Commission Implementing Decision (EU) 2019/1999 of 28 November 2019 amending Decision 2005/51/EC as regards the period during which soil contaminated by pesticides or persistent organic pollutants may be introduced into the Union for decontamination purposes (notified under document C(2019) 8555)

COMMISSION IMPLEMENTING DECISION (EU) 2019/1999

of 28 November 2019

amending Decision 2005/51/EC as regards the period during which soil contaminated by pesticides or persistent organic pollutants may be introduced into the Union for decontamination purposes

(notified under document C(2019) 8555)

THE EUROPEAN COMMISSION,

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

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 the first indent of the first subparagraph of Article 15(1) thereof,

Whereas:

(1) Pursuant to Article 4(1) of Directive 2000/29/EC, in conjunction with point 14 of Part A of Annex III to that Directive, the introduction into the Union of soil originating in certain third countries is prohibited.

(2) By Commission Decision 2005/51/EC[(2)] Member States were temporarily authorised to provide for a derogation from those provisions, subject to specific conditions, in respect of soil contaminated by pesticides or persistent organic pollutants, when imported for decontamination purposes and destined for treatment in dedicated hazardous waste incinerators.

(3) Pursuant to the Annex to Decision 2005/51/EC, Member States making use of the derogation shall notify the Member States and the Commission on a yearly basis of the details of each introduction into their territory of soil as referred to in point 3 of that Annex.

(4) Some Member States have requested an extension of the authorisation to provide for that derogation. From the notifications submitted by the Member States pursuant to Decision 2005/51/EC, it appears that, when making use of that derogation, the compliance with specific conditions laid down in that Decision is sufficient to prevent the introduction of harmful organisms into the Union. Consequently, there is no phytosanitary risk arising as result of the activities covered by that Decision.

(5) It is therefore appropriate to extend the derogation for a further period of five years until 31 December 2024.

(6) Decision 2005/51/EC should therefore be amended accordingly.

(7) 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

Amendment of Decision 2005/51/EC

In the second paragraph of Article 1 of Decision 2005/51/EC, the date ‘31 December 2019’ is replaced by ‘31 December 2024’.

Article 2

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 28 November 2019.

For the Commission

Vytenis ANDRIUKAITIS

Member of the Commission