COUNCIL DIRECTIVE

of 18 March 1980

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

(80/393/EEC)

THE COUNCIL 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), and in particular Article 13 thereof,

Having regard to the prosposal from the Commission,

Whereas, in the interests of a uniform implementation of Directive 77/93/EEC the term 'harmful viruses and mycoplasmas' of fruit plants (in particular Annex I (A) (e) (1)) should be clarified at Community level; whereas, therefore, an amendment to Annex I (A) (e) and to Annex II (A) (d) is necessary; whereas the 'special requirements' (Annex IV (A)) established in regard to the harmful organisms concerned should be adapted accordingly;

Whereas any risk should be prevented which may arise from the introduction on potato breeding material, of harmful organisms unknown in the Community; whereas, therefore, the protective measures laid down in this connection in Annex III (A) should be extended;

Whereas the measures laid down in the said Directive in the case of oak wood in the round, against the introduction of oak wilt (Ceratocystis fagacearum) into the Community have on the one hand proved insufficient, and on the other unnecessarily strict; whereas therefore, the 'special requirements' established in respect of this disease (Annex IV (A) (2)) should take into account the technical safeguards which have been recognized since then;

Whereas it is appropriate, furthermore, to clarify certain provisions of the Annexes to the Directive and to eliminate some ambiguities,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 77/93/EEC is hereby amended as follows:

1. The following items shall be added to A (a):

'17. Arrhenodes minutus Drury,
18. Pseudopityophthorus minutissimus Zimm.,
19. Pseudopityophthorus pruinosus Eichh.';

2. (A) (e) (1) shall be replaced by the following:

'1. Harmful viruses and harmful virus-like pathogens of Cydonia Mill., Fragaria (Tourn.) L., Malus Mill., Prunus L., Pyrus L., Ribes L., Rubus L.:

(a) apple proliferation mycoplasm,
(b) apricot chlorotic leafroll mycoplasm,
(c) cherry raspleaf virus (American),
(d) peach mosaic virus (American),
(e) peach phony rickettsia,

(1) OJ No L 26, 31. 1. 1977, p. 20.

(f) peach rosette mycoplasm,

(g) peach yellows mycoplasm,

(h) pear decline mycoplasm,

(i) plum line pattern virus (American),

(k) raspberry leaf curl virus (American),

(l) sharka virus,

(m)strawberry latent "C" virus,

(n) strawberry vein-banding virus,

(o) strawberry witches' broom pathogen,

(p) X-disease mycoplasm,

(q) other harmful viruses and harmful virus-like pathogens, in so far as they do not exist in the Community.';

3. In (B) (c) (6) and (7), the words 'United Kingdom (Northern Ireland)' shall be added in the right-hand column.

Article 2

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

1. In (A) (a) (9), the text of the right-hand column shall be replaced by the following:

   'Wood of conifers (coniferae), with bark, originating in non-European countries';

2. In the English version of (A) (c) (3), the words 'Irish rhizomes' shall be replaced by 'Iris bulbs';

3. In the English version of (A) (c) (10), the words 'Flower corms' shall be replaced by 'Flower bulbs';

4. In the Italian version of (A) the third table shall be entitled '(c) Crittogame' instead of '(d) Virus e micoplasmi';

5. (A) (d) shall be replaced by the following:

'(d) **Viruses and virus-like pathogens:**

Species	Subject of contamination
1. Arabis mosaic virus	Strawberries (Fragaria (Tourn.) L.) blackberries/raspberries (Rubus L. partim), intended for planting, other than seeds
2. Beet leaf curl virus	Beet (Beta vulgaris L.), intended for planting, other than seeds
3. Black raspberry latent virus	Rubus L., intended for planting
4. Cherry leaf roll virus	Rubus L., intended for planting
5. Cherry necrotic rusty mottle virus	Sweet cherries (Prunus avium L.), intended for planting, other than seeds
6. Chrysanthemum stunt viroid	Chrysanthemums (Chrysanthemum Tourn. ex. L. partim), other than seeds and cut flowers

Species	Subject of contamination
7. Little cherry pathogen	Morello cherries (Prunus cerasus L.), sweet cherries (Prunus avium L.), ornamental cherries (Prunus incisa Thunb.; Prunus sargentii Rehd.; Prunus serrula Franch.; Prunus serrulata Lindl.; Prunus speciosa (Koidz.) Ingram; Prunus subhirtella Miq.; Prunus yedoensis Matsum.), intended for planting, other than seeds, originating in non-European countries
8. Prunus necrotic ring spot virus	Rubus L., intended for planting
9. Raspberry ring spot virus	Strawberries (Fragaria (Tourn.) L.), blackberries/raspberries (Rubus L. partim), intended for planting, other than seeds
10. Stolbur pathogen	Solanaceae, intended for planting, other than fruit and seeds
11. Strawberry crinkle virus	Strawberries (Fragaria (Tourn.) L.) intended for planting, other than seeds
12. Strawberry latent ring spot virus	Strawberries (Fragaria (Tourn.) L.), blackberries/raspberries (Rubus L. partim), intended for planting, other than seeds
13. Strawberry yellow edge virus	Strawberries (Fragaria (Tourn.) L.) intended for planting, other than seeds
14. Tomato black ring virus	Strawberries (Fragaria (Tourn.) L.), blackberries/raspberries (Rubus L. partim), intended for planting, other than seeds
15. Tomato spotted wilt virus	Potato tubers (Solanum tuberosum L.)'

6. In (B) (c) (7), the words 'United Kingdom (Northern Ireland)' shall be added in the right-hand column.

Article 3

Annex III to Directive 77/93/EEC is hereby amended as follows:

1. In (A) (5), the text of the right hand column shall be replaced by the following:

	'Non-European countries';

2. (A) (6) shall be replaced by the following:

'6. Isolated bark of Castanea Mill.	All countries';

3. In (A), the following shall be inserted:

'6a. Isolated bark of Quercus L., other than Quercus suber L.	North American countries, Romania, USSR';

4. (A) (9) shall be replaced by the following:

'9. Plants of tuberforming species of Solanum L., intended for planting, other than potato tubers (Solanum tuberosum L.)	All countries';

5. In (B) (7), the words 'United Kingdom (Northern Ireland)' shall be added in the right-hand column.

Article 4

Annex IV of Directive 77/93/EEC is hereby amended as follows:

1. In (A) (1), the text in the left-hand column shall be replaced by the following:

'1. Wood of conifers (Coniferae), originating in non-European countries'	

2. (A) (2) shall be replaced by the following:

'2. Wood of Castanea and Quercus, including wood which has not kept its natural round surface, originating in North American countries	The wood shall be stripped of its bark, and (a) either the wood shall be squared so as to remove entirely the rounded surface, or (b) official statement that the water content of the wood does not exceed 20 % expressed as a percentage of the dry matter, or (c) official statement that the wood has been disinfected by an appropriate hot-air or hot-water treatment';

3. In (A) (3), the text of the right-hand column shall be replaced by the following:

	'(a) Official statement that the wood originates in regions known to be free from Ophiostoma roboris and Endothia parasitica, or (b) the wood shall be stripped of its bark, and also either (aa) the wood shall be squared so as to entirely remove the rounded surface, (bb) official statement that the water content of the wood does not exceed 20 % expressed as a percentage of the dry matter, or (cc) official statement that the wood has been disinfected by an appropriate hot-air or hot-water treatment';

4. In the German version of (A) (4), the word 'oder' shall be added in the right-hand column between the text of (a) and that of (b);

5. In (A), the following shall be inserted:

'6a. Isolated bark of Quercus L., other than Quercus suber L., originating in countries other than Romania, USSR and North American countries	Official statement, that the bark originates in regions known to be free from Endothia parasitica';

6. In (A) (7) (a), (8) to (11) and (12) (a), the words 'or in its immediate vicinity' shall be added each time after the words 'at the place of production';

7. In (A) (9) (a), the second indent shall be deleted in the right-hand column;

8. In (A) (14), the words 'the Ulmaceae family' shall be replaced by 'Ulmus and Zelkova';

9. (A) (16) to (21) shall be replaced by the following:

'16. Plants of Cydonia Mill., Fragaria (Tourn.) L., Malus Mill., Prunus L., Pyrus L., Ribes L., Rosa L., Rubus L., intended for planting, other than seeds, originating in countries where the relevant harmful organisms are known to occur on the species concerned The relevant harmful organisms are: — on Fragaria (Tourn.) L.: Phytophthora fragariae Hickmann (Annex II (A) (c) (7)) Arabis mosaic virus (Annex II (A) (d) (1)) Raspberry ring spot virus (Annex II (A) (d) Strawberry latent ring spot virus (Annex II (A) (d) (12)) Tomato black ring virus (Annex II (A) (d) (14)) — on Prunus L.: Apricot chlorotic leafroll mycoplasm (Annex I (A) (e) (1) (b)) — on Prunus avium L.: Cherry necrotic rusty mottle virus (Annex II (A) (d) (5)) — on Rosa L.: Rose wilt (Annex I (A) (e) (3))	Official statement that no symptoms of diseases caused by the relevant harmful organisms have been observed on plants at the place of production since the beginning of the last complete cycle of vegetation