



2024/2632

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COMMISSION IMPLEMENTING REGULATION (EU) 2024/2632

of 8 October 2024

amending Implementing Regulation (EU) 2022/1193 as regards measures on water liable to be infected by *Ralstonia solanacearum* (Smith 1896) Yabuuchi *et al.* 1996 emend. Safni *et al.* 2014, measures to be taken by the professional operators and the template on the reporting of survey results

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 28(1), points (a) to (h), thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2022/1193⁽²⁾ establishes measures to eradicate and prevent the spread of *Ralstonia solanacearum* (Smith 1896) Yabuuchi *et al.* 1996 emend. Safni *et al.* 2014 ('the specified pest') in the Union territory.
- (2) In addition to water confirmed to be infected, it is necessary that the measures concerning detection and eradication of the specified pest also cover water liable to be infected by the specified pest.
- (3) This is to ensure that water liable to be infected by the specified pest is also subject to those provisions with regard to confirmation of the presence of the pest, elements for the designation of items as probably infected by it, and eradication measures, and consequently ensure a higher protection, than the protection granted currently, of the Union territory from the risk posed by the specified pest.
- (4) Furthermore, elements to be considered in the determination of the possible spread of the specified pest should also include water liable to be infected.
- (5) Within the demarcated area, in addition to measures applicable in case of water designated as infected, water liable to be infected should also be subject to those measures.
- (6) In accordance with Article 6 of Implementing Regulation (EU) 2022/1193, the competent authority is to ensure that the infected specified plants are destroyed or are disposed of in another way, in accordance with point 1 of Annex V, provided that it is established that there is no identifiable risk for of the specified pest spreading.
- (7) As the competent authorities cannot easily access all of the respective locations, those measures can be carried out more practically and effectively by professional operators than by the competent authorities themselves. For this reason, the professional operators should carry out those measures under the official supervision of the competent authorities.
- (8) Annex II to Implementing Regulation (EU) 2022/1193 establishes a template for presenting survey results, concerning the specified pest, for the potato and tomato harvests of the preceding calendar year. That template should be improved for practical use and efficacy, because the reporting data on the sampling on certified tubers for planting, tubers for planting other than certified tubers, tubers other than for planting, and ware and processing potatoes, does not provide noteworthy information for the purpose of the survey.

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

⁽²⁾ Commission Implementing Regulation (EU) 2022/1193 of 11 July 2022 establishing measures to eradicate and prevent the spread of *Ralstonia solanacearum* (Smith 1896) Yabuuchi *et al.* 1996 emend. Safni *et al.* 2014 (OJ L 185, 12.7.2022, p. 27, ELI: http://data.europa.eu/eli/reg_impl/2022/1193/oj).

- (9) The order of certain columns of the template should be changed, on the basis of the chronology of the respective actions. In particular, the column on visual inspections of growing crops and of tubers in stores should precede the columns on the laboratory results obtained from samples collected during those visual inspections.
- (10) Furthermore, it is necessary to clarify whether laboratory testing results from sampling of tubers in storage or of tubers during visual inspection of growing crops.
- (11) Furthermore, it is necessary to add columns as regards the laboratory testing of water to improve the accuracy of the reporting of results.
- (12) The number of positive visual inspections can only be recorded after obtaining the results from laboratory testing. Therefore, and to obtain a clearer and more consistent presentation of the results, the respective column should be transferred under the sections on laboratory tests.
- (13) During visual inspections, symptomatic and asymptomatic samples are taken. Latent infections are detected on asymptomatic samples. Due to the importance of latent infection for the understanding of a possible spread of the disease, and for the measures to be taken to avoid such a spread, results from symptomatic and asymptomatic samples should be distinguished in the template.
- (14) Experience has shown that reporting data on the sampling period of tubers for laboratory testing does not provide noteworthy information for the purpose of the survey.
- (15) Sample size requirements are provided in point 4 of Annex I to Implementing Regulation (EU) 2022/1193. Consequently, data required in the template on the size of the lots in tons or hectares do not provide noteworthy information for the purpose of the survey.
- (16) Moreover, it is necessary to clarify in the first sentence of Annex II that the template is to present survey results from the potato harvest from the year preceding the year of reporting.
- (17) Implementing Regulation (EU) 2022/1193 should therefore be amended accordingly.
- (18) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Amendments to Implementing Regulation (EU) 2022/1193

Implementing Regulation (EU) 2022/1193 is amended as follows:

- (1) in Article 5(4), second subparagraph, point (b) is replaced by the following:

‘(b) the surface water liable to be infected, taking into account the elements listed in point 2(b)(ii) and (iii) of Annex IV.’;
- (2) in Article 6(1), the first subparagraph is replaced by the following:

‘Specified plants designated as infected by the specified pest pursuant to Article 5(2), point (d)(i), shall not be planted. The professional operators, during the production or movement of the specified plants, shall, under the official supervision of the competent authority, ensure that the infected specified plants are destroyed or are disposed of in another way, in accordance with point 1 of Annex V provided that it is established that there is no identifiable risk of the specified pest spreading.’;
- (3) Annex II is replaced by the text in the Annex to this Regulation;

(4) Annex IV is amended as follows:

(a) point 1 is amended as follows:

(i) the introductory phrase is replaced by the following:

‘The elements to be considered for the designation of an item as probably infected by the specified pest pursuant to Article 5(2), point (b)(ii), are the following:’;

(ii) points (i) and (j) are replaced by the following:

‘(i) place(s) of production of the specified plants using water for irrigation or spraying designated as infected pursuant to Article 5(4), third subparagraph, point (a), or liable to be infected pursuant to Article 5(4), third subparagraph, point (b);

(j) specified plants produced on production sites flooded with surface water confirmed to be infected or liable to be infected.’;

(b) in point 2, point (b) is replaced by the following:

‘(b) in cases where surface water has been designated as infected pursuant to Article 5(4), third subparagraph, point (a), or liable to be infected pursuant to Article 5(4), third subparagraph, point (b):

(i) place(s) of production producing specified plants adjacent to, or at risk from flooding by, the surface water designated as infected or liable to be infected;

(ii) any discrete irrigation basin associated with the surface water designated as infected or liable to be infected;

(iii) water bodies connected with the surface water designated as infected or liable to be infected, taking into account:

— the direction and rate of flow of the water designated as infected or liable to be infected;

— the presence of wild solanaceous host plants.’;

(5) Annex V, point 4.2(2), is amended as follows:

(a) point (b) is replaced by the following:

‘(b) in cases where surface water has been designated as infected pursuant to Article 5(4), third subparagraph, point (a), or liable to be infected pursuant to Article 5(4), third subparagraph, point (b), or included in the elements to be considered in the determination of the possible spread of the specified pest in accordance with point 2 of Annex IV:

(i) they shall conduct the annual survey at appropriate times, including sampling of surface water and where appropriate, of wild solanaceous host plants in the relevant water sources and they shall ensure that samples are subject to tests referred to in Annex I;

(ii) they shall introduce official controls on irrigation and spraying programmes, including a ban on the use of the water designated as infected and of water liable to be infected for the irrigation and spraying of specified plants, and, where appropriate, other cultivated solanaceous host plants in order to prevent the spread of the specified pest;

(iii) in cases where liquid waste discharges are infected, they shall introduce official controls on the disposal of solid or liquid waste discharges from industrial processing or packaging stations handling specified plants of the places of production.’;

(b) the following point (c) is added:

‘(c) in cases referred to in the introductory phrase of point (b), the following derogations shall apply:

- (i) by way of derogation from point (b)(i), Member States may decide to not conduct annual surveys of surface water that has been designated as infected or liable to be infected, as long as there is no indication of change of pest status in the demarcated area;
- (ii) by way of derogation from point (b)(ii), the use of water subject to that ban may be permitted in greenhouses, under official control, for irrigation and spraying of tomato plants and other host plants intended for final consumption and processing, provided that the water is disinfected by using appropriate methods or is found free from the pest following intensive sampling and testing.’.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth 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, 8 October 2024.

For the Commission
The President
Ursula VON DER LEYEN

Survey template referred to in Article 3(3)

Template for presenting the results of the brown rot surveys carried out during the calendar year preceding the year of reporting

Member State	Category	Cropping area (ha)	Visual inspections of growing crops					Visual inspections of tuber lots in store ^(e)			
			Area visually inspected (ha)	Number of visual inspections ^(b)	Number of visual inspections where symptoms were observed ^(c)	Number of symptomatic samples taken ^(d)	Number of asymptomatic samples taken ^(d)	Number of visual inspections ^(b)	Number of visual inspections where symptoms were observed ^(c)	Number of symptomatic samples taken ^(d)	Number of asymptomatic samples taken ^(d)
	Potato tubers for planting ^(f)										
	Potato tubers intended to be planted in their place of production										
	Potato tubers other than those for planting										
	Tomatoes intended for replanting										
	Other hosts (specify species)										

Irrigation water											
Waste water											

- (^e) To be filled only for the results of survey carried out on specified plants and other hosts grown and harvested in your country.
 (^e) Including the number of multiple visual inspections carried out on the same field or on the same lot, as applicable.
 (^e) Symptoms were found on cut tubers or plants, and samples were taken for laboratory testing.
 (^e) Sample preparation is described in point 4 of Annex I.
 (^e) Symptoms were found on cut tubers and samples were taken for laboratory testing.
 (^f) Except potato tubers intended to be planted in their place of production.

Member State	Category	Laboratory tests related to visual inspections of growing crops			Laboratory tests related to tuber lot inspections			Laboratory tests related to water		Notification number(s) of the outbreaks notified, as applicable, in accordance with Implementing Regulation (EU) 2019/1715	Additional information
		Number of symptomatic samples tested positive	Number of asymptomatic samples tested positive	Number of positive visual inspections (^e)	Number of symptomatic samples tested positive	Number of asymptomatic samples tested positive	Number of positive lots	Number of samples tested	Number of positive samples		
	Potato tubers for planting (^b)										
	Potato tubers intended to be planted in their place of production										
	Potato tubers other than those for planting										
	Tomatoes intended for replanting										

	Other hosts (specify species)										
	Irrigation water										
	Waste water										

^(a) Total number of visual inspections for which samples were tested positively for the presence of *R. solanacearum*.
^(b) Except potato tubers intended to be planted in their place of production.'