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INFORMATION NOTE

From: General Secretariat of the Council

To: Delegations

No. prev. doc.: 16022/23, WK 16346/23

Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2016/2031 of the European Parliament and of the Council 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, the use of plant passports and as regards certain reporting requirements for demarcated areas and surveys of pest

- Further revised Presidency text - Comments from Sweden

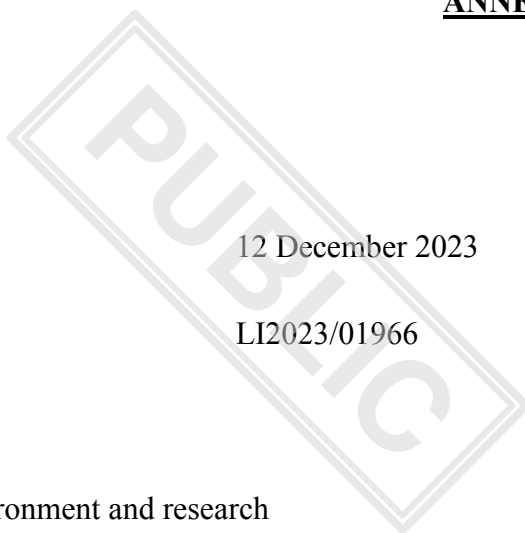
Delegations will find in annex comments from Sweden on further revised Presidency text of the proposal in subject.



Government Offices of Sweden

12 December 2023

LI2023/01966



Ministry of Rural Affairs and infrastructure

Department for Rural Affairs, Division for Forests, Environment and research

Swedish comments on revised amendments of Regulation (EU) 2016/2031

Dear Presidency,

Sweden thanks the Spanish Presidency for the possibility to comment on the Presidency text of the 5 December 2023, document WK 16346/2023, with regard to further revised amendments of Regulation (EU) 2016/2031.

Preamble (39) should be deleted in accordance with the agreed amendment of Article 23 on multiannual survey programs meaning that there is no longer a transition period necessary. The transition period has also correctly been removed from Article 2 in the Presidency compromise text.

Amendment (3) - Article 19a. A minor editorial change is needed in the following sentence in point 1: 'In well justified cases, the team may also provide...'

Amendment (11) – Article 42a, point 2(a). Sweden welcomes the deletion of the reference to Article 40 in the first part of the sentence in point 2(a). Although not a major outstanding issue for Sweden, we have started wondering why the adoption of temporary derogations from Article 41 need to be based on *'more stringent requirements than those referred to in Article 41'*. We are aware of that such acts already exist today, for example import citrus fruit, but think it would be logical that the possibility for a temporary derogation may also exist for adoption of alternative requirements that provide a protection level of the same or higher level than the one provided through existing requirements in Article 41.

We therefore propose to amend the first part of point 2(a) as follows:

*'(a) the Commission has received evidence justifying the adoption of temporary derogations with **more at least as stringent** requirements than those referred to in Article 107(2).*

Amendment (13) – Article 71. Sweden wants to thank the Commission for the explanations behind the proposal on new requirements in relation to RNQP and additional declarations on PCs. At the moment we remain rather positive about the proposal but we also share the concerns raised by some Member States that the proposal may lead to practical implications. We therefore strongly agree that this proposal should not lead to additional administrative burden for the documentary checks during import controls and urge the Commission to do what it can to adapt TRACES NT so all options for RNQP requirements are available so that the effort of document verification can be reduced to the minimum possible.

Amendment (15) – Article 88. A minor editorial change is needed in the last sentence: *'Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(2).'*