

COMMISSION IMPLEMENTING REGULATION (EU) 2023/455**of 2 March 2023****correcting Regulation (EC) No 1480/2004 laying down specific rules concerning goods arriving from the areas not under the effective control of the Government of Cyprus in the areas in which the Government exercises effective control**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 866/2004 of 29 April 2004 on a regime under Article 2 of Protocol 10 to the Act of Accession ⁽¹⁾, and in particular Article 4(12) thereof,

After consulting the Line Regulation Committee,

Whereas:

- (1) Commission Implementing Regulation (EU) 2022/1166 ⁽²⁾ amended Article 3(2) of Regulation (EC) No 1480/2004 ⁽³⁾ and Annex III thereto. The amendment inadvertently removed references to farm saved seed potatoes from those provisions, thus changing their scope.
- (2) Regulation (EC) No 1480/2004 should therefore be corrected accordingly.
- (3) In order to correct the error as soon as possible and to ensure legal certainty with regard to farm saved seed potatoes, this Regulation should enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1480/2004 is corrected as follows:

- (1) in Article 3, paragraph 2 is replaced by the following:

‘2. In the case of potatoes, the above experts shall verify that the potatoes in the consignment were grown directly from seed potatoes certified in one of the Member States or from seed potatoes certified in any other country for which the entry into the Union of potatoes intended for planting is not prohibited pursuant to Annex VI of Implementing Regulation (EU) 2019/2072 or from farm saved seed potatoes which were, under supervision of the experts, grown as the first offspring of the certified seed potatoes referred to in this paragraph.’;

- (2) in point 10 of Annex III, the fifth indent is replaced by the following:

‘— in the case of potatoes, that the potatoes in the consignment were grown directly from seed potatoes certified in one of the Member States or from seed potatoes certified in any other country for which the entry into the Union of potatoes intended for planting is not prohibited pursuant to Annex VI to Implementing Regulation (EU) 2019/2072 or from farm saved seed potatoes which were, under supervision of the above experts, grown as the first offspring of the certified seed potatoes referred to above.’.

⁽¹⁾ OJ L 161, 30.4.2004, p. 128.

⁽²⁾ Commission Implementing Regulation (EU) 2022/1166 of 6 July 2022 amending Regulation (EC) No 1480/2004 laying down specific rules concerning goods arriving from the areas not under the effective control of the Government of Cyprus in the areas in which the Government exercises effective control (OJ L 181, 7.7.2022, p. 11).

⁽³⁾ Commission Regulation (EC) No 1480/2004 of 10 August 2004 laying down specific rules concerning goods arriving from the areas not under the effective control of the Government of Cyprus in the areas in which the Government exercises effective control (OJ L 272, 20.8.2004, p. 3).

Article 2

This Regulation shall enter into force on the third 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 the Member States.

Done at Brussels, 2 March 2023.

For the Commission
The President
Ursula VON DER LEYEN
