# Commission Implementing Regulation (EU) 2020/1825 of 2 December 2020 amending Articles 7 and 8 of Implementing Regulation (EU) 2019/2072 as regards temporary measures for the introduction into, or movement within, the Union territory of certain plants, plant products or other objects

## COMMISSION IMPLEMENTING REGULATION (EU) 2020/1825

## of 2 December 2020

## amending Articles 7 and 8 of Implementing Regulation (EU) 2019/2072 as regards temporary measures for the introduction into, or movement within, the Union territory of certain plants, plant products or other objects

THE EUROPEAN COMMISSION,

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

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[(1)], and in particular Articles 40(2) and 41(2) thereof,

Whereas:

(1) Article 7 of Commission Implementing Regulation (EU) 2019/2072[(2)], in conjunction with Annex VI of that Regulation, provides for a list of plants, plant products and other objects whose introduction into the Union territory is prohibited, together with the third countries, groups of third countries or specific areas of third countries to which the prohibition applies, as referred to in Article 40(2) of Regulation (EU) 2016/2031.

(2) Article 8(1) of Implementing Regulation (EU) 2019/2072, in conjunction with Annex VII of that Regulation, provides for a list of plants, plant products and other objects, originating from third countries, and the corresponding special requirements for their introduction into the Union territory, as referred to in Article 41(2) of Regulation (EU) 2016/2031.

(3) Moreover, Article 8(2) of Implementing Regulation (EU) 2019/2072, in conjunction with Annex VIII of that Regulation, provides for a list of plants, plant products and other objects, originating in the Union territory, and the corresponding special requirements for their movement within the Union territory, as referred to in Article 41(2) of Regulation (EU) 2016/2031.

(4) Since the adoption of Implementing Regulation (EU) 2019/2072, it has become clear that, in certain exceptional cases, certain implementing acts, setting out temporary prohibitions or special requirements for the introduction into, or movement within, the Union territory of certain plants, plant products or other objects, need to be adopted pursuant to Articles 28(1), 30(1), 40(2), (41)2, 42(3), 42(4) or 49(1) of Regulation (EU) 2016/2031 to address specific phytosanitary risks, which have not been sufficiently assessed. That will allow the phytosanitary risks addressed through those prohibitions

or special requirements to be further assessed in order to determine their phytosanitary status.

(5) Therefore, Articles 7 and 8 of Implementing Regulation (EU) 2019/2072 should provide that the respective prohibitions or special requirements are to apply without prejudice to those acts.

(6) Implementing Regulation (EU) 2019/2072 should therefore be amended accordingly.

(7) 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 of Implementing Regulation (EU) 2019/2072**

Implementing Regulation (EU) 2019/2072 is amended as follows:

(1) in Article 7, the following subparagraph is added:

> The first paragraph shall apply without prejudice to any other acts setting out prohibitions, having a temporary character, adopted pursuant to Articles 40(2), 42(3) or 49(1) of Regulation (EU) 2016/2031, and concerning the introduction into the Union territory of certain plants, plant products or other objects to address particular phytosanitary risks which are not yet fully assessed.;

(2) Article 8 is amended as follows:

(a) in paragraph 1, the following subparagraph is added:

> The first subparagraph shall apply without prejudice to any other acts setting out special requirements, having a temporary character, adopted pursuant to Articles 41(2), 42(4) or 49(1) of Regulation (EU) 2016/2031, and concerning the introduction into the Union territory of certain plants, plant products or other objects to address particular phytosanitary risks which are not yet fully assessed.;

(b) in paragraph 2, the following subparagraph is added:

> The first subparagraph shall apply without prejudice to any other acts setting out special requirements, having a temporary character, adopted pursuant to Articles 28(1), 30(1), 41(2), 42(4) or 49(1) of Regulation (EU) 2016/2031, and concerning the movement within the Union territory of certain plants, plant products or other objects to address particular phytosanitary risks which are not yet fully assessed..

*Article 2*

**Entry into force**

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