Commission Implementing Directive (EU) 2019/1813 of 29 October 2019 amending Implementing Directive 2014/96/EU on the requirements for the labelling, sealing and packaging of fruit plant propagating material and fruit plants intended for fruit production, falling within the scope of Council Directive 2008/90/EC as regards the colour of the label for certified categories of propagating material and fruit plants and the content of the supplier's document

COMMISSION IMPLEMENTING DIRECTIVE (EU) 2019/1813

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THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2008/90/EC of 29 September 2008 on the marketing of fruit plant propagating material and fruit plants intended for fruit production[(1)], and in particular Article 9(1) thereof,

Whereas:

(1) Commission Implementing Directive 2014/96/EU[(2)] sets out the requirements for the labelling of fruit plant propagating material and fruit plants intended for fruit production to ensure the identity and traceability of that propagating material and those fruit plants during marketing.

(2) Pursuant to that Directive, the use of coloured labels for fruit plant propagating material and fruit plants of the pre-basic, basic and certified categories was to be reviewed by the Commission by 1 January 2019.

(3) A survey conducted by the Commission showed that a majority of Member States are in favour of the mandatory use of a coloured label for the pre-basic, basic and certified categories of propagating material and fruit plants. The survey also indicated that several Member States market *Conformitas Agraria Communitatis* ('CAC') material with a yellow supplier's document in the form of a label affixed to the CAC material.

(4) In order to take into account the existing practice in the Member States, and to ensure a clear distinction between the supplier's document for CAC material and the official labels for pre-basic, basic and certified material, the colour of the CAC label should be yellow when the supplier's document is affixed to the CAC material. No special colour should be prescribed for the supplier's document when it is not affixed to the CAC material because in such a case there is no risk of confusion with any other label or document.

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(5) Implementing Directive 2014/96/EU does not prescribe a specific colour for the supplier's document when it is affixed to the CAC material in the form of a label. Certain Member States currently use a colour other than yellow for those labels. In order to avoid any disruption of trade, Member States should be allowed to authorise, for a transitional period, CAC material to which labels in a colour other than yellow are affixed, to be marketed in their own territory, where those coloured labels were already in use up to 1 April 2020.

(6) Moreover, experience has shown that the content of the supplier's document could be simplified to ensure more flexibility for the marketing of CAC material in each Member State. When the supplier's document contains less information it is easier for the supplier to reduce the size of that document so that it can be affixed to the CAC material to be marketed. For this reason, providing information about the quantity of CAC material marketed and the Member State where the CAC material was produced, where it is different from the Member State in which the supplier's document has been prepared, should be optional.

(7) Having regard to the changes that need to be made to the labelling requirements for fruit plant propagating material and fruit plants of all marketing categories, as well as to the requirements for the supplier's document, it is appropriate to amend Implementing Directive 2014/96/EU.

(8) In order to allow the competent authorities and the suppliers adequate time to adapt to the new requirements, this Directive should apply from 1 April 2020.

(9) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed, section Propagating Material and Plants of Fruit Genera and Species,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Amendments to Implementing Directive 2014/96/EU

Implementing Directive 2014/96/EU is amended as follows:

(1) In Article 2, paragraph 4 is replaced by the following:

4. The colour of the label shall be:

(a) white with a diagonal violet stripe for pre-basic-material;

(b) white for basic material;

(c) blue for certified material.;

(2) Article 5 is replaced by the following: