

Community plant health regime: measures against harmful organisms

2001/0090(CNS) - 05/04/2001 - Legislative proposal

PURPOSE : to amend Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community. **CONTENT** : Directive 2000/29/EC established the Community Plant Health Regime, containing all measures and actions to be taken to prevent the introduction into and the spread within the Community of organisms harmful to plants or plant products. With a view to a further adjustment of the Plant Health Regime to the conditions of the Internal Market, these measures should be amended to introduce provisions for: - specification of the procedures for the clearance of imports of plants or plant products from third countries into the Community by the official phytosanitary bodies in the Member States in cooperation with the customs authorities; - the introduction of the principle of harmonised fees to be charged for the carrying out of phytosanitary import inspections, and the levels thereof. This proposal is designed for that purpose. At the same time, in light of experience, the proposal aims at completion, specification or updating of various other provisions of the above Directive, in particular those relating to the format of phytosanitary certificates used for exports into third countries, the role of the "single authority" of each Member State for coordination and contact in plant health matters, the procedures for the adoption of derogation decisions or of emergency measures, plant health checks organised by the Commission and to the manner in which the Community can exercise its rights in respect of its "plant health control" financial contributions. Moreover, since the measures necessary for implementation of the Directive are measures of general scope within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission, the proposal also seeks to adjust the current provisions concerning the regulatory procedure as provided for in Article 5 of that Decision. Lastly, for compliance with the obligations under the Agreement on the Application of Sanitary and phytosanitary Measures, the procedures for the recognition of the equivalence of phytosanitary measures of other parties to that Agreement are specified in this proposal. This proposal has no implications in terms of subsidiarity, since it is based on Article 37 of the Treaty establishing the European Community and is thus within the exclusive competence of the Community. Action at Community level is justified because this proposal mainly concerns the harmonisation of technical import inspections carried out by the Member States and the harmonisation of fees to be charged for carrying out these inspections.