

Plant health legislation: delegation of the tasks of laboratory testing

2009/0117(CNS) - 26/11/2009 - Final act

PURPOSE: to amend amending Directive 2000/29/EC as regards the delegation of the tasks of laboratory testing.

LEGISLATIVE ACT: Council Directive 2009/143/EC amending Directive 2000/29/EC as regards the delegation of the tasks of laboratory testing.

CONTENT: the laboratory tests which have to be carried out in the framework of Directive 2000/29/EC are of a highly technical nature and concern different scientific fields. Such tests require a wide range of different and expensive technical facilities and highly specialised laboratory staff capable of adapting to the rapid development of diagnostic methodology. The number of tests to be carried out has also been growing over recent years. As a result, it has grown increasingly difficult to find legal persons fulfilling all the necessary requirements.

Accordingly, the Council adopted a directive authorising Member States to delegate laboratory tests on plants and plant products to legal persons such as universities, research institutes or private laboratories, provided that they satisfy certain conditions. They must be impartial, free of conflicts of interest as well as able to ensure reliable results and protect confidential information.

The laboratory testing may only be delegated if the responsible official body ensures throughout the time of the delegation that the legal person to which it delegates laboratory testing can assure impartiality, quality and protection of confidential information, and that no conflict of interest exists between the exercise of the tasks delegated to it and its other activities.

ENTRY INTO FORCE: 24/12/2009.

TRANSPOSITION: 01/01/2011.