



**Advisory group on the food chain and animal and plant health  
plenary meeting  
21 November 2019, Brussels**

**Progress on the legal implementation of  
the new Plant Health Regulation  
and the Official Control Regulation**

*G.1. Plant Health  
DG Health and Food Safety*



## Plant Health Regulation

### Formats of plant passports (IA) Legal basis: Art. 83(7)

- Regulation (EU) 2017/2313 adopted on 13 December 2017
- **Date of application: 14 December 2019**

*Legend: IA (Implementing Act), DA (Delegated Act)*

# Plant Health Regulation

## Plant passports - other provisions

- Commission Delegated Regulation (EU) 2019/827, published on 23 May 2019
- Criteria to be fulfilled by authorised operators to issue plant passports: adopted by the Commission on 14 March 2019 (Art. 89)
- **Date of application: 14 December 2020**



## **Plant Health Regulation**

### **Plant passports – other provisions Legal basis: 83(3)**

- **Implementing Act** on technical rules on traceability codes:
  - **Stakeholder consultation December 2019/January 2020**
  - **Vote in PAFF + adoption: January/February 2020**

## Plant Health Regulation

### High risk plants and plants exempted from PC (IA) Legal bases: Art. 42(2) and 73

- Commission Implementing Regulation (EU) 2018/2019, published on 19 December 2018
- **Receiving dossiers from non-EU countries to make the full risk assessment**
  - **by 19/11/2019: 23 dossiers received / 10 under RA (1 opinion for adoption on 20 November) / 8 incomplete / 5 currently being checked**
- **Date of application: 14 December 2019**



## Plant Health Regulation

# Procedure for the risk assessment on high risk plants (IA) Legal basis Art. 42(6)

- Commission Implementing Regulation (EU) 2018/2018, adopted December 2018
- **Date of application: 14 December 2019**



# Plant Health Regulation

## Priority pests (DA) Legal basis: Art. 6

- Commission Delegated Regulation (EU) 2019/1702
- With JRC and EFSA support: *Development of a methodology to identify the priority pests*

## Plant Health Regulation

### Update of pests and measures (IA)

**Legal bases: Art. 5, 37, 40, 41, 72, 74, 79, 80**

- Update of Annexes I to V of Directive 2000/29/EC
- Integrate conclusions of EPPO study on RNQPs (second half 2018)
- Stakeholder consultation and SPS consultations completed in October 2019
- Implementing Regulation voted in PAFF on 18 October 2019
- **Adoption and publication of Implementing Regulation by the Commission scheduled before 14 December 2019**



## Plant Health Regulation

### **Movement of scientific material (DA)** **Legal bases: Art. 8(5) and 48(5) of PH Regulation**

- Delegated Commission Regulation (EU) 2019/829 of 14 March 2019
- **Date of application: 14 December 2019**

## **Plant Health Regulation**

### **Release of material from quarantine stations (IA) Legal basis: 64(3)**

- **Stakeholder consultation in October/November 2019**
- **PAFF vote of Implementing Regulation on 18 November 2019**
- **Adoption in December 2019**



## Plant Health Regulation

### **Format for surveillance reports and for multi-annual programs (IA)** **Legal basis: Art 22.3 and 23.3**

- Working Group July and October 2019
- Discussion during PAFF meetings November/December 2019
- **PAFF vote and adoption by Commission in 1<sup>st</sup> trim 2020**



## Plant Health Regulation

### **Information to be provided to travellers and clients of postal services (IA) Legal basis: Art 45**

- The poster was discussed by the Expert Group on Awareness raising and in PAFF
- **Internal procedures on-going**
- **PAFF vote 29 November 2019 and adoption by Commission in December 2019**

# KEEP PLANT PESTS AND DISEASES OUT OF THE EUROPEAN UNION



**You are NOT allowed to bring plants, fruit, vegetables, flowers or seeds into the European Union without a phytosanitary certificate.**

Bananas, coconuts, dates, pineapples and durians can be brought into the EU without a certificate.

Plant material from Switzerland can be brought into the EU without a certificate too.

Plant material needs a certificate if it comes from the following EU territories:

Ceuta, Melilla, the Canary Islands, Guadeloupe, French Guiana, Martinique, La Réunion, Saint-Barthélemy, and Saint-Martin.



## Plant Health Regulation

### New DA / IA programmed

- **DA** Detailed rules for preparation and content of PZ surveys (Art 34.1)
- **4 IAs** to replace the potato control Directives by 1/1/2022 (Art. 109.2 and Art. 113.2)



## **Official Controls Regulation**

### **Establishment of EU Reference Laboratories (DA)**

- Commission Delegated Regulation (EU) 2018/631 adopted by the Commission on 7 February 2018
- Published on 25 April 2018

## **Official Controls Regulation**

### **Designation of EU Reference Laboratories (IA) Legal basis: Art. 93(1)**

- Commission Implementing Regulation (EU) 2019/530 - Designation of 5 EURLS (published on 29 March 2019)
- **Start of work (1st August 2019)**



## Official Controls Regulation

### Internal movements (IA) Legal basis: Art. 22

- COMMISSION IMPLEMENTING REGULATION (EU) 2019/66 of 16 January 2019
- Establish minimum and uniform import rules for goods falling under article 73 of the plant health regulation
- Uniform frequency of official controls on professional operators authorised to issue plant passports

## Official Controls Regulation

### Internal movements (IA) Legal basis: Art. 22

- Uniform minimum frequency of official controls on plants, plant products and other objects originating in a demarcated area
- Uniform frequency of official controls on professional operators authorised to apply the mark on wood packaging material
- **Applicable from 14 December 2019**
- Amendments under preparation: post import control checks and CHED-PP requirement for plants under Article 73 of PH regulation

*Amendments will be applicable after 14 December*

## Official Controls Regulation

### Implementing act under discussion with MS

#### **Art.52 details of import checks**

Plant health rules on physical checks are included in Annex III of the draft implementing regulation. Sampling for visual inspection and monitoring for latent infection.

Vote planned on 24/25 October PAFF Committee on Controls and Import Conditions

- Post import control checks were withdrawn and included under the IA of Article 22 – Implementing Regulation 2019/66 to be amended.

#### **Art.54.3 frequency of import checks**

Three years transitional period in order to collect data on IMSOC. During that period Commission **Regulation (EC) No 1756/2004** will be valid.



## **Official Controls Regulation**

### **Implementing act under discussion with MS**

#### **Art.131-134 IMSOC implementing act**

- **Commission Implementing Regulation (EU) 2019/1715**
- Common Health Entry Document (CHED). The implementing Regulation has last been discussed with MS in SCPAFF on 25 April.
- Voted in PAFF on 11 July 2019.



## **Official Controls Regulation**

### **Minimum requirements of BCPs**

**Art.64.4 minimum requirements of Border Control Posts (BCP)** repealing Dir 99/22/EC.

The requests from the PH sector have been largely taken on board, differentiating with the other sectors and with the hygiene requirements.

*Commission Implementing Regulation (EU) 2019/1014*

#### **Art.64.5**

**Exemption for the import of unprocessed logs and sawn and chipped wood because of geographical constraints.**

*Commission Delegated Regulation (EU) 2019/1012*

***Applicable from 14 December 2019***



# Official Controls Regulation

## Delegated acts

**Art.53.1(a) and (e) official controls not performed at border control posts.**

Repeal of Directive 2004/103/EC and inclusion of the derogation to perform documentary checks at BCPs under certain conditions.  
Derogation on transport conditions of certain wood also included.

*Requirements will apply from 14/12/2020 as per 165(4) of OCR and Directive 2004/103 will be repealed from that date.*

# Official Controls Regulation

## Delegated acts

**Art.51** Official controls at border control posts. Rules on transit, transshipment and onwards transportation. Adoption foreseen this week.

**Art.77.1 (d)** Specific measures for official controls (WPM). Sent for adoption.

**Art.77.1 (h)** Specific measures for re-import. Adopted by Commission, sent to Council and Parliament.

**Art. 50.4** CHED required to accompany consignments to the place of destination. Adopted by COM on 23/04/2019. **Regulation (EU) 2019/1602**

**Art.48** Goods exempted from official controls at border controls posts (scientific material, personal luggage and small consignments). Adoption foreseen this week.

## Emergency measures on specific pests (1)

- Commission Implementing **Decision (EU) 2019/1598** of 26 September 2019 amending Implementing Decision (EU) 2018/638 establishing emergency measures to prevent the introduction into and the spread within the Union of the harmful organism ***Spodoptera frugiperda*** (Smith)
- Commission Implementing **Decision (EU) 2019/1615** of 26 September 2019 establishing emergency measures to prevent the introduction into and the spread within the Union of **Tomato brown rugose fruit virus** (ToBRFV)
- Commission Implementing **Decision (EU) 2019/1739** of 16 October 2019 establishing emergency measures to prevent the introduction into and the spread within the Union of **Rose Rosette Virus**



## Emergency measures on specific pests (2)

Commission Implementing Decision establishing measures to prevent the introduction into and the spread within the Union of ***Fusarium circinatum*** Nirenberg & O'Donnell (formerly ***Gibberella circinata***) and repealing Commission Decision 2007/433/EC (to be adopted in November 2019)

Under preparation: Commission Implementing Decision repealing and replacing Decision 2019/789/EU on ***Xylella fastidiosa***