



**AG plenary meeting 08/05  
8 May 2020, Bruxelles**

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

*G1 – Plant Health  
DG Health and Food Safety*



## Plant Health Regulation

### Plant passports – other provisions (IA) Legal bases: Art. 83(3)

- **Implementing Act** on derogation for the use of traceability codes
- Stakeholder consultation done
- **Vote postponed**
- Date of application: after publication

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

## 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 of 18 December 2018**
- Date of application of provisional prohibition: 14 December 2019
- **By 30/04/2020: dossiers from non-EU countries for full risk assessment**
  - **52 dossiers received**
  - **28 accepted and sent to EFSA**
  - **2 EFSA opinions published and regulatory discussion ongoing**

**First two dossiers for re-opening trade with Israel to be voted in early June**



## Plant Health Regulation

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

- Commission Implementing [Regulation \(EU\) 2018/2018 of 18 December 2018](#)
- Date of application: 14 December 2019

## Plant Health Regulation

### Update of pests and measures (IA)

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

- Lists of QPs, PZ-QPs, RNQPs, RNQP measures, prohibited commodities, import requirements, movement requirements, PZ prohibitions, PZ requirements, regulated commodities for import, regulated commodities for PZ import, regulated commodities for movement, regulated commodities for PZ movement  
(14 Annexes)
- **Implementing Regulation(EU) 2019/2072 of 20 November 2019**
- Date of application: 14 December 2019  
*Exception:* seeds produced before 14/12/2019, regulated for RNQP reasons only, need a PC or PP from 14 December 2020

## Plant Health Regulation

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

- Working Group (March & September 2018, February 2019)
- Discussion during meetings of WG and PAFF
- **Implementing Regulation (EU) 2019/2148 of 13 December 2019**
- Date of application: 14 December 2019



## **Plant Health Regulation**

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

- **COMMISSION IMPLEMENTING REGULATION (EU) 2020/178**
- **Official translations of the Poster available in all EU languages on COM website**

**(+ courtesy translations available in Russian, Arabic and Chinese;  
Norwegian translation under preparation)**



# KEEP PLANT PESTS AND DISEASES OUT OF THE EUROPEAN UNION



**You are NOT allowed to bring plants, fruits\*, 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.

\*\*You do not need a certificate when the plants, fruits, vegetables, flowers or seeds come from Switzerland or Liechtenstein.

\*\* You will need a certificate when they come from the following EU territories:  
Ceuta, Melilla, the Canary Islands, Guadeloupe, French Guiana, Martinique, Mayotte, Réunion, Saint Barthélemy and Saint Martin.







## 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 29 October 2019
- Discussion during PAFF meetings Nov/Dec 2019
- **PAFF vote and adoption by Commission in 2<sup>st</sup> trim 2020**

# 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)

# Plant Health Regulation

## New IA programmed

- **IAs** Containment measures for all 22 QPs in Annex II.B of Reg (EU) 2019/2072 (Art 28.2)

### **New ones:**

- *Ceratocystis platani*
- *Geosmithia morbida* + *Pityophthorus juglandis*
- *Fusarium circinatum*
- *Aleurocanthus spiniferus*
- *Popillia japonica*
- *Toxoptera citricida*
- *Trioza erythrae*
- *Pomacea*
- Grapevine flavescence dorée
- Tomato Leaf Curl New Delhi Virus
  
- *Meloidogyne chitwoodi* )     2x: to be decided after further input
- *Meloidogyne fallx* )

# Plant Health Regulation

## Reports programmed

### By 14 December 2021:

- **Report** on the enforcement and effectiveness of measures related to **imports**, including a cost-benefit analysis and, where appropriate, present a legislative proposal (Art 50)
- **Report** on experience gained from the extension of the **PP system** to all movements of plants for planting within the EU, including a cost-benefit analysis for the operators, accompanied, if appropriate, by a legislative proposal (Art 79.6)

## Official Controls Regulation Implementing Regulations

- **COMMISSION IMPLEMENTING REGULATION (EU) 2019/66** of 16 January 2019 on official controls on plants, plant products and other objects in order to verify compliance with Union rules on protective measures against pests of plants applicable to those goods
  - Amendment in preparation: inclusion of post import checks for dormant plants for planting. Feedback consultation on Better Regulation portal concluded in February 2020.
  - Member States' vote ongoing

## **Official Controls Regulation Implementing Regulations**

### **Details of import checks (empowerment of Art.52) – Implementing Regulation 2019/2130**

Plant health rules on physical checks are included in Annex III of the implementing regulation.

- Sampling for visual inspection defined for different categories of goods and
- Monitoring for latent infection.

## **Official Controls Regulation Delegated Regulations**

### **Art.53.1(a) and (e) official controls not performed at border control posts – **Delegated Regulation 2019/2123****

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 Regulations

**Art.51** **Delegated Regulation 2019/2124** Official controls at border control posts. Rules on transit, transshipment and onwards transportation.

**Art.77.1 (d)** Specific measures for official controls (WPM). **Delegated regulation 2019/2125.**

**Art.77.1 (h)** **Delegated Regulation 2019/2074** Specific measures for re-import (refusal of entry from third country).

**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** **Delegated Regulation 2019/2122** Goods exempted from official controls at border controls posts (scientific material, personal luggage and small consignments).



## Update on plant reproductive material

- The Commission is working on the study on the options for an update of the PRM legislation requested by Council
- The Commission has published a tender for the collection of data supporting the study
- The offers received are currently evaluated
- Part of the work done by the contractor will be interviews with key stakeholders
- A decision on the revision of the seed marketing legislation will be based on the outcome of the study

## Update on seeds for organic farming

- The delegated act on organic heterogeneous material is being prepared for the Interservice consultation and will after this made available on the Better Regulation Portal
- The temporary experiment on a testing regime for organic varieties is in the early stages of preparation
- MS experts agreed that both adjusted DUS- and VCU-protocols should be developed in the context of this experiment
- Stakeholders have provided priority species for which protocols should be developed
- A final list of species will be established and work on the testing protocols will start this year