

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2015 OF THE JOINT COMMITTEE ON AGRICULTURE of 19 November 2015

concerning the amendment to Appendices 1, 2 and 4 to Annex 4 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products [2017/169]

THE JOINT COMMITTEE ON AGRICULTURE,

Having regard to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, and in particular Article 11 thereof,

Whereas:

- (1) The Agreement between the European Community and the Swiss Confederation on trade in agricultural products entered into force on 1 June 2002.
- (2) The purpose of Annex 4 to the Agreement is to facilitate trade between the Parties in plants, plant products and other objects subject to plant health measures. The Annex has been supplemented by a number of appendices in accordance with Articles 1, 2 and 4.
- (3) Appendices 1, 2 and 4 to Annex 4 were replaced by Decision No 1/2010 of the Joint Committee on Agriculture.
- (4) Since the entry into force of Decision No 1/2010, the legislative provisions of the Parties in the plant health field have been amended in areas which affect the Agreement.
- (5) The legislation of the Parties lays down the conditions governing checks of plants, plant products and other objects appearing on the list set out in Appendix 1, originating in third countries, which are carried out at a place other than the point of entry into their respective territory. The conditions governing these checks should be specified when the two Parties are concerned.
- (6) Consequently Appendices 1, 2 and 4 to Annex 4 should be amended,

HAS DECIDED AS FOLLOWS:

Article 1

Appendices 1 and 2 to Annex 4 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products shall be replaced by the text contained in Annex I to this Decision.

Appendix 4 to Annex 4 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products shall be replaced by the text set out in Annex II to this Decision.

Article 2

This Decision shall enter into force on 1 January 2016.

Done at Bern, 19 November 2015.

For the Joint Committee on Agriculture

*The President and Head of the
Swiss Delegation*

Adrian AEBI

*The Head of the European Union
Delegation*

Lorenzo TERZI

The Committee Secretary

Thomas MAIER

ANNEX I

APPENDIX 1

PLANTS, PLANT PRODUCTS AND OTHER OBJECTS

A. Plants, plant products and other objects, originating in either Party, for which both Parties have similar legislation leading to equivalent results and recognition of the plant passport.

1. Plants and plant products

1.1. Plants of the genera *Amelanchier* Med., *Chaenomeles* Lindl., *Crataegus* L., *Cydonia* Mill., *Eriobotrya* Lindl., *Malus* Mill., *Mespilus* L., *Prunus* L., other than *Prunus laurocerasus* L. and *Prunus lusitanica* L., *Pyracantha* Roem., *Pyrus* L. and *Sorbus* L., intended for planting, other than seeds,

1.2. Plants of *Beta vulgaris* L. and *Humulus lupulus* L., intended for planting, other than seeds

1.3. Plants of stolon- or tuber-forming species of *Solanum* L. or their hybrids, intended for planting

1.4. Plants of *Fortunella* Swingle, *Poncirus* Raf. and their hybrids, *Casimiroa* La Llave, *Clausena* Burm. f., *Vepris* Comm., *Zanthoxylum* L. and *Vitis* L., other than fruit and seeds

1.5. Without prejudice to point 1.6, plants of *Citrus* L. and their hybrids other than fruit and seeds

1.6. Fruits of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf. and their hybrids, with leaves and peduncles

1.7. Wood originating in the Union which has totally or partially retained its natural round surface, with or without bark, or which is presented in the form of chips, particles, sawdust, wood waste or scrap,

(a) has been obtained in whole or part from *Platanus* L., including wood which has not kept its natural round surface; and

(b) meets one of the descriptions of Annex I, Part II of Council Regulation (EEC) No 2658/87 ⁽¹⁾, which appear in the table below:

CN code	Description
4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
4401 22 00	Non-coniferous wood, in chips or particles
ex 4401 30 80	Wood waste and scrap (other than sawdust), not agglomerated in logs, briquettes, pellets or similar forms
4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood, or roughly squared

⁽¹⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

CN code	Description
ex 4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.) or beech (<i>Fagus</i> spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives
ex 4404 20 00	Non-coniferous split poles; piles and pickets of wood, pointed but not sawn lengthwise
ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.) or beech (<i>Fagus</i> spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm

2. Plants, plant products and other objects produced by producers whose production and sale is authorised to persons professionally engaged in plant production, other than those plants, plant products and other objects which are prepared and ready for sale to the final consumer, and for which it is ensured by the responsible official bodies of the Member States of the Union or Switzerland, that the production thereof is clearly separate from that of other products
 - 2.1. Plants, intended for planting (other than seeds) of the genera *Abies* Mill. and *Apium graveolens* L., *Argyranthemum* spp., *Asparagus officinalis* L., *Aster* spp., *Brassica* spp., *Castanea* Mill., *Cucumis* spp., *Dendranthema* (DC.) Des Moul., *Dianthus* L. and hybrids, *Exacum* spp., *Fragaria* L., *Gerbera* Cass., *Gypsophila* L., *Impatiens* L. (all varieties of New Guinea hybrids), *Lactuca* spp., *Larix* Mill., *Leucanthemum* L., *Lupinus* L., *Pelargonium* l'Hérit. ex Ait., *Picea* A. Dietr., *Pinus* L., *Platanus* L., *Populus* L., *Prunus laurocerasus* L., *Prunus lusitanica* L., *Pseudotsuga* Carr., *Quercus* L., *Rubus* L., *Spinacia* L., *Tanacetum* L., *Tsuga* Carr., *Verbena* L. and other plants of herbaceous species (other than plants of the family Gramineae) intended for planting (and other than bulbs, corms, rhizomes, seeds and tubers)
 - 2.2. Plants of Solanaceae, other than those referred to in point 1.3 intended for planting, other than seeds
 - 2.3. Plants of Araceae, Marantaceae, Musaceae, Persea spp. and Strelitziaceae, rooted or with growing medium attached or associated
 - 2.4. Plants of Palmae, having a diameter of the stem at the base of over 5 cm and belonging to the following genera or species: *Brahea* Mart., *Butia* Becc., *Chamaerops* L., *Jubaea* Kunth., *Livistona* R. Br., *Phoenix* L., *Sabal* Adans., *Syagrus* Mart., *Trachycarpus* H. Wendl., *Trithrinax* Mart., *Washingtonia* Raf.
 - 2.5. Plants, seeds and bulbs:
 - (a) Seeds and bulbs of *Allium ascalonicum* L., *Allium cepa* L. and *Allium schoenoprasum* L. intended for planting and plants of *Allium porrum* L. intended for planting
 - (b) Seeds of *Medicago sativa* L.
 - (c) Seeds of *Helianthus annuus* L., *Solanum lycopersicum* L. and *Phaseolus* L.
3. Bulbs, corms, tubers and rhizomes of *Camassia* Lindl., *Chionodoxa* Boiss., *Crocus flavus* Weston 'Golden Yellow', *Dahlia* spp., *Galanthus* L., *Galtonia candicans* (Baker) Decne., miniature cultivars and their hybrids of the genus *Gladiolus* Tourn. ex L., such as *Gladiolus callianthus* Marais, *Gladiolus colvillei* Sweet, *Gladiolus nanus* hort., *Gladiolus ramosus* hort. and *Gladiolus tubergenii* hort., *Hyacinthus* L., *Iris* L., *Ismene* Herbert, *Lilium* spp., *Muscari* Miller, *Narcissus* L., *Ornithogalum* L., *Puschkinia* Adams, *Scilla* L., *Tigridia* Juss. and *Tulipa* L. intended for planting, produced by producers whose production and sale is authorised to persons professionally engaged in plant production, other than those plants, plant products and other objects which are prepared and ready for sale to the final consumer, and for which it is ensured by the responsible official bodies of the Member States of the Union or Switzerland that the production thereof is clearly separate from that of other products.

B. Plants, plant products and other objects, originating outside the territories of the Parties, for which the plant-health provisions of both Parties relating to imports lead to equivalent results and which may be traded between them with a plant passport if they are listed in Part A of this Appendix or freely if not listed therein.

1. Without prejudice to the plants listed in part C of this Appendix, all plants intended for planting, other than seeds but including the seeds of: *Cruciferae*, *Gramineae*, *Trifolium* spp., originating in Argentina, Australia, Bolivia, Chile, New Zealand and Uruguay, genera *Triticum*, *Secale* and *X Triticosecale* from Afghanistan, India, Iran, Iraq, Mexico, Nepal, Pakistan, South Africa and the USA, *Citrus* L., *Fortunella* Swingle and *Poncirus* Raf. and their hybrids, *Capsicum* spp., *Helianthus annuus* L., *Solanum lycopersicum* L., *Medicago sativa* L., *Prunus* L., *Rubus* L., *Oryza* spp., *Zea mais* L., *Allium ascalonicum* L., *Allium cepa* L., *Allium porrum* L., *Allium schoenoprasum* L. and *Phaseolus* L.
2. Parts of plants, other than fruits and seeds, of:
 - *Castanea* Mill., *Dendranthema* (DC.) Des Moul., *Dianthus* L., *Gypsophila* L., *Pelargonium* l'Herit. ex Ait, *Phoenix* spp., *Populus* L., *Quercus* L., *Solidago* L. and cut flowers of *Orchidaceae*,
 - Conifers (*coniferales*)
 - *Acer saccharum* Marsh., originating in the USA and Canada
 - *Prunus* L., originating in non-European countries
 - Cut flowers of *Aster* spp., *Eryngium* L., *Hypericum* L., *Lisianthus* L., *Rosa* L. and *Trachelium* L., originating in non-European countries
 - Leafy vegetables of *Apium graveolens* L., *Ocimum* L., *Limnophila* L. and *Eryngium* L.
 - Leaves of *Manihot esculenta* Crantz
 - Cut branches of *Betula* L. with or without foliage
 - Cut branches of *Fraxinus* L., *Juglans ailantifolia* Carr., *Juglans mandshurica* Maxim., *Ulmus davidiana* Planch. and *Pterocarya rhoifolia* Siebold & Zucc., with or without foliage, originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA
 - *Amiris* P. Browne, *Casimiroa* La Llave, *Citropsis* Swingle & Kellerman, *Eremocitrus* Swingle, *Esenbeckia* Kunth., *Glycosmis* Corrêa, *Merrillia* Swingle, *Naringi* Adans., *Tetradium* Lour., *Toddalia* Juss. and *Zanthoxylum* L.
- 2.1. Parts of plants, other than fruits but including seeds, of *Aegle* Corrêa, *Aeglopsis* Swingle, *Afraegle* Engl., *Atalantia* Corrêa, *Balsamocitrus* Stapf, *Burkillanthus* Swingle, *Calodendrum* Thunb., *Choisya* Kunth, *Clausena* Burm. f., *Limonia* L., *Microcitrus* Swingle, *Murraya* J. Koenig ex L., *Pamburus* Swingle, *Severinia* Ten., *Swinglea* Merr., *Triphasia* Lour. and *Vepris* Comm.
3. Fruits of:
 - *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf. and their hybrids, *Momordica* L. and *Solanum melongena* L.
 - *Annona* L., *Cydonia* Mill. *Diospyros* L., *Malus* Mill., *Mangifera* L., *Passiflora* L., *Prunus* L., *Psidium* L., *Pyrus* L., *Ribes* L. *Syzygium* Gaertn., and *Vaccinium* L., originating in non-European countries.
 - *Capsicum* L.
4. Tubers of *Solanum tuberosum* L.
5. Isolated bark of:
 - conifers (*Coniferales*), originating in non-European countries,
 - *Acer saccharum* Marsh, *Populus* L., and *Quercus* L. other than *Quercus suber* L.,

— *Fraxinus* L., *Juglans ailantifolia* Carr., *Juglans mandshurica* Maxim., *Ulmus davidiana* Planch. and *Pterocarya rhoifolia* Siebold & Zucc., originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

— *Betula* L., originating in Canada and the USA.

6. Wood within the meaning of the first subparagraph of Article 2(2) of Council Directive 2000/29/EC ⁽¹⁾, where it:

(a) has been obtained in whole or part from one of the order, genera or species as described hereafter, except wood packaging material defined in Annex IV, Part A, Section I, Point 2 of Directive 2000/29/EC:

— *Quercus* L., including wood which has not kept its natural round surface, originating in the USA, except wood which meets the description referred to in (b) of CN code 4416 00 00 and where there is documented evidence that the wood has been processed or manufactured using a heat treatment to achieve a minimum temperature of 176 °C for 20 minutes

— *Platanus* L., including wood which has not kept its natural round surface, originating in the USA or Armenia

— *Populus* L., including wood which has not kept its natural round surface, originating in countries of the American continent

— *Acer saccharum* Marsh., including wood which has not kept its natural round surface, originating in the USA and Canada

— Conifers (*Coniferales*), including wood which has not kept its natural round surface, originating in non-European countries, Kazakhstan, Russia and Turkey

— *Fraxinus* L., *Juglans ailantifolia* Carr., *Juglans mandshurica* Maxim., *Ulmus davidiana* Planch. and *Pterocarya rhoifolia* Siebold & Zucc., including wood which has not kept its natural round surface, originating in Canada, China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea, Russia, Taiwan and USA

— *Betula* L., including wood which has not kept its natural round surface, originating in Canada and the USA; and

(b) meets one of the descriptions of Annex I, Part II of Regulation (EEC) No 2658/87, which appear in the table below:

CN code	Description
4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
4401 21 00	Coniferous wood, in chips or particles
4401 22 00	Non-coniferous wood, in chips or particles
ex 4401 30 40	Sawdust, not agglomerated in logs, briquettes, pellets or similar forms
ex 4401 30 80	Other wood waste and scrap, not agglomerated in logs, briquettes, pellets or similar forms
4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, not stripped of bark or sapwood, or roughly squared

⁽¹⁾ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1).

CN code	Description
4403 20	Coniferous wood in the rough, other than treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood, or roughly squared
4403 91	Oak wood (<i>Quercus</i> spp.) in the rough, other than treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood, or roughly squared
ex 4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.), beech (<i>Fagus</i> spp.) or birch (<i>Betula</i> L.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives
4403 99 51	Sawlogs of birch (<i>Betula</i> L.) in the rough, whether or not stripped of bark or sapwood, or roughly squared
4403 99 59	Wood of birch (<i>Betula</i> L.) in the rough, whether or not stripped of bark or sapwood, or roughly squared, other than sawlogs
ex 4404	Split poles; piles, pickets and stakes of wood, pointed but not sawn lengthwise
4406	Railway or tramway sleepers (cross-ties) of wood
4407 10	Coniferous wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
4407 91	Oak wood (<i>Quercus</i> spp.), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
ex 4407 93	Wood of <i>Acer saccharum</i> Marsh, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
4407 95	Wood of ash (<i>Fraxinus</i> spp.) sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.), beech (<i>Fagus</i> spp.), maple (<i>Acer</i> spp.), cherry (<i>Prunus</i> spp.) or ash (<i>Fraxinus</i> spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm
4408 10	Coniferous sheets for veneering (including those obtained by slicing laminated wood), for plywood or for similar laminated wood and other wood, sawn lengthwise, sliced or peeled, whether or not planed, sanded, spliced or end-jointed, of a thickness not exceeding 6 mm
4416 00 00	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood, including staves
9406 00 20	Pre-fabricated constructions made of wood

7. Soil and growing medium

- (a) Soil and growing medium as such, which consists in whole or in part of soil or solid organic substances such as parts of plants, humus including peat or bark, other than that composed entirely of peat.
- (b) Soil and growing medium, attached to or associated with plants, consisting in whole or in part of material specified in (a) or consisting in part of any solid inorganic substance, intended to sustain the vitality of the plants, originating in:
 - Turkey,
 - Belarus, Georgia, Moldova, Russia or Ukraine,
 - non-European countries, other than Algeria, Egypt, Israel, Libya, Morocco or Tunisia.

8. Grain of the genera *Triticum*, *Secale* and *X Triticosecale* originating in Afghanistan, India, Iran, Iraq, Mexico, Nepal, Pakistan, South Africa and the USA.**C. Plants, plant products and other objects, coming from either Party, for which the Parties do not have similar legislation and do not recognise the plant passport.**

1. Plants and plant products coming from Switzerland which must be accompanied by a plant-health certificate when imported by a Member State of the Union

1.1. Plants intended for planting, not including seeds

Not applicable

1.2. Parts of plants, not including fruit or seeds

Not applicable

1.3. Seeds

Not applicable

1.4. Fruits

Not applicable

1.5. Wood which has totally or partially retained its natural round surface, with or without bark, or which is presented in the form of chips, particles, sawdust, wood waste or scrap

(a) has been obtained in whole or part from *Platanus* L., including wood which has not kept its natural round surface; and

(b) meets one of the descriptions of Annex I, Part II of Regulation (EEC) No 2658/87, which appear in the table below:

CN code	Description
4401 10 00	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms
4401 22 00	Non-coniferous wood, in chips or particles
ex 4401 30 80	Wood waste and scrap (other than sawdust), not agglomerated in logs, briquettes, pellets or similar forms
4403 10 00	Wood in the rough, treated with paint, stains, creosote or other preservatives, whether or not stripped of bark or sapwood, or roughly squared

CN code	Description
ex 4403 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.) or beech (<i>Fagus</i> spp.)), in the rough, whether or not stripped of bark or sapwood, or roughly squared, not treated with paint, stains, creosote or other preservatives
ex 4404 20 00	Non-coniferous split poles; non-coniferous piles and pickets of wood, pointed but not sawn lengthwise
ex 4407 99	Non-coniferous wood (other than tropical wood specified in subheading note 1 to Chapter 44 or other tropical wood, oak (<i>Quercus</i> spp.) or beech (<i>Fagus</i> spp.)), sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6 mm

2. Plants and plant products coming from a Member State of the Union which must be accompanied by a plant-health certificate when imported into Switzerland

Not applicable

3. Plants and plant products coming from Switzerland importation of which into a Member State of the Union is prohibited

Plants, not including fruit or seeds

Not applicable

4. Plants and plant products coming from a Member State of the Union importation of which into Switzerland is prohibited

Plants:

Cotoneaster Ehrh.

Photinia davidiana (Dcne.) Cardot ⁽¹⁾

APPENDIX 2

LEGISLATION ⁽²⁾

Provisions of the Union

- Council Directive 69/464/EEC of 8 December 1969 on control of potato wart disease
- Council Directive 74/647/EEC of 9 December 1974 on control of carnation leaf-rollers
- Commission Decision 91/261/EEC of 2 May 1991 recognising Australia as being free from *Erwinia amylovora* (Burr.) Winsl. *et al.*
- Commission Directive 92/70/EEC of 30 July 1992 laying down detailed rules for surveys to be carried out for purposes of the recognition of protected zones in the Community

⁽¹⁾ By way of derogation from point 4, the entry and transit of these plants through Swiss territory are authorised but the placing on the market, production and growing of these plants are prohibited in Switzerland.

⁽²⁾ Unless indicated otherwise, any reference to an act shall mean that act as amended at the latest on 1 July 2015.

- Commission Directive 92/90/EEC of 3 November 1992 establishing obligations to which producers and importers of plants, plant products or other objects are subject and establishing details for their registration
- Commission Directive 92/105/EEC of 3 December 1992 establishing a degree of standardisation for plant passports to be used for the movement of certain plants, plant products or other objects within the Community, and establishing the detailed procedures related to the issuing of such plant passports and the conditions and detailed procedures for their replacement
- Commission Decision 93/359/EEC of 28 May 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of wood of *Thuja* L., originating in the United States of America
- Commission Decision 93/360/EEC of 28 May 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of wood of *Thuja* L., originating in Canada
- Commission Decision 93/365/EEC of 2 June 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of heat-treated coniferous wood, originating in Canada, and establishing the details of the indicator system to be applied to the heat-treated wood
- Commission Decision 93/422/EEC of 22 June 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of kiln dried coniferous wood, originating in Canada, and establishing the details of the indicator system to be applied to the kiln dried wood
- Commission Decision 93/423/EEC of 22 June 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of kiln dried coniferous wood, originating in the United States of America, and establishing the details of the indicator system to be applied to the kiln dried wood
- Commission Directive 93/50/EEC of 24 June 1993 specifying certain plants not listed in Annex V, Part A to Council Directive 77/93/EEC, the producers of which, or the warehouses, dispatching centres in the production zones of such plants, shall be listed in an official register
- Commission Directive 93/51/EEC of 24 June 1993 establishing rules for movements of certain plants, plant products or other objects through a protected zone, and for movements of such plants, plant products or other objects originating in and moving within such a protected zone
- Council Directive 93/85/EEC of 4 October 1993 on the control of potato ring rot
- Commission Directive 94/3/EC of 21 January 1994 establishing a procedure for the notification of interception of a consignment or a harmful organism from third countries and presenting an imminent phytosanitary danger
- Commission Directive 98/22/EC of 15 April 1998 laying down the minimum conditions for carrying out plant health checks in the Community, at inspection posts other than those at the place of destination, of plants, plant products or other objects coming from third countries
- Council Directive 98/57/EC of 20 July 1998 on the control of *Ralstonia solanacearum* (Smith) Yabuuchi *et al.*
- Commission Decision 98/109/EC of 2 February 1998 authorising Member States temporarily to take emergency measures against the dissemination of *Thrips palmi* Karny as regards Thailand
- Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community
- Commission Decision 2002/757/EC of 19 September 2002 on provisional emergency phytosanitary measures to prevent the introduction into and the spread within the Community of *Phytophthora ramorum* Werres, De Cock & Man in 't Veld sp. nov.
- Commission Decision 2002/499/EC of 26 June 2002 authorising derogations from certain provisions of Council Directive 2000/29/EC in respect of naturally or artificially dwarfed plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., originating in the Republic of Korea

- Commission 2002/887/EC Decision of 8 November 2002 authorising derogations from certain provisions of Council Directive 2000/29/EC in respect of naturally or artificially dwarfed plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., originating in Japan
- Commission Decision 2004/200/EC of 27 February 2004 on measures to prevent the introduction into and the spread within the Community of Pepino mosaic virus
- Commission Directive 2004/103/EC of 7 October 2004 on identity and plant health checks of plants, plant products or other objects, listed in Part B of Annex V to Council Directive 2000/29/EC, which may be carried out at a place other than the point of entry into the Community or at a place close by and specifying the conditions related to these checks
- Implementing rules: when the point of entry of the plants, plant products and other objects listed in Appendix 1 coming from third countries is located in the territory of one of the Parties, but the point of destination is located in the territory of the other Party, the documentary, identity and plant health checks shall be carried out at the point of entry if there is no specific agreement between the competent authorities of the point of entry and the point of destination. Where there is a specific agreement between the competent authorities of the point of entry and the point of destination, this shall be by written agreement.
- Commission Directive 2004/105/EC of 15 October 2004 determining the models of official phytosanitary certificates or phytosanitary certificates for re-export accompanying plants, plant products or other objects from third countries and listed in Council Directive 2000/29/EC
- Commission Decision 2004/416/EC of 29 April 2004 on temporary emergency measures in respect of certain citrus fruits originating in Argentina or Brazil
- Commission Decision 2005/51/EC of 21 January 2005 authorising Member States temporarily to provide for derogations from certain provisions of Council Directive 2000/29/EC in respect of the importation of soil contaminated by pesticides or persistent organic pollutants for decontamination purposes
- Commission Decision 2005/359/EC of 29 April 2005 providing for a derogation from certain provisions of Council Directive 2000/29/EC as regards oak (*Quercus* L.) logs with bark attached, originating in the United States of America
- Commission Decision 2006/473/EC of 5 July 2006 recognising certain third countries and certain areas of third countries as being free from *Xanthomonas campestris* (all strains pathogenic to Citrus), *Cercospora angolensis* Carv. et Mendes and *Guignardia citricarpa* Kiely (all strains pathogenic to citrus)
- Council Directive 2006/91/EC of 7 November 2006 on control of San José scale
- Commission Decision 2007/365/EC of 25 May 2007 on emergency measures to prevent the introduction into and the spread within the Community of *Rhynchophorus ferrugineus* (Olivier)
- Council Directive 2007/33/EC of 11 June 2007 on the control of potato cyst nematodes and repealing Directive 69/465/EEC
- Commission Decision 2007/433/EC of 18 June 2007 on provisional emergency measures to prevent the introduction into and the spread within the Community of *Gibberella circinata* Nirenberg & O'Donnell
- Commission Directive 2008/61/EC of 17 June 2008 establishing the conditions under which certain harmful organisms, plants, plant products and other objects listed in Annexes I to V to Council Directive 2000/29/EC may be introduced into or moved within the Community or certain protected zones thereof, for trial or scientific purposes and for work on varietal selections
- Commission implementing Decision 2011/778/EU of 28 November 2011 authorising certain Member States to provide for temporary derogations from certain provisions of Council Directive 2000/29/EC in respect of seed potatoes originating in certain provinces of Canada
- Commission implementing Decision 2011/787/EU of 29 November 2011 authorising Member States temporarily to take emergency measures against the dissemination of *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* as regards Egypt

- Commission Implementing Decision 2012/138/EU of 1 March 2012 as regards emergency measures to prevent the introduction into and the spread within the Union of *Anoplophora chinensis* (Forster)
- Commission Implementing Decision 2012/219/EU of 24 April 2012 recognising Serbia as being free from *Clavibacter michiganensis* ssp. *sepedonicus* (Spieckerman and Kotthoff) Davis *et al.*
- Commission Implementing Decision 2012/270/EU of 16 May 2012 as regards emergency measures to prevent the introduction into and the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix similis* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner)
- Commission Implementing Decision 2012/697/EU of 8 November 2012 as regards measures to prevent the introduction into and the spread within the Union of the genus *Pomacea* (Perry)
- Commission Implementing Decision 2012/756/EU of 5 December 2012 as regards measures to prevent the introduction into and the spread within the Union of *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto
- Commission Implementing Decision 2013/92/EU of 18 February 2013 on the supervision, plant health checks and measures to be taken on wood packaging material actually in use in the transport of specified commodities originating in China
- Commission Implementing Decision 2013/413/EU of 30 July 2013 authorising Member States to provide for derogations from certain provisions of Council Directive 2000/29/EC in respect of potatoes, other than potatoes intended for planting, originating in the regions of Akkar and Bekaa of Lebanon
- Commission Implementing Decision 2013/754/EU of 11 December 2013 on measures to prevent the introduction into and the spread within the Union of *Guignardia citricarpa* Kiely (all strains pathogenic to *Citrus*), as regards South Africa
- Commission Implementing Decision 2013/780/EU of 18 December 2013 providing for a derogation from Article 13(1)(ii) of Council Directive 2009/29/EC in respect of bark-free sawn wood of *Quercus* L., *Platanus* L. and *Acer saccharum* Marsh. originating in the United States of America
- Commission Implementing Decision 2013/782/EU of 18 December 2013 amending Decision 2002/757/EC as regards the phytosanitary certificate requirement in respect of the harmful organism *Phytophthora ramorum* Werres, De Cock & Man in 't Veld sp. nov. for bark-free sawn wood of *Acer macrophyllum* Pursh and *Quercus* spp. originating in the United States of America
- Commission Recommendation 2014/63/EU of 6 February 2014 on measures to control *Diabrotica virgifera virgifera* Le Conte in Union areas where its presence is confirmed
- Commission Implementing Decision 2014/422/EU of 2 July 2014 setting out measures in respect of certain citrus fruits originating in South Africa to prevent the introduction into and the spread within the Union of *Phyllosticta citricarpa* (McAlpine) Van der Aa
- Commission Implementing Decision 2014/917/EU of 15 December 2014 setting out detailed rules for the implementation of Council Directive 2000/29/EC as regards the notification of the presence of harmful organisms and of measures taken or intended to be taken by the Member States
- Commission Implementing Decision 2014/924/EU of 16 December 2014 providing for a derogation from certain provisions of Council Directive 2000/29/EC as regards wood and bark of ash (*Fraxinus* L.) originating in Canada and the United States of America
- Commission Implementing Decision (EU) 2015/179 of 4 February 2015 authorising Member States to provide for a derogation from certain provisions of Council Directive 2000/29/EC in respect of wood packaging material of conifers (*Coniferales*) in the form of ammunition boxes originating in the United States of America under the control of the United States Department of Defence
- Commission Implementing Decision (EU) 2015/789 of 18 May 2015 as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Wells *et al.*)

Swiss provisions

- Ordinance of 27 October 2010 on plant protection (RS 916.20)
 - Ordinance of the Federal Department of Economic Affairs of 15 April 2002 on prohibited plants (RS 916.205.1)
 - Ordinance of the Federal Office for Agriculture of 13 March 2015 on temporary plant-health measures (RS 916.202.1)
 - Ordinance of the Federal Office for Agriculture of 24 March 2015 prohibiting the import of certain fruits and vegetables originating in India (RS 916.207.142.3)
 - Decision of general scope of the Federal Office for the Environment of 14 December 2012 on the application of the standard NIMP 15 to imports of goods from third countries in wood packaging (fosc.ch 130 244)
 - Decision of general scope of 9 August 2013 on measures to prevent the introduction and spread of the genus *Pomacea* (Perry) (FF 2013 5917)
 - Decision of general scope of 9 August 2013 on measures to prevent the introduction and spread of *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu and Goto (FF 2013 5911)
 - Decision of general scope of the Federal Office for Agriculture of 16 March 2015 setting out measures in respect of certain citrus fruits originating in South Africa to prevent the introduction and spread of *Phyllosticta citricarpa* (McAlpine) Van der Aa (FF 2015 2596)
 - Directive No 1 of the Federal Office for Agriculture of 1 January 2012 to the cantonal plant health services and organisations responsible for the monitoring and control of potato cyst nematodes (*Globodera rostochiensis* and *Globodera pallida*)
 - Manual of the Federal Office for the Environment of 30 March 2015 on management of the pine wood nematode (*Bursaphelenchus xylophilus*)
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ANNEX II

'APPENDIX 4 ⁽¹⁾**ZONES REFERRED TO IN ARTICLE 4 AND SPECIAL REQUIREMENTS RELATING TO THEM**

The zones referred to in Article 4 and the special requirements relating to them which must be complied with by both Parties are defined in the two Parties' respective legislative and administrative provisions set out below.

Provisions of the Union

- Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community
- Commission Regulation (EC) No 690/2008 of 4 July 2008 recognising protected zones exposed to particular plant health risks in the Community

Swiss provisions

- Ordinance of 27 October 2010 on plant protection, Annex 12, (RS 916.20)

⁽¹⁾ Unless indicated otherwise, any reference to an act shall mean that act as amended at the latest on 1 July 2015.'