Commission Implementing Decision (EU) 2019/1598 of 26 September 2019 amending Implementing Decision (EU) 2018/638 establishing emergency measures to prevent the introduction into and the spread within the Union of the harmful organism Spodoptera frugiperda (Smith) (notified under document C(2019) 6818)

COMMISSION IMPLEMENTING DECISION (EU) 2019/1598

of 26 September 2019

amending Implementing Decision (EU) 2018/638 establishing emergency measures to prevent the introduction into and the spread within the Union of the harmful organism *Spodoptera frugiperda* (Smith)

(notified under document C(2019) 6818)

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 third sentence of Article 16(3) thereof,

Whereas:

(1) Commission Implementing Decision (EU) 2018/638[(2)] establishes emergency measures to prevent the introduction into and the spread within the Union of the harmful organism *Spodoptera frugiperda* (Smith) ('the specified organism'), which is listed in point 22 of Section I(a) of Part A of Annex I to Directive 2000/29/EC as a harmful organism not known to occur in the Union.

(2) Since the adoption of Implementing Decision (EU) 2018/638, the specified organism has been introduced to Asia, where it continues to spread. Given the fast spread, the geographic scope specified in Implementing Decision (EU) 2018/638 should be enlarged to include all third countries, as there is no certainty in relation to the spread of that organism worldwide.

(3) Given the pace of the spread of the specified organism, the date of expiration of the emergency measures should be extended until 30 June 2021 to allow its review before that time.

(4) This Decision should apply from 1 October 2019, in order to allow the concerned responsible official bodies, professional operators and third countries to adapt to those requirements.

(5) Implementing Decision (EU) 2018/638 should therefore be amended accordingly.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Decision (EU) 2019/1598. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

HAS ADOPTED THIS DECISION:

Article 1

Implementing Decision (EU) 2018/638 is amended as follows:

(1) point (b) of Article 1 is replaced by the following:

(b) "specified plants" means fruits of *Capsicum* L., *Momordica* L., *Solanum aethiopicum* L., *Solanum macrocarpon* L. and *Solanum melongena* L., and plants, other than live pollen, plant tissue cultures, seeds and grains, of *Zea mays* L. originating in third countries other than Switzerland;;

(2) the text of Article 8 is replaced by the following:

This Decision shall apply until 30 June 2021..

Article 2

This Decision shall apply from 1 October 2019.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 26 September 2019.

For the Commission

Vytenis ANDRIUKAITIS

Member of the Commission