Council of the European Union

Brussels, 31 October 2024
(OR. en, pl)

14737/24
ADD 1

Interinstitutional File:
2023/0378(COD)

CODEC 1967
AGRILEG 414
PHYTOSAN 181
AGRI 753

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2016/2031 as regards multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements and establishment of procedures for granting them, temporary import requirements for high-risk plants, plant products and other objects, the establishment of procedures for the listing of high-risk plants, the content of phytosanitary certificates and the use of plant passports, and as regards certain reporting requirements for demarcated areas and surveys of pests and amending Regulation (EU) 2017/625 as regards certain notifications of non-compliance **(first reading)** - Adoption of the legislative act = Statement

Statement by Poland

Poland considers that the solutions set out in the proposed Regulation are justified and have the expected added value. For this reason, and in the spirit of compromise, Poland supports the adoption of the draft Regulation.

However, in Poland's view the scope of the draft Regulation should be broader in order to fully address the problems identified when applying the existing provisions of Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants. In Poland's view, it is possible to further reduce the burden on administrations and operators without increasing the phytosanitary risk.

The draft Regulation has not fully eliminated the issue of the unworkable recommendations made to Poland (DG (SANTE) 2021-7273) regarding notification in the TRACES system of the results of inspections of wood packaging used for the transport of goods not subject to border phytosanitary checks, which are conducted outside the phytosanitary border control posts. Such notifications are not possible in view of the way the TRACES system functions. Poland therefore expects the European Commission to urgently resolve this issue by means of non-legislative measures.

Poland also expects the European Commission to urgently put forward a legislative initiative exercising its delegated power to define derogations from the obligation to issue plant passports for certain goods in the case of sales through distance contracts.