

Commission Implementing Decision (EU) 2020/2113 of 16 December 2020 amending Annex I to Decision 2004/3/EC authorising, in respect of the marketing of seed potatoes in all or part of the territory of certain Member States, more stringent measures against certain diseases than are provided for in Annexes I and II to Council Directive 2002/56/EC, as regards the entry for the United Kingdom (notified under document C(2020) 9306) (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/2113

of 16 December 2020

amending Annex I to Decision 2004/3/EC authorising, in respect of the marketing of seed potatoes in all or part of the territory of certain Member States, more stringent measures against certain diseases than are provided for in Annexes I and II to Council Directive 2002/56/EC, as regards the entry for the United Kingdom

*(notified under document C(2020) 9306)*

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes<sup>(1)</sup>, and in particular Article 17(2) thereof,

Whereas:

- (1) Directive 2002/56/EC provides that, in respect of the marketing of seed potatoes in all or part of the territory of one or more Member States, the Commission is to authorise more stringent measures than those provided for in Annexes I and II thereto to be taken against harmful organisms which do not exist in those regions or which appear particularly harmful to crops in those regions.
- (2) Commission Decision 2004/3/EC<sup>(2)</sup>, in that regard, authorises, in respect of the marketing of seed potatoes in all or part of the territory of certain Member States, more stringent measures against certain diseases than are provided for in Annexes I and II to Directive 2002/56/EC. More particularly, Decision 2004/3/EC provides that the Member States listed in column 1 of Annex I thereto are authorised, in respect of the marketing of seed potatoes in the regions listed against their names in column 2 of that Annex, to place certain restrictions on the marketing of seed potatoes. As regards the United Kingdom, column 2 of Annex I to Decision 2004/3/EC currently lists the regions of Cumbria, Northumberland (England), Northern Ireland and Scotland for the purposes of that authorisation.
- (3) In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (Withdrawal Agreement), and in particular Article 5(4) of the

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**Changes to legislation:** There are currently no known outstanding effects for the  
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Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, Directive 2002/56/EC, as well as the Commission acts based on it, applies to and in the United Kingdom in respect of Northern Ireland after the end of the transition period provided for in the Withdrawal Agreement. For that reason, at the end of the transition period only Northern Ireland should be listed as a region in column 2 of Annex I to Decision 2004/3/EC.

- (4) Annex I to Decision 2004/3/EC should therefore be amended accordingly.
- (5) As the transition period provided for in the Withdrawal Agreement ends on 31 December 2020, this Decision should apply from 1 January 2021.
- (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*

Annex 1 to Decision 2004/3/EC is replaced by the text set out in the Annex to this Decision.

*Article 2*

This Decision shall apply from 1 January 2021.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 16 December 2020.

*For the Commission*

Stella KYRIAKIDES

*Member of the Commission*