

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2022/1400

of 11 August 2022

amending Council Directive 2008/72/EC to extend the period during which Member States may decide on the import conditions for vegetable propagating and planting material, other than seed, from third countries

(notified under document C(2022) 5723)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2008/72/EC of 15 July 2008 on the marketing of vegetable propagating and planting material, other than seed ⁽¹⁾, and in particular Article 16(2), second subparagraph, thereof,

Whereas:

- (1) Pursuant to Article 16(1) of Directive 2008/72/EC, the Commission is to decide whether vegetable propagating and planting material, other than seed, produced in a third country and affording the same guarantees as regards obligations on the supplier, identity, characteristics, plant health, growing medium, packaging, inspection arrangements, marking and sealing, is equivalent in all these respects to vegetable propagating and planting material, other than seed, produced in the Union and complying with the requirements and conditions of that Directive.
- (2) Currently, pending such decision by the Commission, Member States importing such material from third countries may, until 31 December 2022, apply to such products import conditions at least equivalent to those applicable to similar Union products.
- (3) However, the information presently available on the conditions applying in third countries is not sufficient to enable the Commission to adopt any such decision in respect of any third country.
- (4) In order to prevent trade patterns from being disrupted, the period during which Member States are allowed to apply to such products conditions at least equivalent to those applicable to similar Union products should be extended beyond 31 December 2022. Considering the investments and the time needed for the production of those products in accordance with the import conditions, it is appropriate to extend that period by 7 years.
- (5) Directive 2008/72/EC should therefore be amended accordingly.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

In Article 16(2), first subparagraph, of Directive 2008/72/EC, the date ‘31 December 2022’ is replaced by ‘31 December 2029’.

Article 2

This Decision is addressed to the Member States.

⁽¹⁾ OJ L 205, 1.8.2008, p. 28.

Done at Brussels, 11 August 2022.

For the Commission
Stella KYRIAKIDES
Member of the Commission
