



COMMISSION IMPLEMENTING REGULATION (EU) 2024/591

of 20 February 2024

amending Implementing Regulation (EU) 2022/2389 concerning the establishment of frequency rates for identity checks and physical checks on consignments of plants, plant products and other objects entering the Union

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽¹⁾, and in particular points (a) and (c) of the first subparagraph of Article 54(3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2022/2389 ⁽²⁾ establishes rules for the uniform application of frequency rates for identity checks and physical checks on consignments of plants, plant products and other objects referred to in Article 47(1), point (c), of Regulation (EU) 2017/625 entering the Union. Annex I to Implementing Regulation (EU) 2022/2389 sets out the list of plants, plant products and other objects which are subject to identity checks and physical checks at specific frequency rates.
- (2) In accordance with Article 6(1) of Implementing Regulation (EU) 2022/2389, the frequency rates set out in Annex I to that Implementing Regulation are to be modified with regard to the criteria set out in points (i), (ii), (iv), (v) and (vi) of Article 54(3), point (a), of Regulation (EU) 2017/625, the criteria set out in Annex II, and, where appropriate, with regard to the information set out in Annex III to that Implementing Regulation. In accordance with Article 6(2), the frequency rates for identity checks and physical checks for plants, plant products and other objects, or categories thereof, are to be reviewed at least annually, in order to take into account new information collected through IMSOC or provided by Member States, and modified accordingly.
- (3) The Commission established a working group of experts who examined the situation of imports in 2022 and 2023 of plants, plant products and other objects referred to in Article 47(1), point (c), of Regulation (EU) 2017/625. On the basis of the criteria referred to in Article 6(1) of Implementing Regulation (EU) 2022/2389, the working group indicated the minimum frequency rates of identity and physical checks it deemed appropriate for certain plants, plant products and other objects from particular third countries of origin.
- (4) A method based on the risk and on statistics was used taking into account a series of variables, which includes: the estimated mobility index of the Union quarantine pests at the most mobile stage to which they could develop on the relevant plants, plant products or other objects, or categories thereof; the number of consignments of plants, plant products and other objects, or categories thereof, on which identity checks and physical checks have been carried out during the previous year; the total number, and the details of, non-compliances due to the presence of Union quarantine pests related to consignments imported pursuant to this Regulation; the total number of consignments of the goods concerned notified for other reasons than the presence of Union quarantine pests and the details thereof; and any other factor relevant for the determination of the phytosanitary risk associated with the trade concerned.

⁽¹⁾ OJ L 95, 7.4.2017, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2022/2389 of 7 December 2022 establishing rules for the uniform application of frequency rates for identity checks and physical checks on consignments of plants, plant products and other objects entering the Union (OJ L 316, 8.12.2022, p. 42).

- (5) In particular, and mainly due to a lower number of interceptions of consignments affected by Union quarantine pests, the minimum frequency rates of identity and physical checks should be decreased for cut flowers of *Dianthus* from Türkiye, *Rosa* from Colombia, fruits of *Persea americana* from all third countries, *Prunus* and *Pyrus* from European third countries, *Prunus persica* from South Africa and *Vaccinium* from Peru.
- (6) Furthermore, in order to ensure that a minimum number of identity checks and physical checks is performed in all cases despite a lower number of imported consignments for fruits of *Passiflora* originating in Kenya and *Vaccinium* from Argentina, the respective minimum frequency rates of identity checks and physical checks should be increased.
- (7) The minimum frequency rates of identity checks and physical checks should be increased due to interceptions of consignments affected by Union quarantine pests for cut flowers of *Rosa* from Kenya and *Rosa* from Ethiopia, fruits of *Citrus* from Egypt, roots and tubercles of *Curcuma longa* and *Zingiber officinale* from Peru, and roots and tubercles of *Curcuma longa* from Thailand.
- (8) For reasons of legal clarity, all lines in Annex I where a minimum frequency rate of 100 % is currently foreseen should be deleted because this is the standard rate for all plants, plant products and other objects set out in Article 4(2) of Implementing Regulation (EU) 2022/2389.
- (9) In view of the above, the Commission considers that the frequency rates for identity and physical checks set out in Annex I to Implementing Regulation (EU) 2022/2389 should be modified.
- (10) For reasons of clarity, it is appropriate to replace Annex I to Implementing Regulation (EU) 2022/2389.
- (11) In order to allow the competent authorities sufficient time to adapt to the new frequency rates, this Regulation should apply from 1 May 2024.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment to Implementing Regulation (EU) 2022/2389

Annex I to Implementing Regulation (EU) 2022/2389 is replaced by the text set out in the Annex to this Regulation.

Article 2

Entry into force and date of application

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

It shall apply from 1 May 2024.

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

Done at Brussels, 20 February 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annex I to Commission Implementing Regulation (EU) 2022/2389 is replaced by the following:

'ANNEX I

Frequency rates of identity checks and physical checks of the consignments of certain plants, plant products and other objects, or categories thereof, as referred to in Article 4(3)

Plant, plant product or other object, or a category thereof	Country of origin	Minimum frequency rate of identity and physical checks (%)
CUT FLOWERS		
<i>Aster</i>	Zimbabwe	75
<i>Dianthus</i>	Colombia	3
<i>Dianthus</i>	Ecuador	15
<i>Dianthus</i>	Kenya	5
<i>Dianthus</i>	Türkiye	25
<i>Gypsophila</i>	Ecuador	5
<i>Gypsophila</i>	Kenya	10
<i>Phoenix</i>	Costa Rica	50
<i>Rosa</i>	Colombia	3
<i>Rosa</i>	Ecuador	1
<i>Rosa</i>	Ethiopia	25
<i>Rosa</i>	Kenya	25
<i>Rosa</i>	Zambia	50
FRUITS		
<i>Actinidia</i>	All third countries	10
<i>Carica papaya</i>	All third countries	10
<i>Fragaria</i>	All third countries	5
<i>Persea americana</i>	All third countries	1
<i>Rubus</i>	All third countries	5
<i>Vitis</i>	All third countries	1
<i>Malus</i>	European third countries ⁽¹⁾	15
<i>Prunus</i>	European third countries ⁽¹⁾ ⁽²⁾	5
<i>Pyrus</i>	European third countries ⁽¹⁾	50
<i>Vaccinium</i>	European third countries ⁽¹⁾	50

Citrus	Egypt	75
Citrus	Israel	35
Citrus	Mexico	25
Citrus	Morocco	3
Citrus	Peru	10
Citrus	Türkiye	7
Citrus	USA	50
Malus	Argentina	35
Malus	Chile	5
Malus	New Zealand	10
Malus	South Africa	15
Mangifera	Brazil	75
Passiflora	Colombia	5
Passiflora	Réunion	10
Passiflora	South Africa	75
Passiflora	Viet Nam	15
Prunus	Chile	10
Prunus	South Africa	10
Prunus	Türkiye	35
Pyrus	Argentina	25
Pyrus	Chile	15
Pyrus	South Africa	10
Vaccinium	Argentina	50
Vaccinium	Chile	10
Vaccinium	Peru	5

VEGETABLES

<i>Solanum lycopersicum</i>	Canary Islands	25
<i>Solanum lycopersicum</i>	Morocco	1
Root and tubercle vegetables, other than tubers of <i>Solanum tuberosum</i> L. (°) (°)	All third countries (°)	5
<i>Curcuma longa</i>	Thailand	25

USED MACHINERY

Machinery and vehicles which have been operated for agricultural or forestry purposes	All third countries	10
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(¹) Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Canary Islands, Faeroe Islands, Georgia, Iceland, Liechtenstein, Moldova, Monaco, Montenegro, North Macedonia, Norway, Russia (only the following parts: Central Federal District (Tsentralny federalny okrug), Northwestern Federal District (Severo-Zapadny federalny okrug), Southern Federal District (Yuzhny federalny okrug), North Caucasian Federal District (Severo-Kavkazsky federalny okrug) and Volga Federal District (Privolzhsky federalny okrug)), San Marino, Serbia, Türkiye, Ukraine and United Kingdom.

(²) Other than Türkiye.

(³) 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, Annex VII, point 12 (OJ L 319, 10.12.2019, p. 103).

(⁴) Excluding *Curcuma longa* and *Zingiber officinale* from Peru, and *Curcuma longa* from Thailand.

(⁵) Other than Cameroon.
