

# Protective measures against pests of plants

2013/0141(COD) - 06/05/2013 - Document attached to the procedure

The objective of ensuring a high level of health for humans, animals, and plants is enshrined in the Treaties underpinning the EU. Over the years, the EU has built up a **comprehensive body of law** designed to prevent and manage risks to animal and plant health and the safety of the food chain at EU and national level. The law in these policy areas is enforced by means of a common set of rules on official controls to be carried out by the competent authorities in the EU Member States.

To date, overall, the legal framework which the EU has developed has proven to be effective in preventing and countering risks. However, the modern global market increasingly exposes the EU to new risks and constantly calls for innovation and competitiveness. This, and the experience gained with EU law in this area, point to the **need to simplify and update available instruments and to further integrate the approach across the different areas**. The Commission has conducted a revision of the current legal framework for animal health, plant health, plant reproductive material and official controls aimed mainly at increasing effectiveness, consistency and legal clarity in those areas.

This Communication presents the resulting four legislative proposals in the four areas of **plant health**, **animal health**, **plant reproductive material** and **official controls** (the ‘review package’) and explains, for each of them, the current context, the rationale behind the package and the main improvements introduced. The package also includes a fifth proposal establishing a multiannual programme for EU financing of actions aimed at ensuring a high level of health for humans, animals and plants along the agri-food chain and in related areas while allowing businesses to operate in an environment that favours competitiveness and job creation.

**Importance of plant health in the EU:** the value of crops grown in the EU is EUR 205 billion annually. Without the protection afforded by plant health rules, EU agriculture, horticulture and forestry would suffer severe economic damage. A range of internationally regulated pests threatens the cultivation of crops such as wheat (value of EU exports: EUR 9 billion), potatoes (EU production value: EUR 9 billion) and tomatoes (production value: EUR 9-12 billion).

**Objectives of plant health rules in the EU:** in view of the importance of agriculture, horticulture and forestry, the first objective of plant health rules is to **protect the living products** (i.e. trees, shrubs and plants), public and private green (for example street trees, plants within public / private gardens) **and the environment by preventing the entry and spread of non-native pests**. Plant health rules secure safe trade by imposing EU import requirements and conditions for the movement of plants and plant products within the EU. A second objective is to ensure that healthy plant material is used at the beginning of the chain of plant production, by **preventing the spread of pests in seeds and planting material**.

**Challenges facing plant health rules:** since their introduction in 1977, plant health rules have protected the EU against the introduction and spread of many pests. Currently, Council Directive 2000/29/EC is the main instrument in this area. However, with trade globalisation and climate change, the EU is facing a higher risk of entry of new pests, increased opportunities for their establishment and spread, as well as increased vulnerability of agricultural and natural ecosystems. An evaluation of plant health rules carried out in 2010 showed that the current regime must adapt in order to **address new risks effectively**. The **main problems identified** by the 2010 evaluation related to:

- insufficient focus on prevention in relation to imports presenting high risks;
- the need to focus on pests which spread across Member States and so are a priority for the EU;
- the need for more effective instruments for controlling the presence and natural spread of pests;
-

- the need to modernise existing instruments for intra-EU movement (i.e. plant passports and protected zones).

**The Plant Health Law:** the proposed Regulation aims to overcome the flaws outlined above and to put into place a **robust, transparent and sustainable regulatory framework that is ‘fit for purpose’**.

Overall, **synergies with the plant reproductive material regime are reinforced**, while **avoidable duplications and unnecessary burdens are removed**. Official controls by Member States’ competent authorities on operators’ compliance with EU plant health requirements are covered in the proposal for a Regulation on Official Controls presented in this package.

The newly proposed Plant Health Law will offer the advantages of:

- **enhanced prevention on import and reinforced early eradication of outbreaks** of new pest species and financial compensation for growers hit by such quarantine pests, and
- the reinforcement and modernisation of the internal market provisions with, in particular, increased **traceability of planting material**.