

Thursday 15 December 2016

P8_TA(2016)0509

Protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

European Parliament resolution of 15 December 2016 on the draft Commission implementing directive amending Annexes I to V to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (D047308/01 — 2016/3010(RSP))

(2018/C 238/12)

The European Parliament,

- having regard to the draft Commission implementing directive amending Annexes I to V to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (D047308/01,
 - 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 points (c) and (d) of the second paragraph of Article 14 and Article 18(2) thereof,
 - having regard to Articles 11 and 13 of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers ⁽²⁾,
 - 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 ⁽³⁾,
 - having regard to the Commission Implementing Decision (EU) 2016/715 of 11 May 2016 setting out measures in respect of certain fruits originating in certain third countries to prevent the introduction into and the spread within the Union of the harmful organism *Phyllosticta citricarpa* (McAlpine) Van der Aa ⁽⁴⁾,
 - having regard to the scientific opinion delivered by the European Food Safety Authority on 30 January 2014 ⁽⁵⁾,
 - having regard to the motion for a resolution of the Committee on Agriculture and Rural Development,
 - having regard to Rule 106(2) and (3) of its Rules of Procedure,
- A. whereas the draft Commission implementing directive seeks to amend Annexes I to V to Directive 2000/29/EC; whereas Directive 2000/29/EC will be repealed and replaced by Regulation (EU) 2016/2031 on protective measures against pests of plants as soon as that regulation becomes applicable;
- B. whereas the draft Commission implementing directive runs counter to the objectives of Regulation (EU) 2016/2031, in that it undermines the requirements for the introduction into the Union of certain fruits susceptible to pests, in particular regarding citrus black spot and citrus canker;

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 55, 28.2.2011, p. 13.

⁽³⁾ OJ L 317, 23.11.2016, p. 4.

⁽⁴⁾ OJ L 125, 13.5.2016, p. 16.

⁽⁵⁾ Scientific opinion, on request from the European Commission (Question No EFSA-Q-2013-00334), on the risk of *Phyllosticta citricarpa* (*Guignardia citricarpa*) for the EU territory with identification and evaluation of risk reduction options. EFSA Journal 2014; 12(2):3557.

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1. Considers that the draft Commission implementing directive is not consistent with Union law, in that it is not compatible with the objective of Regulation (EU) 2016/2031, which is to determine the phytosanitary risks posed by any species, strain or biotype of pathogenic agents, animals or parasitic plants injurious to plants or plant products ('pests') and measures to reduce those risks to an acceptable level; recalls, in this connection, that Regulation (EU) 2016/2031, as soon as it becomes applicable (i.e. on 14 December 2019), will repeal and replace Directive 2000/29/EC;

2. Calls on the Commission to modify its draft implementing directive ⁽¹⁾ as follows:

Modification 1

Draft implementing directive

Annex — paragraph 4(a)(i) — point 6 — point 16.2 — point (e)

Draft implementing directive

Modification

or

deleted

(e) in the case of fruits destined for processing, official inspections prior to export have shown that the fruits are free from symptoms of *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii*,

and

transport and processing takes place under conditions, approved in accordance with the procedure referred to in Article 18(2).

Modification 2

Draft implementing directive

Annex — paragraph 4(a)(i) — point 7 — point 16.4 — point (d) — point 4a (new)

Draft implementing directive

Modification

Introduction into the Union of specified fruits originating in third countries

⁽¹⁾ The Commission transmitted only the English version of its draft implementing directive to Parliament, as the draft was not translated into the other official languages.

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Draft implementing directive

Modification

Specified fruits originating in third countries shall be accompanied by a phytosanitary certificate, as referred to in the first subparagraph of point (ii) of Article 13(1) of Directive 2000/29/EC, including under the heading 'Additional declaration' the following elements:

- (i) a statement that the specified fruits originate in a field of production which has been subjected to appropriate treatments against *Phyllosticta citricarpa* and cultivation methods carried out at the appropriate time since the beginning of the last cycle of vegetation, to be adopted in accordance with the procedure referred to in Article 18(2);
- (ii) a statement that an appropriate official inspection has been carried out in the field of production during the growing season, and no symptoms of *Phyllosticta citricarpa* have been detected in the specified fruit since the beginning of the last cycle of vegetation;
- (iii) a statement that a sample has been taken along the line between arrival and packaging in the packing facilities of at least 600 fruits of each species per 30 tonnes, or part thereof, selected as much as possible on the basis of any possible symptom of *Phyllosticta citricarpa*, and all sampled fruits showing symptoms have been tested and found free of that harmful organism;
- (iv) in the case of *Citrus sinensis* (L.) Osbeck 'Valencia', in addition to the statements referred to in (a), (b) and (c): a statement that a sample per 30 tonnes, or part thereof, has been tested for latent infection and found free of *Phyllosticta citricarpa*.

Requirements concerning inspection of the specified fruits originating in third countries within the Union

Specified fruits originating in third countries shall be visually inspected at the point of entry or at the place of destination established in accordance with Commission Directive 2004/103/EC. Those inspections shall be carried out on samples of at least 200 fruits of each species of the specified fruits by batch of 30 tonnes, or part thereof, selected on the basis of any possible symptom of *Phyllosticta citricarpa*. If symptoms of *Phyllosticta citricarpa* are detected during the inspections referred to in paragraph 1, the presence of that harmful organism shall be confirmed or refuted by testing of the fruits showing symptoms. If the presence of *Phyllosticta citricarpa* is confirmed, the batch from which the sample has been taken shall be subjected to refusal of entry into the Union.

Traceability requirements

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Draft implementing directive

Modification

For traceability purposes, the specified fruits shall be introduced into the Union only if they fulfil the following conditions:

- (i) the field of production, the packing facilities, exporters and any other operator involved in the handling of the specified fruits have been officially registered for that purpose;*
- (ii) throughout their movement, from the field of production to the point of entry to the Union, the specified fruits have been accompanied by documents issued under the supervision of the National Plant Protection Organisation;*
- (iii) in the case of the specified fruits originating in third countries, in addition to points (a) and (b), detailed information on the pre- and post-harvest treatments has been kept.*

Modification 3

Draft implementing directive

Annex — paragraph 4(a)(i) — point 7 — point 16.4 — point (e)

Draft implementing directive

Modification

or

deleted

- (e) in the case of fruits destined for processing, official visual inspections prior to export have shown that the fruits are free from symptoms of *Phyllosticta citricarpa* (McAlpine) Van der Aa,*

and

*a statement that the specified fruits originate in a field of production subjected to appropriate treatments against *Phyllosticta citricarpa* carried out at the appropriate time is included in the certificates referred to in Article 13(1)(ii) under the rubric 'Additional declaration',*

and

transport and processing takes place under conditions, approved in accordance with the procedure referred to in Article 18(2).

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Modification 4

Draft implementing directive

Annex — paragraph 4(a)(i) — point 8 — point 16.6 — point (d)

Draft implementing directive

(d) have been subjected to an effective treatment to ensure freedom from *Thaumatotibia leucotreta* (Meyrick). The treatment data to be indicated on the certificates referred to in Article 13(1) (ii).

Modification

(d) have been subjected to an effective treatment to ensure freedom from *Thaumatotibia leucotreta* (Meyrick). ***In the case of fruits of Citrus L., other than Citrus limon (L.) Osbeck. and Citrus aurantifolia (Christm.) Swingle, official statement that the fruits have been subjected to a cold treatment (24 days in 0,55 °C with 3 days precooling) or to an alternative, sustainable and effective treatment having the same effect, and which has been validated according to the procedure referred to in Article 18(2), on the basis of an EFSA evaluation, to ensure freedom from Thaumatotibia leucotreta (Meyrick).*** The treatment data to be indicated on the certificates referred to in Article 13(1)(ii).

3. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.
