SIXTH COMMISSION DIRECTIVE

of 8 April 1988

amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products

(88/272/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (1), as last amended by Directive 87/298/EEC (2), and in particular Article 13, second paragraph, first subparagraph thereof,

Having regard to the requests made by Spain, Greece, France, Ireland, Italy, Portugal and the United Kingdom,

Whereas Directive 77/93/EEC laid down protective measures against the introduction into the Member States of organisms harmful to plants or plant products ; whereas this Directive also specified those measures which Member States shall lay down at least as regards the introduction into their territories of the plants, plant products and other objects listed in Annex V coming from third countries ;

Whereas certain Member States have stricter measures in respect of those plants and plant products ;

Whereas those stricter measures include, in the requesting Member States, certain restrictions applicable to certain products originating in a third country ;

Whereas, if the Annexes to the aforementioned Directive are amended appropriately, the Member States concerned could also impose the relevant restrictions where the products concerned, originating in a third country, come from other Member States ;

Whereas, following the intentions declared by the Commission and all Member States at the time of adoption of amending Council Directive 85/574/EEC (3), the Annexes to Directive 77/93/EEC should be amended accordingly, but only as an interim protective measure for a limited period to enable the Commission to study their phytosanitary basis case by case ;

Whereas during that period the Commission will study these protective measures in relation to the plant health situation existing in the various third countries concerned, in order to arrive, at the end of the period, at more permanent provisions ;

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

Annex II, part B, to Directive 77/93/EEC is hereby amended as follows :

in part (a) the following are added :

'13. *Anthonomus bisignifer* (Schenkling)	Plants of *Fragaria* L. other than fruit and seeds, originating in third countries	United Kingdom
14. *Anthonomus signatus* (Say)	Plants of *Fragaria* L. other than fruit and seeds, originating in third countries	United Kingdom
15. *Carposina niponensis* Walsingham.	Fruit of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L., originating in third countries	United Kingdom

(1) OJ No L 26, 31. 1. 1977, p. 20.
(2) OJ No L 151, 11. 6. 1987, p. 1.
(3) OJ No L 372, 31. 12. 1985, p. 25.

16. *Chrysomphalus aonidum* L.	Plants of *Malus* Mill., *Musa, Phoenix, Prunus* L. and *Pyrus* L., other than seeds, originating in third countries	Greece
17. *Cryptorhynchus (Sternochetus) mangiferae*	Seeds of *Mangifera* originating in third countries	Spain
18. *Dacus tryoni* (Froggatt)	Fruit of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L., originating in third countries	United Kingdom
19. *Enarmonia packardi* (Zeller.)	Plants of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L. other than seeds, originating in third countries	United Kingdom
20. *Enarmonia prunivora* (Walsh.)	Plants of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L. other than seeds, originating in third countries	United Kingdom
21. *Epochra canadensis* (Loew)	Plants of *Ribes* L. other than seeds, originating in third countries	United Kingdom
22. *Grapholita inopinata* Heinrich	Fruit of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L., originating in third countries	United Kingdom
23. *Hyperodes bonariensis* Kuschel	Seeds of *Cruciferae, Graminae* and *Trifolium* for planting, originating in Argentina, Australia or New Zealand	United Kingdom
24. *Nephopteryx pyrivorella* (Matsumura)	Fruit of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L., originating in third countries	United Kingdom
25. *Rhacochlaena japonica* Ito.	Fruit of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L., originating in third countries	United Kingdom
26. *Rhagoletis indifferens* (Curran)	Plants of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L., other than seeds, originating in third countries	United Kingdom
27. *Rhagoletis mendax* Curran	Plants of *Vaccinium* L. other than seeds, originating in third countries	United Kingdom
28. *Rhagoletis ribicola* (Doane)	Plants of *Ribes* L. other than seeds, originating in third countries	United Kingdom
29. *Saissetia coffae* Walk	Ornamental plants other than seeds, originating in third countries	Greece
30. *Saissetia nigra* Nieth.	Ornamental plants other than seeds, originating in third countries	Greece
31. *Spodoptera eridania* (Cramer)	Plants of *Dendranthema* (DC) Desmoul., *Dianthus caryophyllus* L. and *Pelargonium* l'Herit, other than cut flowers, originating in third countries	Portugal, United Kingdom

32. *Spodoptora frugiperda* (Smith)	Plants of *Dendranthema* (DC) Desmoul., *Dianthus caryophyllus* L. and *Pelargonium* l'Herit, other than cut flowers, originating in third countries	Portugal, United Kingdom
33. *Tachypterellus quadrigibbus* Say.	Plants of *Cydonia* Mill., *Malus* Mill., *Prunus* L., and *Pyrus* L., other than seeds, originating in third countries	United Kingdom'

in part (b) the following are added :

' 3. *Pseudococcus gahani*	Plants of *Malus* Mill., *Musa, Phoenix, Prunux* L. and *Pyrus* L., other than seeds originating in third countries	Greece
4. *Pseudococcus gahani*	Plants of *Malus* Mill., *Prunus* L. and *Pyrus* L. originating in third countries	Portugal
5. *Pseudomonas syringae* pv. *phaseolicola*	*Seeds of Phaseolus* L., originating in third countries	Greece
6. *Xanthomonas campestris* p.v. *phaseoli*	Seeds of *Phaseolus* L., originating in third countries	Greece, Portugal'

in part (c) the following are added :

'8. *Alternaria kikuchiana* Tanaka	Fruit of *Pyrus communis* L., originating in third countries	United Kingdom
9. *Alternaria mali* Roberts	Fruit of *Malus pumila* Mill., originating in third countries	United Kingdom
10. *Guignardia bidwelli* (Ellis) Viala and Ravaz	Plants of *Vitis* L. other than seeds, originating in third countries	Portugal, United Kingdom
11. *Guignardia piricola* (Nosa) Yamamoto	Fruit of *Malus pumila* Mill., originating in third countries	United Kingdom
12. *Mycosphaerella schoenoprasi* (Auersw.) Schroet	Plants of *Allium* for planting other than seeds, originating in third countries	United Kingdom
13. *Plasmopara halstedii* (race 3)	Seeds of *Helianthus annuus* L. originating in the United States of America	Spain, Portugal
14. *Plasmopara helianthii*	Seeds of *Helianthus* L. for planting, originating in third countries	Greece
15. *Plasmopara helianthii*	Seeds of *Helianthus annuus* L. for planting, originating in the United States of America	France
16. *Sclerotinia camelliae* Hara	Plants of *Camellia* L. for planting other than seeds, originating in third countries	United Kingdom
17. *Ustilago allii* McAlpine	Plants of *Allium* for planting other than seeds, originating in third countries	United Kingdom
18. *Venturia nashicola* (Tanaka and Yamamoto)	Fruit of *Pyrus communis* L., originating in third countries	United Kingdom
19. *Verticillium albo-atrum* (Reinke and Berth)	Seeds of *Medicago sativa* L., originating in third countries	United Kingdom'

The following section is added after part (c):

'(d) Viruses and virus-like pathogens

Species	Subject of contamination	Member State
1. Barley Stripe Mosaic virus	Seeds of *Hordeum* L. and *Triticum* L. for planting, originating in third countries	Greece
2. Bean Mosaic virus	Seeds of *Phaseolus* L. for planting, originating in third countries	Greece
3. Cadang-Cadang viroid	Plants of Palmaceae other than fruit and non-germinated seeds originating in third countries	Spain
4. Lettuce Mosaic virus	Seeds of *Lactuca sativa* L. for planting, originating in third countries	Greece, Portugal, United Kingdom
5. Palm lethal yellowing mycoplasm	Plants of Palmaceae other than fruit and non-germinated seeds originating in third countries	Spain
6. Poplar Mosaic virus	Plants of *Populus* L. for planting, originating in third countries	Greece
7. Rose Mosaic virus	Plants of *Rosa* L. for planting, originating in third countries	Greece
8. Squash Mosaic virus	Seeds of Cucurbitae originating in third countries	Greece
9. Tobacco Mosaic virus	Seeds of *Solanum lycopersicum* and *Capsicum annuum* L. for planting, originating in third countries	Greece'

Article 2

In Annex IV, part B, to Directive 77/93/EEC, the following is added:

'19. Plants of *Phoenix,* other than fruit and non-germinated seeds originating in third countries	Official statement that the country of origin is known to be free from *Fusarium oxysporum* f. sp. *albedenis*	Spain
20. Plants of Palmaceae, other than fruit and non-germinated seeds, originating in third countries	Official statement that the country of origin is known to be free from Palm lethal yellowing mycoplasm and Cadang-Cadang viroid	Spain
21. Seeds of *Helianthus annuus* for planting originating in the United States of America	Official statement that the region of production is known to be free from race 3 of *Plasmopara halstedii*	Spain, Portugal
22. Seeds of the genus *Mangifera* originating in third countries other than those from the American continent	Official statement that the country of origin is known to be free from *Cryptorhynchus (Sternochetus) mangiferae*	Spain
23. Plants of *Prunus* L., *Ribes* L. and *Rubus* L. originating in third countries	Prior acquisition of a technical authorization for import delivered by the "Ministère français de l'agriculture (Service de la protection des végétaux)"	France