



EUROPEAN
COMMISSION

Brussels, XXX
SANTE/2025/7072B feedback
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[...] (2025) XXX draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of XXX

amending Implementing Regulation (EU) 2019/2072 as regards requirements for the introduction into, and spread within the Union territory, of *Aromia bungii* (Faldermann)

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

amending Implementing Regulation (EU) 2019/2072 as regards requirements for the introduction into, and spread within the Union territory, of *Aromia bungii* (Faldermann)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC¹, and in particular Articles 41(3), Article 72(1) and Article 79(2),

Whereas:

- (1) Commission Implementing Decision (EU) 2018/1503² established measures to prevent the introduction into and the spread within the Union of *Aromia bungii* (Faldermann) ('the specified pest') and was replaced by Commission Implementing Regulation (EU) .../...../...[*Office of Publications, please insert reference to Commission Implementing Regulation establishing measures to prevent the establishment and spread within the Union territory of *Aromia bungii* (Faldermann) and on measures for the eradication and containment of that pest within certain demarcated areas and repealing Implementing Decision (EU) 2018/1503*]. It also included requirements concerning the introduction into, and movement within, the Union of certain plants and plant products
- (2) After the repeal of Council Directive 2000/29/EC³, by Regulation (EU) 2016/2031 of the European Parliament and of the Council, Commission Implementing Regulation (EU) 2019/2072⁴ established, *inter alia*, requirements for the introduction into and movement within the Union of plants, plant products and other objects.
- (3) More specifically, Annex VII to Implementing Regulation (EU) 2019/2072 establishes a list of plants, plant products and other objects, originating from third countries, and the corresponding special requirements for their introduction into the Union territory.

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

² Commission Implementing Decision (EU) 2018/1503 of 8 October 2018 establishing measures to prevent the introduction into and the spread within the Union of *Aromia bungii* (Faldermann) (OJ L 254, 10.10.2018, p. 9, ELI: http://data.europa.eu/eli/dec_impl/2018/1503/oj).

³ Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000, p. 1, ELI: <http://data.europa.eu/eli/dir/2000/29/oj>).

⁴ Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019 (OJ L 319, 10.12.2019, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2019/2072/oj).

Annex VIII to that Regulation sets out a list of plants, plant products and other objects, originating in the Union territory and the corresponding special requirements for their movement within the Union territory. Annex XI to that Regulation sets out a list of plants, plant products and other objects subject to phytosanitary certificates and those for which such certificates are not required for their introduction into the Union territory. Annex XIII to that Regulation lists the plants, plant products and other objects for which a plant passport is required for their movement within the Union territory.

- (4) The application of most of the measures of Implementing Decision (EU) 2018/1503 concerning the introduction into and movement within the Union territory of the specified plants has proved effective in reducing the risk of those pests to an acceptable level.
- (5) It is appropriate, for reasons of consistency and legal certainty, to list the specified plants in Annexes VII, VIII, XI and XIII to Implementing Regulation (EU) 2019/2072 and to include those measures, where necessary in an updated form, as requirements concerning the introduction into and movement within the Union of plants, plant products and other objects that can host the specified pest.
- (6) Based on findings of the specified pest in the Union during the application of Implementing Decision (EU) 2018/1503, the scope of the host plants of that pest should be extended to cover all *Prunus* species and include *Prunus laurocerasus*.
- (7) Implementing Decision (EU) 2018/1503 requires that prior to the movement of the specified plants within the Union, the plants have been grown in a site where, *inter alia*, targeted destructive sampling is carried out on each lot of specified plants. That targeted destructive sampling is to be carried out at specific levels set out in those legal acts.
- (8) Experience during the application of Implementing Decision (EU) 2018/1503 has shown that the established levels of destructive sampling of the specified plants are disproportionately high, because they lead to the destruction of an unnecessarily large number of plants, without correspondingly increasing the confidence level of the sampling.
- (9) For that reason, instead of defining the level of such sampling, it is sufficient to require that the respective sampling scheme used is to be able to identify with at least 99% confidence level, a presence level of infested plants of 1%.
- (10) The CN codes listed in Annex VII and Annex XI to Implementing Regulation (EU) 2019/2072 should be amended to reflect the most recent amendment of Council Regulation (EEC) 2658/87⁵.
- (11) Certain types of wood should be added to the list contained in Annex XIII to Implementing Regulation (EU) 2019/2072, because a plant passport is necessary for their movement within the Union, in order to attest compliance with the respective special requirements in relation to *Aromia bungii* (*Faldermann*) set out in Annex VIII to that Regulation.
- (12) Implementing Regulation (EU) 2019/2072 should therefore be amended accordingly.

⁵ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1, ELI: <http://data.europa.eu/eli/reg/1987/2658/oj>).

(13) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Amendment of Implementing Regulation (EU) 2019/2072

Annexes VII, VIII, XI and XIII to Implementing Regulation (EU) 2019/2072 are amended in accordance with the Annex to this Regulation.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

Ursula VON DER LEYEN