

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2016/1359

of 8 August 2016

amending Implementing Decision 2012/270/EU as regards emergency measures to prevent the introduction into and the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix similaris* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner)

(notified under document C(2016) 5038)

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 2012/270/EU ⁽²⁾ established emergency measures to prevent the introduction into and the spread within the Union of *Epitrix cucumeris*, *Epitrix similaris*, *Epitrix subcrinita* and *Epitrix tuberis*, those harmful organisms not being listed in Annex I or II to Directive 2000/29/EC.
- (2) Since the adoption of Commission Implementing Decision 2014/679/EU ⁽³⁾, amending Implementing Decision 2012/270/EU, an official laboratory report by the National Reference Laboratory of Spain, based on a scientific paper published by Orlova-Bienkowskaja MJ ⁽⁴⁾, revealed that the harmful organism identified as *Epitrix similaris* (Gentner) was wrongly identified as such. Instead it should have been identified as *Epitrix papa* sp. n. Moreover, and according to the latest information supplied by Spain and Portugal, the organism causing harm to potatoes in some areas and earlier identified as *Epitrix similaris* (Gentner) is now identified as *Epitrix papa* sp. n. It has been further confirmed that *Epitrix similaris* (Gentner) has never been found present in Union territory. Therefore Implementing Decision 2012/270/EU should no longer cover *Epitrix similaris* (Gentner) but the harmful organism *Epitrix papa* sp. n.
- (3) Since the adoption of Implementing Decision 2014/679/EU, amending Implementing Decision 2012/270/EU, experience gained by Spain and Portugal indicate that a buffer zone with a width of at least 500 m beyond the edge of an infested zone should be established to ensure effective protection of the Union territory.
- (4) Implementing Decision 2012/270/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 Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ 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 similaris* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner) (OJ L 132, 23.5.2012, p. 18).

⁽³⁾ Commission Implementing Decision 2014/679/EU of 25 September 2014 amending Implementing Decision 2012/270/EU as regards its period of application and as regards the movement to packing facilities of potato tubers originating in areas demarcated in order to prevent the spread within the Union of *Epitrix cucumeris* (Harris), *Epitrix similaris* (Gentner), *Epitrix subcrinita* (Lec.) and *Epitrix tuberis* (Gentner) (OJ L 283, 27.9.2014, p. 61).

⁽⁴⁾ http://www.eje.cz/artkey/eje-201504-0028_epitrix_papa_sp_n_coleoptera_chrysomelidae_galerucinae_alticini_previously_misidentified_as_epitrix_sim.php

HAS ADOPTED THIS DECISION:

Article 1

Amendments to Implementing Decision 2012/270/EU

Implementing Decision 2012/270/EU is amended as follows:

- (1) in the title, the words '*Epitrix similaris* (Gentner)' are replaced by the words '*Epitrix papa* sp. n.';
- (2) in Article 1, the words '*Epitrix similaris* (Gentner)' are replaced by the words '*Epitrix papa* sp. n.';
- (3) in Annex II, point (b) of Section 1(1) is replaced by the following:
'(b) a buffer zone with a width of at least 500 m beyond the edge of an infested zone; where part of a field is within that width, the entire field shall be part of the buffer zone.'

Article 2

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 8 August 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission
