



**COUNCIL OF  
THE EUROPEAN UNION**

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#### **INFORMATION NOTE**

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from: General Secretariat  
to: Permanent Representatives Committee/Council

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Subject: Proposal for a regulation of the European Parliament and of the Council on protective measures against pests of plants  
- Outcome of the European Parliament's first reading  
(Strasbourg, 14 to 17 April 2014)

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#### **I. INTRODUCTION**

The Committee on Agriculture and Rural Development presented a report consisting of 136 amendments (amendments 1-136) to the proposed Regulation. In addition:

- the ECR political group tabled twelve amendments (amendments 137-148);
- the ALDE political group tabled one amendment (amendment 149);
- the Greens/EFA political group tabled eight amendments (amendments 150-157); and
- the EUL/NGL political group tabled ten amendments (amendments 158-167).

#### **II. DEBATE**

The debate, which took place on 14 April 2014, was a joint debate, which is summarised in document 8304/14.

### **III. VOTE**

When it voted on 15 April 2014, the Parliament voted to adopt 136 amendments to the Commission's proposal (amendments 1-7, 9-77, 86-136 and 138-146).

The text of the amendments adopted and the European Parliament's legislative resolution are set out in the Annex hereto.

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## Protective measures against pests of plants \*\*\*I

**European Parliament legislative resolution of 15 April 2014 on the proposal for a regulation of the European Parliament and of the Council on protective measures against pests of plants (COM(2013)0267 – C7-0122/2013 – 2013/0141(COD))**

### (Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0267),
  - having regard to Article 294(2) and Article 43 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0122/2013),
  - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Austrian Federal Council, asserting that the draft legislative act does not comply with the principle of subsidiarity,
  - having regard to the opinion of the European Economic and Social Committee of 10 December 2013<sup>1</sup>,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Food Safety (A7-0147/2014),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>1</sup> Not yet published in the *Official Journal*.

## Amendment 1

### Proposal for a regulation Recital 4

#### *Text proposed by the Commission*

(4) Plant health is very important for plant production, public and private green, natural ecosystems, ecosystem services and biodiversity in the Union. Plant health is threatened by species injurious to plants and plant products, hereinafter 'pests'. To fight that threat, it is necessary to adopt measures concerning the determination of the phytosanitary risks posed by those pests and the reduction of those risks to an acceptable level.

#### *Amendment*

(4) Plant health is very important for plant production, public and private green, natural ecosystems, ecosystem services and biodiversity in the Union. Plant health is threatened by species injurious to plants and plant products, hereinafter 'pests', ***which now present a greater risk of being introduced into the Union territory owing to globalisation of trade and climate change.*** To fight that threat, it is necessary to adopt measures concerning the determination of the phytosanitary risks posed by those pests and the reduction of those risks to an acceptable level.

## Amendment 2

### Proposal for a regulation Recital 5

#### *Text proposed by the Commission*

(5) The need for such measures has long been recognised. They have formed the subject of international agreements and international conventions, including the International Plant Protection Convention (IPPC) of 6 December 1951 concluded at the United Nations Food and Agricultural Organisation (FAO) and its new revised text approved by the Food and Agriculture Organisation Conference in November 1997 at its 29th session. The Union is party to the IPPC.

#### *Amendment*

(5) The need for such measures has long been recognised. They have formed the subject of international agreements and international conventions, including the International Plant Protection Convention (IPPC) of 6 December 1951 concluded at the United Nations Food and Agricultural Organisation (FAO) and its new revised text approved by the Food and Agriculture Organisation Conference in November 1997 at its 29th session ***as well as the International Convention on Biological Diversity (CBD) of 29 December 1993.*** The Union is party to ***both the IPPC and the CBD.***

## Amendment 3

### Proposal for a regulation Recital 11

*Text proposed by the Commission*

(11) In order to ensure effective and timely action in case of the presence of a Union quarantine pest, notification obligations should apply to the public, professional operators and to the Member States.

*Amendment*

(11) In order to ensure effective and timely action in case of the presence of a Union quarantine pest, notification obligations should apply to the public, professional operators and to the Member States. ***It is 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, and to train them in combating such pests.***

**Amendment 4**

**Proposal for a regulation  
Recital 16**

*Text proposed by the Commission*

(16) Early detection of the presence of pests is extremely important for timely and effective eradication. Member States should therefore conduct surveys for the presence of Union quarantine pests in the areas where those pests were not known to be present. In view of the number of Union quarantine pests and the time and resources required to carry out those surveys, Member States should establish multi-annual survey programmes.

*Amendment*

(16) ***Prevention, protective measures and*** early detection of the presence of pests is extremely important for timely and effective eradication. Member States should therefore conduct surveys for the presence of Union quarantine pests in the areas where those pests were not known to be present. In view of the number of Union quarantine pests and the time and resources required to carry out those surveys, Member States should establish multi-annual survey programmes.

**Amendment 5**

**Proposal for a regulation  
Recital 16 a (new)**

*Text proposed by the Commission*

*Amendment*

***(16a) Preventative agronomic measures and integrated pest management in line***

*with Directive 2009/128/EC should not include systematic prophylaxis with pesticides, that is, applying biocides before the pest is even detected.*

## Amendment 6

### Proposal for a regulation

#### Recital 17

##### *Text proposed by the Commission*

(17) The Commission should be empowered to adopt measures in case of the suspected or confirmed presence of specific Union quarantine pests, concerning in particular their eradication and containment, and the establishment of restricted areas, surveys, contingency plans, simulation exercises and eradication plans as regards those pests.

##### *Amendment*

(17) The Commission should be empowered to adopt measures in case of the suspected or confirmed presence of specific Union quarantine pests, concerning in particular their eradication and containment, and the establishment of restricted areas, surveys, contingency plans, simulation exercises and eradication plans as regards those pests. ***The Commission shall consult the Member States on the measures to be adopted.***

## Amendment 7

### Proposal for a regulation

#### Recital 19

##### *Text proposed by the Commission*

(19) Under certain conditions Member States should be allowed to adopt more stringent eradication measures than required by Union legislation.

##### *Amendment*

(19) Under certain conditions Member States should be allowed to adopt more stringent eradication measures than required by Union legislation, ***as long as they are applied in a sustainable way.***

## Amendment 9

### Proposal for a regulation

#### Recital 33 a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(33a) Distance sales of plants may pose a high phytosanitary risk when commodities are infested with non-native pests***

*including quarantine pests. In particular, consignments of plants imported from third countries and purchased through distance sales are in many cases non-compliant with the phytosanitary import requirements of the Union. In order to tackle these shortcomings, raising awareness of consumers and plant traders and ensuring the traceability of distance sales established both within the Union and in third countries are essential.*

## **Amendment 10**

### **Proposal for a regulation Recital 33 b (new)**

*Text proposed by the Commission*

*Amendment*

*(33b) Member States should take measures to raise awareness of the potential economic, environmental and social impacts of plant pests, the key principles of prevention and spread as well as the responsibility of society as a whole to ensure phytosanitary health in the Union. Furthermore, the Commission should keep a publicly available, updated list of emerging plant pests in third countries which may pose a risk to plant health in the Union territory.*

## **Amendment 11**

### **Proposal for a regulation Recital 41**

*Text proposed by the Commission*

*Amendment*

(41) Plant passports should not be required for plants, plant products and other objects intended for final users.

(41) Plant passports should not be required for plants, plant products and other objects intended for final users, *including home gardeners*.

## Amendment 12

### Proposal for a regulation

#### Recital 43

##### *Text proposed by the Commission*

(43) Plant passports should generally be issued by the professional operator. Where professional operators do not have the resources to issue plant passports, the possibility should exist that, upon their request, plant passports are issued by the competent authorities.

##### *Amendment*

(43) Plant passports should generally be issued by the professional operator. Where professional operators do not have the resources to issue plant passports, the possibility should exist that, upon their request, plant passports are issued by the competent authorities ***of the Member States***.

## Amendment 13

### Proposal for a regulation

#### Recital 47

##### *Text proposed by the Commission*

(47) Certain operators may desire to establish a phytosanitary risk management plan, ensuring and demonstrating a high level of competence and awareness as regards phytosanitary risks as regards critical points in their professional activities and justifying special control arrangements with the competent authorities. ***Union rules should be established concerning the contents of those plans.***

##### *Amendment*

(47) Certain ***authorised*** operators may desire to establish a phytosanitary risk management plan, ensuring and demonstrating a high level of competence and awareness as regards phytosanitary risks as regards critical points in their professional activities and justifying special control arrangements with the competent authorities.

## Amendment 14

### Proposal for a regulation

#### Recital 53 a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(53a) In order to take into account the technical progress, scientific developments and changed circumstances in plant health, the power to adopt acts in accordance with Article 290 TFEU 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.*

## Amendment 15

### Proposal for a regulation

#### Recital 74

##### *Text proposed by the Commission*

(74) Council Directive 69/464/EEC of 8 December 1969 on control of Potato Wart Disease<sup>19</sup>, Council Directive 93/85/EEC of 4 October 1993 on control of Potato Ring Rot<sup>20</sup>, Council Directive 98/57/EC of 20 July 1998 on control of *Ralstonia solanacearum* (Smith) Yabuuchi et al.<sup>21</sup> and Council Directive 2007/33/EC of 11 June 2007 on the control of potato cyst nematodes and repealing Directive 69/465/EC<sup>22</sup> should be repealed, as new measures on the pests concerned should be adopted in accordance with the provisions of this Regulation. In view of the time and resources required to adopt those new measures, those acts should be repealed by 2021.

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<sup>19</sup> OJ No L 323, 24.12.1969, p. 1

<sup>20</sup> OJ No L 259, 18.10.1993, p. 1.

<sup>21</sup> OJ No L 235, 21.8.1998, p. 1.

<sup>22</sup> OJ No L 156, 16.6. 2007, p.12.

##### *Amendment*

(74) Council Directive 69/464/EEC of 8 December 1969 on control of Potato Wart Disease<sup>19</sup>, Council Directive 93/85/EEC of 4 October 1993 on control of Potato Ring Rot<sup>20</sup>, Council Directive 98/57/EC of 20 July 1998 on control of *Ralstonia solanacearum* (Smith) Yabuuchi et al.<sup>21</sup> and Council Directive 2007/33/EC of 11 June 2007 on the control of potato cyst nematodes and repealing Directive 69/465/EC<sup>22</sup> should be repealed, as new measures on the pests concerned should be adopted in accordance with the provisions of this Regulation. In view of the time and resources required to adopt those new measures, those acts should be repealed by **1 January 2021**.

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<sup>19</sup> OJ No L 323, 24.12.1969, p. 1

<sup>20</sup> OJ No L 259, 18.10.1993, p. 1.

<sup>21</sup> OJ No L 235, 21.8.1998, p. 1.

<sup>22</sup> OJ No L 156, 16.6. 2007, p.12.

## Amendment 16

### Proposal for a regulation

## Recital 75

*Text proposed by the Commission*

(75) Regulation (EU) No .../2013 on .....<sup>23</sup> ***[Office of Publications, please insert number and title of Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material and, in the footnote, the reference to the Official Journal]*** sets out that grants for measures against pests are to concern certain pests listed in the Annexes to Directive 2000/29/EC, and certain pests not listed in those Annexes but subject to temporary Union measures adopted with regard to them. This Regulation establishes the category of priority pests. It is ***appropriate*** that certain measures taken by the Member States as regards priority pests are to be eligible for Union grants, including compensation paid to professional operators for the value of plants, plant products and other objects, subject to destruction pursuant to the eradication measures set out in this Regulation. Regulation (EU) No XXX/2013 should therefore be amended.

*Amendment*

(75) Regulation (EU) No .../2013 on .....<sup>23+</sup> sets out that grants for measures against pests are to concern certain pests listed in the Annexes to Directive 2000/29/EC, and certain pests not listed in those Annexes but subject to temporary Union measures adopted with regard to them. This Regulation establishes the category of priority pests. It is ***essential*** that certain measures taken by the Member States as regards, ***in particular***, priority pests are to be eligible for Union grants, including compensation paid to professional operators for the value of plants, plant products and other objects, subject to destruction pursuant to the eradication measures set out in this Regulation, ***as well as for the implementation of enhanced biosecurity measures essential for prevention, detection and control of priority pests at farm level. In addition, measures taken by the Member States in accordance with Article 15 of Regulation (EU) No .../2013 on .....<sup>++</sup> with a view to early eradication of potentially harmful alien species at an early stage of invasion should equally be eligible for Union grants. This should also include compensation paid to professional operators for the value of plants, plant products and other objects, subject to destruction pursuant to Article 15 of Regulation (EU) No .../2013 on ...<sup>++</sup>.*** Regulation (EU) No .../2013<sup>+</sup> should therefore be amended.

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<sup>+</sup> ***OJ, please insert the number and title of the Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material and, in the footnote, the reference to the Official Journal.***

<sup>++</sup> ***OJ, please insert the number and title***

*of the Regulation laying down provisions on the prevention and management of the introduction and spread of invasive alien species*

#### **Amendment 17**

##### **Proposal for a regulation Recital 75 a (new)**

*Text proposed by the Commission*

*Amendment*

*(75a) The Common Agricultural Policy includes provisions linking Union funding/support for farmers to their compliance with specific standards concerning the environment, public health, animal and plant health and animal welfare.*

#### **Amendment 18**

##### **Proposal for a regulation Recital 78 a (new)**

*Text proposed by the Commission*

*Amendment*

*(78a) In accordance with the principle of smart regulation, this Regulation shall be coordinated with Regulation .../2014<sup>+</sup> in order to guarantee that plant health legislation applies fully and its entirety.*

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*<sup>+</sup> OJ, please insert the number and title of the Regulation laying down provisions on the prevention and management of the introduction and spread of invasive alien species*

#### **Amendment 19**

##### **Proposal for a regulation Article 1 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. This Regulation lays down rules *to*

1. This Regulation lays down rules

*determine* the phytosanitary risks posed by any species, strain or biotype of pathogenic agents, animals or *parasitic* plants injurious to plants or plant products (hereinafter “pests”) and *measures to reduce those risks to an acceptable level*.

*regarding phytosanitary inspections and other official measures by the Member State authorities for the purpose of identifying* the phytosanitary risks posed by any species, strain or biotype of pathogenic agents, animals or plants injurious to plants or plant products (hereinafter “pests”), *including invasive alien plant species which are injurious to plants and phytosanitary measures necessary to prevent the entry of pests from other Member States or third countries*.

## Amendment 20

### Proposal for a regulation Article 2 – paragraph 1 – point 3

*Text proposed by the Commission*

(3) 'plants for planting' *means* plants, which *are capable of and intended for producing entire plants, and which are destined to be planted, or replanted, or remain planted;*

*Amendment*

(3) 'plants for planting' :

- plants which are *already planted and are intended to remain planted or* to be replanted *after their introduction,* or
- *plants which are not planted at the time of introduction, but are destined to be planted thereafter;*

## Amendment 21

### Proposal for a regulation Article 2 – paragraph 1 – point 7 – point ea (new)

*Text proposed by the Commission*

*Amendment*

*(ea) breeding*

## Amendment 22

### Proposal for a regulation Article 2 – paragraph 1 – point 7 – point eb (new)

*Text proposed by the Commission*

*Amendment*

***(eb) multiplication***

**Amendment 23**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 7 – point ec (new)**

*Text proposed by the Commission*

*Amendment*

***(ec) maintaining***

**Amendment 24**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 7 – point ed (new)**

*Text proposed by the Commission*

*Amendment*

***(ed) providing services***

**Amendment 25**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 7 – point ee (new)**

*Text proposed by the Commission*

*Amendment*

***(ee) preserving, including storing***

**Amendment 26**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) 'operator' means operator as defined in Article 2(26) of Regulation (EU) No XXX/XXXX<sup>+</sup>;***

***<sup>+</sup> OJ: please insert the number of the Regulation of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare,***

*plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation)*

## **Amendment 27**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 10 b (new)**

*Text proposed by the Commission*

*Amendment*

*(10b) "phytosanitary inspection" means official inspection of:*

- (a) plants or goods;*
- (b) measures falling within the scope of the rules referred to in Article 1(1), as well as equipment and means of transport used for these purposes;*
- (c) locations or areas in which such measures are carried out;*

## **Amendment 28**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 10 c (new)**

*Text proposed by the Commission*

*Amendment*

*(10c) 'phytosanitary measure' means all measures intended to eliminate risks or prevent the entry of pests to the Union territory from other Member States or third countries .*

## **Amendment 29**

### **Proposal for a regulation**

**Article 2 – paragraph 1 – point 10 d (new)**

*Text proposed by the Commission*

*Amendment*

***(10d) 'quarantine units' mean areas designated by the competent authorities, in which plants from third countries shall be stored for a sufficient period of time until it is considered that the risk of introducing pests from third countries has been eliminated.***

**Amendment 30**

**Proposal for a regulation**

**Article 5 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission shall, by means of an implementing act, establish*** a list of pests fulfilling the conditions referred to in Article 3(b), (c) and (d) in respect of the Union territory, referred to as 'list of Union quarantine pests'.

A list of pests fulfilling the conditions referred to in Article 3(b), (c) and (d), in respect of the Union territory, ***is set out in Annex Ia and shall be*** referred to as 'list of Union quarantine pests'.

**Amendment 31**

**Proposal for a regulation**

**Article 5 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

That list shall ***include the pests listed in Part A of Annex I to Directive 2000/29/EC and Section I of Part A of Annex II to that Directive.***

***deleted***

**Amendment 32**

**Proposal for a regulation**

**Article 5 – paragraph 2 – subparagraph 5**

*Text proposed by the Commission*

*Amendment*

***That implementing act shall be adopted in***

***deleted***

*accordance with the advisory procedure referred to in Article 99(2).*

### **Amendment 33**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall ***amend the implementing act*** referred to in paragraph 2, where an assessment shows that a pest not listed in that ***act*** fulfils the conditions referred to in Article 3(b), (c) and (d) in respect of the Union territory, or a pest listed in that ***act*** no longer fulfils one or more of those conditions. In the first case it shall add the pest concerned to the list referred to in paragraph 2, in the second case it shall delete the pest concerned from that list.

*Amendment*

The Commission shall ***be empowered to adopt delegated acts in accordance with Article 98 concerning the amendment of the list*** referred to in paragraph 2, where an assessment shows that a pest not listed in that ***list*** fulfils the conditions referred to in Article 3(b), (c) and (d) in respect of the Union territory, or a pest listed in that ***list*** no longer fulfils one or more of those conditions. In the first case it shall add the pest concerned to the list referred to in paragraph 2, in the second case it shall delete the pest concerned from that list.

### **Amendment 34**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 3 – subparagraph 3**

*Text proposed by the Commission*

***The implementing acts amending the implementing act referred to in paragraph 2 shall be adopted in accordance with the examination procedure referred to in Article 99(3).*** The same procedure shall apply to a repeal or a replacement of the ***implementing act*** referred to in paragraph 2.

*Amendment*

The Commission shall ***be empowered to adopt delegated acts in accordance with Article 98 concerning the*** repeal or a replacement of the ***list*** referred to in paragraph 2.

### **Amendment 35**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The Commission shall amend the ***implementing act referred to in paragraph 2 by amending the scientific name of a pest***, where such an amendment is justified by the development of scientific knowledge.

The Commission shall ***be empowered to adopt delegated acts in accordance with Article 98 concerning the amendment of the scientific name of a pest included in the list referred to in paragraph 2***, where such an amendment is justified by the development of scientific knowledge.

**Amendment 36**

**Proposal for a regulation**

**Article 5 – paragraph 4 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

***Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 99(2).***

***deleted***

**Amendment 37**

**Proposal for a regulation**

**Article 6 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission shall, by means of an implementing act, establish and amend a list of the priority pests, hereinafter: 'list of priority pests'.***

***The Commission shall be empowered to adopt delegated acts in accordance with Article 98 modifying the list of the priority pests established in Annex Ib, hereinafter: 'list of priority pests'.***

**Amendment 38**

**Proposal for a regulation**

**Article 6 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Where the results of an assessment show that a Union quarantine pest fulfils the conditions referred to in paragraph 1, or a

Where the results of an assessment show that a Union quarantine pest fulfils the conditions referred to in paragraph 1, or a

pest no longer fulfils one or more of those conditions, the Commission shall **amend** the **implementing act** referred to in the first subparagraph by adding the pest concerned to, or removing it from, that list.

pest no longer fulfils one or more of those conditions, the Commission shall **be empowered to adopt delegated acts in accordance with Article 98 modifying** the **list** referred to in the first subparagraph by adding the pest concerned to, or removing it from, that list.

#### **Amendment 39**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 2 – subparagraph 3**

###### *Text proposed by the Commission*

The Commission shall make that assessment available to the Member States.

###### *Amendment*

The Commission shall make that assessment available to the Member States **without delay**.

#### **Amendment 40**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 2 – subparagraph 4**

###### *Text proposed by the Commission*

***The number of priority pests shall not exceed 10% of the number of the Union quarantine pests listed pursuant to Article 5(2) and (3). Where the number of priority pests has exceeded 10% of the number of the Union quarantine pests listed pursuant to Article 5(2) and (3), the Commission shall amend the implementing act referred to in the first subparagraph by accordingly adjusting the number of pests in that list, on the basis of their potential economic, environmental or social impact as set out in Section 2 of Annex II.***

###### *Amendment*

***deleted***

#### **Amendment 41**

##### **Proposal for a regulation**

## Article 6 – paragraph 2 – subparagraph 5

*Text proposed by the Commission*

***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99(3).***

*Amendment*

***deleted***

## Amendment 42

### Proposal for a regulation

#### Article 6 – paragraph 2 – subparagraph 6

*Text proposed by the Commission*

***On duly justified imperative grounds of urgency relating to a serious phytosanitary risk, the Commission shall adopt immediately applicable implementing acts, in accordance with the procedure referred to in Article 99(4), listing Union quarantine pests as priority pests.***

*Amendment*

***Where in the case of a serious phytosanitary risk imperative grounds of urgency so require, the procedure provided for in Article 98a shall apply to delegated acts adopted pursuant to this Article.***

## Amendment 43

### Proposal for a regulation

#### Article 7 – paragraph 1

*Text proposed by the Commission*

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 98 amending Section 1 of Annex II on criteria to identify pests which qualify as a quarantine pest, as regards the identity of the pest, its presence, its capability of entry, establishment and spread, and its potential economic, social and environmental impact, taking into account the developments of technical and scientific knowledge.

*Amendment*

1. The Commission shall be empowered to adopt delegated acts in accordance with Article 98 amending Section 1 of Annex II on criteria to identify pests which qualify as a quarantine pest, as regards the identity of the pest, its presence, its capability of entry, establishment and spread, and its potential economic, social and environmental impact, taking into account the developments of technical and scientific knowledge ***and international standards.***

## Amendment 44

### Proposal for a regulation

#### Article 9 – paragraph 1

*Text proposed by the Commission*

1. Where anyone becomes aware of the presence of a Union quarantine pest or has reason to suspect such a presence, that person shall notify, in writing, the competent authority within ten calendar days.

*Amendment*

1. Where anyone becomes aware of the presence of a Union quarantine pest or has reason to suspect such a presence, that person shall notify ***the competent authority immediately and shall confirm notification***, in writing, ***to*** the competent authority within ten calendar days.

## Amendment 45

### Proposal for a regulation

#### Article 13 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***Member States shall ensure that information is 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 shall establish and keep up to date a publicly available list of emerging plant pests in third countries which may pose a risk to plant health in the Union territory.***

## Amendment 46

### Proposal for a regulation

#### Article 14 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***2a. In case of an imminent danger as set***

*out in paragraph 1 and 2, Member States and professional operators shall take all necessary measures, as appropriate to the risk involved, to prevent the entry of such pests in the Union territory.*

#### **Amendment 47**

##### **Proposal for a regulation Article 16 – paragraph 1**

*Text proposed by the Commission*

1. Where the presence of a Union quarantine pest is officially confirmed, the competent authority shall immediately take all necessary measures to eliminate that pest *in* the area concerned *and* to prevent its spread out of that area (hereinafter: 'to *eradicate*'). Those measures shall be adopted in accordance with Annex IV on measures and principles for the management of the risks of pests.

*Amendment*

1. Where the presence of a Union quarantine pest is officially confirmed, the competent authority shall immediately take all necessary measures to eliminate that pest, *if possible, from* the area concerned (*hereinafter: 'to eradicate'*) *or, where eradication is not possible*, to prevent its spread out of that area (hereinafter: 'to *contain*'). Those measures shall be adopted in accordance with Annex IV on measures and principles for the management of the risks of pests.

#### **Amendment 48**

##### **Proposal for a regulation Article 16 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1a. Where Member States compensate professional operators, pursuant to point (ca) of Article 19(1) of Regulation (EU) No [...] /2013<sup>+</sup>, for the value of plants, plant products or other objects destroyed as part of the measures referred to in paragraph 1 and implemented in a cross-border area, they shall ensure that adequate compensation is coordinated between the Member States concerned so as to avoid, wherever possible, undue market distortion.*

<sup>+</sup> *OJ, please insert the number and reference of the Regulation laying down provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material.*

## Amendment 49

### Proposal for a regulation

#### Article 18 – paragraph 1 – subparagraph 1

##### *Text proposed by the Commission*

Competent authorities shall **annually** carry out a survey of each restricted area as regards the development of the presence of the pest concerned.

##### *Amendment*

Competent authorities shall, **on a risk basis and with appropriate frequency**, carry out a survey of each restricted area as regards the development of the presence of the pest concerned.

## Amendment 50

### Proposal for a regulation

#### Article 18 – paragraph 2

##### *Text proposed by the Commission*

2. Where as a result of **an annual** survey a competent authority finds a presence of the pest concerned in the buffer zone, the Member State concerned shall immediately notify that presence to the Commission and the other Member States specifying that the pest was found present in a buffer zone.

##### *Amendment*

2. Where as a result of **the** survey a competent authority finds a presence of the pest concerned in the buffer zone, the Member State concerned shall immediately notify that presence to the Commission and the other Member States specifying that the pest was found present in a buffer zone.

## Amendment 51

### Proposal for a regulation

#### Article 18 – paragraph 4

##### *Text proposed by the Commission*

4. Competent authorities may decide to abolish a restricted area and terminate the respective eradication measures, provided that during the surveys referred to in paragraph 1 no presence of the pest concerned has been found in that restricted

##### *Amendment*

4. Competent authorities may decide to abolish a restricted area and terminate the respective eradication measures, provided that during the surveys referred to in paragraph 1 no presence of the pest concerned has been found in that restricted

area for a sufficiently long period.

area for a sufficiently long period *to verify the pest free status*.

## Amendment 52

### Proposal for a regulation Article 20 – paragraph 1

#### *Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts in accordance with Article 98, amending Section 1 of Annex IV on measures to manage the risks of quarantine pests, as regards the measures targeting prevention and elimination of infestation of cultivated and wild plants, measures targeting consignments of plants, plant products and other objects, measures targeting other pathways for quarantine pests, and amending Section 2 of that Annex on principles for the management of the risks of pests, as regards principles for the management of the risks of pests, taking into account the developments of technical and scientific knowledge.

#### *Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 98, amending Section 1 of Annex IV on measures to manage the risks of quarantine pests, as regards the measures targeting prevention and elimination of infestation of cultivated and wild plants, measures targeting consignments of plants, plant products and other objects, measures targeting other pathways for quarantine pests, and amending Section 2 of that Annex on principles for the management of the risks of pests, as regards principles for the management of the risks of pests, taking into account the developments of technical and scientific knowledge *as well as International Standards for Phytosanitary Measures (ISPMs), agreed under the International Plant Protection Convention (IPPC)*.

## Amendment 53

### Proposal for a regulation Article 21 – paragraph 1

#### *Text proposed by the Commission*

1. Member States shall conduct surveys, over specific periods of time, checking for the presence of any Union quarantine pest, and signs or symptoms of any pest provisionally qualifying as Union quarantine pest, pursuant to Section 3 of Annex II, in all areas where that pest was not known to be present.

#### *Amendment*

1. Member States shall conduct surveys *based on apparent risks*, over specific periods of time, checking for the presence of any Union quarantine pest, and signs or symptoms of any pest provisionally qualifying as Union quarantine pest, pursuant to Section 3 of Annex II, in all areas where that pest was not known to be present.

## Amendment 54

### Proposal for a regulation Article 22 – paragraph 3

#### *Text proposed by the Commission*

3. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, **amending** or **supplementing** the elements to be covered by the multi-annual survey programmes, as set out in paragraph 1.

#### *Amendment*

3. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, **requiring Member States to amend** or **supplement** the elements to be covered by the multi-annual survey programmes, as set out in paragraph 1.

## Amendment 55

### Proposal for a regulation Article 24 – paragraph 1

#### *Text proposed by the Commission*

1. Each Member State shall draw up and keep up to date, for each priority pest which is capable of entering into and establishing in its territory, or a part thereof, a separate plan containing information concerning the decision making processes, procedures and protocols to be followed, and resources to be made available, in case of a confirmed or suspected presence of the pest concerned, hereinafter ‘the contingency plan’.

#### *Amendment*

1. Each Member State shall draw up and keep up to date, for each priority pest which is capable of entering into and establishing in its territory, or a part thereof, a separate plan containing information concerning the decision making processes, procedures and protocols to be followed, and resources to be made available, in case of a confirmed or suspected presence of the pest concerned, hereinafter ‘the contingency plan’. **Member States shall at an early stage involve all relevant stakeholders in the process drawing up and keeping up to date the contingency plan.**

## Amendment 56

### Proposal for a regulation Article 24 – paragraph 4

#### *Text proposed by the Commission*

4. Member States shall communicate their contingency plans to the Commission and to the other Member States on request.

#### *Amendment*

4. Member States shall communicate their contingency plans to the Commission and to the other Member States on request, **and**

*shall inform all relevant operators.*

## **Amendment 57**

### **Proposal for a regulation**

#### **Article 25 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

Those exercises shall take place with *regards* to all priority pests concerned within a reasonable period of time.

*Amendment*

Those exercises shall take place with *regard* to all priority pests concerned within a reasonable period of time *and with the involvement of the stakeholders concerned.*

## **Amendment 58**

### **Proposal for a regulation**

#### **Article 25 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

As regards priority pests whose presence in one Member state could have impacts for neighbouring Member States, the simulation exercises *shall* be carried out together by the Member States concerned on the basis of their respective contingency plans.

*Amendment*

As regards priority pests whose presence in one Member state could have impacts for neighbouring Member States, the simulation exercises *may* be carried out together by the Member States concerned on the basis of their respective contingency plans.

## **Amendment 59**

### **Proposal for a regulation**

#### **Article 25 – paragraph 4**

*Text proposed by the Commission*

**4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, setting out the following:**

**(a) the frequencies, contents and format of simulation exercises;**

**(b) simulation exercises covering more than one priority pest;**

**(c) co-operation between Member States, and of Member States with third**

*Amendment*

*Deleted*

*countries;*

*(d) contents of the reports on simulation exercises provided for in paragraph 3.*

## Amendment 60

### Proposal for a regulation

#### Article 26 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

Where the presence of **a** priority **pest** is officially confirmed in the territory of a Member State pursuant to Article 11(1)(a), the competent authority shall immediately adopt a plan setting out the measures for the eradication of the pest concerned, as provided for in Articles 16, 17 and 18, and a time schedule for the application of those measures. That plan is referred to as the 'eradication plan.

*Amendment*

Where the presence of **one or more** priority **pests** is officially confirmed in the territory of a Member State pursuant to Article 11(1)(a), the competent authority, **after consulting the operators concerned**, shall immediately adopt a plan setting out the measures for the eradication of the pest(s) concerned, as provided for in Articles 16, 17 and 18, and a time schedule for the application of those measures. That plan is referred to as the 'eradication plan.

## Amendment 61

### Proposal for a regulation

#### Article 27 – paragraph 1 – subparagraph 1 – introductory part

*Text proposed by the Commission*

The Commission **may, by means of implementing acts, set** out measures against specific Union quarantine pests. Those measures shall implement, specifically for each of the pest(s) concerned, one or more of the following provisions:

*Amendment*

The Commission **shall be empowered to adopt delegated acts in accordance with Article 98 setting** out measures against specific Union quarantine pests. Those measures shall implement, specifically for each of the pest(s) concerned, one or more of the following provisions:

## Amendment 62

### Proposal for a regulation

#### Article 27 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

**Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99(3).**

*Amendment*

**deleted**

## Amendment 63

### Proposal for a regulation

#### Article 27 – paragraph 2

##### *Text proposed by the Commission*

2. Where, as regards a restricted area, the Commission concludes, on the basis of the surveys referred to in Article 18 or other evidence, that the eradication of the Union quarantine pest concerned is not possible, the Commission **may** adopt **implementing** acts, **as referred to in paragraph 1**, which set out measures with the single purpose of prevention of the spread of those pests out of the areas concerned. Such prevention is referred to as 'containment'.

##### *Amendment*

2. Where, as regards a restricted area, the Commission concludes, on the basis of the surveys referred to in Article 18 or other evidence, that the eradication of the Union quarantine pest concerned is not possible, the Commission **shall be empowered to** adopt **delegated** acts, **in accordance with Article 98**, setting out measures with the single purpose of prevention of the spread of those pests out of the areas concerned. Such prevention is referred to as 'containment'.

## Amendment 64

### Proposal for a regulation

#### Article 27 – paragraph 3

##### *Text proposed by the Commission*

3. In case the Commission concludes that prevention measures in locations outside restricted areas are necessary to protect the part of the Union territory where the Union quarantine pest concerned is not present, the Commission **may** adopt **implementing** acts, **as referred to in paragraph 1**, setting out such measures.

##### *Amendment*

3. In case the Commission concludes that prevention measures in locations outside restricted areas are necessary to protect the part of the Union territory where the Union quarantine pest concerned is not present, the Commission **shall be empowered to** adopt **delegated** acts, **in accordance with Article 98**, setting out such measures.

## Amendment 65

### Proposal for a regulation

#### Article 27 – paragraph 5

##### *Text proposed by the Commission*

5. The **implementing** acts referred to in paragraph 1 may provide that the measures, referred to in points (a) to (j) of paragraph 1, taken by the Member States are to be repealed or amended. Until a measure has

##### *Amendment*

5. The **delegated** acts referred to in paragraph 1 may provide that the measures, referred to in points (a) to (j) of paragraph 1, taken by the Member States are to be repealed or amended. Until a measure has

been adopted by the Commission, the Member State may maintain the measures that it has employed.

been adopted by the Commission, the Member State may maintain the measures that it has employed.

## Amendment 66

### Proposal for a regulation

#### Article 27 – paragraph 6

*Text proposed by the Commission*

6. ***On duly justified imperative grounds of urgency to address*** a serious phytosanitary risk, ***the Commission*** shall ***adopt immediately applicable implementing*** acts, ***in accordance with the procedure referred to in Article 99(4).***

*Amendment*

6. ***Where in the case of*** a serious phytosanitary risk ***imperative grounds of urgency so require, the procedure provided for in Article 98(a)*** shall ***apply to delegated*** acts ***adopted pursuant to this Article.***

## Amendment 67

### Proposal for a regulation

#### Article 30

*Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts in accordance with Article 98 amending Section 3 of Annex II on criteria to be fulfilled by pests, as provided for in Articles 28 and 29, as regards the criteria concerning the identity of the pest, its presence, the probability of its entry, establishment and spread, its potential economic, social and environmental impact, taking into account the developments of technical and scientific knowledge.

*Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 98 amending Section 3 of Annex II on criteria to be fulfilled by pests, as provided for in Articles 28 and 29, as regards the criteria concerning the identity of the pest, its presence, the probability of its entry, establishment and spread, its potential economic, social and environmental impact, taking into account the developments of technical and scientific knowledge ***and international standards.***

## Amendment 68

### Proposal for a regulation

#### Article 31

*Text proposed by the Commission*

***Article 31***

*Amendment*

***deleted***

***More stringent requirements adopted by Member States***

***1. Member States may apply within their territories more stringent measures than the measures adopted pursuant to Article 27(1), (2) and (3) and Article 29(1), (2) and (3), if justified by the objective of phytosanitary protection and in accordance with Section 2 of Annex IV on measures and principles for the management of the risks of pests.***

***Those measures shall not impose, or result in, any prohibitions or restrictions on the introduction into, or movement within, the Union territory of plants, plant products and other objects, other than those imposed by the provisions of Articles 40 to 54 and the provisions of Articles 67 to 96.***

***2. Member States shall immediately notify the Commission and the other Member States of measures adopted by them within the ambit of paragraph 1.***

***Member States shall, on request, submit to the Commission and the other Member States an annual report on the measures taken in accordance with paragraph 1.***

**Amendment 69**

**Proposal for a regulation**

**Article 36 – paragraph 1 – introductory part**

*Text proposed by the Commission*

A pest shall be referred to as a ‘Union quality pest’ if it fulfils the following conditions and it is included in the list referred to in Article 37:

*Amendment*

A pest shall be referred to as a ‘Union quality pest’ if it fulfils ***all of*** the following conditions and it is included in the list referred to in Article 37:

**Amendment 70**

**Proposal for a regulation**

**Article 36 – paragraph 1 – point f**

*Text proposed by the Commission*

*Amendment*

***f) feasible and effective measures are available to prevent its presence on the plants for planting concerned.***

***deleted***

## **Amendment 71**

### **Proposal for a regulation**

#### **Article 37 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission shall, by means of an implementing act, establish a list setting out the Union quality pests and the specific plants for planting, as referred to in Article 36(d), where appropriate with the categories referred to in paragraph 4 and thresholds referred to in paragraph 5.***

***A list setting out the Union quality pests and the specific plants for planting, as referred to in Article 36(d), where appropriate with the categories referred to in paragraph 4 and thresholds referred to in paragraph 5 is laid down in Annex Ic.***

## **Amendment 72**

### **Proposal for a regulation**

#### **Article 37 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

***That list shall include the pests, and the respective plants for planting, as set out in the following acts:***

***deleted***

***a) Section II of Part A of Annex II of Directive 2000/29/EC;***

***b) points (3) and (6) of Annex I to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed and point (3) of Annex II thereto<sup>24</sup>;***

***c) the Annex of Commission Directive 93/48/EEC of 23 June 1993 setting out the schedule indicating the conditions to be met by fruit plant propagating material and fruit plants intended for fruit production, pursuant to Council Directive 92/34/EEC<sup>25</sup>;***

***d) the Annex of Commission Directive***

*93/49/EEC of 23 June 1993 setting out the schedule indicating the conditions to be met by ornamental plant propagating material and ornamental plants pursuant to Council Directive 91/682/EEC<sup>26</sup>;*

*e) point (b) of Annex II to Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed<sup>27</sup>;*

*f) point (6) of Annex I to Council Directive 2002/56/EC of 13 June 2002 on the marketing of seed potatoes and point B of Annex II thereto<sup>28</sup>;*

*g) point (4) of Annex I to Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants and point (5) of Annex II thereto<sup>29</sup>.*

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<sup>24</sup> OJ 125, 11.7.1966, p. 2309/66.

<sup>25</sup> OJ L 250, 7.10.1993, p. 1.

<sup>26</sup> OJ L 250, 7.10.1993, p. 9.

<sup>27</sup> OJ L 193, 20.7.2002, p. 33.

<sup>28</sup> OJ L 193, 20.7.2002, p. 60.

<sup>29</sup> OJ L 193, 20.7.2002, p. 74.

## **Amendment 73**

### **Proposal for a regulation**

#### **Article 37 – paragraph 2 – subparagraph 3**

*Text proposed by the Commission*

*Amendment*

*That implementing act shall be adopted in accordance with the advisory procedure referred to in Article 99(2).*

*deleted*

## **Amendment 74**

### **Proposal for a regulation**

## Article 37 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

3. The Commission shall ***amend the implementing act referred to in paragraph 2***, where an assessment shows that a pest not listed in that ***Annex*** fulfils the conditions referred to in Article 36, a pest listed in that ***implementing act*** no longer fulfils one or more of those conditions or where amendments to that list are necessary, as regards categories referred to in paragraph 4 or thresholds referred to in paragraph 5.

*Amendment*

3. The Commission shall ***be empowered to adopt delegated acts in accordance with Article 98 concerning the amendment of Annex Ic***, where an assessment shows that a pest not listed in that ***Annex*** fulfils the conditions referred to in Article 36, a pest listed in that ***Annex*** no longer fulfils one or more of those conditions or where amendments to that list are necessary, as regards categories referred to in paragraph 4 or thresholds referred to in paragraph 5. ***Prior to adopting such delegated acts, the Commission shall consult stakeholders .***

## Amendment 75

### Proposal for a regulation

#### Article 37 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

The Commission shall make that assessment available to the Member States.

*Amendment*

The Commission shall make that assessment available to the Member States ***without delay.***

## Amendment 76

### Proposal for a regulation

#### Article 37 – paragraph 6

*Text proposed by the Commission*

***6. For amendments to the implementing act referred to in paragraph 2 which are necessary to adapt that implementing act in view of changes to the scientific name of a pest, the advisory procedure referred to in Article 99(2) shall apply.***

***All other amendments to the implementing act referred to in paragraph 2 shall be adopted in accordance with the examination procedure referred to in Article 99(3). The same procedure shall apply to a repeal or a replacement of the***

*Amendment*

***deleted***

*implementing act referred to in paragraph 2.*

## **Amendment 77**

### **Proposal for a regulation Article 38**

#### *Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts in accordance with Article 98 amending Section 4 of Annex II on criteria to identify pests which qualify as a Union quality pest, as regards the criteria concerning the identity of the pest, its relevance, the probability of its spread, its potential economic, social and environmental impact, taking account of the developments of technical and scientific knowledge.

#### *Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 98 amending Section 4 of Annex II on criteria to identify pests which qualify as a Union quality pest, as regards the criteria concerning the identity of the pest, its relevance, the probability of its spread, its potential economic, social and environmental impact, taking account of the developments of technical and scientific knowledge **and international standards**.

## **Amendment 86**

### **Proposal for a regulation Article 43 – paragraph 1 – subparagraph 1**

#### *Text proposed by the Commission*

1. Member States and international transport operators shall make information available to passengers concerning the prohibitions, set out pursuant to Article 40(3), the requirements, set out pursuant to Articles 41(1) and 42(2), and the exemptions, set out pursuant to Article 70(2), as regards the introduction of plants, plant products and other objects into the Union territory.

#### *Amendment*

1. **The Commission**, Member States and international transport operators shall make information available to passengers concerning the prohibitions, set out pursuant to Article 40(3), the requirements, set out pursuant to Articles 41(1) and 42(2), and the exemptions, set out pursuant to Article 70(2), as regards the introduction of plants, plant products and other objects into the Union territory.

## **Amendment 87**

### **Proposal for a regulation Article 43 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

That information **shall** be provided in the form of posters or brochures, which, where appropriate, shall be made available through the internet.

*Amendment*

That information **may** be provided in the form of posters or brochures, which, where appropriate, shall be made available through the internet.

**Amendment 88**

**Proposal for a regulation  
Article 43 – paragraph 3**

*Text proposed by the Commission*

3. Member States shall **annually** submit to the Commission a report summarising the information provided pursuant to this Article.

*Amendment*

3. Member States shall **biennially** submit to the Commission a report summarising the information provided pursuant to this Article.

**Amendment 89**

**Proposal for a regulation  
Article 44 – paragraph 1 – subparagraph 1 – point a**

*Text proposed by the Commission*

(a) they are grown or produced in areas of third countries in the vicinity of their border with Member States (hereinafter: ‘third country frontier zones’);

*Amendment*

(a) they are grown or produced in areas of third countries in the vicinity of their **land** border with Member States (hereinafter: ‘third country frontier zones’);

**Amendment 90**

**Proposal for a regulation  
Article 45 – title**

*Text proposed by the Commission*

**Exception from prohibitions and requirements for phytosanitary transit**

*Amendment*

**Requirements for phytosanitary transit**

**Amendment 91**

**Proposal for a regulation  
Article 45 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

(b) they are packed and moved in such a way that there is no risk of spreading of Union quarantine pests during their introduction into, and passing through, the Union territory;

*Amendment*

(b) they are packed and moved in such a way that there is no risk of spreading of Union quarantine pests during their introduction into, and passing through, the Union territory, ***using an officially-approved phytosanitary seal that serves to guarantee the original packaging and means of transport (sealed lorry) and prevents the shipment being split up, hence providing official assurance of risk-free phytosanitary transit through the Union;***

**Amendment 92**

**Proposal for a regulation**

**Article 45 – paragraph 1 – subparagraph 1 – point c**

*Text proposed by the Commission*

(c) they are introduced into, passed through and, without delay, moved out of the Union territory under official control by the competent authorities concerned.

*Amendment*

(c) they are introduced into, passed through and, without delay, moved out of the Union territory under official control by the competent authorities concerned ***and under the supervision of customs officers. The competent authority of the Member State where those plants, plant products or other objects are introduced into, or for the first time moved within, the Union territory shall inform the competent authorities of all other Member States through which those plants, plant products or other objects are to be moved prior to being moved out of the Union territory.***

**Amendment 93**

**Proposal for a regulation**

**Article 45 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Plants, plant products and other objects that are in phytosanitary transit through***

*Union territory from one third country to another are required to satisfy the plant health requirements under Article 40 without prejudice to other applicable plant health rules.*

#### **Amendment 94**

##### **Proposal for a regulation**

##### **Article 45 – paragraph 1 – subparagraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

*In accordance with subparagraph 1a, where those plants, plant products or other objects are introduced into, or for the first time moved within, the Union territory, the competent authority of the Member State concerned must perform the documentary check on that introduction and shall be responsible for the sealing of goods pursuant to point b of the first subparagraph.*

#### **Amendment 95**

##### **Proposal for a regulation**

##### **Article 45 – paragraph 1 – subparagraph 1 c (new)**

*Text proposed by the Commission*

*Amendment*

*Similarly, the competent authority of the Member State where the goods in transit are moved out of Union territory shall inform the competent authorities of the Member State into which they were introduced, and the Member State(s) through which they have been moved, of the fact that the goods have been moved out of Union territory.*

#### **Amendment 96**

##### **Proposal for a regulation**

##### **Article 45 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

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

***deleted***

#### **Amendment 97**

##### **Proposal for a regulation**

##### **Article 46 – paragraph 7 – subparagraph 4**

*Text proposed by the Commission*

*Amendment*

Member States shall ***annually*** submit to the Commission a report summarising the relevant information on the authorisations granted pursuant to paragraph 1 and the results of the monitoring referred to in paragraph 5.

Member States shall ***biennially*** submit to the Commission a report summarising the relevant information on the authorisations granted pursuant to paragraph 1 and the results of the monitoring referred to in paragraph 5.

#### **Amendment 138**

##### **Proposal for a regulation**

##### **Article 47 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission may adopt, by means of implementing acts, temporary measures as regards the introduction into, and movement within, the Union territory of plants ***for planting*** from third countries, where the following conditions are fulfilled:

The Commission may adopt, by means of implementing acts, temporary measures as regards the introduction into, and movement within, the Union territory of plants ***for planting*** from third countries, where the following conditions are fulfilled:

## Amendment 139

### Proposal for a regulation

#### Article 47 – paragraph 1 – subparagraph 1 – point a

*Text proposed by the Commission*

(a) there is no or little phytosanitary experience as regards trade in the plants *for planting* concerned originating in or dispatched from the third country concerned;

*Amendment*

(a) there is no or little phytosanitary experience as regards trade in the plants, *plant products and other objects* concerned originating in or dispatched from the third country concerned;

## Amendment 140

### Proposal for a regulation

#### Article 47 – paragraph 1 – subparagraph 1 – point b

*Text proposed by the Commission*

(b) no assessment has been carried out as regards the phytosanitary risks for the Union territory in respect of those plants *for planting* from the third country concerned;

*Amendment*

(b) no assessment has been carried out as regards the phytosanitary risks for the Union territory in respect of those plants, *plant products and other objects* from the third country concerned;

## Amendment 141

### Proposal for a regulation

#### Article 47 – paragraph 1 – subparagraph 1 – point b

*Text proposed by the Commission*

(c) those plants *for planting* are likely to pose phytosanitary risks which are not linked, or cannot yet be linked, to Union quarantine pests listed pursuant to Article 5(2) and (3) or pests for which measures have been adopted pursuant to Article 29.

*Amendment*

(c) those plants, *plant products and other objects* are likely to pose phytosanitary risks which are not linked, or cannot yet be linked, to Union quarantine pests listed pursuant to Article 5(2) and (3) or pests for which measures have been adopted pursuant to Article 29.

## Amendment 142

### Proposal for a regulation

#### Article 47 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

The temporary measures referred to in

*Amendment*

The temporary measures referred to in

paragraph 1 shall be adopted in accordance with Annex III on elements to identify plants *for planting* which pose phytosanitary risks for the Union territory and Section 2 of Annex IV on principles for the management of the risks of pests.

paragraph 1 shall be adopted in accordance with Annex III on elements to identify plants, *plant products and other objects* which pose phytosanitary risks for the Union territory and Section 2 of Annex IV on principles for the management of the risks of pests.

#### **Amendment 143**

##### **Proposal for a regulation**

##### **Article 47 – paragraph 2 – subparagraph 2 – point a**

###### *Text proposed by the Commission*

(a) intensive sampling, at the point of introduction, of each lot of plants *for planting* introduced into the Union territory and testing of samples;

###### *Amendment*

(a) intensive sampling, at the point of introduction, of each lot of plants, *plant products and other objects* introduced into the Union territory and testing of samples;

#### **Amendment 144**

##### **Proposal for a regulation**

##### **Article 47 – paragraph 2 – subparagraph 2 – point b**

###### *Text proposed by the Commission*

(b) where absence of the phytosanitary risk cannot be ensured by intensive sampling and testing at the introduction of the plants *for planting* concerned into the Union territory, a quarantine period to verify the absence of that phytosanitary risk in those plants *for planting*;

###### *Amendment*

(b) where absence of the phytosanitary risk cannot be ensured by intensive sampling and testing at the introduction of the plants, *plant products and other objects* concerned into the Union territory, a quarantine period to verify the absence of that phytosanitary risk in those plants, *plant products and other objects*;

#### **Amendment 145**

##### **Proposal for a regulation**

##### **Article 47 – paragraph 2 – subparagraph 2 – point c**

###### *Text proposed by the Commission*

(c) where absence of the phytosanitary risk cannot be ensured by intensive sampling and testing at the introduction of the plants *for planting* concerned into the Union territory and a quarantine period, prohibition of the introduction of those

###### *Amendment*

(c) where absence of the phytosanitary risk cannot be ensured by intensive sampling and testing at the introduction of the plants, *plant products and other objects* concerned into the Union territory and a quarantine period, prohibition of the

plants *for planting* into the Union territory.

introduction of those plants, *plant products and other objects* into the Union territory.

## Amendment 146

### Proposal for a regulation Article 47 – paragraph 3

*Text proposed by the Commission*

3. The measures referred to in paragraph 1 shall apply for a maximum of *two* years. This period may be prolonged once for a maximum of *two* years.

*Amendment*

3. The measures referred to in paragraph 1 shall apply for a maximum of *five* years. This period may be prolonged once for a maximum of *five* years.

## Amendment 98

### Proposal for a regulation Article 47 a (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 47 a*

***By ...\*, the Commission shall present a report to the European Parliament and the Council, 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.***

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***\* OJ: please insert the date: five years after the date of entry into force of this Regulation.***

## Amendment 99

### Proposal for a regulation Article 48

*Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, amending Annex III on elements to identify plants for planting which pose phytosanitary risks for the Union territory, as regards the

*Amendment*

The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, amending Annex III on elements to identify plants for planting which pose phytosanitary risks for the Union territory, as regards the

characteristics and origin of those plants for planting, to adapt to the developments of technical and scientific knowledge.

characteristics and origin of those plants for planting, to adapt to the developments of technical and scientific knowledge **and international standards**.

## **Amendment 100**

### **Proposal for a regulation Article 58 – paragraph 1**

#### *Text proposed by the Commission*

1. The competent authority shall organise audits or inspections of the quarantine stations, at least **one per year**, to verify whether those stations meet the conditions referred to in Article 56(2) and Article 57.

#### *Amendment*

1. The competent authority shall organise audits or inspections of the quarantine stations, at least **once every two years**, to verify whether those stations meet the conditions referred to in Article 56(2) and Article 57.

## **Amendment 101**

### **Proposal for a regulation Article 59 – paragraph 2 a (new)**

#### *Text proposed by the Commission*

#### *Amendment*

**2a. The Commission shall be encouraged to draft a guidance document to harmonise rules of procedures across Member States and avoid undue delays for the release of plants, plant products and other objects from quarantine stations. That guidance document shall, in particular, give clear indications of when restrictions may be necessary and what risk mitigation measures may be taken.**

## **Amendment 102**

### **Proposal for a regulation Article 61 – paragraph 3 – subparagraph 1 – point a**

#### *Text proposed by the Commission*

(a) it supplies exclusively small, as appropriate to the plants, plant products and other objects concerned, quantities of plants, plant products and other objects to

#### *Amendment*

(a) it supplies exclusively small, as appropriate to the plants, plant products and other objects concerned, quantities of plants, plant products and other objects to

final users, *by other means than sales through distance contracts*;

final users;

### Amendment 103

#### Proposal for a regulation

#### Article 61 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

*The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, setting out one or more of the following:*

*deleted*

*(a) further categories of professional operators to be exempted from the application of paragraph 1, where that registration would constitute a disproportionate administrative burden for them compared to the phytosanitary risk of their professional activities;*

*(b) particular requirements for the registration of certain categories of professional operators;*

*(c) the maximum figure for small quantities of particular plants, plant products or other objects as referred to in point (a) of the first subparagraph.*

### Amendment 104

#### Proposal for a regulation

#### Article 62 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. The competent authorities shall register a professional operator where the application for registration contains the elements of paragraph 2.

3. The competent authorities shall register a professional operator *without delay* where the application for registration contains the elements of paragraph 2.

### Amendment 105

#### Proposal for a regulation

#### Article 66 a (new)

**Article 66a**

***Good plant protection practice***

***1. A professional operator which supplies or is supplied with plants, plant products or other objects that are subject to prohibitions, requirements or conditions pursuant to Articles 40(1), 41(1) and (2), 44(1) and (3), 45(1), 46(1) and (3), 47(1), 49(1) and (2), 50(1) and (2), 52, 53 or 54 shall follow good plant protection practice in order to prevent the occurrence and spread of pests. The good plant protection practice referred to in paragraph 1 shall consist, in particular, of:***

***(a) identifying and monitoring critical points in the production process or in the movement of the plants, plant products and other objects which may affect their phytosanitary quality;***

***(b) ensuring that the competent authorities have access to the facilities, as well as to surveillance data and all related documents;***

***(c) taking measures, where necessary, to ensure that the phytosanitary quality of the plants, plant products and other objects is maintained;***

**Amendment 106**

**Proposal for a regulation  
Article 67 – paragraph 2**

2. Where applicable, the phytosanitary certificate shall specify under the heading ‘Additional Declaration’, and in accordance with the implementing acts adopted pursuant to Articles 41(1) and (2) and 50(1) and (2), which specific requirement is fulfilled, where there is a choice between several options. This specification shall include a reference to

2. Where applicable, the phytosanitary certificate shall specify under the heading ‘Additional Declaration’, and in accordance with the implementing acts adopted pursuant to Articles 41(1) and (2) and 50(1) and (2), which specific requirement is fulfilled, where there is a choice between several options. This specification shall include ***the text of, or a*** reference to the relevant option provided in

the relevant option provided in those acts.

those acts.

**Amendment 107**  
**Proposal for a regulation**  
**Article 67 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) Plant health certificates may also be used in accordance with the provisions of Regulation (EC) No 338/97<sup>31b</sup> or (EC) 865/2006<sup>31c</sup>.***

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<sup>31b</sup> *OJ L 61, 3.3.1997, p.1*

<sup>31c</sup> *OJ L 166, 19.6.2006, p.1*

**Amendment 108**  
**Proposal for a regulation**  
**Article 73 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 73 a***

***The Commission shall, not later than ...\*, submit a report to the European Parliament and the Council 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 including a clear costs benefits analysis for the operators, accompanied if appropriate, by a legislative proposal.***

***\*OJ: Please insert the date five years after the entry into force of this Regulation.***

**Amendment 109**  
**Proposal for a regulation**  
**Article 74 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. The Commission shall, not later than ...\*, submit a report to the European Parliament and the Council 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.*

*\* OJ: Please insert the date five years after the entry into force of this Regulation.*

## **Amendment 110**

### **Proposal for a regulation Article 76 – paragraph 1**

*Text proposed by the Commission*

No plant passport shall 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.

*Amendment*

No plant passport shall 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.*

## **Amendment 111**

### **Proposal for a regulation Article 82 – paragraph 4**

*Text proposed by the Commission*

*4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, setting out detailed measures concerning visual examination, sampling and testing, and the frequency and timing of the examinations, referred to in paragraphs 1, 2 and 3, with regard to specific plants, plant products and other objects, on the basis of the particular phytosanitary risks they may present. Those examinations shall, where appropriate, concern certain plants for planting belonging to the categories referred to in Article 12(1) of Regulation (EU) No .../... (Office of Publications, please insert number of Regulation on the production and making available on the market of plant reproductive material),*

*Amendment*

*deleted*

*and, where appropriate, shall be carried out for any of the elements, as appropriate, set out in Part D of Annex II to that Regulation.*

*Where the Commission adopts such a delegated act for specific plants for planting, and those plants for planting are subject to certification schemes pursuant to Article 20(1) of Regulation (EU) No .../.... [Office of Publications, please insert number of Regulation on the production and making available on the market of plant reproductive material], the respective examinations shall be combined in a single certification scheme.*

*When adopting those delegated acts, the Commission shall take into account the technical and scientific knowledge and developments.*

## Amendment 112

### Proposal for a regulation Article 89 – paragraph 1

#### *Text proposed by the Commission*

1. By way of derogation from Article 82, where a plant, plant product or other object, introduced into the Union territory from a third country, which for movement within the Union territory requires a plant passport pursuant to the implementing acts referred to in Article 74(1) and 75(1), such a passport shall be issued where the checks pursuant to Article 47(1) of Regulation (EU) No .../.... [**Office of Publications, please insert number of Regulation on Official Controls**] concerning the introduction of the respective plant, plant product or other object have been completed satisfactorily.

#### *Amendment*

1. By way of derogation from Article 82, where a plant, plant product or other object, introduced into the Union territory from a third country, which for movement within the Union territory requires a plant passport pursuant to the implementing acts referred to in Article 74(1) and 75(1), such a passport shall be issued where the checks pursuant to Article 47(1) of Regulation (EU) No .../....<sup>+</sup> concerning the introduction of the respective plant, plant product or other object have been completed satisfactorily **and have come to the result that the plants, plant products or other objects concerned fulfil the substantive requirements for issuance of a plant passport according to Article 80 and, where appropriate, Article 81.**

<sup>+</sup>**OJ: Please insert the reference for the Regulation of the European Parliament**

*and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation)*

## Amendment 113

### Proposal for a regulation

#### Article 95 – paragraph 6 a (new)

*Text proposed by the Commission*

*Amendment*

***6a. The Commission shall consult the Advisory Group on the food chain and animal and plant health established under the Commission Decision 2004/613/EC<sup>1</sup>. This advisory group shall provide inputs during the preparation of implementing and delegated acts.***

<sup>1</sup> *Commission Decision of 6 August 2004 concerning the creation of an advisory group on the food chain and animal and plant health (OJ L 275, 25.8.2004, p. 17).*

## Amendment 114

### Proposal for a regulation

#### Article 96 – paragraph 3

*Text proposed by the Commission*

*Amendment*

3. The pre-export certificate shall be issued, on request of the professional operator, by the Member State in which the plants, plant products or other objects were grown, produced or processed, while those plants, plant products or other objects are

3. The pre-export certificate shall be issued, on request of the professional operator, by the Member State, ***or authorised professional operator as defined in Article 84***, in which the plants, plant products or other objects were grown,

on the premises of the professional operator concerned.

produced or processed, while those plants, plant products or other objects are on the premises of the professional operator concerned.

## Amendment 115

### Proposal for a regulation

#### Article 97 – paragraph 1 – subparagraph 1

##### *Text proposed by the Commission*

The Commission shall establish an electronic system for the submission of notifications by the Member States.

##### *Amendment*

The Commission shall establish an electronic system for the submission of notifications by the Member States ***and for informing professional operators if appropriate.***

## Amendment 116

### Proposal for a regulation

#### Article 98 – paragraph 2

##### *Text proposed by the Commission*

2. The delegation of power referred to in Articles 1(2), 7(1) and (2), 8(6), 11(3), 20, 22(3), 25(4), 30, 32(4), 34(1), 38, 44(2), 45(3), 46(6), 48, 61(3), 67(4), 71(4), 76, 78(4), 82(4), 84(2), 86(3), 91(2), 92(1) and (3), 93(1), 94(4), 95(5) and 96(5) shall be conferred on the Commission for ***an indeterminate period of time from the entry into force of this Regulation.***

##### *Amendment*

2. The delegation of power referred to in Articles 1(2), **5(2), 6(2)**, 7(1) and (2), 8(6), 11(3), 20, 22(3), 25(4), **27**, 30, 32(4), 34(1), **37(2)**, 38, 44(2), 45(3), 46(6), 48, 61(3), 67(4), 71(4), 76, 78(4), 82(4), 84(2), 86(3), 91(2), 92(1) and (3), 93(1), 94(4), 95(5) and 96(5) shall be conferred on the Commission for ***a period of five years*** from...\* ***The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension.***

***\* OJ: Please insert the date of entry into force of this Regulation.***

## Amendment 117

### Proposal for a regulation

#### Article 98 – paragraph 3

##### *Text proposed by the Commission*

3. The delegation of power referred to in Articles 1(2), 7(1) and (2), 8(6), 11(3), 20,

##### *Amendment*

3. The delegation of power referred to in Articles 1(2), **5(2), 6(2)**, 7(1) and (2), 8(6),

22(3), 25(4), 30, 32(4), 34(1), 38, 44(2), 45(3), 46(6), 48, 61(3), 67(4), 71(4), 76, 78(4), 82(4), 84(2), 86(3), 91(2), 92(1) and (3), 93(1), 94(4), 95(5) and 96(5) may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

11(3), 20, 22(3), 25(4), **27**, 30, 32(4), 34(1), **37(2)**, 38, 44(2), 45(3), 46(6), 48, 61(3), 67(4), 71(4), 76, 78(4), 82(4), 84(2), 86(3), 91(2), 92(1) and (3), 93(1), 94(4), 95(5) and 96(5) may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

## **Amendment 118**

### **Proposal for a regulation**

#### **Article 98 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. Four years after \*, the Commission shall present a report to the European Parliament and Council concerning the use of the power to adopt delegated acts provided for in paragraph 2.***

***\* OJ: Please insert the date of entry into force of this Regulation.***

## **Amendment 119**

### **Proposal for a regulation**

#### **Article 98 a (new)**

*Text proposed by the Commission*

*Amendment*

#### ***Article 98a***

##### ***Urgency procedure***

***Delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.***

*Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 98(5). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.*

## **Amendment 120**

### **Proposal for a regulation Article 100 – paragraph 1**

#### *Text proposed by the Commission*

The Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

#### *Amendment*

The Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate *to the extent of the financial loss and phytosanitary damage incurred throughout the Union's territory*, and dissuasive.

## **Amendment 121**

### **Proposal for a regulation Article 102 – point 2 Regulation (EU) [...] /2013**

Article 17 – paragraph 1 – point c a (new)

#### *Text proposed by the Commission*

#### *Amendment*

*(ca) measures to rapidly eradicate invasions of alien species at an early stage, taken by the Member States pursuant to Article 15 of Regulation (EU) No [...] /2014 of the European Parliament and of the Council \**,

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*\*Regulation (EU) No [...] /2014 of the European Parliament and of the Council from ... on the prevention and*

*management of the introduction and spread of invasive alien species (OJ L ..., ..., ...).*

## **Amendment 122**

### **Proposal for a regulation Article 102 – point 3 – point a**

Regulation (EU) [...]/2013

Article 18 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

*(ca) they concern live specimens of species, subspecies or lower taxon of plants, fungi or micro-organisms that, if introduced into the Union territory, may have a negative impact on plant health, and which are covered by early eradication measures adopted pursuant to Article 15 of Regulation (EU) No [...]/2014\**

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*\*OJ, please insert the the number of Regulation (EU) No [...]/2014 of the European Parliament and the Council on the prevention and management of the introduction and spread of invasive alien species.*

## **Amendment 123**

### **Proposal for a regulation Article 102 – point 4 – point a**

Regulation (EU) [...]/2013

Article 19 – paragraph 1 – point c b (new)

*Text proposed by the Commission*

*Amendment*

*(cb) costs incurred by Member States for compensation to the operators referred to in Article 2(7)(a), (b) and (c) of Regulation (EU) No [...]/2014 of the European Parliament and of the Council on protective measures against pests of*

*plants\* for the value of the destroyed plants, plant products or other objects covered by measures for rapid eradication at an early stage of invasion adopted pursuant to Article 15 of Regulation(EU) No [...]/\*\**

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*\*Regulation (EU) No .../2014 of the European Parliament and of the Council from ...on protective measures against pests of plants (OJ L, ..., ...).*

*\*\* OJ, please insert the number of Regulation (EU) No[...]/2014 of the European Parliament and of the Council on the prevention and management of the introduction and spread of invasive alien species.*

## **Amendment 124**

### **Proposal for a regulation**

#### **Article 102 – point 4 – point a**

Regulation (EU) [...] /2013

Article 19 – paragraph 1 – point c c (new)

*Text proposed by the Commission*

*Amendment*

*(cc) costs of compensation to operators referred to in Article 2(7)(a), (b) and (c) of Regulation (EU) [...]/\*\* for the implementation of enhanced biosecurity measures essential to protect the Union territory against priority pests.*

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*\* OJ, please insert the number of Regulation (EU) No .../2014 of the European Parliament and of the Council from ...on protective measures against pests of plants.*

## **Amendment 125**

### **Proposal for a regulation**

**Article 102 – point 4 - point c**

Regulation (EU) [...] /2013

Article 19 – paragraph 1 – subparagraph 2 (new)

*Text proposed by the Commission*

(c) The following second subparagraph is added:

'For the purposes of point (ca) of the first subparagraph, the compensation shall not exceed the market value of the plants, plant products or other objects immediately before they were destroyed and the salvage value, if any, shall be deducted from the compensation.'

*Amendment*

(c) The following second subparagraph is added:

'For the purposes of point (ca), **(cb) and (cc)** of the first subparagraph, the compensation shall not exceed the market value of the plants, plant products or other objects immediately before they were destroyed and the salvage value, if any, shall be deducted from the compensation.'

**Amendment 126**

**Proposal for a regulation**

**Annex I a (new)**

*Text proposed by the Commission*

*Amendment*

*Annex Ia*

*List of Union quarantine pests referred to in Article 5*

**HARMFUL ORGANISMS NOT KNOWN TO OCCUR IN ANY PART OF THE COMMUNITY AND RELEVANT FOR THE ENTIRE COMMUNITY**

*a) Insects, mites and nematodes, at all stages of their development*

*Acleris spp. (non-European)*

*Aculops fuchsiae Keifer*

*Agrilus planipennis Fairmaire*

*Aleurochantus spp.*

*Amauromyza maculosa (Malloch)*

*Anomala orientalis Waterhouse*

*Anoplophora chinensis (Thomson)*

*Anoplophora glabripennis (Motschulsky)*

*Anoplophora malasiaca (Forster)*

*Anthonomus bisignifer (Schenkling)*

*Anthonomus signatus* (Say)  
*Aonidella citrina* Coquillet  
*Aphelenchoïdes besseyi* Christie  
*Arrhenodes minutus* Drury  
*Aschistonyx eppoi* Inouye  
*Bemisia tabaci* Genn. (non-European populations) vectors of viruses such as:  
a) Bean golden mosaic virus  
b) Cowpea mild mottle virus  
c) Lettuce infectious yellows virus  
d) Pepper mild tigré virus  
e) Squash leaf curl virus  
f) Euphorbia mosaic virus  
g) Florida tomato virus  
*Bursaphelenchus xylophilus* (Steiner et Buher) Nickle et al.  
*Carposina niponensis* Walsingham  
*Cicadellidae* (non-European) known to be vectors of Pierce's disease (caused by *Xylella fastidiosa*), such as:  
(a) *Carneocephala fulgida* Nottingham  
(b) *Draeculacephala minerva* Bali  
(c) *Graphocephala atropunctata* (Signoret)  
*Choristoneura* spp. (non-European)  
*Conotrachelus nenuphar* (Herbst)  
*Dendrolimus sibiricus* Tschetverikov  
*Diabrotica barberi* Smith & Lawrence  
*Diabrotica undecimpunctata howardi* Barber  
*Diabrotica undecimpunctata undecimpunctata* Mannerheim  
*Diabrotica virgifera zea* Krysan & Smith  
*Diaphorina citri* Kuway  
*Enarmonia packardi* (Zeller)  
*Enarmonia prunivora* Walsh  
*Eotetranychus lewisi* McGregor

*Grapholita inopinata* Heinrich  
*Heliothis zea* (Boddie)  
*Hirschmanniella* spp., other than  
*Hirschmanniella gracilis* (de Man) Luc et  
Goodey  
*Hishomonus phycitis*  
*Leucaspis japonica* Ckll.  
*Liriomyza sativae* Blanchard  
*Listronotus bonariensis* (Kuschel)  
*Longidorus diadecturus* Eveleigh et Allen  
*Margarodes*, non-European species, such  
as: a) *Margarodes vitis* (Phillipi)  
*Margarodes vredendalensis* de Klerk c)  
*Margarodes prieskeansis* Jakubski  
*Monochamus* spp. (non-European)  
*Myndus crudus* Van Duzee  
*Nacobbus aberrans* (Thorne) Thorne et  
Allen  
*Naupactus leucoloma* Boheman  
*Numonia pirivorella* (Matsumura)  
*Oligonychus perditus* Pritchard et Baker  
*Pissodes* spp. (non-European)  
*Premnotypes* spp. (non-European)  
*Pseudopityophthorus minutissimus*  
(Zimmermann)  
*Pseudopityophthorus pruinosus*  
(Eichhoff)  
*Radopholus citrophilus* Huettel Dickson  
et Kaplan  
*Rhynchophorus palmarum* (L.)  
*Scaphoideus luteolus* (Van Duzee)  
*Scirtothrips aurantii* Faure  
*Scirtothrips dorsalis* Hood  
*Scirtothrips citri* (Moultex)  
*Scolytidae* spp. (non-European)  
*Scrobipalopsis solanivora* Povolny  
*Spodoptera eridania* (Cramer)  
*Spodoptera frugiperda* (Smith)

*Spodoptera litura* (Fabricus)  
*Tachypterellus quadrigibbus* Say  
*Taxoptera citricida* Kirk.  
*Thaumatotibia leucotreta*  
*Thrips palmi* Karny  
*Tephritidae* (non-European) such as:  
 (a) *Anastrepha fraterculus* (Wiedemann)  
 (b) *Anastrepha ludens* (Loew)  
 (c) *Anastrepha obliqua* Macquart  
 (d) *Anastrepha suspensa* (Loew)  
 (e) *Dacus ciliatus* Loew  
 (f) *Dacus cucurbitae* Coquillet  
 (g) *Dacus dorsalis* Hendel  
 (h) *Dacus tryoni* (Froggatt)  
 (i) *Dacus tsunconis* Miyake  
 (j) *Dacus zonatus* Saund.  
 (k) *Epochra canadensis* (Loew)  
 (l) *Pardalaspis cyanescens* Bezzi  
 (m) *Pardalaspis quinaria* Bezzi  
 (n) *Pterandrus rosa* (Karsch)  
 (o) *Rhacochlaena japonica* Ito  
 (p) *Rhagoletis cingulata* (Loew)  
 (q) *Rhagoletis completa* Cresson  
 (r) *Rhagoletis fausta* (Osten-Sacken)  
 (s) *Rhagoletis indifferens* Curran  
 (t) *Rhagoletis mendax* Curran  
 (u) *Rhagoletis pomonella* Walsh  
 (v) *Rhagoletis ribicola* Doane  
 (w) *Rhagoletis suavis* (Loew)  
*Trioza erytrae* Del Guercio  
*Unaspis citri* Comstock  
*Xiphinema americanum* Cobb *sensu lato*  
 (non-European populations)  
*Xiphinema californicum* Lamberti et  
 Bleve-Zacheo  
 (b) *Bacteria*

*Citrus greening bacterium*  
*Citrus variegated chlorosis*  
*Erwinia stewartii* (Smith) Dye  
*Xanthomonas campestris* (all strains pathogenic to Citrus)  
*Xanthomonas campestris* pv. *oryzae* (Ishiyama) Dye and pv. *oryzicola* (Fang. et al.) Dye  
*Xylella fastidiosa* (Well et Raju)  
(c) Fungi  
*Alternaria alternata* (Fr.) Keissler (non-European pathogenic isolates)  
*Anisogramma anomala* (Peck) E. Müller  
*Apiosporina morbosa* (Schwein.) v. Arx  
*Atropellis* spp.  
*Ceratocystis fagacearum* (Bretz) Hunt  
*Ceratocystis virescens* (Davidson) Moreau.  
*Cercoseptoria pini-densifloae* (Hori et Nambu) Deighton  
*Cercospora angolensis* Carv. et Mendes  
*Ciborinia camelliae* Kohn  
*Chrysomyxa arctostaphyli* Dietel  
*Cronartium* spp. (non-European)  
*Diaporthe vaccinii* Shaer  
*Endocronartium* spp. (non-European)  
*Elsinoe* spp. Bitanc. et Jenk. Mendes  
*Fusarium oxysporum* f. sp. *albedinis* (Kilian et Maire) Gordon  
*Guignardia citricarpa* Kiely (all strains pathogenic to Citrus)  
*Guignardia laricina* (Saw.) Yamamoto et Ito  
*Guignardia piricola* (Nosa) Yamamoto  
*Gymnosporangium* spp. (non-European)  
*Inonotus weiril* (Murril) Kotlaba et Pouzar  
*Melampsora farlowii* (Arthur) Davis

*Monilinia fructicola* (Winter) Honey  
*Mycosphaerella larici-leptolepis* Ito et al.  
*Mycosphaerella populorum* G. E. Thompson  
*Phoma andina* Turkensteen  
*Phyllosticta solitaria* Ell. et Ev.  
*Puccinia pittieriana* Hennings  
*Septoria lycopersici* Speg. var. *malagutii* Ciccarone et Boerema  
*Scirrhia acicola* (Dearn.) Siggers  
*Stegophora ulmea* (Schweinitz: Fries) Sydow & Sydow  
*Thecaphora solani* Barrus  
*Tilletia indica* Mitra  
*Trechispora brinkmannii* (Bresad.) Rogers  
*Venturia nashicola* Tanaka et Yamamoto  
(d) Viruses and virus-like organisms  
*Elm phlöm necrosis mycoplasm*  
Potato viruses and virus-like organisms, such as:  
(a) Andean potato latent virus  
(b) Andean potato mottle virus  
(c) Arracacha virus B, oca strain  
(d) Potato black ringspot virus  
(e) Potato spindle tuber viroid  
(f) Potato virus T  
(g) Non-European isolates of potato viruses A, M, S, V, X, and Y (including Y o, Y n and Y e) and Potato leafroll virus  
Tobacco ringspot virus  
Tomato ringspot virus  
Viruses and virus-like organisms of *Cydonia* Mill., *Fragaria* L., *Malus* Mill., *Prunus* L., *Pyrus* L., *Ribes* L., *Rubus* L. and *Vitis* L., such as:  
(a) Blueberry leaf mottle virus  
(b) Cherry rasp leaf virus (American)

- (c) *Peach mosaic virus (American)*
- (d) *Peach phony rickettsia*
- (e) *Peach rosette mosaic virus*
- (f) *Peach rosette mycoplasm*
- (g) *Peach X-disease mycoplasm*
- (h) *Peach yellows mycoplasm*
- (i) *Plum line pattern virus (American)*
- (j) *Raspberry leaf curl virus (American)*
- (k) *Strawberry latent C virus*
- (l) *Strawberry vein banding virus*
- (m) *Strawberry witches' broom mycoplasm*
- (n) *Non-European viruses and virus-like organisms of Cydonia Mill., Fragaria L., Malus Mill., Prunus L., Pyrus L., Ribes L., Rubus L. and Vitis L.*

*Viruses transmitted by Bemisia tabaci Genn., such as:*

- (a) *Bean golden mosaic virus*
- (b) *Cowpea mild mottle virus*
- (c) *Lettuce infectious yellows virus*
- (d) *Pepper mild tigré virus*
- (e) *Squash leaf curl virus*
- (f) *Euphorbia mosaic virus*
- (g) *Florida tomato virus*

*Beet curly top virus (non-European isolates)*

*Black raspberry latent virus*

*Blight and blight-like*

*Cadang-Cadang viroid*

*Cherry leafroll virus*

*Chrysanthemum stem necrosis virus*

*Citrus mosaic virus*

*Citrus tristeza virus (non-European isolates)*

*Leprosis*

*Little cherry pathogen (non-European isolates)*

*Naturally spreading psorosis*  
*Palm lethal yellowing mycoplasma*  
*Prunus necrotic ringspot virus*  
*Satsuma dwarf virus*  
*Tatter leaf virus*  
*Witches' broom (MLO)*

*e) Parasitic plants*

*Arceuthobium spp. (non-European)*

**HARMFUL ORGANISMS KNOWN TO  
OCCUR IN THE COMMUNITY AND  
RELEVANT FOR THE ENTIRE  
COMMUNITY**

*(a) Insects, mites and nematodes, at all  
stages of their development*

*Diabrotica virgifera virgifera Le Conte*

*Globodera pallida (Stone) Behrens*

*Globodera rostochiensis (Wollenweber)  
Behrens*

*Meloidogyne chitwoodi Golden et al. (all  
populations)*

*Meloidogyne fallax Karssen*

*Opogona sacchari (Bojer)*

*Popillia japonica Newman*

*Rhizoecus hibisci Kawai & Takagi*

*Spodoptera littoralis (Boisduval)*

*(b) Bacteria*

*Clavibacter michiganensi (Smith) Davis et  
al. ssp. sepedonicus (Spieckermann et  
Kotthoff) Davis et al.*

*Pseudomonas solanacearum (Smith)  
Smith*

*(c) Fungi*

*Melampsora medusae Thümen*

*Synchytrium endobioticum (Schilfersky)  
Percival*

*(d) Viruses and virus-like organisms*

*Apple proliferation mycoplasma*

*Apricot chlorotic leafroll mycoplasma*

*Pear decline mycoplasma*

*(e) Other*

*Pomacea spp.*

**Amendment 127**

**Proposal for a regulation  
Annex I b (new)**

*Text proposed by the Commission*

*Amendment*

**ANNEX Ib**

*List of Union priority pests referred to in  
Article 6(2)*

*(a) Insects, mites and nematodes, at all  
stages of their development*

*Anoplophora chinensis (Thomson)*

*Anoplophora glabripennis (Motschulsky)*

*Bursaphelenchus xylophilus (Steiner et  
Buher) Nickle et al.*

*Cicadellidae (non-European species)  
known to carry Pierce's disease (caused  
by Xylella fastidiosa), such as:*

*(a) Carneocephala fulgida Nottingham*

*(b) Draeculacephala minerva Ball*

*(c) Graphocephala atropunctata  
(Signoret)*

*Diaphorina citri Kuway*

*Paysandisia archon*

*Pistosia dactyliferae*

*Rhynchophorus ferrugineus*

*Thaumatotibia leucotreta*

*Trioza erytrae Del Guercio*

*(b) Bacteria*

*Citrus greening bacterium*

*Pseudomonas solanacearum (Smith)  
Smith*

*Pseudomonas syringae*

*Xanthomonas campestris (all strains  
pathogenic to Citrus)*

*Xanthomonas campestris* pv. *oryzae*  
(Ishiyama) Dye and pv. *oryzicola* (Fang  
et al.) Dye

*Xylella fastidiosa* (Well et Raju)

(c) *Fungi*

*Elsinoe* spp. *Bitanc. et Jenk. Mendes*

*gibberella circinata*

*Guignardia citricarpa* Kiely (all strains  
pathogenic to *Citrus*)

*Hypoxyton mammatum*

*Phytophthora ramorum*

*Trechispora brinkmannii* (Bresad.)  
Rogers

*Venturia nashicola* Tanaka et Yamamoto

(d) *Virus and virus-like organisms*

*Potato viruses and virus-like organisms*  
such as:

(a) *Andean potato latent virus*

(b) *Andean potato mottle virus*

(c) *Arracacha virus B, oca strain*

(d) *Potato black ringspot virus*

(e) *Potato spindle tuber viroid*

(f) *Potato virus T*

(g) *Non-European isolates of potato*  
*viruses A, M, S, V, X, and Y (including Y*  
*o, Y n and Y e) and Potato leafroll virus*

*Grapevine flavescence dorée MLO*

(e) *other*

*Pomacea* spp.

## Amendment 128

### Proposal for a regulation Annex I c (new)

*Text proposed by the Commission*

*Amendment*

*Annex Ic*

*List of quality pests referred to in Article*  
**36**

## **INSECTS**

*Acanthoscelides obtectus* Sag.

*Pelargonium* flower break carmovirus

*Aceria* *essigi*.

*Aculops* *fockeui*.

*Agromyzidae*

*Aleurodidae*, particularly *Bemisia tabaci*

*Aleurothrixus floccosus* (Mashell)

*Anarsia lineatella*.

*Aphelenchoides* spp.

*Blastophaga* spp.

*Bruchus affinis* Froel.

*Bruchus atomarius* L.

*Bruchus pisorum* L.

*Bruchus rufimanus* Boh.

*Cacoecimorpha pronubana*

*Cecidophyopsis ribis*.

*Circulifer haematoceps*

*Circulifer tenellus*

Scale insects, particularly: *Epidiaspis leperii*, *Pseudaulacaspis pentagona*, *Quadraspidiotus perniciosus*.

*Daktulosphaira vitifoliae* (Fitch)

*Diarthronomia chrysanthemi*

*Ditylenchus destructor* Thorne

*Ditylenchus dipsaci*

*Epichoristodes acerbella*

*Epidiaspis leperii*.

*Eriophis avellanae*.

*Eriophyes similis*.

*Eriosoma lanigerum*

*Eumerus* spp.

*Eusophera pinguis*.

*Eutetranychus orientalis* Klein

*Helicoverpa armigera* (Hübner)

*Lepidoptera*

*Liriomyza huidobrensis* (Blanchard)  
*Liriomyza trifolii* (Burgess)  
*Meloidogyne* spp.  
*Merodon equestris*  
*Myzus ornatus*  
*Otiorrhynchus sulcatus*  
*Parabemisia myricae* (Kuwana)  
*Parabemisia, myricae* (Kuwana).  
*Parasaissetia nigra* (Nietner)  
*Paysandisia archon* (Burmeister)  
*Pratylenchus penetrans*  
*Pratylenchus* spp.  
*Pseudaulacaspis pentagona*.  
*Quadraspidiotus perniciosus*  
*Quadraspidiotus perniciosus*  
*Radopholus similis* (Cobb) Thorne  
*Rhizoglyphidae*  
*Rhyacionia buoliana*  
*Rhyzoglyphus* spp.  
*Rotylenchus robustus*  
*Salssetia oleae*.  
*Sciara*  
*Tarsonemidae*  
*Tarsonemidae*.  
*Tetranychus urticae*  
*Thysanoptera*  
*Tylenchulus semipenetrans*  
*Pelargonium line pattern virus*  
**BACTERIA**  
*Agrobacterium rhizogenes*.  
*Agrobacterium tumefaciens*.  
*Agrobacterium tumefaciens*  
*Clavibacter michiganensis* spp. *insidiosus*  
(McCulloch) Davis et al.  
*Clavibacter michiganensis* spp.  
*michiganensis* (Smith) Davis et al

*Corynebacterium sepedonicum*  
*Erwinia amylovora* (Burr.) Winsl. et al  
*Erwinia carotovora* subsp. *Carotovora*  
*Erwinia chrysanthemi*  
*Pseudomonas caryophylli* (Burkholder)  
 Starr et Burkholder  
*Pseudomonas marginata*  
*Pseudomonas solanacearum*.  
*Pseudomonas syringae* pv. *glycinea*  
*Pseudomonas syringae* pv. *mors*  
*prunorum*.  
*Pseudomonas syringae* pv. *persicae*  
 (Prunier et al.) Young et al  
*Pseudomonas syringae* pv. *savastanoi*.  
*Pseudomonas syringae* pv. *syringae*  
*Rhodococcus fascians*  
*Xanthomonas campestris* pv. *Begoniae*  
*Xanthomonas campestris* pv. *corylina*.  
*Xanthomonas campestris* pv. *juglandi*.  
*Xanthomonas campestris* pv. *Pelargonii*  
*Xanthomonas campestris* pv. *pruni*  
 (Smith) Dye  
*Xanthomonas campestris* pv. *phaseoli*  
 (Smith) Dye  
*Xanthomonas campestris* pv. *vesicatoria*  
 (Doidge) Dye  
*Xanthomonas fragariae* Kennedy et King  
*Xylophilus ampelinus* Vitis  
 (Panagopoulos) Willems. et al  
**FUNGI**  
*Stem rot pathogens* (*Botrytis* spp.,  
*Pythium* spp.)  
*Fusarium oxisporum* f. sp. *lilii*  
*Fusarium oxisporum* sp. *gladioli*  
*Rhizoctonia* spp.  
*Alternaria dianthicola*  
*Armillariella mellea*  
*Ceratocystis fimbriata* f. sp. *platani* Walter

*Chondrostereum purpureum*  
*Claviceps purpurea*  
*Cryphonectria parasitica* (Murrill) Barr  
*Curvularia trifolii*  
*Cylindrocarpon destructans*  
*Diaporthe phaseolorum* var. *caulivora*  
and var. *sojae*  
*Didymella applanata*.  
*Didymella ligulicola* (Baker, Dimock et  
Davis) v. Arx  
*Exosporium palmivorum*  
*Fusarium fujikuroi*  
*Fusarium oxisporum* f. sp. *dianthi*  
*Fusarium oxisporum* sp. *chrysanthemi*  
*Fusarium oxysporum* f. sp. *narcissi*  
*Fusarium* spp.  
*Gliocladium wermoeseni*  
*Graphiola phoenicis*  
*Helminthosporium*  
*Lophodermium seditiosum*  
*Mycosphaerella dianthi*  
*Nectria galligena*  
*Powdery mildew*  
*Penicillium gladioli*  
*Peronospora rubi*.  
*Pestalozzia Phoenicis*  
*Phialophora cinerescens* (Wollenweber)  
van Beyma  
*Phialophora gregata*  
*Phoma tracheiphila* (Petri) Kanchaveli et  
Gikashvili  
*Phyllactinia guttata*.  
*Phytophthora cactorum*.  
*Phytophthora fragariae* var. *rubi*.  
*Phytophthora* spp.  
*Plasmopara halstedii* (Farlow) Berl. et de  
Toni

*Stem rot: Fusarium spp. and Pythium*  
*Puccinia chrysanthemi*  
*Puccinia horiana Hennings*  
*Puccinia pelargonii zonalis*  
*Pythium spp.*  
*Rhizoctonia spp.*  
*Rhizopus spp.*  
*Rosellinia necatrix*  
*Scirrhia pini Funk et Parker*  
*Sclerotinia spp.*  
*Septoria gladioli*  
*Slerotium bulborum*  
*Synchytrium endobioticum*  
*Taphrina deformans*  
*Thielaviopsis basicola*  
*Tilletia*  
*Urocystis gladiolicola*  
*Uromyces dianthi*  
*Uromyces trasversalis*  
*Ustilaginaceae,*  
*Venturia spp.*  
*Verticillium spp*  
**VIRUSES AND VIRUS-LIKE  
ORGANISMS**  
*Narcissus white streak agent*  
*Carnation mottle carmovirus*  
*Carnation etched ring caulimovirus*  
*Carnation necrotic fleck closterovirus*  
*Aster yellow micoplasm*  
*Corky pit agent*  
*Anarsia lineatella*  
*Apple mosaic virus.*  
*Arabis mosaic virus Fragaria*  
*Beet leaf curl virus*  
*Black currant infecticus variegation*  
*Black currant rever.*

*Cherry leaf roll virus.*  
*Chondrostereum purpureum*  
*Chrysanthemum stunt viroid*  
*Citrus leaf rugose.*  
*Citrus tristeza virus (European isolates)*  
*Citrus vein enation woody gall*  
*Scale insects, particularly: Epidiaspis leperii, Pseudaulacaspis pentagona, Quadraspidiotus perniciosus*  
*Coniothyrium spp.*  
*Tomato aspermy cucumovirus*  
*Diplocarpon rosae*  
*Diseases that induce in young leaves psorosis and psorosis-like symptoms such as ring-spot, cristacortis, impietratura and concave gum.*  
*Eriosoma lanigerum*  
*Grapevine flavescence dorée MLO*  
*Hazel maculatura lineare MLO*  
*Infectious variegation.*  
*Arabis mosaic nepovirus*  
*Peronospora sparsa*  
*Phragmidium spp.*  
*Plum pox virus*  
*Potato stolbur mycoplasma*  
*Prune dwarf virus.*  
*Prunus necrotic ringspot virus*  
*Raspberry bushy dwarf virus.*  
*Raspberry leaf curl virus.*  
*Raspberry ringspot virus*  
*Leaf curl*  
*Rosellinia necatrix*  
*Citric leaf rugose*  
*Sphaeroteca pannosa*  
*Spiroplasma citri Saglio. et al.*  
*Strawberry crinkle virus*  
*Strawberry green petal MLO.*

*Strawberry latent ringspot virus*  
*Strawberry mild yellow edge virus*  
*Tomato black ring virus*  
*Tomato spotted wilt virus*  
*Tomato yellow leaf curl virus*  
*Pelargonium leaf curl tobusvirus*  
*Tospovirus (tomato spotted wilt virus,*  
*Impatiens necrotic spot virus)*  
*Infectious variegation*  
*Venturia spp.*  
*Verticillium spp.*  
*Viroids such as exocortis, caquexia-*  
*xyloporosis.*  
*Lily symptomless virus*  
*Tulipbreaking virus*  
*Gladiolus ringspot virus (syn. Narcissus*  
*latent virus)*  
*Narcissus yellow stripe virus*  
*Chrysanthemum B mosaic virus*  
*Cucumber mosaic virus*  
*Tobacco rattle virus*  
*Lily virus x*  
**NEMATODES**  
*Heterodera rostochiensis*  
**OTHER HARMFUL ORGANISMS**  
*Cyperus esculentus (truffle)*  
*Orobanche (parasitic plant)*

## **Amendment 129**

### **Proposal for a regulation**

#### **Annex II – section 1 – point 4 – paragraph 1 – point n a (new)**

*Text proposed by the Commission*

*Amendment*

*(na) effects on landscape heritage and  
tourist areas;*

## Amendment 130

### Proposal for a regulation

#### Annex II – section 2 – paragraph 1 – point a

*Text proposed by the Commission*

(a) Economic impacts: the pest has the potential to cause major losses in terms of the direct and indirect effects referred to in point (4) of Section I for crops ***with a total annual production value for*** the Union territory ***of at least EUR 1 billion.***

*Amendment*

(a) Economic impacts: the pest has the potential to cause major losses in terms of the direct and indirect effects referred to in point (4) of Section 1 for crops ***in*** the Union territory.

## Amendment 131

### Proposal for a regulation

#### Annex II – section 2 – paragraph 1 – point a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) in case of pests affecting specialty crops, grown in the European territory on less than 200000 hectares, the potential loss in terms of total annual Union production value shall be at least EUR 200 million;***

## Amendment 132

### Proposal for a regulation

#### Annex III – paragraph 1 – introductory part

*Text proposed by the Commission*

Plants for planting from third countries shall be considered likely to pose phytosanitary risks for the Union territory, as referred to in Article 47(1), where those plants for planting fulfil at least ***three*** of the following conditions, ***including at least one of the conditions provided in points (1)(a), (b) and (c):***

*Amendment*

Plants for planting from third countries shall be considered likely to pose phytosanitary risks for the Union territory, as referred to in Article 47(1), where those plants for planting fulfil at least ***one*** of the following conditions:

## Amendment 133

### Proposal for a regulation

#### Annex III – paragraph 1 – point 1 – point e

*Text proposed by the Commission*

*Amendment*

***(e) They are not treated with generic plant protection products prior to or during shipment.***      ***deleted***

#### **Amendment 134**

##### **Proposal for a regulation**

##### **Annex III – paragraph 1 – point 1 – point f**

*Text proposed by the Commission*

*Amendment*

***(f) They are not subject to official export controls and certification in the third country of origin.***      ***deleted***

#### **Amendment 135**

##### **Proposal for a regulation**

##### **Annex IV – section 1 – paragraph 1 – point 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) Surveillance, visual examination, sampling, laboratory testing of plants, plant products and other objects for the presence of quarantine pests, including through subsection to quarantine procedures.

(c) Surveillance, visual examination, sampling, laboratory testing of plants, plant products and other objects for the presence of quarantine pests, including through subsection to quarantine procedures ***and pre-shipment inspections in third countries.***

#### **Amendment 136**

##### **Proposal for a regulation**

##### **Annex IV – section 2 – paragraph 1 – point 5 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

Measures taken to manage the risk of a pest shall be technically justified on the basis of conclusions reached by using an appropriate risk analysis or, where applicable, another comparable examination and evaluation of available scientific information. Those measures

Measures taken to manage the risk of a pest shall be technically justified on the basis of conclusions reached by using an appropriate risk analysis or, where applicable, another comparable examination and ***an EFSA supervised*** evaluation of available scientific

should reflect, and, where appropriate, be modified or removed to reflect new or updated risk analysis or relevant scientific information.

information. Those measures should reflect, and, where appropriate, be modified or removed to reflect new or updated risk analysis or relevant scientific information.