



Draft Implementing Regulation on High Risk Plants and Plants with no PC

**Ad-hoc meeting of the Advisory
Group on the Food Chain and
Animal and Plant Health**

12 July 2018

Regulation (EU) 2016/2031



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New Plant
Health Law

Applicable as
from 14
December
2019

Introduces
changes in
plant health
import regime

Relevant Changes



European
Commission

D 2000/29/EC

R(EU) 2016/2031

**Open system with
certain restrictions
and permanent
prohibitions**

**Open system with
certain restrictions,
permanent
prohibitions and
provisional
prohibitions pending
risk assessment**

Relevant Changes



European
Commission

D 2000/29/EC

R(EU) 2016/2031

**PC obligatory for all
plants for planting
and specified live
plant material**

**PC obligatory for all
plants for planting
and obligatory for
all live plant
material unless
exemptions**

High risk - Conditions

- **Not already permanently banned (Art. 40)**
- **Not sufficiently covered by specific requirements (Art. 41)**
- **Not subject to temporary measures due to newly identified risk (Art. 49)**
- **To present a risk of unacceptable level based on preliminary risk assessment according to criteria in Annex III**



Prohibition (Third countries, group of Third countries or areas) pending risk assessment

Decision for permanent prohibition, or specific measures in place based on RA

RA to be carried out within an appropriate and reasonable time

Rules on the procedure to follow in order to carry out RA

PC

- **Obligatory for plants**

No PC

- **Evidence about pest risks**
- **Experience with trade**
- **Assessment based on criteria of Annex VI**

Process



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Step 1

- 4 WG meetings for High Risk Plants
- 3 WG meetings for no PC

Step 2

- Discussion in PAFF on WG results (Feb and March 2018)

Step 3

- Commission internal procedures

Step 4

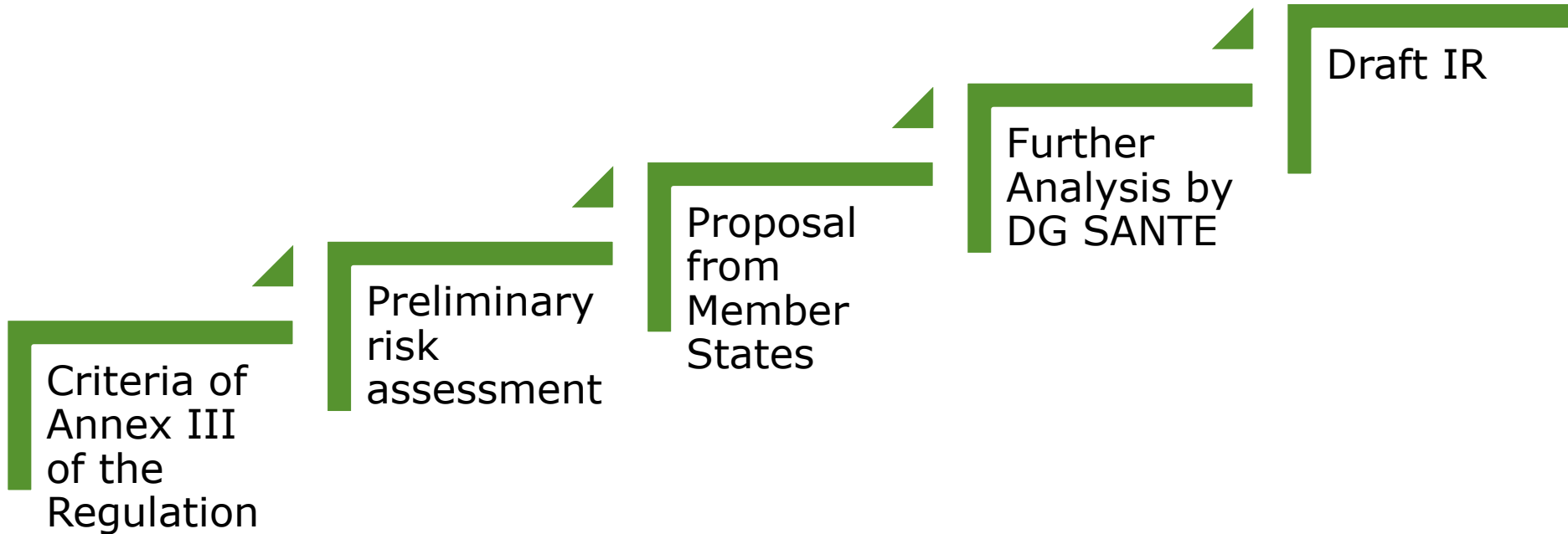
- Presentation of the draft IR and discussion in PAFF (11 July 2018)



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High-risk plants

Procedure





Is the pest absent from the Union?

Is the plant a main host of the pest?

Is it the plant a significant pathway for the pest?

Could the pest have a major impact in the EU?

Objectives



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Technically/scientifically
defendable

Proportionate to the
risk

Least trade restrictive

FOUR CATEGORIES:

- 1. Plants for planting:** 39 genera
- 2. Plants:** 1 species – *Ullucus tuberosus* (Ulluko)
- 3. Plants other than plants for planting:** 1 genus – *Momordica* (gourds)
- 4. Wood:** 1 genus – *Ulmus* (elm)





39 Plants for planting

- General ban from all Third countries

Plants of *Ullucus*

- General ban from all Third countries, both for planting and for consumption



Plants, other than plants for planting, of *Momordica*

- Ban based on identified pest of concern (*Thrips palmi*)

Wood of *Ulmus*

- Ban based on identified pest of concern (*Saperda tridentata*)

Exemptions



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Plants other than plants for planting, of *Momordica*

- Country free or area free of *Thrips palmi*
- Effective mitigation measures against *Thrips palmi*

Wood of *Ulmus*

- Country free or area free of *Saperda tridentata*

Complementary acts and GDs



Draft IR

- Procedure to submit dossiers for RA

EFSA GD

- Format for submission of dossiers

EFSA GD

- Methodology for risk assessment



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Plants exempted from PC

Plants, other than plants for planting, belonging to the following species:

- ***Ananas comosus*** (pineapples)
- ***Cocos nucifera*** (coconut)
- ***Durio zibethinus*** (durian)
- ***Ficus carica*** (figs)
- ***Musa spp*** (bananas)
- ***Phoenix dactilifera*** (dates)

Timeline



Until 9 July	CIS
11 July	Presentation of draft in PAFF
12 July	Ad-hoc advisory group meeting
18 July-15 Aug	Stakeholder consultation
Mid Sep-Mid Nov	SPS notification
28 Sept	Meeting with non-EU countries
Mid Nov-Mid Dec	Series of discussions in PAFF
Mid Dec	Vote in PAFF and adoption by COM
Mid Dec onwards	Submission of dossiers
14 Dec 2019	Entry into application of IR



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Thank you