

Protective measures against pests of plants: multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements and establishment of procedures for granting them, temporary import requirements for high risk plants, plant products and other objects, establishment of procedures for the listing of high risk plants, content of phytosanitary certificates, use of plant passports and certain reporting requirements for demarcated areas and surveys of pest

2023/0378(COD) - 24/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 551 votes to 24, with 15 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against plant pests.

As a reminder, Regulation (EU) 2016/2031 on protective measures against plant pests is applicable in its entirety since December 2019. The Commission proposes to improve different implementation measures of the EU phytosanitary policy, related to the need for:

- 1) Declarations in the phytosanitary certificate for regulated non-quarantine pests,
- 2) Notifications of non-compliance with the rules applicable to regulated non-quarantine pests in the electronic notification system (official controls information management system, SGICO),
- 3) Procedural rules for the submission and examination of requests for temporary exceptions to import bans submitted by non-EU countries,
- 4) Procedures to determine and list high-risk plants,
- 5) Rationalisation of the obligation to place a phytosanitary passport on certain plants.

The amended text stressed the need for enhanced clarity, transparency and coherence to ensure the correct implementation of Regulation (EU) 2016/2031 as healthy plants are vital to sustainable agricultural and horticultural production and contribute to food security and food safety and to protect the environment against pests.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Union Plant Health Emergency Team

The amended Regulation creates a Union Plant Health Emergency Team composed of experts with the purpose of providing Member States, upon their request, with urgent assistance on the measures to be taken pursuant to Articles 10 to 19, 27 and 28 of Regulation (EU) 2016/2031 concerning new outbreaks of Union quarantine pests and pests subject to the measures adopted pursuant to Article 30 of that Regulation. In well-justified cases, the Team may also provide urgent assistance to third countries bordering the Union territory or presenting an imminent phytosanitary risk for that territory, upon the request by one or more Member States and of the third country concerned, concerning the outbreaks in their territories of Union quarantine pests and pests subject to the measures adopted pursuant to Article 30 of that Regulation.

For each case of assistance, the Commission should appoint specific members of the Team, on the basis of their expertise, and in consultation with that Member State or third country concerned.

That assistance may include in particular:

- scientific, technical and managerial on-the-spot or remote assistance as regards the eradication of the pests concerned, the prevention of their spread, and other measures, in close cooperation and collaboration with the competent authorities of the Member State or third country concerned by outbreaks of pests or suspicion thereof;
- specific scientific advice on the suitable diagnostic methods in coordination with the relevant European Union reference laboratory referred to in Regulation (EU) 2017/625 and with other reference laboratories, as appropriate;
- specific assistance to support coordination among the competent authorities of the Member States or third countries and with those laboratories, as appropriate.

The content, conditions and timing of that assistance should be determined by the Commission in agreement with the Member State or third country concerned, and the respective Member State(s) providing the expert(s).

Members of the Team should be entitled to an indemnity for their participation in the Team's on-the-spot activities, and where applicable, for serving as team leaders or rapporteurs on a specific mission question.

Contingency plans for priority pests

Contingency plans may be combined for multiple priority pests with similar biology and range of host species. In those cases, the contingency plan should consist of a general part common to all priority pests covered by it and of specific parts for each priority pest concerned.

Similarly, Member States may co-operate to synchronise plans for certain species, where appropriate for priority pest species of similar biology and overlapping or adjoining ranges.

Replacement of a phytosanitary certificate with plant passports

Member States may decide to replace a phytosanitary certificate at the place of entry of the plant, plant product or other object concerned into the Union territory by:

- a certified copy of the original phytosanitary certificate. The certified copy of the original phytosanitary certificate should be issued by the competent authority and should accompany the movement of the plant, plant product or other object concerned only up to the point where the plant passport is issued; or (ii)
- the information contained in the electronic information system, on condition that the electronic phytosanitary certificate or a digital copy of the phytosanitary certificate is accessible in this system and should be made available upon request of competent authorities during the movement of the plant, plant product or other object concerned up to the point where the plant passport is issued.