COMMISSION DIRECTIVE 98/22/EC

of 15 April 1998

laying down the minimum conditions for carrying out plant health checks in the Community, at inspection posts other than those at the place of destination, of plants, plant products or other objects coming from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 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], as last amended by Commission Directive 98/2/EC [2], and in particular the penultimate subparagraph of Article 12(6) thereof,

Whereas, if arrangements for the plant health checks of plants, plant products or other objects listed in part B of Annex V to Directive 77/93/EEC coming from third countries are to be operated efficiently, harmonised minimum conditions should be laid down for carrying out these checks at inspection posts other than those at the place of destination;

Whereas the minimum conditions laid down for carrying out such plant health checks must take account of technical requirements applicable to the responsible official bodies as referred to in Article 2(1)(g) of Directive 77/93/EEC in charge of the said inspection posts as well as of provisions applicable to facilities, tools and equipment enabling the said responsible official bodies to carry out the required plant health checks;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Member States shall ensure that the plant health checks referred to in Article 12(6), fourth subparagraph of Directive 77/93/EEC, of plants, plant products or other objects listed in Annex V, part B of the said Directive and coming from third countries, and carried out at inspection posts other than those at the place of destination, satisfy at least the minimum conditions laid down in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive on 1 October 1998. They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference at the time of their official publication. The procedure for such a reference shall be adopted by Member States.

2. Member States shall immediately communicate to the Commission all provisions of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.

Article 3

This Directive shall enter into force on the day following its publication in the *Official Journal of the European Communities.*

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 15 April 1998.

For the Commission

Franz FISCHLER

Member of the Commission

[1] OJ L 26, 31. 1. 1977, p. 20.
[2] OJ L 15, 21. 1. 1998, p. 34.