



# Report to present the experience gained from the extension of the plant passport system to all movement of plants for planting within the Union territory

Report under Article 79 of Regulation (EU) 2016/2031

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

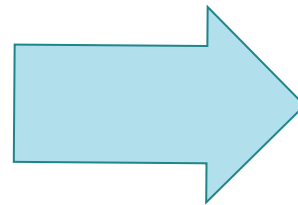
*2 May 2022*

- 1. Introduction**
- 2. Extension of the plant passport (PP) system to all plants for planting**
- 3. Other PP system elements covered by the questionnaire**
  - 3.1. Harmonised format of the PP
  - 3.2. Attachment of the PP to the trade unit
  - 3.3. Requirements on authorised operators to issue PP
  - 3.4. Distance sales – PP for final users
  - 3.5. Electronic PP
  - 3.6. Regulated non-quarantine pests
  - 3.7. General awareness of PP
- 4. Conclusions**
- 5. Next steps / Way forward**

# 1. Introduction

## **Directive 2000/29/EC**

**PLANT PASSPORT** for specified species of plants and seeds, and certain types of plant material

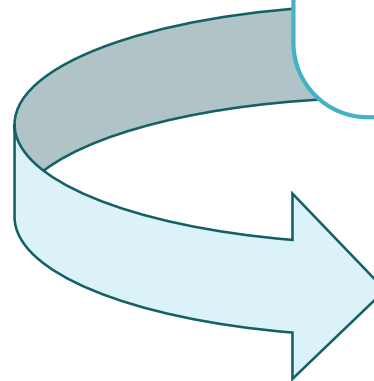


## **Regulation (EU) 2016/2031**

**PLANT PASSPORT** extended to all plants for planting and a larger range of seeds

+

Provisions to strengthen the system



Article 79(6), by 14 December 2019: report on the experience gained from the extension of the plant passport system to all movement of plants for planting within the Union territory including a clear cost-benefit analysis for the operators, accompanied, if appropriate by a legislative proposal.

# 1. Introduction



**Lack of public available data**

(December 2019 - February 2021)



No overall reporting obligations for the MSs



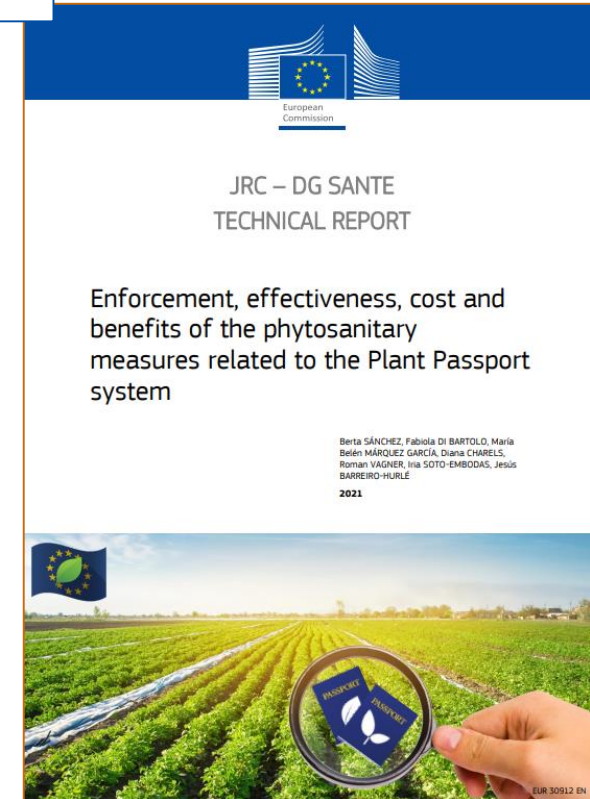
**Questionnaire**  
Validated by MSs and EU associations



24 NPPOs  
9 Certification CAs from 7 MSs  
43 operators from 10 MSs  
44 national associations from 13 MSs  
50 replies from citizens from 5 MSs  
7 EU-level associations



No results yet from audits



# 1. Introduction

## Limitations of the report

1. Limited contribution from Certification CAs, operators, associations and citizens and as such, the analysis cannot be conclusive for these stakeholder groups;
2. Short time between the entry into application of the different provisions and the feedback request;
3. The impact of COVID-19 pandemic on trade and activities related to the scope of this report.

## 2. Extension of the PP system

Article 79

Introduced



obligation for **all plants for planting**, other than seeds, **to be accompanied by a PP** for their movement within the Union territory.



Aims of the extension of the PP system

- increasing the effectiveness of protection against Union QPs,
- improving the preparedness for the identification of new plant pests of EU concern,
- having a uniform application of the policy,
- having a better understanding and awareness of relevant stakeholders.

## 2. Extension of the PP system

The extension of the PP was perceived as positive because it

Increased the traceability of the plants (by half of the respondents)

Increased or didn't change the effectiveness of protection against QP (by majority of the respondents)

Improved or didn't change the preparedness for the identification of new plant pests of EU concern (by most of the respondents)

Improved or didn't change the understanding and awareness of relevant stakeholders (by most of the respondents)

## 2. Extension of the PP system

The extension of the PP

**Perception in relation to:**

- Transition
- Implementation
- Complexity of issuing/replacing PP

**burdensome and difficult**  
(2/3 of the stakeholders)  
**manageable or no changes**  
(1/4 of the stakeholders)

Perception of the changes related, apart from certain specific aspects, to a short period of time between the application of the new rules and the evaluation exercise for this report (December 2019 – February 2021).



## 2. Extension of the PP system

Aim:

- identify the groups of plants that triggered the most technical difficulties

Ask stakeholders to list up to **3 plants/groups of plants** for which due to the extension of the PP to all plants for planting they had:

- experienced the most technical difficulties
- experienced the greater technical ease

The same groups of plants were listed in both cases, but with lower number of replies in the second question.

## 2. Extension of the PP system

### Changes in the staff and the workload

NPPOs



Bigger impact on the workload than in the staff.  
institutions reached maximum staff ceiling and increased workload

Operators



- No uniform impact on the staff
  - More than half declared no changes or no opinion
  - others declared both, increases or decreases
- increased the workload
  - More than half of the operators that replied

# 3.1. Harmonised format of PP

Article 83

Introduced



Common format for the PP to ensure uniform conditions for the implementation of the Regulation

Stakeholders views:

Transition: manageable or easy for most of the stakeholders

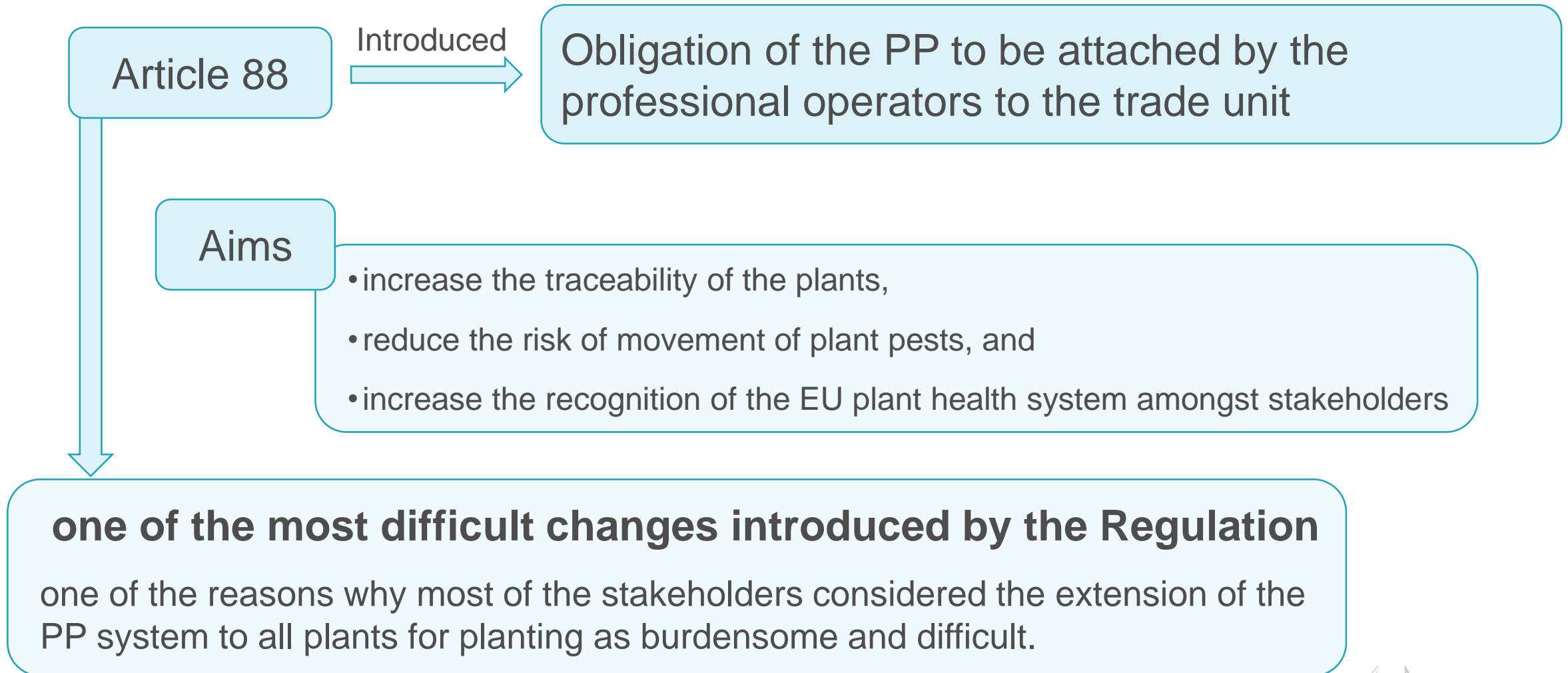
Implementation and complexity: rated quite positively, as there were more positive than negative replies

Changes in the staff and workload

Similar impact on the staff and workload for operators

Bigger impact for the workload of the NPPOs

## 3.2. Attachment of the PP to the trade unit



## 3.2. Attachment of the PP to the trade unit

General stakeholders' views:

**Transition:** burdensome or very burdensome by 65% of the stakeholders

**Implementation:** complicated or much more complicated by 81% of the stakeholders

**Complexity** process to issue or replace the PP: more difficult by 50% of the stakeholders.

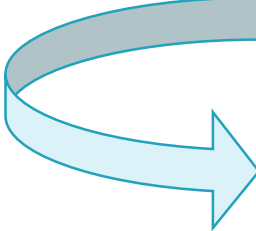
Difficulties: attachment to some types of plants (turf in rolls, logs of wood), consignments with multiple small lots, lots with multiple species or multiple species in a single pot

## 3.2. Attachment of the PP to the trade unit

Differences between NPPOs and operators

**NPPOs:** useful and contributed to an increased prevention

**Operators:** not useful and not contributed to increased prevention



suggested to allow the PP to be included in the delivery documents, such as invoices and to introduce an electronic version of the PP

## 3.2. Attachment of the PP to the trade unit

Changes in the staff and workload

Bigger impact on the workload of NPPOs than operators

Operators

Additional costs and time for operators and supply chain (some types of materials, need of IT systems, equipment)

Administrative burden

Need for **intensive communication** to inform operators due to the transition to the new PP rules.

# 3.3. Requirements on authorised operators

New requirements



- ensure uniformity in the application of the PP system
- increase the credibility of the information contained in the PP

For the **operators** issuing PP:

- rules to ensure the traceability of the plants (Art 69)
- conditions for the examinations (Art 87)
- conditions for the authorisation of professional operators to issue PP (Art 89)
- obligations of these authorised operators (Art 90)

For the **NPPOs**, detailed rules:

- for the registration of professional operators (Art 65 and 66)
- for the authorisation of professional operators to issue plant passports (Art 89)



## 3.3. Requirements on authorised operators

PP should generally be issued by authorised operators

24 MSs  
replied

- In **12 MSs**, PP is issued by authorised operators
- In **6 MSs**, PP is issued by Competent authorities
- In **3 MSs**, PP is issued by both
- In **3 MSs**, PP issuer depends on the commodity

general agreement (more than 70% of the respondents) that it is not necessary that the competent authority issues the PP for certain plants

Only in a minority of Member States, 7 out of 24, fees are charged by public authorities to operators to authorise them to issue PP.

## 3.3. Requirements on authorised operators

Delays regarding the registration of the professional operators in some MSs (Art 65)

Up to the date when the questionnaire was replied:

- in 13 out of 23 MSs that replied to the question, all the professional operators were already registered
- work was still ongoing in the other MSs
  - the delays are because there are new operators that were not issuing PP before, the need to set a new IT system for registration or lack of information on distance sellers.

# 3.3. Requirements on authorised operators

Article 89 on the authorisation of professional operators to issue PP has been supplemented by Commission Delegated Regulation (EU) 2019/827

Article 2 - competent authorities to ensure that professional operators have access to a technical guidance on the criteria to be fulfilled in the examinations relating to the issuance of PP.

*Regulation 2019/827 applicable from 14/12/2020, questionnaire launched in 02/2021.*

## NPPOs

- half have already provided that technical guidance,

## Operators

- Higher percentage of those who has already received the technical guidance than of those who have not received yet
- The quality of the guidance provided was rated insufficient only by a minority of the respondent operators, the other replies rating it mostly average or good.

## 3.3. Requirements on authorised operators

The possibility to identify pests since the operators are responsible for the examinations in order to issue the PP has improved

- almost half of the operators declared that they use their own expertise to ensure the detection of QPs in their premises
- 44.2% of the operators replied that they outsourced it.

Changes in the staff and workload

Increased workload for both, operators and NPPOs

## 3.3. Requirements on authorised operators

Data of the total number of registered operators and authorised operators subjected to the PP for the years 2018, 2019 and 2020

16 NPPOs

- since 2019 the total number of registered operators have increased by 17%.
- the total number of professional operators authorised to issue PP have more than doubled between 2019 and 2020.

## 3.4. Distance sales – PP for final users

Article 81

exception of the requirements of PP for final user, but not for the plants received by means of sales through **distance contracts**

- Half of the respondents: appropriate
- About 40% of respondents: unnecessary or burdensome
- NPPOs: more than half considered appropriate,
- Operators: only one quarter considered appropriate, more than half considered it unnecessary or burdensome.

In some specific sectors, e.g. in plant varieties conservation activities, the impact of the provisions was considered as disproportionate to their capacities.

## 3.4. Distance sales – PP for final users

**Enforcement** of PP to final users receiving plants by means of sales through distance contracts: evenly distributed between appropriate and inappropriate (about 40% no opinion on this issue).

**Clarity:** insufficient (half of the NPPOs), different approaches by MSs

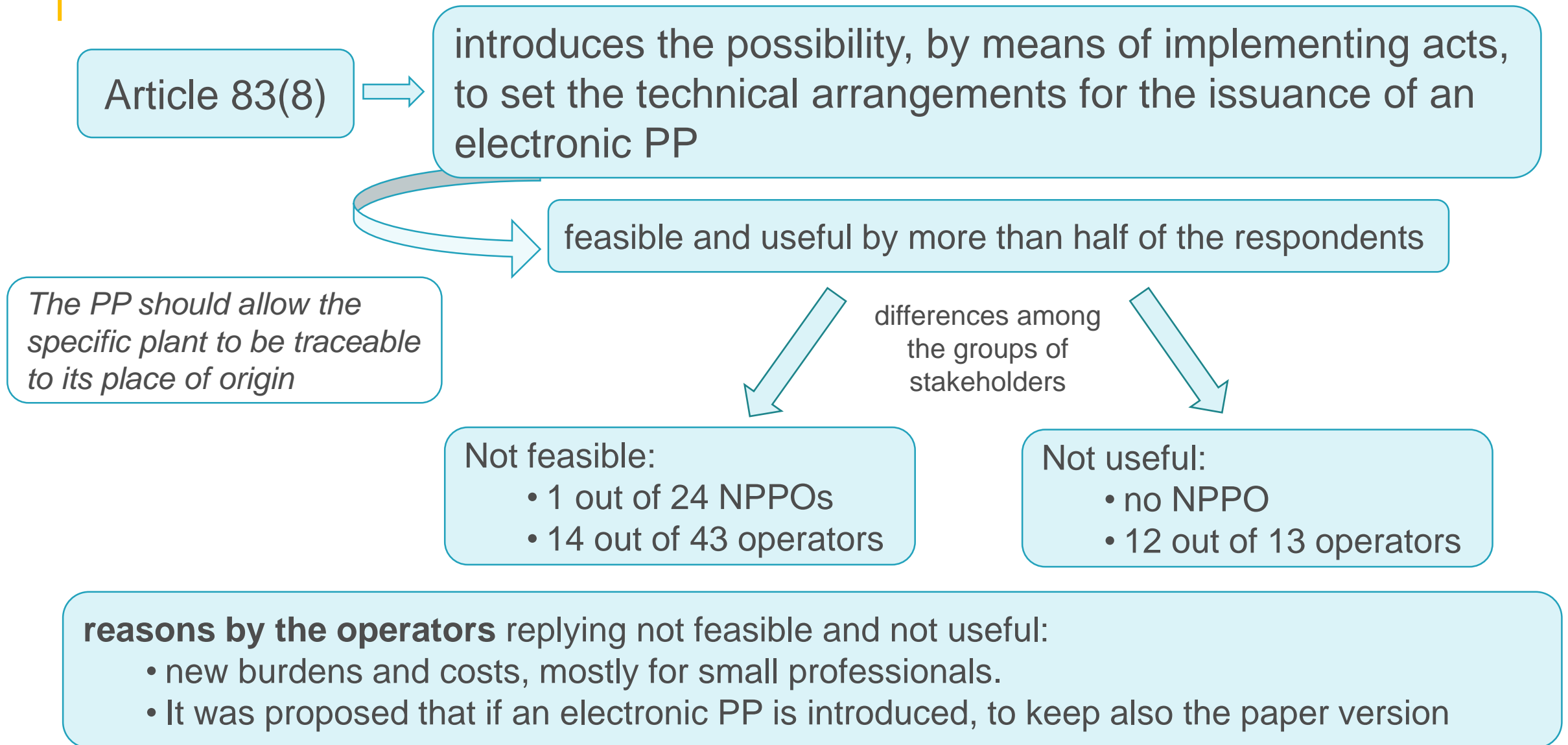
**Need for more harmonised approach:** evenly distributed between necessary and unnecessary (about a quarter of the respondents expressed no opinion on this issue)

### Changes in the staff and workload

few changes in the staff of NPPOs and operators

Increase workload of NPPOs

## 3.5. Electronic PP





## 3.6. Regulated non-quarantine pests

PP



Guarantee freedom of QPs and also now of RNQPs

Need for more coherence between the PHR and PRM legislation  
(fruit propagating material and fruit plants and vine propagating material)

No impact on the efficiency of the official controls for RNQPs as most NPPOs and CA were already carrying out the controls for QP and RNQP together before

- No significant impact on the number of official controls from RNQPs
- No increase in non-compliances

In case of **non-compliance**: inform MSs and reject the consignment,  
(but case by case analysis is done)

## 3.7. General awareness of PP

**Over half of respondents** knew that plants have to be accompanied by a PP at the business level

**Only about a third of respondents** knew that plants bought online need to be accompanied by a PP.

Although most of them were not aware of the PP requirements for plants bought online, more than half considered this requirement as a good idea compared with only about a third who believed it is counterproductive

# 4. Conclusions

**Overall, the extended PP system has contributed towards achieving the objectives of Regulation (EU) 2016/2031, in particular towards:**

- an increased effectiveness of protection against QPs,
- improved preparedness for the identification of new plant pests of EU concern,
- improved understanding and awareness of relevant stakeholders on the plant health importance and
- increased possibility to identify pests.

# 4. Conclusions

Extension of the PP to all plants for planting



burdensome and difficult

- transition not always smooth
- the new rules not always clear



Difficult implementation in the beginning

No significant cost were declared, but there were additional administrative burden and associated costs that outweigh the perceived additional benefits:

- the need to attach the PP to each single trade unit
- the provisions governing distance sales.

Overall:

no significant change in the functioning of the plants for planting and seed sector

## 4. Conclusions

To enhance the effectiveness and practical implementation of the extended PP system and to achieve better usefulness, more discussions are needed in order to define what targeted improvements might be necessary. These concern:

(1) the provisions for the attachment of PP to trade units

(2) the arrangements for distance sales

(3) electronic PP, without increasing administrative burden on small producers and without losing the traceability to the trade units

Any putative amendment of the PP regime, however, should be limited in scope, as it would mainly relate to adjustments to the existing system.

Meeting of the AGRIFISH Council  
21-22 February 2022  
Information point

COPHs Meeting  
2-3 February 2022

# COPHs Feb 2022 - Document by FR Presidency

Discussion of the report on the extension of the Plant Passport system – focus on:

- Attachment of the plant passport to a trade unit – Art.88
- Distance sales – Art.81
- Electronic Plant Passport – Art.83

Result of the discussion:

- Confirmed the focus to be on the 3 elements – Art. 88, 81 and 83
- Member States invited to provide comments and any additional suggestions in writing

Written comments from MSs (9)

- Comments provided on the 3 elements in focus
- Additional suggestions

Follow-up discussion

- Informal COPHs meeting: 5-6 May 2022

# 5. Next steps / way forward – for discussion

## (1) The provisions for the attachment of PP to trade units

- Modification of Art 88 of PHR – to allow for derogations
- Specific commodities to be specified for which a derogation will allow a plant passport to be part of accompanying documents
- Commission technical working group to discuss the details (specify derogations, link between the document and the plants, etc.)



# 5. Next steps / way forward – for discussion

## (2) Distance sales

- Possible modification of Article 81 of PHR
- To discuss whether regulate distance sales within the Union in the same way as normal sales, i.e. a Plant Passport NOT to be required for final users
- Also to discuss – concerns of specific sectors – e.g. plant variety conservation groups

# 5. Next steps / way forward – for discussion

## (3) Electronic Plant Passports (“ePP”)

- Empowerment available in Article 83(8) of the PHR
- Added value, feasibility, technical details & timing require further discussion in a Commission technical working group

# Proposed way forward - Summary

## Attachment of a PP

- Amendment of PHR – Art.88
- Derogations for limited list of specified commodities allowing for a PP to be included in accompanying documents
- Technical details to be discussed with MSs

## Electronic Plant Passport (ePP)

- To evaluate pros & cons
- In case of steps forward – sectors/stakeholders to be involved in the discussion

## Distance sales

- Possible amendment of PHR – Art.81
- For discussion which direction to go
- Specific concerns – plant variety conservation activities/organisations

# Thank you



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