Commission Implementing Directive (EU) 2017/1279 of 14 July 2017 amending Annexes I to V to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

COMMISSION IMPLEMENTING DIRECTIVE (EU) 2017/1279

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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 points (c) and (d) of the second paragraph of Article 14 thereof,

Whereas:

(1) Following the recently published revision of the respective scientific denomination, *Anoplophora malasiaca* (Forster) is considered a synonym of *Anoplophora chinensis* (Thomson), already included in Section I of Part A of Annex I to Directive 2000/29/EC. Therefore, *Anoplophora malasiaca* (Forster) should be deleted from Section I of Part A of Annex I to Directive 2000/29/EC.

(2) With a view to protecting plants, plant products and other objects, in light of increased international trade and following pest risk assessments performed and recently published by the European and Mediterranean Plant Protection Organisation, it is technically justified and consistent with the pest risks involved to add the harmful organisms *Bactericera cockerelli* (Sulc.), *Keiferia lycopersicella* (Walsingham), *Saperda candida* Fabricius and *Thaumatotibia leucotreta* (Meyrick) to Section I of Part A of Annex I to Directive 2000/29/EC.

(3) It is technically justified to delete *Xylella fastidiosa* (Wells *et al.*) from Section I of Part A of Annex I to Directive 2000/29/EC and add it to Section II of that Part as this harmful organism is known to occur in the Union.

(4) The presence of the harmful organism *Xanthomonas campestris* (all strains pathogenic to *Citrus*) poses an unacceptable risk to the production and the trade of plants, plant products and other objects. In addition, the strains of *Xanthomonas campestris* pathogenic to citrus have been reclassified. *Xanthomonas citri* pv. *citri* and *Xanthomonas citri* pv. *aurantifolii* are the causal agents of citrus canker disease. Therefore, it is scientifically justified and consistent with the pest risk involved to delete *Xanthomonas campestris* in Section I of Part A of Annex II to Directive 2000/29/EC

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and include it in Section I of Part A of Annex I to that Directive under the names *Xanthomonas citri* pv. *aurantifolii* and *Xanthomonas citri* pv. *citri*.

(5) Following the revision of the respective scientific denomination, the harmful organism *Guignardia citricarpa* Kiely (all strains pathogenic to *Citrus*) has been renamed *Phyllosticta citricarpa* (McAlpine) Van der Aa, the causal agent of citrus black spot. It also poses an unacceptable risk to the production and the trade of plants, plant products and other objects. Therefore, it is technically justified and consistent with the pest risk involved to move that harmful organism from Section I of Part A of Annex II to Directive 2000/29/EC to Section I of Part A of Annex I to that Directive and rename it *Phyllosticta citricarpa* (McAlpine) Van der Aa.

(6) The typographic mistakes regarding the scientific names of the harmful organisms *Phyloosticta solitaria* Ell. and Ev. and *Popilia japonica* Newman in Sections I and II, respectively, of Part A of Annex I to Directive 2000/29/EC and *Aleurocantus* spp. and *Aonidella citrina* Coquillet in Section I of Part A of Annex II to that Directive should be corrected and replaced, as applicable, by *Phyllosticta solitaria* Ellis & Everhart, *Popillia japonica* Newman, *Aleurocanthus* spp. and *Aonidiella citrina* Coquillet respectively. Similarly, typographic mistakes in the scientific denomination of *Zea mays* L. should also be corrected in all annexes where reference is made to that species. The typographic mistake in the scientific denomination of *Amiris* P. Browne in Section I of Part B of Annex V to that Directive should be corrected and replaced by *Amyris* P. Browne.

(7) Following the recently published revision of the respective scientific denomination, Elm phlöem necrosis mycoplasm has been renamed '*Candidatus* Phytoplasma ulmi'. In addition, it is technically justified to delete that organism from Section I of Part A of Annex I to Directive 2000/29/EC (where it is listed as Elm phlöem necrosis mycoplasm) and include it in Section II of that Part as '*Candidatus* Phytoplasma ulmi' as this harmful organism is known to occur in the Union. This is in accordance with the pest categorisation of the organism, performed by the European Food Safety Authority (EFSA)[(2)]. The new name should also be reflected in Annex IV to Directive 2000/29/EC.

(8) It is technically justified and consistent with the pest risk involved to delete the harmful organism Potato spindle tuber viroid from Section I of Part A of Annex I to Directive 2000/29/EC, since that harmful organism has spread and is established in a number of host plants within a large part of the Union. The organism is included in Section II of Part A of Annex II to that Directive in order to protect the commodities that are currently free and where its presence would pose a significant risk and causes significant losses.

(9) Following the recently published revision of the respective scientific denomination, the harmful organism *Xanthomonas campestris* pv. *pruni* (Smith) Dye should be renamed *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al*.

(10) The special requirements for wood included in Section I of Part A of Annex IV to Directive 2000/29/EC should be revised in order to align them with the relevant International Standard of Phytosanitary Measures (ISPM 15) and further clarify them. In addition, the exemption of wood packing material from the specific requirements for wood of *Platanus* L. in that Section should be updated as it was omitted in the last amendment of that Section.

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(11) It is technically acceptable, on the basis of scientific and technical knowledge, to include special requirements for the introduction of certain plants, plant products and other objects into the Union due to their likelihood of hosting the harmful organisms referred to in recital (2). Therefore, the relevant plants, plant products and other objects should be listed in Part A of Annex IV to Directive 2000/29/EC.

(12) In respect of the harmful organisms referred to in recitals (4), (5), and (7) it is necessary to amend the special requirements set out in Part A of Annex IV to Directive 2000/29/EC due to developments in scientific and technical knowledge and the recently published pest risk assessments carried out by EFSA. The aim of the amended requirements is to reduce the phytosanitary risk caused by the introduction into the Union of those plants, plant products and other objects originating in third countries to an acceptable level.

(13) Following pest risk assessments, it is technically justified and consistent with the risks associated with the harmful organism *Trioza erytreae* Del Guercio to add *Murraya* J. Koenig *ex* L. to the list of host plants of that harmful organism in the relevant points in Sections I and II of Part A of Annex IV to Directive 2000/29/EC. Furthermore, *Choisya* Kunt should be included in the list of host plants of that harmful organism following the findings in Member States. Therefore, the special requirements for the import into and movement within the Union of the host plants in the relevant points in Sections I and II of Part A of Annex IV to Directive 2000/29/EC should be amended.

(14) In addition, the plants, plant products or other objects referred to in recitals (10) to (13) should be subject to plant health inspections before being introduced into or moved within the Union. Therefore, those plants, plant products and other objects should be listed in Part A or B of Annex V to Directive 2000/29/EC.

(15) The CN codes for wood set out in Annex V to Directive 2000/29/EC should be updated in order to align them with the current CN codes used in Council Regulation (EEC) No 2658/87[(3)] as amended by Commission Implementing Regulation (EU) 2016/1821[(4)].

(16) In accordance with Commission Regulation (EC) No 690/2008[(5)] certain zones have been recognised as protected zones in respect of various harmful organisms. That Regulation has recently been amended to take account of the latest developments with regard to the protected zones within the Union and the following harmful organisms: *Bemisia tabaci* Genn. (European populations), '*Candidatus* Phytoplasma ulmi', *Ceratocystis platani* (J. M. Walter) Engelbr. & T. C. Harr., Citrus tristeza virus (European strains), *Curtobacterium flaccumfaciens* pv. *flaccumfaciens* (Hedges) Col., *Dryocosmus kuriphilus* Yasumatsu, *Erwinia amylovora* (Burr.) Winsl. *et al.*, *Globodera pallida* (Stone) Behrens, *Globodera rostochiensis* (Wollenweber) Behrens, *Paysandisia archon* (Burmeister), *Rhynchophorus ferrugineus* (Olivier), *Thaumetopoea pityocampa* Denis & Schiffermüller, *Thaumetopoea processionea* L., Tomato spotted wilt virus and *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al*. In order to ensure that the requirements concerning protected zones with regard to the respective harmful organisms are consistent, the relevant requirements in Annexes I to V to Directive 2000/29/EC should be updated.

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(17) Moreover, several areas within the Union that have been recognised as protected zones with regard to certain harmful organisms no longer fulfil the requirements because those harmful organisms have become established there or the Member States concerned requested that the status as a protected zone be revoked. Those areas are the following: the region of Ribatejo e Oeste in Portugal with regard to *Bemisia tabaci* Genn. (European populations); the county of Odemira in Alentejo in Portugal with regard to Citrus tristeza virus (European strains); the territory of Portugal with regard to *Curtobacterium flaccumfaciens* pv. *flaccumfaciens* (Hedges) Col. and *Dryocosmus kuriphilus* Yasumatsu; the autonomous communities of Andalucía and Madrid and the districts (Comarcas) of Segrià, Noguera, Pla d'Urgell, Garrigues and Urgell in the province of Lleida (Comunidad autonoma de Catalunya) in Spain; the provinces of Milano and Varese (Lombardy) and the communes of Busca, Centallo and Tarantasca in the province of Cuneo (Piedmont) in Italy; the townlands of Ballinran Upper, Carrigenagh Upper, Ballinran, and Carrigenagh in County Down, and the Electoral Area of Dunmurry Cross in Belfast, County Antrim (Northern Ireland) in the United Kingdom and the entire territory of the county of Dunajská Streda in Slovakia with regard to *Erwinia amylovora* (Burr.) Winsl. *et al.*; the local authority areas of Guildford and Woking in the United Kingdom with regard to *Thaumetopoea processionea* L. and the territory of Finland with regard to Tomato spotted wilt virus. This should be reflected in Part B of Annexes I to IV to Directive 2000/29/EC.

(18) The mistakes in the delimitation of the protected zones for *Leptinotarsa decemlineata* Say in Finland and Sweden in Part B of Annex I to Directive 2000/29/EC should be corrected and brought in line with Regulation (EC) No 690/2008.

(19) In order to protect the production and trade of plants, plant products and other objects, it is technically justified and consistent with the pest risk involved to add the harmful organism *Globodera rostochiensis* (Wollenweber) Behrens to Part B of Annex I to Directive 2000/29/EC and *Paysandisia archon* (Burmeister), *Rhynchophorus ferrugineus* (Olivier), *Thaumetopoea pityocampa* Denis & Schiffermüller and *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* to Part B of Annex II to that Directive.

(20) From information provided by Portugal, it appears that the territory of the Azores is free from *Globodera pallida* (Stone) Behrens, *Globodera rostochiensis* (Wollenweber) Behrens and *Rhynchophorus ferrugineus* (Olivier) and that the Azores fulfil the conditions set out in point (h) of Article 2(1) of Directive 2000/29/EC for the establishment of a protected zone with respect to those harmful organisms. Part B of Annexes I, II and IV to Directive 2000/29/EC should be amended accordingly. Similarly, Part B of Annex IV and Part A of Annex V to that Directive should be amended in order to introduce requirements for the movement of certain plants, plant products and other objects into the protected zones.

(21) From information provided by Ireland, Malta and the United Kingdom, it appears that the territories of those Member States are free from *Paysandisia archon* (Burmeister) and that those territories fulfil the conditions set out in point (h) of Article 2(1) of Directive 2000/29/EC for the establishment of a protected zone with respect to that

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harmful organism. Part B of Annexes II and IV to Directive 2000/29/EC should be amended accordingly. Similarly, Part B of Annex IV and Part A of Annex V to that Directive should be amended in order to introduce requirements for the movement of certain plants, plant products and other objects into the protected zones.

(22) From information provided by Ireland and the United Kingdom, it appears that the territories of those Member States are free from *Rhynchophorus ferrugineus* (Olivier) and that those territories fulfil the conditions set out in point (h) of Article 2(1) of Directive 2000/29/EC for the establishment of a protected zone with respect to that harmful organism. Part B of Annexes II and IV to Directive 2000/29/EC should be amended accordingly. Similarly, Part B of Annex IV and Part A of Annex V to that Directive should be amended in order to introduce requirements for the movement of certain plants, plant products and other objects into the protected zones.

(23) From information provided by the United Kingdom, it appears that its territory is free from *Thaumetopoea pityocampa* Denis & Schiffermüller and *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.* and that it fulfils the conditions set out in point (h) of Article 2(1) of Directive 2000/29/EC for the establishment of a protected zone with respect to those harmful organisms. Part B of Annexes II and IV to Directive 2000/29/EC should be amended accordingly. Similarly, Part B of Annex IV and Part A of Annex V to that Directive should be amended in order to introduce requirements for the movement of certain plants, plant products and other objects into the protected zones.

(24) From information provided by Ireland, it appears that its territory is free from *Ceratocystis platani* (J. M. Walter) Engelbr. & T. C. Harr. and that it fulfils the conditions set out in point (h) of Article 2(1) of Directive 2000/29/EC for the establishment of a protected zone with respect to that harmful organism. Part B of Annexes II and IV to Directive 2000/29/EC should be amended accordingly.

(25) A recent pest risk analysis shows that the current requirements for the introduction and movement of certain plants, plant products and other objects into and within certain protected zones with regard to *Bemisia tabaci* Genn. (European populations) and *Daktulosphaira vitifoliae* (Fitch) are inadequate to reduce the phytosanitary risk in question to acceptable levels. Those requirements should be reformulated in Part B of Annex IV to Directive 2000/29/EC.

(26) Annexes I to V to Directive 2000/29/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annexes I to V to Directive 2000/29/EC are amended in accordance with the Annex to this Directive.