



2026/790

10.4.2026

COMMISSION IMPLEMENTING REGULATION (EU) 2026/790

of 9 April 2026

amending Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Acer griseum*, *Acer platanoides*, *Acer rubrum*, *Acer saccharinum*, *Acer saccharum*, *Acer tataricum*, *Acer tataricum* subsp. *ginnala* and *Acer × freemanii*, originating in Ukraine

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⁽¹⁾, and in particular Article 42(4), first subparagraph, thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2018/2019⁽²⁾ establishes, on the basis of a preliminary risk assessment, a list of high-risk plants, plant products and other objects, within the meaning of Article 42(1) of Regulation (EU) 2016/2031, whose introduction into the Union territory shall be prohibited pending a risk assessment.
- (2) Following a preliminary assessment, 34 genera and one species of plants for planting, originating from third countries, were provisionally included in the list set out in the Annex to Implementing Regulation (EU) 2018/2019 as high-risk plants. That list includes the genus *Acer* L.
- (3) On 8 June 2023, Ukraine submitted to the Commission a request for export to the Union of up to 4-year-old bare-rooted, dormant, without leaves, plants for planting of *Acer griseum*, *Acer platanoides*, *Acer rubrum*, *Acer saccharinum*, *Acer saccharum*, *Acer tataricum*, *Acer tataricum* subsp. *ginnala* and *Acer × freemanii*, with a maximum height of 4 m, originating in Ukraine and up to 2-year-old dormant, without leaves, plants for planting of *Acer griseum*, *Acer platanoides*, *Acer rubrum*, *Acer saccharinum*, *Acer saccharum*, *Acer tataricum*, *Acer tataricum* subsp. *ginnala* and *Acer × freemanii* in growing medium, with a maximum height of 3 m, originating in Ukraine ('the relevant plants'). That request was supported by the relevant technical dossier.
- (4) On 25 June 2025, the European Food Safety Authority ('the Authority') adopted a scientific opinion regarding the risk assessment of plants for planting of the relevant plants⁽³⁾. The Authority identified *Cryphonectria parasitica*, *Entoleuca mammata* and *Lopholeucaspis japonica* as pests relevant for those plants, evaluated the risk mitigation measures described in the technical dossier, and estimated the likelihood of freedom of the relevant plants from those pests.

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

⁽²⁾ Commission Implementing Regulation (EU) 2018/2019 of 18 December 2018 establishing a provisional list of high risk plants, plant products or other objects, within the meaning of Article 42 of Regulation (EU) 2016/2031 and a list of plants for which phytosanitary certificates are not required for introduction into the Union, within the meaning of Article 73 of that Regulation (OJ L 323, 19.12.2018, p. 10, ELI: http://data.europa.eu/eli/reg_impl/2018/2019/oj).

⁽³⁾ EFSA Panel on Plant Health, 'Commodity risk assessment of *Acer* plants from Ukraine', *EFSA Journal* 2025, 23(7);e9571, <https://doi.org/10.2903/j.efsa.2025.9571>.

- (5) *Lopholeucaspis japonica* is listed as a Union quarantine pest in Annex II to Commission Implementing Regulation (EU) 2019/2072 (*), and *Cryphonectria parasitica* and *Entoleuca mammata* are listed as protected zone quarantine pests in Annex III to that Implementing Regulation.
- (6) On the basis of the opinion of the Authority, the phytosanitary risk arising from the introduction into the Union territory of the relevant plants is considered to be reduced to an acceptable level, provided that the corresponding special requirements for their introduction into the Union territory, set out in Annex VII to Implementing Regulation (EU) 2019/2072, are complied with.
- (7) Consequently, up to 4-year-old bare-rooted, dormant, without leaves, plants for planting of *Acer griseum*, *Acer platanoides*, *Acer rubrum*, *Acer saccharinum*, *Acer saccharum*, *Acer tataricum*, *Acer tataricum* subsp. *ginnala* and *Acer × freemanii*, with a maximum height of 4 m, originating in Ukraine and up to 2-year-old dormant, without leaves, plants for planting of *Acer griseum*, *Acer platanoides*, *Acer rubrum*, *Acer saccharinum*, *Acer saccharum*, *Acer tataricum*, *Acer tataricum* subsp. *ginnala* and *Acer × freemanii* in growing medium, with a maximum height of 3 m, originating in Ukraine, should no longer be considered high-risk plants.
- (8) They should therefore be removed from the list of high-risk plants, plant products and other objects set out in the Annex to Implementing Regulation (EU) 2018/2019.
- (9) Implementing Regulation (EU) 2018/2019 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) 2018/2019 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 9 April 2026.

For the Commission
The President
Ursula VON DER LEYEN

(*) 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).

ANNEX

In the Annex to Implementing Regulation (EU) 2018/2019, in point 1, in the table, in the second column 'Description', the entry for *Acer* L. is replaced by the following:

'*Acer* L., other than:

- 1 to 3-year-old bare rooted, dormant, free of leaves, grafted or budded plants for planting of *Acer japonicum* Thunberg, *Acer palmatum* Thunberg, and *Acer shirasawanum* Koidzumi, originating in New Zealand;
- up to 15-year-old plants for planting of *Acer campestre* with a maximum diameter of 88 mm at the base of the stem, originating in the United Kingdom;
- up to 7-year-old plants for planting of *Acer palmatum* with a maximum diameter of 40 mm at the base of the stem, originating in the United Kingdom;
- up to 7-year-old plants for planting of *Acer platanoides* with a maximum diameter of 40 mm at the base of the stem, originating in the United Kingdom;
- up to 7-year-old plants for planting of *Acer pseudoplatanus* with a maximum diameter of 88 mm at the base of the stem, originating in the United Kingdom;
- up to 4-year-old bare-rooted, dormant, without leaves, plants for planting of *Acer griseum*, *Acer platanoides*, *Acer rubrum*, *Acer saccharinum*, *Acer saccharum*, *Acer tataricum*, *Acer tataricum* subsp. *ginnala* and *Acer* × *freemanii*, with a maximum height of 4 m, originating in Ukraine; and
- up to 2-year-old dormant, without leaves, plants for planting of *Acer griseum*, *Acer platanoides*, *Acer rubrum*, *Acer saccharinum*, *Acer saccharum*, *Acer tataricum*, *Acer tataricum* subsp. *ginnala* and *Acer* × *freemanii* in growing medium, with a maximum height of 3 m, originating in Ukraine.'