

COMMISSION IMPLEMENTING DECISION

of 12 June 2014

amending Implementing Decision 2012/138/EU as regards the conditions of introduction into and movement within the Union of specified plants to prevent the introduction and the spread of *Anoplophora chinensis* (Forster)

(notified under document C(2014) 3798)

(2014/356/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular the fourth sentence of Article 16(3) thereof,

Whereas:

- (1) Commission Implementing Decision 2012/138/EU ⁽²⁾ allows the introduction into the Union of plants that have been grown during a period of at least two years prior to export in a place of production established as free from *Anoplophora chinensis* (Forster) (hereinafter: 'the specified organism').
- (2) It appears from information supplied by China that plants which are younger than two years and which have been grown throughout their life, in a place of production established as free from the specified organism, but not situated in a pest free area, do not cause any additional risk of the introduction of that organism. Therefore it is appropriate to also allow the import of such plants.
- (3) It is also appropriate to allow the introduction of such plants from other third countries and to allow movement within the Union.
- (4) Annex I to Implementing Decision 2012/138/EU should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Implementing Decision 2012/138/EU is amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 June 2014.

For the Commission
Tonio BORG
Member of the Commission

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ 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) (OJ L 64, 3.3.2012, p. 38).

ANNEX

Annex I to Implementing Decision 2012/138/EU is amended as follows:

(1) Section 1 is amended as follows:

(a) in point (b) of paragraph 1 of Part A, the introductory phrase is replaced by the following:

‘(b) that the plants have been grown during a period of at least two years prior to export, or in the case of plants which are younger than two years have been grown throughout their life, in a place of production established as free from *Anoplophora chinensis* (Forster) in accordance with International Standards for Phytosanitary Measures’;

(b) in point (b) of paragraph 1 of Part B, the introductory phrase is replaced by the following:

‘(b) that the plants have been grown during a period of at least two years prior to export, or in the case of plants which are younger than two years have been grown throughout their life, in a place of production established as free from *Anoplophora chinensis* (Forster) in accordance with International Standards for Phytosanitary Measures’;

(2) the introductory phrase of paragraph 1 of Section 2 is replaced by the following:

‘1. Specified plants originating ⁽¹⁾ in demarcated areas within the Union may be moved within the Union only if they are accompanied by a plant passport prepared and issued in accordance with Commission Directive 92/105/EEC ⁽²⁾ and have been grown during a period of at least two years prior to movement, or in the case of plants which are younger than two years have been grown throughout their life, in a place of production.’
