



AG plenary meeting 23 November 2020, Brussels

Progress on the legal implementation of the new Plant Health Regulation and the Seeds legislation

*G1 – Plant Health
DG Health and Food Safety*



Plant Health Regulation

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

- **Implementing Act** on derogation for the use of traceability codes
- Stakeholder consultation done

- Date of application: **14 December 2020**

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 (list of high risk plants)
- Commission Implementing Regulation (EU) 2018/2018 (procedure for risk assessment)
- Commission Implementing Regulation (EU) 2020/1213 concerning the phytosanitary measures for the introduction into the Union of certain plants, plant products and other objects which have been removed from the Annex to Implementing Regulation (EU) 2018/2019
- As of 19/11/2020: dossiers from non-EU countries for full risk assessment
 - 53 dossiers received
 - 37 accepted and sent to EFSA
 - 5 EFSA opinions published corresponding to 7 dossiers
 - 6 commodities removed from the Annex to Regulation 2018/2019, regulatory discussion ongoing for the 7th one.

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

- Commission Implementing **Regulation (EU) 2020/1231 of 27 August 2020** on the format and instructions for the annual reports on the results of the surveys and on the format of the multiannual survey programs and the practical arrangements
- Date of application: 16 September 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

- **IA** updating Annexes to Implementing Regulation (EU) 2019/2072
- **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)
- ❖ Relevant stakeholders will be **consulted** via dedicated questionnaires.
- ❖ Questionnaires will be **validated** by the Member States and the relevant stakeholders.
 - ❖ **A draft questionnaire will be sent by end of December 2020**
 - ❖ **An ad-hoc advisory group will take place mid-January 2021**
 - ❖ **A draft report will be discussed at an ad-hoc advisory group will take place mid-September 2021**

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 is working with a contractor (ICF) supporting the study with data collection and analysis
- Part of the work done by the contractor are interviews with key stakeholders
- The revision of the seed marketing legislation will be based on the outcome of the study

Update on seeds for organic farming

- With regard to the delegated act on organic heterogeneous material, the Commission has published the draft act for public feedback (deadline 27 November)
- 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 priority species has been established and work on the testing protocols will start in the near future