



COMMISSION IMPLEMENTING REGULATION (EU) 2025/355

of 21 February 2025

amending Implementing Regulation (EU) 2022/2389 concerning the establishment of frequency rates for identity checks and physical checks on consignments of plants, plant products and other objects entering the Union

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽¹⁾, and in particular points (a) and (c) of the first subparagraph of Article 54(3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2022/2389 ⁽²⁾ establishes rules for the uniform application of frequency rates for identity checks and physical checks on consignments of plants, plant products and other objects referred to in Article 47(1), point (c), of Regulation (EU) 2017/625 entering the Union that are subject to official controls at the border control posts of first arrival into the Union. Annex I to Implementing Regulation (EU) 2022/2389 sets out the list of plants, plant products and other objects which are subject to identity checks and physical checks at specific frequency rates.
- (2) In accordance with Article 4(4) of Implementing Regulation (EU) 2022/2389, any plant, plant product or other object which is subject to a measure provided for in acts adopted in accordance with Articles 28(1), 30(1) and 49(1) of Regulation (EU) 2016/2031 of the European Parliament and of the Council ⁽³⁾ is not subject to the reduced frequency rates referred to in paragraph 3; it is therefore subject to a frequency rate of 100 % for identity checks and for physical checks when entering the Union.
- (3) Those acts frequently set out, inter alia, measures that do not subject the import of plants to specific requirements but only impose requirements concerning plants situated within the Union territory, such as surveys on host plants of specific pests. As experience with the application of Implementing Regulation (EU) 2022/2389 has shown, it is not appropriate to systematically apply a 100 % frequency rate for the import of those plants into the Union, when their introduction into the Union territory is not subject to any specific requirements pursuant to those acts.

⁽¹⁾ OJ L 95, 7.4.2017, p. 1; ELI: <http://data.europa.eu/eli/reg/2017/625/oj>.

⁽²⁾ Commission Implementing Regulation (EU) 2022/2389 of 7 December 2022 establishing rules for the uniform application of frequency rates for identity checks and physical checks on consignments of plants, plant products and other objects entering the Union (OJ L 316, 8.12.2022, p. 42, ELI: http://data.europa.eu/eli/reg_impl/2022/2389/oj).

⁽³⁾ Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC (OJ L 317, 23.11.2016, p. 4; ELI: <http://data.europa.eu/eli/reg/2016/2031/oj>).

- (4) Therefore, for reasons of legal clarity, it is appropriate to amend Article 4(4) of Implementing Regulation (EU) 2022/2389 so that the reduced frequency rates for identity and for physical checks do not apply to plants, plant products and other objects which are subject to specific measures concerning their introduction into the Union, provided for in acts adopted in accordance with Articles 28(1), 30(1) and 49(1) of Regulation (EU) 2016/2031.
- (5) In accordance with Article 6(1) of Implementing Regulation (EU) 2022/2389, the frequency rates set out in Annex I to that Implementing Regulation are to be modified with regard to the criteria set out in points (i), (ii), (iv), (v) and (vi) of Article 54(3), point (a), of Regulation (EU) 2017/625, the criteria set out in Annex II, and, where appropriate, with regard to the information set out in Annex III to that Implementing Regulation. In accordance with Article 6(2) of that Implementing Regulation, the frequency rates for identity checks and physical checks for plants, plant products and other objects, or categories thereof, are to be reviewed at least annually, in order to take into account new information collected through IMSOC or provided by Member States, and modified accordingly.
- (6) The Commission established a working group of experts who examined the situation of imports in 2022, 2023 and 2024 of plants, plant products and other objects referred to in Article 47(1), point (c), of Regulation (EU) 2017/625 that are subject to official controls at the border control posts of first arrival into the Union. On the basis of the criteria referred to in Article 6(1) of Implementing Regulation (EU) 2022/2389, the working group indicated the minimum frequency rates of identity and physical checks it deemed appropriate for certain plants, plant products and other objects from particular third countries of origin.
- (7) A method based on risk and statistics was used taking into account a series of variables, which includes: the estimated mobility index of the Union quarantine pests at the most mobile stage to which they could develop on the relevant plants, plant products or other objects, or categories thereof; the number of consignments of plants, plant products and other objects, or categories thereof, for which identity checks and physical checks have been carried out during the previous year; the total number, and the details, of non-compliances due to the presence of Union quarantine pests related to consignments imported pursuant to Implementing Regulation (EU) 2022/2389; the total number of consignments of the goods concerned notified for other reasons than the presence of Union quarantine pests and the details thereof; and any other factor relevant for the determination of the phytosanitary risk associated with the trade concerned.
- (8) In particular, and mainly due to the lower number of interceptions of consignments affected by Union quarantine pests, the minimum frequency rates of identity and physical checks should be decreased for cut flowers of *Dianthus* and *Gypsophila* from Ecuador, *Gypsophila* from Kenya, fruits of *Malus*, *Prunus* and *Pyrus* from European third countries, *Citrus* from Egypt and Israel, *Citrus* and *Prunus* from Türkiye, *Pyrus* from China, vegetables of *Solanum lycopersicum* from the Canary Islands and used machinery from all third countries.
- (9) Furthermore, in order to ensure that a minimum number of identity checks and physical checks is performed in all cases, despite a lower number of imported consignments, as regards fruits of *Citrus* originating in Morocco and the United States, *Malus* from Argentina and New Zealand, and *Prunus* and *Vaccinium* from Chile, the respective minimum frequency rates of identity checks and physical checks should be increased.
- (10) In addition, the minimum frequency rates of identity checks and physical checks should be increased due to interceptions of consignments affected by Union quarantine pests for cut flowers of *Aster* from Zimbabwe, *Rosa* from Zambia, fruits of *Fragaria* from Egypt, *Persea americana* from Cameroon, and roots and tubercles of *Curcuma longa* from Thailand.
- (11) In view of the above, the Commission considers that the frequency rates for identity and physical checks set out in Annex I to Implementing Regulation (EU) 2022/2389 should be modified.
- (12) For reasons of clarity, it is appropriate to replace Annex I to Implementing Regulation (EU) 2022/2389.

- (13) In order to allow the competent authorities sufficient time to adapt to the new frequency rates, this Regulation should apply from 1 March 2025.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Implementing Regulation (EU) 2022/2389

Implementing Regulation (EU) 2022/2389 is amended as follows:

- (a) Article 4(4) is replaced by the following:
 - ‘4. The frequency rates according to paragraph 3 shall not apply to:
 - (a) plants intended for planting;
 - (b) any plant, plant product or other object which is subject to a measure concerning its introduction into the Union, provided for in acts adopted in accordance with Articles 28(1), 30(1) and 49(1) of Regulation (EU) 2016/2031.’
- (b) Annex I is replaced by the text set out in the Annex to this Regulation.

Article 2

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 March 2025.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 February 2025.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

ANNEX I

Frequency rates of identity checks and physical checks of the consignments of certain plants, plant products and other objects, or categories thereof, as referred to in Article 4(3)

| Plant, plant product or other object, or a category thereof | Country of origin | Minimum frequency rate of identity and physical checks (%) |
|---|--|--|
| Cut flowers | | |
| <i>Dianthus</i> | Colombia | 3 |
| <i>Dianthus</i> | Ecuador | 10 |
| <i>Dianthus</i> | Kenya | 5 |
| <i>Dianthus</i> | Türkiye | 25 |
| <i>Gypsophila</i> | Ecuador | 3 |
| <i>Gypsophila</i> | Kenya | 5 |
| <i>Phoenix</i> | Costa Rica | 50 |
| <i>Rosa</i> | Colombia | 3 |
| <i>Rosa</i> | Ecuador | 1 |
| <i>Rosa</i> | Ethiopia | 25 |
| <i>Rosa</i> | Kenya | 25 |
| Fruits | | |
| <i>Actinidia</i> | All third countries | 10 |
| <i>Carica papaya</i> | All third countries | 10 |
| <i>Fragaria</i> | All third countries ⁽¹⁾ | 5 |
| <i>Persea americana</i> | All third countries ⁽²⁾ | 1 |
| <i>Rubus</i> | All third countries | 5 |
| <i>Vitis</i> | All third countries | 1 |
| <i>Malus</i> | European third countries ⁽³⁾ | 10 |
| <i>Prunus</i> | European third countries ⁽³⁾ ⁽⁴⁾ | 3 |
| <i>Pyrus</i> | European third countries ⁽³⁾ | 10 |
| <i>Vaccinium</i> | European third countries ⁽³⁾ | 50 |
| <i>Citrus</i> | Egypt | 50 |
| <i>Citrus</i> | Israel | 25 |
| <i>Citrus</i> | Mexico | 25 |
| <i>Citrus</i> | Morocco | 5 |
| <i>Citrus</i> | Peru | 10 |
| <i>Citrus</i> | Türkiye | 5 |
| <i>Citrus</i> | USA | 75 |
| <i>Malus</i> | Argentina | 75 |

| Plant, plant product or other object, or a category thereof | Country of origin | Minimum frequency rate of identity and physical checks (%) |
|---|-------------------|--|
| <i>Malus</i> | Chile | 5 |
| <i>Malus</i> | New Zealand | 15 |
| <i>Malus</i> | South Africa | 15 |
| <i>Mangifera</i> | Brazil | 75 |
| <i>Passiflora</i> | Colombia | 5 |
| <i>Passiflora</i> | Réunion | 10 |
| <i>Passiflora</i> | South Africa | 75 |
| <i>Passiflora</i> | Viet Nam | 15 |
| <i>Prunus</i> | Chile | 25 |
| <i>Prunus</i> | South Africa | 10 |
| <i>Prunus</i> | Türkiye | 25 |
| <i>Pyrus</i> | Argentina | 25 |
| <i>Pyrus</i> | Chile | 15 |
| <i>Pyrus</i> | China | 50 |
| <i>Pyrus</i> | South Africa | 10 |
| <i>Vaccinium</i> | Argentina | 50 |
| <i>Vaccinium</i> | Chile | 15 |
| <i>Vaccinium</i> | Peru | 5 |

Vegetables

| | | |
|--|------------------------------------|----|
| <i>Solanum lycopersicum</i> | Canary Islands | 15 |
| <i>Solanum lycopersicum</i> | Morocco | 1 |
| Root and tubercle vegetables, other than tubers of <i>Solanum tuberosum</i> L. ⁽¹⁾ ⁽⁶⁾ | All third countries ⁽²⁾ | 5 |
| Roots and tubercles of <i>Curcuma longa</i> | Thailand | 35 |

Used machinery

| | | |
|---|---------------------|---|
| Machinery and vehicles which have been operated for agricultural or forestry purposes | All third countries | 5 |
|---|---------------------|---|

⁽¹⁾ Other than Egypt.

⁽²⁾ Other than Cameroon.

⁽³⁾ Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, Faeroe Islands, Georgia, Iceland, Liechtenstein, Moldova, Monaco, Montenegro, North Macedonia, Norway, Russia (only the following parts: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug)), San Marino, Serbia, Türkiye, Ukraine and United Kingdom.

⁽⁴⁾ Other than Türkiye.

⁽⁵⁾ Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019, Annex VII, point 12 (OJ L 319, 10.12.2019, p. 103; ELI: http://data.europa.eu/eli/reg_impl/2019/2072/oj).

⁽⁶⁾ Excluding *Curcuma longa* and *Zingiber officinale* from Peru, and *Curcuma longa* from Thailand.