



Brussels, 3.2.2015
C(2015) 465 final

COMMISSION IMPLEMENTING DECISION

of 3.2.2015

on the adoption of the financing decision for the year 2015 for the Union financial contribution for the survey programmes of the Member States for pests

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community¹, and in particular the first subparagraph of Article 23(6) thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002², and in particular Article 84(2) thereof,

Having regard to Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) No 178/2002, (EC) No 882/2004 and (EC) No 396/2005 of the European Parliament and of the Council, Directive 2009/128/EC of the European Parliament and of the Council and Regulation (EC) No 1107/2009 of the European Parliament and of the Council and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC³, and in particular Article 45(2) thereof,

Whereas:

- (1) Regulation (EU) No 652/2014 provides that grants may be awarded to Member States for annual and multiannual survey programmes that they carry out concerning the presence of pests ('survey programmes').
- (2) By 30 April 2014 Belgium, Czech Republic, Denmark, Germany, Estonia, Greece, Spain, Croatia, Italy, Cyprus, Latvia, Malta, The Netherlands, Poland, Portugal, Slovakia, and Sweden submitted annual survey programmes for pests for 2015.
- (3) According to Article 5 of Regulation (EU) No 652/2014, the allocation of the Union funding for those programmes should be set at the rate of maximum 50 % of the eligible costs.
- (4) Regulation (EU) 652/2014 entered into force after the deadline for submitting the national programmes to be implemented in 2015. Therefore, the work programme for grants also serving as a financing decision cannot be adopted within the deadline provided in Article 36(3) of Regulation (EU) 652/2014.

¹ OJ L 169, 10.7.2000, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ L 189, 27.6.2014, p. 1.

- (5) Moreover it cannot be adopted either in accordance with the procedure laid down in Article 36(1) of Regulation (EU) No 652/2014. Therefore, and given the particular transitional situation, the 2015 work programme should be specified in this Decision.
- (6) In accordance with Article 84 of Regulation (EU, Euratom) No 966/2012, the commitment of expenditure from the Union budget is to be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution. Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁴ establishes detailed rules on the financing decision. Therefore, and in order to ensure the financial support by the Union to the implementation by the Member States of the 17 annual programmes that they have submitted for the surveillance of pests of plants, it is necessary to adopt this financing Decision for the year 2015.
- (7) For the application of this Decision, it is appropriate to define the term 'substantial change' within the meaning of Article 94(4) of Delegated Regulation (EU, Euratom) No 1268/2012, to ensure clarity in the case where cumulated changes to the allocations to specific actions take place.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS DECIDED AS FOLLOWS:

Article 1

Union contribution

1. The maximum Union financial contribution for the survey programmes of the Member States for pests for implementation in the year 2015 is hereby set at EUR 7 585 000 and shall be financed from the following line of the general budget of the European Union for 2015:
Budget line 17.04.02: EUR 10 000 000.
2. The survey programmes submitted by the Member States are consistent with the work programme for 2015 laid down in the Annex.
3. The indicative percentages of the overall budget allocated per category of pests as listed in point 3 of the Annex to this Decision, are the following:
 - (a) pests listed in Section I of Part A of Annex I or Section I of Part A of Annex II to Directive 2000/29/EC: 25 %;
 - (b) pests subject to measures adopted by the Commission in accordance with Article 16(3) of Directive 2000/29/EC: 30 %;
 - (c) pests which are not listed in Directive 2000/29/EC and which represent an imminent danger to the Union territory, pests which have the potential to generate a crisis situation with serious economic and environmental consequences and pests which have an impact on trade within the Union and with third countries: 45 %.

⁴ OJ L 362, 31.12.2012, p.1

Article 2

Financing decision

This Decision and its Annex constitute a financing decision within the meaning of Article 84(2) of Regulation (EU, Euratom) No 966/2012 for actions funded from appropriations of 2015.

Article 3

Flexibility clause

Cumulated changes to the allocations to specific actions in the programmes referred to in Article 1(2) not exceeding 20% of the maximum Union financial contribution set out in Article 1(1) of this Decision shall not be considered to be substantial within the meaning of Article 94(4) of Delegated Regulation (EU, Euratom) No 1268/2012, where those changes do not significantly affect the nature of the actions and objective of the work programmes referred to in Article 1. The increase of the maximum Union financial contribution set out in Article 1(1) of this Decision shall not exceed 20%.

The authorising officer responsible may adopt the changes referred to in the first paragraph in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 3.2.2015

For the Commission

Vytienis ANDRIUKAITIS

Member of the Commission



EUROPEAN
COMMISSION

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ANNEX 1

ANNEX

to the

COMMISSION IMPLEMENTING DECISION

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ANNEX

1. LEGAL BASIS

Article 21 of Regulation (EU) No 652/2014 lays down rules concerning survey programmes of Member States for pests ('survey programmes'). Article 45(2) of that Regulation provides that survey programmes submitted to the Commission by 30 April 2014 for implementation in the year 2015 are eligible for Union funding on the basis of Article 23(6) of Directive 2000/29/EC.

2. BUDGET LINE

The budget line is 17 04 02.

3. PRIORITIES FOR THE YEAR 2015

Annex III to Regulation (EU) No 652/2014 sets out the following priorities for Union financial support, as regards the orientation of survey programmes:

- (a) pests listed in Section I of Part A of Annex I and Section I of Part A of Annex II to Directive 2000/29/EC as not known to occur in the Union territory ('not known to occur listed pests');
- (b) pests subject to measures adopted by the Commission in accordance with Article 16(3) of Directive 2000/29/EC, i.e.:
 - *Anoplophora chinensis* (Forster) (Decision 2012/138/EC)
 - *Epitrix* spp. (Decision 2012/270/EU)
 - *Gibberella circinata* Nirenberg & O'Donnell (Decision 2007/433/EC)
 - Pepino mosaic virus (Decision 2004/200/EC)
 - *Phytophthora ramorum* Werres, De Cock & Man in 't Veld sp. nov. (Decision 2002/757/EU)
 - *Bursaphelenchus xylophilus* (Steiner et Buhner) Nickle et al. (Decision 2012/535/EC)
 - *Pomacea* (Perry) (Decision 2012/697/EU)
 - Potato spindle tuber viroid (Decision 2007/410/EC)
 - *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto (Decision 2012/756/EU)
 - *Rhynchophorus ferrugineus* (Olivier) (Decision 2007/365/EC)
 - *Xylella fastidiosa* (Well and Raju) (Decision 2014/497/EU)
- (c) pests which are not listed in Directive 2000/29/EC and which represent an imminent danger to the Union territory ('non-listed pests');
- (d) pests which have the potential to generate a crisis situation with serious economic and environmental consequences;
- (e) pests **which** have an impact on trade within the Union and with third countries.

4. OBJECTIVES PURSUED

The objectives of the survey programmes shall be the following:

- (a) The general objective is to contribute to a high level of health for plants along the food chain and in related areas, by preventing and eradicating diseases, ensuring a high level of protection for consumers and the environment, while enhancing the competitiveness of the Union food and feed industry and favouring the creation of jobs.
- (b) The **specific** objective is to cover the Union territory by surveys for pests, in particular for pests not known to occur in the Union territory and pests considered to be most dangerous for the Union territory.
- (c) The **operational** objectives shall be the following:
 - (i) To reliably define the official pest status of listed pests, and to ensure the possibility of early and appropriate action against the presence of, in particular:
 - the non-listed pests representing an imminent danger for the EU territory,
 - the not known to occur listed pests,
 - the pests subject to measures adopted by the Commission in accordance with Article 16(3) of Directive 2000/29/EC, and
 - the potato pests subject to the measures laid down in Council Directive 69/464/EEC of 8 December 1969 on control of Potato Wart Disease¹, Council Directive 93/85/EEC of 4 October 1993 on the control of potato ring rot², Council Directive 98/57/EC of 20 July 1998 on the control of *Ralstonia solanacearum* (Smith) Yabuuchi et al³ or Council Directive 2007/33/EC of 11 June 2007 on the control of potato cyst nematodes and repealing Directive 69/465/EEC⁴.
 - (ii) To timely identify and detect emerging risks as regards non-listed pests which represent an imminent danger for the EU territory.
 - (iii) To assess and improve the functioning of the EU plant health legislation (notably Directive 2000/29/EC and the pests mentioned in point c(i) third and fourth indent) by monitoring the risks of listed pests and non-listed pests as a follow-up to notifications of interceptions of imported commodities infested with these pests.

5. FORESEEN RESULTS OF THE SURVEY PROGRAMMES

The foreseen results of the survey programmes shall be the following:

- (a) Reliable data on the absence or the presence of:
 - (i) the listed pests;

¹ OJ L323, 24.12.1969, p. 1

² OJ L 259, 4.10.1993, p. 1.

³ OJ L235, 21.08.1998, p.1

⁴ OJ L 156, 16.6.2007, p. 12

- (ii) the pests subject to measures adopted by the Commission in accordance with Article 16(3) of Directive 2000/29/EC on specified crops, trees and the environment, including data on their distribution in the Union territory;
 - (iii) the potato pests subject to the measures laid down in Council Directives 69/464/EEC, 93/85/EEC, 98/57/EC or 2007/33/EC.
- (b) Knowledge of concrete emerging risks as regards non-listed pests which represent an imminent danger for the EU territory.
 - (c) Data on the risks of specific types of imports, generated by monitoring the risks of listed pests and non-listed pests as a follow-up to notifications of interceptions of imported commodities infested with these pests.

6. ELIGIBILITY AND AWARD CRITERIA

The survey programmes shall be implemented under the sole responsibility of the competent authorities of the Member States.

As provided for in Article 3(2) of Regulation (EU) No 652/2014, when grants are awarded to the competent authorities of the Member States, they shall be considered to be identified beneficiaries within the meaning of Article 128(1) of Regulation (EU, Euratom) No 966/2012. Therefore, such grants may be awarded without a call for proposals.

6.1. Eligibility criteria for submitted survey programmes

- (a) Programmes must be submitted to the Commission by the central competent authority ("single authority" in the sense of Article 1.4, first paragraph, of Directive 2000/29/EC) of the Member States that will also supervise and coordinate their implementation. Only survey programmes for which the implementation is compulsory in the Member States may receive a Union financial contribution;
- (b) Survey programmes must be submitted by 30 April 2014 in accordance with Article 45(2) of Regulation (EU) No 652/2014;
- (c) Survey programmes must comply with Article 23(6) of Directive 2000/29/EC and Articles 19, 20 and 21 of Regulation (EU) No 652/2014.

6.2. Award criteria for survey programmes submitted to the Commission

Each survey programme submitted to the Commission with a view to obtaining Union funding shall be individually evaluated based on the following criteria:

- (a) the consistency of the survey programme with the objectives listed in point 4 and expected results listed in point 5;
- (b) the overall quality of the survey programme, namely, the relevance of the planned activities in terms of the type of the measures proposed and quantities thereof;
- (c) the cost efficiency of the survey programme, including management costs.

Each survey programme shall be evaluated on its own merit and only assessed against the award criteria listed in (a) to (c). Therefore, no comparative assessment between submitted programmes shall be required.

7. INDICATIVE TIMETABLE OF THE GRANTS

January 2015.

8. MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

Article 45(2) of Regulation (EU) No 652/2014 provides that the survey programmes for implementation in the year 2015 are eligible for Union funding on the basis of Article 23(6) of Directive 2000/29/EC. Article 23(6) of Directive 2000/29/EC provides that the financial contribution from the Union is to cover up to 50% of the eligible expenditure.