



2024/2636

9.10.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/2636

of 8 October 2024

amending Implementing Regulation (EU) 2022/1194 as regards the responsibilities of professional operators and the template to report survey results of *Clavibacter sepedonicus* (Spieckermann & Kotthoff 1914) Nouioui *et al.* 2018

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) 2022/1194⁽²⁾ establishes measures to eradicate and prevent the spread of *Clavibacter sepedonicus* (Spieckermann & Kotthoff 1914) Nouioui *et al.* 2018 in the Union territory.
- (2) In accordance with Article 6(1), first subparagraph, of Implementing Regulation (EU) 2022/1194, specified plants designated as infected by the specified pest are not to be planted. The competent authority is to ensure that the infected specified plants are destroyed or are disposed of in another way, provided that there is no identifiable risk of the specified pest spreading.
- (3) As the competent authorities cannot easily access all of the respective locations, those measures can be carried out more effectively by professional operators, under supervision of the competent authority, than by the competent authorities themselves.
- (4) In accordance with Article 3(3) of that Regulation, Member States are to carry out annual, risk-based surveys for the presence of that pest and are to report yearly the results of these surveys to the Commission and the other Member States. In reporting those results, Member States are to use a template set out in Annex II to that Regulation.
- (5) During the application of Implementing Regulation (EU) 2022/1194, it has become clear that this template should be amended to improve its practical use and efficacy.
- (6) In particular, reporting data on the sampling on tubers other than tubers for planting and than ware and processing potatoes, does not provide noteworthy information for the purpose of the survey.
- (7) Furthermore, it is necessary to clarify whether laboratory testing results from sampling of tubers in storage or of tubers during visual inspections of growing crops.
- (8) The number of positive visual inspections can only be recorded after obtaining the results from laboratory testing. Therefore, the respective column should be transferred under the sections on laboratory tests.
- (9) 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.
- (10) 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.

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

⁽²⁾ Commission Implementing Regulation (EU) 2022/1194 of 11 July 2022 establishing measures to eradicate and prevent the spread of *Clavibacter sepedonicus* (Spieckermann & Kotthoff 1914) Nouioui *et al.* 2018 (OJ L 185, 12.7.2022, p. 47, ELI: http://data.europa.eu/eli/reg_impl/2022/1194/oj).

- (11) Sample size requirements are provided in point 4 of Annex I to Implementing Regulation (EU) 2022/1194. Therefore, the requirement for the indication in the templates of data on the size of the lots in tons is no longer necessary and only creates additional administrative burden.
- (12) 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 of the year preceding the year of reporting in order to avoid confusion for the competent authorities about the year concerned and facilitate consistent submissions of the respective results by the different competent authorities.
- (13) Implementing Regulation (EU) 2022/1194 should therefore be amended accordingly.
- (14) 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) 2022/1194

Implementing Regulation (EU) 2022/1194 is amended as follows:

- (1) 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(5), point (a), shall not be planted. The professional operators, under the official supervision of the competent authority, shall 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.’;
- (2) Annex II is replaced by the text in the Annex to this Regulation.

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 ring 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 ^(a)			
			Area visually inspected (ha)	Number of visual inspections ^(c)	Number of visual inspections where symptoms were observed ^(d)	Number of symptomatic samples taken ^(e)	Number of asymptomatic samples taken ^(e)	Number of visual inspections ^(c)	Number of visual inspections where symptoms were observed ^(f)	Number of symptomatic samples taken ^(e)	Number of asymptomatic samples taken ^(e)
	Potato tubers for planting ^(b)										
	Potato tubers intended to be planted in their place of production										
	Potato tubers other than those for planting										

Member State	Category	Laboratory tests related to visual inspections of growing crops			Laboratory tests related to tuber lot inspections			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		
	Potato tubers for planting ^(b)								
	Potato tubers intended to be planted in their place of production								
	Potato tubers other than those for planting								

^(a) To be filled only for the results of surveys carried out on specified plants grown and harvested in your country.

^(b) Except potato tubers intended to be planted in their place of production.

^(c) Including the number of multiple visual inspections carried out on the same field or on the same lot, as applicable.

^(d) Symptoms were found on cut tubers or plants, and samples were taken for laboratory testing.

^(e) Sample preparation is described in Annex I.4.

^(f) Symptoms were found on cut tubers and samples were taken for laboratory testing.

^(g) Total number of visual inspections for which samples were tested positively for the presence or *C. sepedonicus*.