



2026/1376

24.6.2026

COMMISSION IMPLEMENTING REGULATION (EU) 2026/1376

of 23 June 2026

establishing a derogation from Implementing Regulation (EU) 2019/2072 concerning the introduction into the Union territory of unrooted cuttings for planting of *Calibrachoa* spp., *Petunia* spp. and their hybrids from Uganda

THE EUROPEAN COMMISSION,

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

Having regard to 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 <sup>(1)</sup>, and in particular Articles 30(1) and 42a(1) thereof,

Whereas:

- (1) Article 7 of Commission Implementing Regulation (EU) 2019/2072 <sup>(2)</sup>, in conjunction with point 18 of Annex VI to that Implementing Regulation, prohibits the introduction into the Union of plants for planting from the family *Solanaceae* from certain third countries.
- (2) Several Member States have expressed their interest in importing unrooted cuttings for planting of *Calibrachoa* spp. and *Petunia* spp. and their hybrids from Uganda ('the specified plants'), from where trade is currently prohibited. On 6 October 2021, a technical dossier was submitted by those Member States outlining the procedures for the production of the specified plants in Uganda.
- (3) In December 2025, the European Food Safety Authority ('the Authority') adopted a scientific opinion regarding the risk assessment of unrooted *Petunia* spp. and *Calibrachoa* spp. plants from Uganda <sup>(3)</sup>.
- (4) The Authority identified *Bemisia tabaci* Genn. (non-European populations), Cowpea mild mottle virus, *Nipaeococcus viridis* (Newstead), Potato leafroll virus (non-EU isolates), Potato spindle tuber viroid, Potato virus S (non-EU isolates), Potato virus X (non-EU isolates), *Ralstonia pseudosolanacearum* Safni *et al.*, *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* Emend. Safni *et al.*, *Scirtothrips dorsalis* Hood, Tomato leaf curl Uganda virus, Tomato spotted wilt tospovirus and Tomato yellow leaf curl virus as pests relevant for the specified plants.
- (5) The Authority evaluated the risk mitigation measures described in that dossier, in relation to the production of the specified plants in Uganda, for the identified pests and estimated the likelihood of freedom of the specified plants from those pests.
- (6) On the basis of that opinion, the introduction of the specified plants poses a risk that can be reduced to an acceptable level by applying the measures which are necessary to address the phytosanitary risks concerned and which are described in this Regulation.

<sup>(1)</sup> OJ L 317, 23.11.2016, p. 4, ELI: <http://data.europa.eu/eli/reg/2016/2031/oj>.

<sup>(2)</sup> 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 (OJ L 319, 10.12.2019, p. 1, ELI: [http://data.europa.eu/eli/reg\\_impl/2019/2072/oj](http://data.europa.eu/eli/reg_impl/2019/2072/oj)).

<sup>(3)</sup> EFSA PLH Panel (EFSA Panel on Plant Health), 2026, 'Commodity risk assessment of *Petunia* spp. and *Calibrachoa* spp. unrooted cuttings from Uganda', *EFSA Journal* 2026;24:e9849, <https://doi.org/10.2903/j.efsa.2026.9849>.

- (7) *Bemisia tabaci* Genn. (non-European populations), Cowpea mild mottle virus, Potato leafroll virus (non-EU isolates), Potato virus S (non-EU isolates), Potato virus X (non-EU isolates), *Ralstonia pseudosolanacearum* Safni *et al.*, *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* Emend. Safni *et al.*, *Scirtothrips dorsalis* Hood and Tomato leaf curl Uganda virus are listed as Union quarantine pests in Annex II to Implementing Regulation (EU) 2019/2072. Since the specified plants are currently prohibited from entering the Union territory, they are not subject to the special requirements of Annex VII to Implementing Regulation (EU) 2019/2072. In this respect, those pests should be considered as specified pests subject to special requirements for the purpose of this Regulation.
- (8) Potato spindle tuber viroid, Tomato spotted wilt tospovirus and Tomato yellow leaf curl virus are listed in Annex IV to Implementing Regulation (EU) 2019/2072 as Union regulated non-quarantine pests for commodities other than plants of *Petunia* spp. and *Calibrachoa* spp. As these pests have not been identified as pests causing an economic impact on the production of *Petunia* spp. and *Calibrachoa* spp. in the Union territory, they should not be considered as specified pests for the purposes of this Regulation.
- (9) *Nipaecoccus viridis* (Newstead) is not listed as a Union quarantine pest in Annex II to Implementing Regulation (EU) 2019/2072. Following the opinion of the Authority, this pest is relevant for the specified plants. Accordingly, the Commission concludes that it fulfils the conditions for the inclusion in the list of Union quarantine pests and the criteria set out in Subsection 2 of Section 3 of Annex I to Regulation (EU) 2016/2031. Therefore, it should be subject to the temporary measures referred to in Article 30(1) of that Regulation and be considered as specified pest for the purpose of this Regulation.
- (10) In order to ensure that the introduction of the specified plants will not present a risk of introduction of the specified pests in the Union territory, the plants should be grown from plants originating in the Union territory to prevent the presence of pests in the starting material.
- (11) The production of the specified plants should take place in production sites that are approved by the National Plant Protection Organisation ('the NPPO') of Uganda for the production of the specified plants for export to the Union and are identified with a unique traceability code to allow the competent authorities to identify, in case of a finding of a specified pest on a specified plant in the Union territory, the production site from which that specified plant originates.
- (12) Moreover, to ensure the specified plants are free from the specified pests, they should be grown under physical protection and be inspected prior to export.
- (13) As symptoms of the presence of the specified pests may not yet be visible on the unrooted cuttings imported into the Union, after import into the Union territory the specified plants should be planted and rooted at the premises of professional operators specifically authorised to issue plant passports for these plants originating in Uganda, or of professional operators for whom the competent authorities issue the plant passports, as they are subject to regular official inspections. Professional operators that are to grow or root the specified plants should inform the competent authorities prior to receiving the specified plants in order for the latter to timely plan the official inspections.
- (14) To prevent that the specified plants are moved for the first time to the premises of professional operators who are not authorised to issue plant passports for the specified plants, the importer should present a document issued by the competent authority confirming that the plants are to be moved to the premises of professional operators that, pursuant to Article 89(1) of Regulation (EU) 2016/2031, are specifically authorised to issue plant passports for plants rooted or grown from the specified plants, or to the premises of professional operators for whom the competent authorities issue the plant passports for the specified plants.
- (15) Moreover, Member States should immediately inform the Commission and the other Member States of any finding of a specified pest on the specified plants, or in plants rooted or grown from the specified plants. The Commission should immediately inform the NPPO of Uganda. The latter should immediately remove the production site from where the specified plants originated from the list of approved production sites until pest freedom is restored.

- (16) As no introduction of the specified plants into the Union territory has taken place up to date and there is no experience with this trade yet, the specified plants present a phytosanitary risk which is not yet fully assessed. Therefore, the requirements this Regulation provides for should be of a temporary nature pursuant to Articles 30(1) and 42a(1) of Regulation (EU) 2016/2031.
- (17) As the specified plants are to be temporarily allowed to be introduced into the Union territory, it is necessary, for reasons of legal clarity, to also amend Annex VI to Implementing Regulation (EU) 2019/2072, by indicating that there is a temporary derogation thereof as regards the introduction into, and the movement within, the Union territory of the specified plants.
- (18) The measures provided for in this Regulation are in accordance with the opinion of the of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

#### Article 1

#### Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) 'specified pests' means *Bemisia tabaci* Genn. (non-European populations), Cowpea mild mottle virus, *Nipaeococcus viridis* (Newstead), Potato leafroll virus (non-EU isolates), Potato virus S (non-EU isolates), Potato virus X (non-EU isolates), *Ralstonia pseudosolanacearum* Safni *et al.*, *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* Emend. Safni *et al.*, *Scirtothrips dorsalis* Hood and Tomato leaf curl Uganda virus;
- (2) 'specified plants' means unrooted cuttings intended for planting of *Calibrachoa* spp. and *Petunia* spp. and their hybrids, grown in Uganda and derived in direct line from mother plants imported from the Union.

#### Article 2

#### Temporary derogation from the prohibition to introduce the specified plants into the Union territory

By way of derogation from point 18 of Annex VI to Implementing Regulation (EU) 2019/2072, the introduction into the Union territory of the specified plants shall be temporarily allowed subject to compliance with the requirements set out in Article 3 of this Regulation.

#### Article 3

#### Requirements for the introduction of the specified plants into, and their movement within, the Union territory

1. The specified plants may be introduced into the Union only if all of the following requirements are fulfilled:
- (a) prior to the start of trade, the National Plant Protection Organisation (NPPO) of Uganda has communicated in writing to the Commission the list of measures intended to ensure the fulfilment of the requirements set out in point 1 of Annex I;
- (b) the NPPO of Uganda submits to the Commission, by 31 December of each year, the list of production sites, with their respective traceability codes, that are approved for export of the specified plants to the Union in the following calendar year, and immediately communicates any amendment to that list;

(c) the NPPO of Uganda submits to the Commission, by 31 March of each year, an annual report on the activities carried out in the previous calendar year, containing all the elements set out in point 2 of Annex I.

2. In order for the specified plants to be introduced into the Union territory, the importing professional operator shall present a document issued by the competent authority confirming that the professional operator receiving the specified plants fulfils the requirement set out in paragraph 3, point (a) or (b).

3. Once introduced into the Union, the specified plants may only be moved to:

(a) the premises of professional operators that, pursuant to Article 89(1) of Regulation (EU) 2016/2031, are specifically authorised to issue plant passports for plants rooted or grown from the specified plants; or

(b) the premises of the professional operators for whom the competent authorities issue the plant passports for the specified plants.

Prior to receiving the specified plants, the professional operators referred to in the first subparagraph shall inform the competent authorities of the expected date of arrival of those plants and shall keep the traceability code referred to in point 1(c) (iii) of Annex I.

4. Plants that are directly rooted or grown from the specified plants shall be kept separated from any other plant susceptible to the specified pests. They shall be subjected to official inspections at least once before they are moved for the first time out of the premises of the professional operator concerned and as close as possible to the time of their movement. Those inspections shall include, in case of suspicion of infection, sampling and molecular testing for Cowpea mild mottle virus, Potato leafroll virus (non-EU isolates), Potato virus S (non-EU isolates), Potato virus X (non-EU isolates) and Tomato leaf curl Uganda virus.

In case of findings of specified pests on plants rooted or grown from the specified plants, at least all the plants rooted or grown from the same lot of specified plants shall be immediately destroyed, and if appropriate, the respective premises shall be cleaned and disinfected.

5. Member States shall immediately notify the Commission and the other Member States of any finding of the presence of a specified pest on the specified plants, or on plants rooted or grown from the specified plants. The Commission shall immediately inform the NPPO of Uganda thereof.

Where the NPPO of Uganda is informed of the presence of a specified pest on specified plants or on plants rooted or grown from the specified plants, the production site where those plants originate from shall no longer be approved for export to the Union and the NPPO of Uganda shall remove immediately that production site from the list of approved production sites referred to in paragraph 1, point (b), until it has been demonstrated that pest freedom has been restored.

#### *Article 4*

### **Amendment to Annex VI to Implementing Regulation (EU) 2019/2072**

Annex VI to Implementing Regulation (EU) 2019/2072 is amended as set out in Annex II to this Regulation.

*Article 5***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 until 31 July 2029.

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

Done at Brussels, 23 June 2026.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

## ANNEX I

**Requirements referred to in Article 3 for the introduction of the specified plants into the Union territory**

1. The specified plants may only be introduced into the Union territory if they fulfil all of the following requirements:
  - (a) they have been produced in production sites which:
    - (i) are included by the NPPO of Uganda in a list of approved production sites recognised as free from the specified pests and allowed to export the specified plants to the Union;
    - (ii) are identified by a unique traceability code that appears on the list referred to in point (i);
    - (iii) are physically isolated against insects, with double doors, where the second door only opens after the first door has been completely closed, and have a system in place to ensure hygiene and disinfection procedures for the staff, equipment and all production processes;
    - (iv) have a system to supply pest-free irrigation water, which is subject to at least two annual official inspections, including molecular testing, to ensure absence of *Ralstonia pseudosolanacearum* Safni *et al.* and *Ralstonia solanacearum* (Smith) Yabuuchi *et al.* Emend. Safni *et al.*;
    - (v) are entirely dedicated to the production of the specified plants, or other plants fulfilling requirements of Union legislation on plant health, and are subject to a complete cleaning and disinfection before the introduction of new specified plants;
    - (vi) have shelves to keep the pots at least 50 cm above the ground;
    - (vii) have a system in place to keep record of all processes, including the lots produced and the procedures to control the specified pests during each production cycle;
    - (viii) in case of findings of a specified pest, are removed from the list of production sites referred to in point (i) until the pest-free situation has been restored and are only then re-approved for the production and export of this material;
  - (b) they have been:
    - (i) grown in Uganda and derived in direct line from mother plants imported from the Union;
    - (ii) produced using growing media and pots that are either new or subject to treatments to ensure freedom from soil-borne organisms and any specified pests before being used in the production process;
    - (iii) monitored with traps for the presence of insects by trained staff;
    - (iv) subject to visual examinations to ensure the absence of the specified pests or their symptoms by trained staff on a weekly basis;
    - (v) subject, when appropriate, to treatments against pests;
    - (vi) subject to molecular testing for the detection of Cowpea mild mottle virus, Potato leafroll virus (non-EU isolates), Potato virus S (non-EU isolates), Potato virus X (non-EU isolates) and Tomato leaf curl Uganda virus at least once before the first lot of unrooted cuttings is exported to the Union during that production cycle or more frequently when *Bemisia tabaci* Genn. or aphids or thrips known to transmit viruses are found in the production site;
  - (c) prior to export, each lot of specified plants from each production site has been:
    - (i) subject to an official inspection for the presence of the specified pests, by means of a sampling method allowing to detect at least a level of infestation of 1 %, with a level of confidence of 99 % in accordance with the International Standard for Phytosanitary Measures ISPM 31, including molecular testing for Cowpea mild mottle virus, Potato leafroll virus (non-EU isolates), Potato virus S (non-EU isolates), Potato virus X (non-EU isolates) and Tomato leaf curl Uganda virus in case of suspicion of infection;

- (ii) transported from the production site to the storage, cooling or packaging facilities in the places of production, in such a way as to prevent contamination with the specified pests;
  - (iii) packed in boxes, where each box includes a label with the traceability code of the production site;
  - (d) they are accompanied by a phytosanitary certificate issued by the NPPO of Uganda, which certifies compliance with the requirements of this Regulation and includes, under the rubric Additional Declaration:
    - (i) the name(s) of the approved production site(s) from which the plants originate;
    - (ii) the traceability code(s) of the production site(s) from which the plants originate;
    - (iii) the statement 'This consignment meets the requirements laid down in Commission Implementing Regulation (EU) 2026/1376'.
2. The annual report on the activities carried out in the previous calendar year shall include all of the following elements for each production site:
- (a) the number of specified plants exported to the Union;
  - (b) the overview of the official inspections carried out prior to export;
  - (c) the findings of the presence of the specified pests;
  - (d) the number of plants destroyed because of a suspicion of infestation or infestation with the specified pests;
  - (e) the actions taken to restore pest freedom of the production site and prevent recurrence of the specified pests.
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## ANNEX II

**Amendment of Implementing Regulation (EU) 2019/2072**

In the Table of Annex VI to Implementing Regulation (EU) 2019/2072, entry 18, the text in the second column is replaced by the following:

'Plants for planting of *Solanaceae* other than seeds and the plants covered by entries 15, 16 or 17 (\*)

(\*) Except the following plants:

- unrooted cuttings intended for planting of *Calibrachoa* and *Petunia* and their hybrids from Costa Rica, which may be introduced into the Union subject to the requirements set out in Commission Implementing Regulation (EU) 2026/292 of 9 February 2026 establishing a derogation from Implementing Regulation (EU) 2019/2072 concerning the introduction into the Union territory of unrooted cuttings for planting of *Calibrachoa* spp., *Petunia* spp. and their hybrids from Costa Rica (OJ L, 2026/292, 10.2.2026, ELI: [http://data.europa.eu/eli/reg\\_impl/2026/292/oj](http://data.europa.eu/eli/reg_impl/2026/292/oj));
- unrooted cuttings intended for planting of *Calibrachoa* and *Petunia* and their hybrids from Guatemala, which may be introduced into the Union subject to the requirements set out in Commission Implementing Regulation (EU) 2025/1078 of 2 June 2025 establishing a derogation from Implementing Regulation (EU) 2019/2072 concerning the introduction into the Union territory of unrooted cuttings for planting of *Calibrachoa* spp., *Petunia* spp. and their hybrids from Guatemala (OJ L, 2025/1078, 3.6.2025, ELI: [http://data.europa.eu/eli/reg\\_impl/2025/1078/oj](http://data.europa.eu/eli/reg_impl/2025/1078/oj));
- unrooted cuttings intended for planting of *Calibrachoa* and *Petunia* and their hybrids from Kenya, which may be introduced into the Union subject to the requirements set out in Commission Implementing Regulation (EU) 2025/1082 of 2 June 2025 establishing a derogation from Implementing Regulation (EU) 2019/2072 concerning the introduction into the Union territory of unrooted cuttings for planting of *Calibrachoa* spp., *Petunia* spp. and their hybrids from Kenya (OJ L, 2025/1082, 3.6.2025, ELI: [http://data.europa.eu/eli/reg\\_impl/2025/1082/oj](http://data.europa.eu/eli/reg_impl/2025/1082/oj));
- unrooted cuttings intended for planting of *Calibrachoa* and *Petunia* and their hybrids from Uganda, which may be introduced into the Union subject to the requirements set out in Commission Implementing Regulation (EU) 2026/1376 of 23 June 2026 establishing a derogation from Implementing Regulation (EU) 2019/2072 concerning the introduction into the Union territory of unrooted cuttings for planting of *Calibrachoa* spp., *Petunia* spp. and their hybrids from Uganda (OJ L, 2026/1376, 24.6.2026, ELI: [http://data.europa.eu/eli/reg\\_impl/2026/1376/oj](http://data.europa.eu/eli/reg_impl/2026/1376/oj));