

Protective measures against pests of plants

2013/0141(COD) - 15/04/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 478 votes to 46 with 24 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on protective measures against pests of plants.

Parliament's position in first reading following the ordinary legislative procedure amended the Commission proposal as follows:

Purpose and scope: there was a greater risk of species injurious to plants and plant products being introduced into the Union territory owing to globalisation of trade and climate change.

Parliament stressed the great importance of **prevention and protection** measures and early detection of the presence of pests for timely and effective eradication.

This Regulation laid down: (i) rules regarding phytosanitary inspections and other official measures by the Member State authorities for the purpose of identifying the phytosanitary risks posed by any species injurious to plants or plant products, including invasive alien plant species which are injurious to plants and (ii) phytosanitary measures necessary to prevent the entry of pests from other Member States or third countries.

List of organisms: Parliament considered that the list of Union quarantine pests **should be contained in the basic act**. Since it was essential to the new regulation, it proposed that the list be annexed to the regulation. The Commission proposal stated that the number of priority pests should not exceed 10% of the number of the Union quarantine pests. Members considered that there should not be an arbitrary limit on the number of pests that might be designated as priority pests.

Parliament also recommended that **operators should be compensated for carrying out enhanced biosecurity measures** essential for early action related to priority pests.

Notification of quarantine to competent authorities: the amended text stipulated that if anyone became aware of the presence of a Union quarantine pest or had reason to suspect such a presence, that person should notify the competent authority **immediately** and confirm notification, in writing, within ten calendar days.

Information on plant pests to the public: information should be made available to the public on the potential economic, environmental and social impacts of plant pests, on the key principles of prevention and spread, as well as on the responsibility of society as a whole to ensure phytosanitary health in the Union territory.

The Commission should establish and keep up to date **a publicly available list of emerging plant pests in third countries** that may pose a risk to plant health in the Union territory.

Notification of imminent danger: in case of an imminent danger, Member States and professional operators should take **all necessary measures**, as appropriate to the risk involved, to prevent the entry of such pests in the Union territory.

Where the presence of a Union quarantine pest was officially confirmed, the competent authority should immediately take all necessary measures to eliminate that pest, if possible, from the area concerned or, where eradication was not possible, to prevent its spread out of that area.

Requirements for phytosanitary transit: Parliament proposed changes to ensure full and effective control and prevent the entry of prohibited goods. For example, **an officially approved phytosanitary seal** could be used, that served to guarantee the original packaging and means of transport (sealed lorry) and prevented the shipment being split up, hence providing official assurance of risk-free phytosanitary transit through the Union.

In the same way, the competent authority of the Member State where those plants, plant products or other objects were introduced into, or for the first time moved within, the Union territory should **inform the competent authorities** of all other Member States through which those plants were to be moved prior to being moved out of the Union territory.

Five years after the date of entry into force of the Regulation the Commission shall present a report, including a cost-benefit analysis, on the enforcement and effectiveness of measures relating to imports into the Union territory, and if appropriate present a legislative proposal

Professional operators: Parliament stressed the need to raise awareness of consumers and plant traders and ensure the traceability of distance sales. Members proposed to broaden the scope to ensure that all **“distance sellers”** were included.

Good plant protection practice: Parliament inserted a new Article into the text stating that a professional operator which supplied plants that were subject to prohibitions, requirements or conditions should follow good plant protection practice in order to prevent the occurrence and spread of pests.

This involved, for example, monitoring critical points in the production process or in the movement of the plants, which may affect their phytosanitary quality; or ensuring that the competent authorities had access to the facilities, as well as to surveillance data and all related documents.

Plant passport: the Commission shall, not later than 5 years after entry into force of the regulation, submit a report to present the experience gained from the extension of the plant passport system to all movement of plants, plant products and other objects within the Union territory with a clear analysis of costs and benefits for the operators.

No plant passport should be required for the movement of small, as appropriate to the plants, plant products and other objects concerned, quantities of plants, plant products or other objects to a final user, including **home gardeners**.

Delegated acts: in order to take into account the technical progress, scientific developments and changed circumstances in plant health, the power to adopt acts should be delegated to the Commission in respect of rules amending or supplementing the lists of Union quarantine pests, priority pests as well as of Union quality pests and the plants for planting concerned.

In case of a **serious phytosanitary risk**, the power to adopt acts in accordance with the urgency procedure should be delegated to the Commission in order to list Union quarantine pests as priority pests.

Raising awareness: lastly, Members stressed that it was essential to raise awareness of plant pests among green space workers, local authority officials, garden centres, nurseries, importers, landscape gardeners, arboriculturalists, teachers, researchers, business operators, staff of official agencies, elected representatives and ordinary citizens.

