COMMISSION DIRECTIVE 93/110/EC

of 9 December 1993

amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

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 Directive 93/19/EEC [2], and in particular Article 13, second paragraph, fourth indent thereof,

Whereas developments in scientific and technical knowledge have shown that the risks presented by *Ditylenchus destructor* Thorne, an organism listed in the Annexes to Directive 77/93/EEC, are lower than initially assessed; whereas in this respect protection should be restricted only to certain species of the genus *Gladiolus*;

Whereas certain provisions on protective measures against plants of *Citrus* L., *Fortunella* Swingle, *Poncirus* Raf. and their hybrids, in particular those applicable to *Citrus* clementina Hort. ex Tanaka, should be modified because it is no longer appropriate to maintain the current provisions set out in Directive 77/93/EEC for movements of these plants into the northern part of the Community;

Whereas the provisions on protective measures against *Ditylenchus dipsaci* (Kühn) Filipjev, an organism listed in the Annexes to the said Directive, should be improved, and in particular the list of hostplants should be extended;

Whereas improved measures should be taken to protect the Community against *Scirtothrips aurantii* Faur, *Scirtothrips citri* (Moultex) and Elsinoe spp. Bitanc. et Jenk., where these organisms do not occur;

Whereas certain provisions on protective measures against *Dendroctonus micans* Kugelan, in particular those applicable in the United Kingdom, should be modified, because it has been determined that the said organism is not present in a much larger area than originally recognized;

Whereas certain provisions on protective measures in Italy against certain bark beetles, i.e. *Dendroctonus micans* Kugelan, *Ips amitinus* Eichhof and Ips duplicatus Sahlberg, should be modified because it is no longer appropriate to maintain the current provisions set out in the said Directive;

Whereas it has been determined that *Fusarium oxysporum* f.sp. *albedinis* (Kilian et Maire) Gordon, an organism listed in the Annexes to Directive 77/93/EEC, has been found in Egypt; whereas it is considered that this disease represents a serious danger to palms grown in, and may be carried on palms imported into, the Community; whereas the measures to combat this disease should be improved;

Whereas some provisions on protective measures against plants of Solanaceae should be modified because it is no longer appropriate to maintain the current provisions set out in Directive 77/93/EEC for plants originating in the Mediterranean countries;

Whereas it has been determined that there is no longer a need to issue a plant passport for wood of conifers which has been stripped of its bark;

Whereas therefore the relevant Annexes to the said Directive 77/93/EEC should be amended accordingly;

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

Directive 77/93/EEC is hereby amended as indicated in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive on 15 December 1993. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

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

[1] OJ No L 26, 31. 1. 1977, p. 20.
[2] OJ No L 96, 22. 4. 1993, p. 33.

Article 3

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

Done at Brussels, 9 December 1993.

For the Commission
René STEICHEN
Member of the Commission