



2024/1437

27.5.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/1437

of 24 May 2024

amending Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Prunus* L., originating in Moldova

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC⁽¹⁾, and in particular Article 42(4), first subparagraph, thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2018/2019⁽²⁾ establishes, on the basis of a preliminary risk assessment, a list of high risk plants, plant products and other objects.
- (2) Following a preliminary assessment, 34 genera and one species of plants for planting originating from third countries were provisionally listed in Implementing Regulation (EU) 2018/2019 as high risk plants. That list includes the genus *Prunus* L.
- (3) On 4 March 2020, Moldova submitted to the Commission a request for export to the Union of the following plants for planting of *Prunus* L.: up to 2-year-old bare-rooted, grafted, free of leaves plants for planting of *Prunus armeniaca*, *Prunus avium*, *Prunus cerasus*, *Prunus domestica*, *Prunus dulcis*, *Prunus persica*, and *Prunus salicina*, with a maximum diameter of 17 mm at the base of the stem, and up to 2-year-old bare-rooted, free of leaves, rootstocks of *Prunus armeniaca*, *Prunus avium*, *Prunus canescens*, *Prunus cerasifera*, *Prunus cerasus*, *Prunus davidiana*, *Prunus domestica*, *Prunus dulcis*, *Prunus fontanesiana*, *Prunus persica*, *Prunus salicina*, *Prunus tomentosa* and hybrids between the above species, with a maximum diameter of 17 mm at the base of the stem, originating in Moldova ('the relevant plants'). That request was supported by the relevant technical dossiers.
- (4) On 1 February 2024, the European Food Safety Authority ('the Authority') adopted a scientific opinion regarding the risk assessment of the relevant plants⁽³⁾. The Authority identified *Erwinia amylovora*, *Xanthomonas arboricola* pv. *pruni* and *Xiphinema rivesi* (non-EU populations) as pests relevant for those plants, evaluated the risk mitigation measures described in the dossier and estimated the likelihood of freedom of the relevant plants from those pests.
- (5) *Erwinia amylovora* and *Xanthomonas arboricola* pv. *pruni* are listed as both protected zone quarantine pests and Union regulated non-quarantine pests in Annexes III and IV to Commission Implementing Regulation (EU) 2019/2072⁽⁴⁾, respectively, while *Xiphinema rivesi* (non-EU populations) is listed as a Union quarantine pest in Annex II to that Regulation.

⁽¹⁾ OJ L 317, 23.11.2016, p. 4, ELI: <http://data.europa.eu/eli/reg/2016/2031/2019-12-14>.

⁽²⁾ Commission Implementing Regulation (EU) 2018/2019 of 18 December 2018 establishing a provisional list of high risk plants, plant products or other objects, within the meaning of Article 42 of Regulation (EU) 2016/2031 and a list of plants for which phytosanitary certificates are not required for introduction into the Union, within the meaning of Article 73 of that Regulation (OJ L 323, 19.12.2018, p. 10, ELI: http://data.europa.eu/eli/reg_impl/2018/2019/oj).

⁽³⁾ EFSA PLH Panel (EFSA Panel on Plant Health), 2024. Scientific Opinion on the commodity risk assessment of plants of 12 selected *Prunus* species from Moldova; <https://doi.org/10.2903/j.efsa.2024.8647>.

⁽⁴⁾ Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019 (OJ L 319, 10.12.2019, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2019/2072/oj).

- (6) On the basis of the opinion of the Authority, the phytosanitary risk arising from the introduction into the Union territory of the relevant plants is considered acceptable, provided the corresponding special requirements in Annexes VII and X to Implementing Regulation (EU) 2019/2072 are complied with.
- (7) Implementing Regulation (EU) 2018/2019 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) 2018/2019 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 May 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In the Annex to Implementing Regulation (EU) 2018/2019, in the table of point 1, in the second column 'Description', the entry for 'Prunus L., is replaced by the following:

'Prunus L., other than:

- bare-rooted, dormant, free of leaves plants for planting of *Prunus domestica* grafted on *Prunus cerasifera* rootstocks, originating in Ukraine;
 - up to 2-year-old dormant, free of leaves, unrooted cuttings of *Prunus persica* and *Prunus dulcis*, originating in Türkiye;
 - up to 2-year-old bare-rooted, dormant, free of leaves plants for planting of *Prunus persica*, *Prunus dulcis*, *Prunus armeniaca* and *Prunus davidiana*, originating in Türkiye; and
 - up to 2-year-old bare-rooted, free of leaves, plants for planting of *Prunus armeniaca*, *Prunus avium*, *Prunus canescens*, *Prunus cerasifera*, *Prunus cerasus*, *Prunus davidiana*, *Prunus domestica*, *Prunus dulcis*, *Prunus fontanesiana*, *Prunus persica*, *Prunus salicina*, *Prunus tomentosa* and hybrids between the above species, with a maximum diameter of 17 mm at the base of the stem, originating in Moldova.'
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