 4, of February, March and April 2020 have been disseminated to Member States. The EFSA media newsletter is published at the EFSA Journal and the EPPO Reporting Service can be found at the EPPO website.

Certain articles were highlighted, concerning priority pests, pests for which containment measures are under discussion, or pests that are not regulated in the EU. Emphasis is given to the information on new hosts of EU regulated pests, new pests identified, and information on innovative control methods of EU regulated pests

**A.04 Exchange of views on an amendment of Implementing Regulation (EU) 2018/2019 as regards *Acer* from New Zealand and *Malus domestica* from Serbia.**

The Commission presented the main conclusions of the scientific opinions by the European Food Safety Authority on the commodity risk assessments of *Malus domestica* plants from Serbia and *Acer* spp. from New Zealand and presented the proposed way forward for the two commodities as regards the technical aspects that should be taken into account for their delisting. The Commission informed that the Member States will be consulted on those technical aspects either within the context of a Working Group meeting or at the next meeting of the Committee and explained that the internal legislative procedure will be launched soon.

**B.01 Exchange of views and possible technical opinion of the Committee on a draft Commission Implementing Regulation as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Wells *et al.*).**

A draft Commission Implementing Regulation repealing Decision (EU) 2015/789 detailing measures to prevent the introduction into and spread within the Union of *Xylella fastidiosa* was presented for exchange of views and technical opinion. Based on the latest scientific evidences published by the European Food Safety Authority and the experience from the Member States concerned, the draft measures aim to ensure a more risk based approach as regards monitoring of the pest within and outside the demarcated areas, as well as more targeted movement requirements for susceptible plant species moved within and into the Union territory. As regards eradication and containment, the proposed draft measures provide Member States

with the possibility to ensure a more targeted and risk based approach taking into account the specificities of the outbreak areas. The Commission invited Member States to express any objection in writing on the draft text by 2 June 2020. The Commission informed that, after that date, the draft text will be sent for SPS consultation with third countries and uploaded on the Better Regulation Portal for public feedback, before the official endorsement of the Committee in the forthcoming meeting.

**B.02 Exchange of views and possible technical opinion of the Committee on a draft Commission Implementing Decision on measures to be taken by the United Kingdom concerning *Xylella fastidiosa* and *Ceratocystis platani*.**

On 10 March 2020 the United Kingdom (UK) notified to the Commission draft measures to be taken concerning the production and movement of certain plants, in order to address the risk of two pests: *Xylella fastidiosa* and *Ceratocystis platani*. Those measures are more stringent than the ones set out by the Union plant health legislation, and in particular Commission Implementing Regulation (EU) 2019/2072 and Commission Implementing Decision (EU) 2015/789. It was agreed that they are not adequately justified on the basis of new scientific or technical evidence that appeared since the latest opinions of the European Food Safety Authority (EFSA) and the adoption of the respective Union rules.

That legislation applies in and to the United Kingdom during the transition period until 31 December 2020, pursuant to Article 127 of the Agreement on the withdrawal of the UK from the Union. It was confirmed that the UK should therefore accept the movement into its territory of all plants and products originating from the Union and complying with its plant health legislation.

The Committee welcomed this initiative of the Commission and supported the draft Decision requesting the UK to amend those measures by 20 June 2020, because they are disproportionate to the identified risk. It was clarified that the formal expression of opinion had to be confirmed through written procedure. Member States were reminded that no other documents than legally foreseen should be issued for certifying plants.

**B.03 Exchange of views and possible technical opinion of the Committee on a draft Commission Implementing Regulation setting out a temporary derogation from certain provisions of Commission Implementing Regulation (EU) 2019/2072 by establishing special requirements in respect of ash wood originating or processed in Canada, and repealing Commission Implementing Decision (EU) 2016/412.**

Commission Implementing Decision (EU) 2016/412 is based on Directive 2000/29/EU and will expire on 30 June 2020. It allows export of ash wood from Canada under a system approach.

A draft Regulation under the new legal base (Regulation (EU) 2016/130) was discussed in order to allow the above-mentioned export under phytosanitary guarantees equivalent to those of Regulation 2019/2072.

The Committee supported the text and it was concluded that the written procedure for vote will follow shortly after the meeting.

**B.04 Exchange of views and possible technical opinion of the Committee on a draft Commission Implementing Regulation setting out a temporary derogation from certain provisions of Commission Implementing Regulation (EU) 2019/2072 by establishing special requirements in respect of ash wood originating or processed in the United States, and repealing Commission Implementing Decision (EU) 2018/1203.**

Commission Implementing Decision (EU) 2018/1203 is based on Directive 2000/29/EU and will expire on 30 June 2020. It allows export of ash wood from United States under a system approach.

A draft Regulation under the new legal base (Regulation (EU) 2016/130) was discussed in order to allow the above-mentioned export under phytosanitary guarantees equivalent to those of Regulation 2019/2072. Member States commented on some details. The Commission explained that internal procedures are still ongoing. Member States will be kept informed.

**C.01 Exchange of views of the Committee on a draft Commission Implementing Regulation as regards temporary measures to prevent the entry into the Union of *Agrilus planipennis* Fairmaire from Ukraine.**

The Committee exchanged views on the possible measures following a recent change of the pest status of *Agrilus planipennis* Fairmaire in Ukraine. It was agreed that EU should proceed quickly with the measures having in mind the phytosanitary risks associated with import of plants and plant material from Ukraine. Member States were given a few days extra for comments before the Commission will proceed with the text (e.g. inform Ukraine and proceed with written procedure).

**C.02 Exchange of views of the Committee on a draft Commission Implementing Regulation as regards measures to prevent the introduction into and the spread within the Union of the harmful organism *Agrilus planipennis* (Fairmaire) through wood originating in Canada and in the United States of America (current Decision (EU) 2018/1959).**

Decision (EU) 2018/1959 forbids the use of option (b) of point 87 in Annex VII to Regulation (EU) 2019/2072 for ash wood proceeding from Canada and United States. The Commission intends to prolong this prohibition and a draft text was presented to the Member States for discussion. No reservations were expressed.

**C.03 Exchange of views of the Committee on a draft Commission Implementing Regulation as regards measures to prevent the introduction into and the spread within the Union of Tomato brown rugose fruit virus (ToBRFV).**

Commission Implementing Decision (EU) 2019/1615 should be replaced by a Regulation under the new legal base, with more stringent measures for movement and testing of seeds and plants for planting of tomato and pepper.

The Commission took note of Member States comments and will present an updated draft Regulation, which could be possibly subject to the written procedure for vote.

**C.04 Exchange of views of the Committee on a draft Commission Implementing Regulation amending Implementing Regulation (EU) 2018/2019 as regards wood of *Ulmus* L. and certain plants for planting of *Albizia julibrissin* Durazzini and *Robinia pseudoacacia* L. originating in Israel.**

The Commission presented the latest update of the draft text regarding the delisting of wood of *Ulmus* L. and the delisting of certain plants for planting of *Albizia julibrissin* Durazzini and of *Robinia pseudoacacia* L. originating in Israel, which included a change in the legal structure so as to better reflect the relevant legal basis. The Commission also discussed with Member States the updated technical aspects of those legislative texts, which included the withdrawal of the proposal to exempt live pollen from the scope of Regulation (EU) 2018/2019 until further analysis on the available scientific elements has been carried out, and the measures for delisting the two mentioned commodities from Israel, based on the relevant scientific opinions.

**C.05 Exchange of views of the Committee on a draft Commission Implementing Regulation concerning the phytosanitary measures for the introduction into the Union of certain plants, plant products and other objects that have been removed from the list of high risk plants, plant products and other objects of Commission Implementing Regulation (EU) 2018/2019.**

The draft text with the mitigating measures for the 2 high risk plants concerned was presented. Some Member States expressed concern about the maximum diameter of the concerned plants, which is bigger than what is proposed in the relevant pest risk assessment for the pest *Euwallacea fornicatus*. A Member State proposed a modification in the requirement for traceability in order to explicitly request the name(s) of the registered production sites to be included under the heading ‘additional declaration’ of the phytosanitary certificate. Another Member State requested to postpone the delisting of wood of *Ulmus* L. as it considers that the pest categorisation of the relevant pest, *Saperda tridentata* does not provide the necessary conclusions to do so.

The Commission took note of the comments, and informed that once the internal procedures are finalised the Member States will receive both draft Regulations concerning high risk plants for comments, then the text will be sent to Israel for consultation and once this consultation procedure is finalised, the Commission will launch a written procedure.

**C.06 Exchange of views of the Committee on a draft Commission Implementing Regulation on a derogation from Implementing Regulation (EU) 2019/2072 concerning the introduction into the Union of naturally or artificially dwarfed plants for planting of *Chamaecyparis* Spach, *Juniperus* L. and certain species of *Pinus* L., originating in Japan, and repealing Decision 2002/887/EC.**

The Commission presented the text of the draft Regulation and the Committee held an exchange of views. The draft includes an extension of the scope of the derogation to a new species (black pine bonsai) and prolongation of the existing derogation. The draft Regulation will be updated in line with the comments expressed. Once ready, it will be communicated to Japan and can afterwards be submitted to the written procedure for vote.