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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on protective measures against pests of plants - Presidency compromise text

Delegations will find in Annex the Presidency compromise text including suggestions for changes to the abovementioned Commission proposal, from Article 62 to the end (including its Annexes).

The suggested new wording as compared to the Commission proposal is presented in bold underlined characters and the suggested deletions in bold strikethrough. Changes as compared to the version in doc 9613/13 are highlighted with a colour.

Article 62

Procedure of registration

1. Professional operators falling within the scope of points (a) or (b) of the first subparagraph of Article 61(1) shall submit an application to the competent authorities for inclusion in the register.
2. That application shall include at least the following elements:
 - (a) name, address and contact details of the professional operator;
 - (b) a statement concerning the intention of the professional operator to exercise **one or more** ~~each~~ of the activities referred to in Article 61(1) concerning plants, plant products and other objects;
 - (c) a statement concerning the intention of the professional operator to carry out, as applicable, ~~each~~ **one or more** of the following activities:
 - (i) issuing of plant passports for plants, plant products and other objects, pursuant to Article 79(1);
 - (ii) placing of the mark on wood packaging material, referred to in Article 91(1);
 - (iii) issuing of any other attestation, as referred to in Article 93(1);
 - (iv) issuing of official labels for plant reproductive material, pursuant to Article 19 of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on plant reproductive material*];
 - (d) address of the premises, ~~collective warehouses and dispatching centres~~ used by the professional operator in the Member State concerned to carry out the activities referred to in Article 61(1) for the purpose of the registration;

(e) the families, genera ~~or and~~ species of the plants and plant products, and, where appropriate, nature of other objects, concerned by the activities of the professional operator.

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

3a By way of derogation from paragraphs 1 and 2, a competent authority shall register a professional operator without the submission of the application, if that operator is registered in accordance with subparagraph 3 of Article 6(5) of Directive 2000/29/EC, or in accordance with implementing directive 2014/96 and all elements of paragraph 2 are available to that competent authority. Where appropriate, the professional operator concerned shall submit an update of those elements within three months from the date of application of this Regulation .

4. Registered ~~professional~~ operators shall, where appropriate, submit an application for updating the data referred to in points (a), (d) and (e) of paragraph 2, and the statements referred to in points (b) and (c) of paragraph 2. **That application shall be submitted no later than 30 days, or 90 days in the case of ornamentals, after the change of those data.**

5. Where the competent authority becomes aware that the registered operator does not carry out any more the activities of Article 61(1), or that the registered operator has submitted an application no longer complying with the requirements of paragraph 2, it shall request that operator to comply with those requirements immediately or within a specified period of time.

In case the registered operator does not comply with those requirements within the period of time set by the competent authority, the competent authority shall, **as appropriate, amend or** revoke the registration of that operator.

Article 63

Content of the register

The register shall contain the elements set out in points (a), (b), (d) and (e) of Article 62(2) and the following elements:

- (a) the official registration number;
- (b) the two-letter code indicated in norm ISO 3166-1-alpha-2¹ for the Member State in which the professional operator is registered;
- (c) an indication ~~whether the professional operator is authorised~~ for which each of the activities referred to in point (c) of Article 62(2) the professional operator is approved authorised, and, as applicable, the specific plants, plant products or other objects concerned .

Article 64

Availability of information of official registers

1. The Member State keeping the register shall, on motivated request, make the information it contains available to the other Member States or the Commission.
2. The Member State keeping the register shall make available, on motivated request, the information referred to in points (a), (b) and (c) of Article 62(2), with regards to one particular professional operator, with the exception of points (d) and (e) of Article 62(2), to any professional operator which is established in the Union.
3. This Article shall apply without prejudice to national and Union rules on confidentiality and private data protection.

¹ ISO 3166-1:2006, Codes for the representation of names of countries and their subdivisions – Part 1: Country codes. International Organisation for Standardization, Geneva.

Article 65

Traceability

1. A professional operator to which plants, plant products or other objects are supplied that are subject to ~~prohibitions~~, requirements or conditions pursuant to Articles 27(1)(points a to c), (2) and (3), 29(1), (2), (3), 37(5a), 40(1), 41(1) and (2), 43(1), (2), 44(1) and (3), 45(1), 46(1) and (3), 47(1), 49(1) and (2), 50(1) and (2), 52, 53, and 54 and 74(1)(a) shall keep a record for each lot smallest applicable commercial or other usable unit (hereinafter: trade unit) of plant, plant product or other object supplied, allowing that operator to identify the professional operators supplying it.
2. A professional operator supplying plants, plant products or other objects that are subject to ~~prohibitions~~, requirements or conditions pursuant to Articles 27(1)(a-c), (2), (3), 29(1), (2), (3), 37 (5a), 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, and 54 and 74(1)(a) shall keep a record allowing that professional operator to identify, for each lot-trade unit of plant, plant product or other object it supplied, the professional operators to whom it was supplied.
3. Professional operators shall keep the records referred to in paragraphs 1 and 2 for at least three years from the date on which the plant, plant product or other object concerned was supplied to or by them.

The Commission may, by means of implementing acts, specify requirements as to the content, format and accessibility of the records to be kept by the professional operators referred to in paragraphs 1 and 2. Those implementing acts may set out, for particular plants, plant products or other objects, a deadline different than the one referred to in the first subparagraph, where so justified by the length of the cultivation period of the respective plant.

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

4. On request, they **professional operators referred to in paragraph 3** shall communicate the information in the records referred to in paragraphs 1 and 2 to the competent authorities.
5. Paragraphs 1 to 4 shall not apply to the professional operators referred to in points (b) **and (c)** of Article 61(3).
6. **Where an authorised operator issues a plant passport pursuant to Article 79(1), and where the competent authority issues a plant passport pursuant to Article 79(2) on request of a professional operator, that operator shall ensure, for the purpose of ensuring traceability pursuant to paragraph 2, that it records the following information as regards that plant passport:**
 - (a) **the professional operator who supplied the trade unit concerned and;**
 - (b) **the professional operator to whom the trade unit concerned was supplied.**

Article 66

Movements of plants, plant products and other objects within and between the premises of the professional operator

1. **The p**Professional operators which are supplied with, or supply, the plants, plant products or other objects referred to in Article 65 (1) and (2) shall have in place traceability systems and procedures to allow identification of the movements of ~~those~~their plants, plant products and other objects within **and between** their own premises.

The first subparagraph shall not apply to the professional operators referred to in points (b) and (c) of Article 61(3).

2. The information, as identified by the systems and procedures referred to in paragraph 1, on the movement of the plants, plant products and other objects within those premises shall be made available to the competent authority on request.

Chapter VI

Certification of plants, plant products and other objects

SECTION 1

PHYTOSANITARY CERTIFICATES REQUIRED FOR THE INTRODUCTION OF PLANTS, PLANT PRODUCTS AND OTHER OBJECTS INTO THE UNION TERRITORY

Article 67

Phytosanitary certificate for introduction into the Union territory

1. A phytosanitary certificate for introduction of plants, plant products and other objects into the Union territory shall be a document, issued by a third country, which fulfils the conditions of Article 71, has the contents set out in Part A of Annex V, or, where applicable, Part B of Annex V, and certifies that the plant, plant product or other object concerned complies with all of the following requirements:

- (a) it is free from Union quarantine pests;
 - (b) it complies with the provisions of Article 37(1) concerning the presence of Union **quality regulated non-quarantine** pests on plants for planting;
 - (c) it complies with the requirements referred to in Article, **37(5a)**, 41(1), (2), **[41a] or, where applicable, in Article 50(1), (2)**;
 - (d) where applicable, it complies with rules adopted in accordance with the provisions adopted pursuant to Article 27(1)(**c**) and (2) and Article 29(1).
2. Where applicable, the phytosanitary certificate shall specify under the heading 'Additional Declaration', and in accordance with the implementing acts adopted pursuant to Articles **27(1), (2), 29(1), (2), 37(2) and (5a)**, 41(1) and (2), **[41a]** and 50(1) and (2), which specific requirement is fulfilled, where **the respective implementing act there is a choice between allows for** several **different** options **for such requirements**. This specification shall include a reference to the relevant option provided in those **respective implementing acts**.
 3. Where applicable, the phytosanitary certificate shall state that the plants, plant products or other objects concerned comply with phytosanitary measures recognised as equivalent, pursuant to Article **[41a and]** 42, to the requirements of the implementing act adopted pursuant to Article 41(2).
 4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, amending Parts A and B of Annex V to adapt them to the **development of scientific and technical developments and the development of the relevant** international standards.

Article 68

Plants, plant products and other objects for which phytosanitary certificates are required

1. The Commission shall, by means of an implementing act, establish a list of the plants, plant products and other objects, and the respective third countries of origin or dispatch, for which a phytosanitary certificate is required for introduction into the Union territory.

That list shall include:

(a0) all plants for planting, other than seeds;

- (a) the plants, plant products and other objects listed in Point I of Part B of Annex V to Directive 2000/29/EC;
- (b) plants, plant products and other objects for which requirements have been adopted pursuant to Articles 27(1)(c) and **Article** 29(1) concerning their introduction into the Union territory;
- (c) seeds listed pursuant to Article 37(2);
- (d) plants, plant products and other objects listed pursuant to Articles 41(1) and (2).

Points (a) to (d) shall not apply, however, **and a phytosanitary certificate shall not be required** where the act adopted pursuant to Articles 27(1)(c), 29(1) or 41(1) and (2) requires proof of compliance in the form of an official mark, as referred to in Article 91(1), or another official attestation, as referred to in Article 93(1).

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

In the list established by that implementing act, the plants, plant products and other objects shall be identified by their respective CN code, where that code is available. Other codes, laid down by Union legislation, shall in addition be used in the case where they specify further the applicable CN code for a specific plant, plant product or other object.

2. The Commission shall, by means of an implementing act, amend the implementing act referred to in paragraph 1, in the following cases:

- (a) where a plant, plant product or other object, listed in that implementing act, does not fulfil paragraph 1(b), (c) or (d);
- (b) where a plant, plant product or other object, not listed in that act, fulfils paragraph 1(b), (c) or (d).

That implementing act shall be adopted in accordance with the **examination advisory** procedure referred to in Article 99**(3)(2)**.

3. **Further to paragraph 2,** ~~t~~The Commission may, by means of an implementing act, amend the implementing act referred to in paragraph 1, in accordance with the principles set out in Section 2 of Annex IV, where there is a risk that a plant, plant product or other object, not listed in that act, hosts a Union quarantine pest, or where, for a plant, plant product or other object listed in that act, that risk no longer exists.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 99(3).

4. By way of derogation from paragraphs 1, 2 and 3, no phytosanitary certificate shall be required for the plants, plant products or other objects, which are subject to Articles 44, 45, 46 and 70**(1)**.

Article 69

**Plants, plant products and other objects for which phytosanitary certificates are required for
introduction into a protected zone**

1. The Commission shall, by means of an implementing act, establish a list of the plants, plant products and other objects, and the respective third countries of origin or dispatch, for which a phytosanitary certificate is required, in addition to the cases referred to in Article 68 (1), (2) and (3), for their introduction into certain protected zones from those third countries.

That list shall include:

- (a) the plants, plant products and other objects listed in Point II of Part B of Annex V to Directive 2000/29/EC;
- (b) plants, plant products and other objects listed pursuant to Article 50(1) or (2).

Points (a) and (b) shall not apply, however, **and a phytosanitary certificate shall not be required** where the act adopted pursuant to Article 50(1) or (2) requires proof of compliance in the form of an official mark, as referred to in Article 91(1), or another official attestation, as referred to in Article 93(1).

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

In the list established by that implementing act, the plants, plant products and other objects shall be identified by their respective CN code, where that code is available. Other codes, laid down by Union legislation, shall in addition be used in the case where they specify further the applicable CN code for a specific plant, plant product or other object.

2. The Commission shall, by means of an implementing act, amend the implementing act referred to in paragraph 1, in the following cases:
- (a) where a plant, plant product or other object, listed in that implementing act, does not fulfil paragraph 1(b);

- (b) where a plant, plant product or other object, not listed in that act, fulfils paragraph 1(b).

That implementing act shall be adopted in accordance with the ~~advisory~~ **examination** procedure referred to in Article 99(~~32~~).

3. **Further to paragraph 2,** ~~t~~The Commission may, by means of an implementing act, amend the implementing act referred to in paragraph 1, in accordance with the principles set out in Section 2 of Annex IV, where there is a risk that a plant, plant product or other object, not listed in that act, hosts the respective protected zone quarantine pest, or where, for a plant, plant product or other object listed in that act, that risk no longer exists.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 99(3).

4. By way of derogation from paragraphs 1, 2 and 3, no phytosanitary certificate shall be required for the plants, plant products or other objects, which are subject to Articles 52, 53, 54 and 70(**1**).

Article 70

Exceptions for travellers' luggage and clients of postal services, ~~clients of postal services and internet clients~~

1. Small quantities of particular plants, plant products and other objects from a third country may be exempted from the requirement for a phytosanitary certificate set out in Article 68(1) and Article 69(1), if they comply with all of the following conditions:
- (a) they are introduced into the Union territory as part of travellers' personal luggage, ~~as consignments shipped following sales through distance contracts to final users (hereinafter: 'internet clients'), or as shipments delivered by postal services to final users;~~ **or as consignments delivered by postal services to final users**
- (b) they are not to be used for professional or commercial purposes;

- (c) they are listed pursuant to paragraph 2.

That exemption shall not apply to plants for planting, ~~other than seeds~~.

2. The Commission shall, by means of implementing acts, list the plants, plant products and other objects referred to in paragraph 1 and the third countries concerned, and set out the maximum quantity, as appropriate, of the plants, plant products and other objects concerned that shall be subject to the exemption of that paragraph and, where appropriate, one or more of the risk management measures set out in Section 1 of Annex IV.

That listing and the setting out of the maximum quantity concerned and, where appropriate, the risk management measures shall be decided on the basis of the **pest** ~~phytosanitary~~ risk posed by small quantities of those plants, plant products and other objects, in accordance with the criteria set out in Section 2 of Annex IV.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 99(3) of this Regulation.

Article 71

Conditions to be fulfilled by a phytosanitary certificate

1. The competent authority shall only accept a phytosanitary certificate accompanying plants, plant products or other objects to be introduced from a third country, if the content of that certificate complies with Part A of Annex V. Where the plants, plant products or other objects are to be introduced from a third country from which they do not originate, the competent authority shall only accept a phytosanitary certificate complying either with Part **A or Part** B of Annex V.

It shall not accept that phytosanitary certificate where the additional declaration referred to in Article 67(2), where applicable, is not present or not correct, and where the statement referred to in Article 67(3), where applicable, is not present.

It shall not accept a phytosanitary certificate for re-export if that phytosanitary certificate is not accompanied by the original phytosanitary certificate for export, or a certified copy of the original phytosanitary certificate for export, issued by the country of origin.

2. The competent authority shall only accept a phytosanitary certificate if it fulfils the following requirements:
 - (a) it is issued in at least one of the official languages of the Union;
 - (b) it is addressed to the **national plant protection organisation** ~~Union or one of a~~ its Member States;
 - (c) it has been issued no more than 14 days before the date on which the plants, plant products or other objects covered by it have left the third country, in which it was issued.
3. In the case of a third country which is **a contracting** party to the IPPC, the competent authority shall only accept the phytosanitary certificates issued by the official national plant protection organisation of that third country or, under its responsibility, by a public officer who is technically qualified and duly authorised by that official national plant protection organisation.

4. In the case of a third country which is not **a contracting** party to the IPPC, the competent authority shall only accept the phytosanitary certificates issued by the authorities competent in accordance with the national rules of that third country and notified to the Commission. The Commission shall inform the Member States and the operators, through the electronic notification system referred to in Article 97, pursuant to point (a) of Article 131 of the Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on Official Controls*], of the notifications received.

The Commission shall **by means of an implementing act set out specific rules concerning** ~~be empowered to adopt delegated acts, in accordance with Article 98,~~ **supplementing** the conditions for acceptance referred to in the first subparagraph, to ensure the reliability of those certificates. **That implementing act shall be adopted in accordance with the examination procedure referred to in Article 99(3).**

5. Electronic phytosanitary certificates shall only be accepted when provided through, or in electronic exchange with, the computerised information management system referred to in Article 130 of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on Official Controls*].

Article 72

Invalidation of phytosanitary certificate

1. Where a phytosanitary certificate has been issued in accordance with Article 67(1), (2) and (3), and the competent authority concerned concludes that the conditions referred to in Article 71 are not fulfilled, it shall invalidate that phytosanitary certificate and ensure that it does not accompany any longer those plants, plant products or other objects concerned. In that case, and in respect of the plants, plant products or other objects concerned, the competent authority shall take one of the measures as set out in Article 64(3) of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on Official Controls*].

Upon invalidation, the certificate concerned shall bear on its face and in a prominent position a triangular stamp in red, marked ‘certificate cancelled’ from the respective competent authority, together with its denomination and the date of invalidation. It shall be in capital letters, and in at least one of the official languages of the Union.

2. Member States shall notify, through the electronic notification system referred to in Article 97, the Commission and other Member States where a phytosanitary certificate was invalidated pursuant to paragraph 1.

The third country which had issued that phytosanitary certificate shall also be notified by the Member State concerned.

SECTION 2

PLANT PASSPORTS REQUIRED FOR THE MOVEMENT OF PLANTS, PLANT PRODUCTS AND OTHER OBJECTS WITHIN THE UNION TERRITORY

Article 73

Plant passports

A plant passport shall be an official ~~label-attestation~~ label for movement of plants, plant products and other objects within the Union territory and, where applicable, into and within protected zones, which certifies compliance with all requirements set out in Article 80 and, for movement into and within protected zones, Article 81, and has the content and format set out in Article 78.

Article 74

Plants, plant products and other objects for which a plant passport is required for movement within the Union territory

1. The Commission shall, by means of an implementing act, establish a list of the plants, plant products and other objects, for which a plant passport is required for their movement within the Union territory.

That list shall include:

- (a) all plants for planting, other than seeds;
- (b) as long as not subject to point (a), the plants, plant products and other objects listed in point (I) of Part (A) of Annex V to Directive 2000/29/EC;
- (c) plants, plant products and other objects for which requirements have been adopted pursuant to Article 27(1), (2) or (3) or 29(1), (2) or (3) concerning their movement within the Union territory;

- (d) seeds listed pursuant to Article 37(2);
- (e) plants, plant products and other objects listed pursuant to Article 41(1) and (2) **with regard to their movement within the Union, with the exception of plants for planting, plant products and other objects requiring another specific label or other type of attestation pursuant to that Article.**

That implementing act shall be adopted in accordance with the ~~advisory~~ **examination** procedure referred to in Article 99(12).

- 2. The Commission shall, by means of an implementing act, amend the implementing act referred to in paragraph 1, in the following cases:
 - (a) where a plant, plant product or other object, not listed in that act, fulfils paragraphs 1(c), (d) or (e);
 - (b) where a plant, plant product or other object, listed in that implementing act, does not fulfil paragraph 1(c), (d) or (e);

That implementing act shall be adopted in accordance with the ~~advisory~~ **examination** procedure referred to in Article 99(3).

- 3. **Further to paragraph 2,** ~~t~~The Commission may, by means of an implementing act, amend the implementing act referred to in paragraph 1, in accordance with the principles of Section 2 of Annex IV, where there is a risk that a plant, plant product or other object, not listed in that act, hosts a Union quarantine pest or where, for a plant, plant product or other object listed in that act, that risk no longer exists.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 99(3).

4. By way of derogation from paragraphs 1, 2 and 3, no plant passport shall be required for the plants, plant products or other objects, which are subject to Articles 44, 45, and 46 ~~and 70~~.

Article 75

Plants, plant products and other objects for which a plant passport is required for introduction into, and movement within, protected zones

1. The Commission shall, by means of an implementing act, establish a list of the plants, plant products and other objects, for which a plant passport is required for their introduction into and movement within certain protected zones.

That list shall include:

- (a) the plants, plant products and other objects listed in point (II) of Part A of Annex V to Directive 2000/29/EC;
- (b) other plants, plant products and other objects listed pursuant to Article 50(2).

That implementing act shall be adopted in accordance with the advisory examination procedure referred to in Article 99(12).

2. The Commission may, by means of an implementing act, amend the implementing act referred to in paragraph 1, in the following cases:

- (a) where a plant, plant product or other object, not listed in that act, fulfils paragraph 1(b);
- (b) where a plant, plant product or other object-, listed in that implementing act, does not fulfil paragraph 1(~~a~~) ~~or~~ (b).

That implementing act shall be adopted in accordance with the advisory examination procedure referred to in Article 99(32).

3. **Further to paragraph 2,** ~~t~~The Commission may, by means of an implementing act, amend the implementing act referred to in paragraph 1, and in accordance with the principles of Section 2 of Annex IV, where there is a risk that a plant, plant product or other object, not listed in that act, hosts the respective protected zone quarantine pest, or where, for a plant, plant product or other object listed in that act, that risk no longer exists.

That implementing act shall be adopted in accordance with the examination procedure referred to in Article 99(3).

4. By way of derogation from paragraphs 1, 2 and 3, no plant passport shall be required for the plants, plant products or other objects, which are subject to Articles 52, 53, **and** 54 ~~and 70~~.

Article 76

Exception for direct supply to final users

- 1.** 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 **supplied directly** to a final user, ~~other than an internet client~~.

This exception shall not apply to:

(a) final users receiving those plants, plant products or other objects through distant sales;

(b) final users of plants, plant products or other objects for which a plant passport for protected zones is required pursuant to Article 75.

- 2.** The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, setting out ~~the maximum figure for small quantities of the cases where, for~~ particular plants, plant products or other objects, **the exception of paragraph 1 shall only apply for small quantities. Those delegated acts shall define those quantities per period of time as appropriate to the plant, plant product or other object concerned and the respective pest risks.**

Article 77

Exceptions for movements within and between the premises of a professional operator

No plant passport shall be required for the movements of plants, plant products and other objects within and between the premises of the same **registered** professional operator **within a Member State.**

Article 78

Content and format of the plant passport

1. The plant passport shall take the form of a distinct ~~label~~ **attestation label**, **made on any substrate suitable for printing the elements referred to in paragraph 2** ~~which shall be printed on any suitable substrate~~, provided that the plant passport is **kept separate** **clearly distinguishable** from any other information or label which may also be indicated on that substrate. The plant passport shall be **easily visible and** clearly legible, and **the information on it shall be unchangeable and indelible.**
2. The plant passport for movement within the Union territory shall contain the elements set out in Part A of Annex VI.

The plant passport for introduction into, and movement within, a protected zone shall contain the elements set out in Part B of Annex VI.

3. In the case of plants for planting produced, or made available on the market, in the meaning of Article 3(5) of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on plant reproductive material law*], as pre-basic, basic or certified material in the meaning of Article 10 of that Regulation, the plant passport shall be included, in a distinct form, in the official label produced in accordance with Article 22 of that Regulation.

Where this paragraph applies, the plant passport for movement within the Union territory shall contain the elements set out in Part C of Annex VI.

Where this paragraph applies, the plant passport for introduction into, and movement within, a protected zone shall contain the elements set out in Part D of Annex VI.

This paragraph shall not apply in case the competent authority issues the plant passport but not the official label referred to in the first subparagraph, nor in case the competent authority issues that official label but not the plant passport.

4. The Commission shall be empowered to adopt, pursuant to Article 98, delegated acts amending Parts A, B, C and D of Annex VI, to adapt those elements, where applicable, to **the development of** scientific and technical **knowledge and international standards developments**.
5. Within one year from the entry into force of this Regulation, the Commission shall adopt, by means of implementing acts, the format specifications of the plant passport for movement within the Union territory and the plant passport for introduction into, and movement within, a protected zone, as regards the plant passports referred to in the first and second subparagraphs of paragraph 2 and in the second and third subparagraphs of paragraph 3. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99(3).

Where the nature of particular plants, plant products or other objects so requires, specific size specifications **for the plant passport** may be set out for **such plants, plant products or other objects** ~~them~~.

6. The Commission may, by means of an implementing act, set out technical modalities for the issuance of electronic plant passports, to ensure their compliance with the provisions of this Article and appropriate, credible and effective functioning of the system which generate plant passports. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 99(3).

A plant passport may be only be issued in an electronic form [hereinafter 'electronic plant passport'], containing all the elements referred to in paragraph 2, provided that the technical modalities have been set out through that implementing act.

Article 79

Issuance by authorised professional operators and competent authorities

1. Plant passports shall be issued by registered operators, authorised in accordance with Article 84 by the competent authorities to issue plant passports, hereinafter 'authorised operators', under the supervision of the competent authorities.

Authorised operators shall issue plant passports only for the plants, plant products or other objects for which they are responsible.

2. Plant passports may, ~~however~~, be issued by the competent authorities where a registered operator requests so.
3. Authorised operators shall only issue plant passports in the premises, collective warehouses and dispatching centres which are under their responsibility and declared by them pursuant to ~~referred to in~~ Article 62(2)(d).

~~3a Plant passports shall only be issued for plants, plant products and other objects introduced into the Union territory, pursuant to Article 89(1), in the place where those plants, plant products and other objects are released for free circulation by the customs authorities.~~

Article 79a

Traceability as regards plant passports

Where an authorised operator issues a plant passport pursuant to Article 79(1), and where the competent authority issues a plant passport pursuant to Article 79(2) on request of a professional operator, that operator shall ensure that it records the following information as regards that plant passport:

(a) — the professional operator who supplied the lot concerned and;

(b) — the professional operator to whom the lot concerned was supplied.

Article 80

Substantive requirements for a plant passport for movement within the Union territory

A plant passport shall be issued for movement within the Union territory for a plant, plant product or other object only where it fulfils the following requirements:

- (a) it is free from Union quarantine pests;
- (b) it complies with the provisions of Article 37(1) concerning the presence of Union **quality regulated non-quarantine** pests on plants for planting **and the provisions of Article 37(5a) concerning the measures to be taken;**
- (c) it complies with the requirements **concerning its movement within the Union, as** referred to in Article 41(1) and (2);
- (d) where applicable, it complies with rules adopted in accordance with the **relevant provisions measures** adopted pursuant to **Article 16 (3), points (a) to (c) of Article 27(1), Article and 27(2)** and Article 29(1) and (2); and
- (e) where applicable, it complies with measures adopted by the competent authorities for the eradication of Union quarantine pests pursuant to Article 16(1) and the eradication of pests provisionally qualifying as Union quarantine pests pursuant to Article 28(1).

Article 81

Substantive requirements for a plant passport for movement into and within a protected zone

1. A plant passport shall be issued for introduction into, and movement within, a protected zone for a plant, plant product and other object only where it fulfils all of the requirements of Article 80, and in addition the following requirements:
 - (a) it is free from the respective protected zone quarantine pest; and
 - (b) it complies with the requirements referred to in Article 50(1) and (2).
2. Where Article 33(2) applies, the plant passport referred to in paragraph 1 shall not be issued **for plants, plant products or other objects originating in the demarcated area concerned and which may host the protected zone pest concerned.**

Article 82

Examinations for plant passports

1. A plant passport may only be issued for plants, plant products and other objects for which a meticulous examination in accordance with paragraphs 2, 3, and 4 has shown that they fulfil the requirements of Article 80, and, where applicable, Article 81, **and that no Union quarantine pests or, where appropriate, protected zone quarantine pests, are present in the immediate vicinity of the place of production of those plants, plant products or other objects.**

Plants, plant products and other objects may either be examined individually or by representative samples. The examination shall also cover the packaging material of the plants, plant products or other objects concerned **as well as the area in the immediate vicinity of the location concerned.**

2. The examination shall be carried out by the authorised operator, or, where applicable under Article 79(2) **or pursuant to point (c) of paragraph 3,** by the competent authorities.

3. The examination shall fulfil the following conditions:
- (a) it shall be carried out ~~frequently~~, at appropriate times and taking into account the risks involved;
 - (b) it shall be carried out at the premises, collective warehouses and dispatching centres referred to in Article 62(2)(d); ~~and~~
 - (c) it shall be made by visual examination, complemented by sampling and testing by the competent authority or, pursuant to Article 25(1) of Regulation [official controls], by a delegated body, or by an official laboratory, designated pursuant to Article 36(1) of that Regulation, in the case of possible latent presence and, in the case of suspicion of the presence of a Union quarantine pest, Union regulated non-quarantine pest or, in case of a protected zone, the protected zone quarantine pest concerned, ~~by sampling and testing;~~ and
- (ca) its results shall be recorded and stored for three years.**

That examination shall take place without prejudice to any specific examination requirements or measures adopted in accordance with Article 27(1), (2) or (3), 29(1), (2) or (3), 37 (5a), 41(1) and (2), and 50(1) and (2). **Where those examination requirements or measures require that that examination is carried out by the competent authority, that examination shall not be carried out by the authorised operator referred to in paragraph 2.**

4. The Commission ~~shall~~ may by means of implementing acts ~~be empowered to adopt delegated acts, in accordance with Article 98, setting set~~ out detailed ~~measures~~ rules 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 ~~pest~~ 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*), 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.

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

Where the Commission adopts such ~~an implementing 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 **Commission shall set out the requirements as regards the respective examinations for the presence of Union quarantine pests and Union regulated non-quarantine pests and the examinations for other characteristics of the plants for planting pursuant to that Regulation** ~~shall be combined~~ in a single certification scheme.

When adopting those ~~delegated~~ implementing acts, the Commission shall take into account the **development of** technical and scientific knowledge and **international standards** ~~developments~~.

Article 83

Attaching of the plants passports

Plant passports shall be attached by the ~~authorised professional~~ operators ~~concerned, or, where so applicable under Article 79(2), by the competent authorities,~~ to the trade unit to each lot of the plants, plant products and other objects concerned before they are moved within the Union territory pursuant to Article 74 or into or within a protected zone pursuant to Article 75. Where such plants, plant products or other objects are moved in a package, bundle or container, the plant passport shall be attached to that package, bundle or container.

Article 84

Authorisation of professional operators to issue plant passports

1. The competent authority shall grant an authorisation to a professional operator to issue plant passports (hereinafter 'the authorisation to issue plant passports') **for particular plants, plant products and other objects** where that professional operator complies with the following conditions:
 - (a) it possesses the necessary knowledge to carry out the examinations referred to in Article 82 concerning the Union quarantine pests, protected zone quarantine pests and Union ~~quality~~ **regulated non-quarantine** pests that could affect the plants, plant products and other objects concerned, and concerning the signs of the presence of those pests and the symptoms caused by them, and the means to prevent the presence and spread of those pests, ~~and the means to eradicate them~~;
 - (b) it has in place systems and procedures enabling it to fulfil its obligations concerning traceability pursuant to Article 65 and 66

~~(ba) its operations are subject to at least one audit per year by the competent authority.~~

2. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, setting out qualification requirements to be fulfilled by the professional operators in order for them to comply with the conditions of paragraph 1(a) **and procedures to ensure that those qualification requirements are met.**

Article 85

Obligations of authorised operators

1. Where an authorised operator intends to issue a plant passport, it shall identify and monitor the points of its production process, and the points concerning the movement of plants, plant products and other objects by that operator, which are critical as regards compliance with the rules adopted pursuant to Article 27(1), (2) and (3), Article 29(1), (2) and (3), Article 37(1), **and (5a)**, Article 41(3), Article 80 and Article 82, and, where applicable, Article 33(2), Article 50(3) and Article 81.

It shall keep **for at least 3 years** records concerning the identification and monitoring of those points.

2. The authorised operator referred to in paragraph 1 shall **ensure that** ~~provide appropriate~~ training **is provided, when appropriate,** to its personnel involved in the examinations referred to in Article 82, to ensure that that personnel possesses the necessary knowledge to carry out those examinations.

Pest Phytosanitary risk management plans

1. ~~Where point (c) of Article 19 of the Official Controls Regulation applies, the~~ competent authority ~~shall~~ **may** approve, ~~for the purpose of point (c) of Article 19 of the Official Controls Regulation, as appropriate, pest phytosanitary~~ risk management plans of authorised operators, **if those plans fulfil all of the following conditions:**
 - a) they set out ~~setting out the~~ measures **which are appropriate implemented for** by those operators to fulfil the obligations set out in Article 85(1);
 - b) they fulfil the requirements set out in paragraph 2.**
2. The ~~pest phytosanitary~~ risk management plan shall cover, where appropriate in the form of **standard operating procedure instruction** manuals, at least the following:
 - (a) the information required under Article 62(2) concerning the registration of the authorised operator;
 - (b) the information required under Article 65(3) and 66(1) concerning the traceability of plants, plant products and other objects;
 - (c) a description of the production processes of the authorised operator and its activities as regards movement and sales of plants, plant products and other objects;
 - (d) an analysis of the critical points referred to in Article 85(1) and the measures taken by the authorised operator to mitigate the ~~pest phytosanitary~~ risks associated with those critical points;
 - (e) the procedures in place and actions foreseen in the case of suspicion or findings of quarantine pests, the recording of those suspicion or findings and the recording of the actions taken;

- (f) the roles and responsibilities of the personnel involved in the notifications referred to in Article 9(1), the examinations referred to in Article 82(1), ~~and~~ the issuance of plant passports pursuant to Article 79(1), Article 88(1) and (2) and Article 89, and the attachment of plant passports pursuant to Article 83;
- (g) the training provided to the personnel referred to in point (f).

~~3. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, amending the elements referred to in paragraph 2.~~

Article 87

Withdrawal of authorisation

1. Where the competent authority becomes aware that an authorised operator does not comply with Article 78(1), (2), (3), Article 82(1), (2), (3) or (4), Article 83, ~~or~~ Article 84(1), Article 85(1), (2), or Article 88(1), (2), (3), (5), or that a plant, plant product or other object, for which that professional operator has issued a plant passport, does not comply with Article 80 or, where applicable, Article 81, that authority shall without delay take the measures necessary to ensure that non-compliance with those provisions does not continue. Those measures may include the withdrawal of the authorisation to issue plant passports for the plants, plant products and other objects concerned.
2. Where the competent authority has taken measures in accordance with paragraph 1, other than the withdrawal of the authorisation to issue plant passports for the plants, plant products and other objects concerned, and non-compliance continues, that authority shall without delay withdraw that authorisation.

Replacing a plant passport

1. An authorised operator which has received a trade unit of a lot of plants, plant products or other objects, for which a plant passport has been issued, or the competent authority acting on request of a professional operator, may issue a new plant passport for that trade unitlot, replacing the plant passport initially issued for that trade unitlot, provided that the conditions of paragraph 3 are fulfilled.
2. Where a lot of a trade unit of plants, plant products or other objects, for which a plant passport has been issued, is divided into two or more trade units lots, the authorised operator responsible for those new trade unitslots, or the competent authority acting on request of a professional operator, shall issue a plant passport for each new trade unitlot resulting from the division, provided that the conditions set out in paragraph 3 are fulfilled. Those plant passports shall replace the plant passport issued for the initial trade unitlot.

~~Where two lots, for each of which a plant passport has been issued, are combined into a single lot, the authorised operator responsible for that new lot, or the competent authority acting on request of a professional operator, shall issue a plant passport for that lot. That plant passport shall replace the plant passport issued for the initial lots, provided that the conditions in paragraph 3 are fulfilled.~~
3. A plant passport, as provided for in paragraphs 1 and 2, may only be issued if the following conditions are fulfilled:
 - (a) the traceability requirements referred to in Article 65 (6) concerning the identity of the plants, plant products or other objects concerned is are fulfilled guaranteed; and
 - (b) where appropriateas applicable, the plants, plant products or other objects concerned continue to comply with the requirements referred to in Articles 80 and 81.

4. Where a plant passport is issued pursuant to paragraphs 1 or 2, the examination referred to in Article 82(1) shall not be required.
5. Following the replacement of a plant passport as referred to in paragraphs 1 and 2, the authorised operator concerned shall retain the replaced plant passport or its content for at least three years.

In case a plant passport is issued by the competent authority to replace a plant passport, the professional operator, on whose request it is issued, shall retain the replaced plant passport for three years.

That retainment may take the form of storage of the information contained in the plant passport in a computerised database, provided that this includes the information contained in any traceability barcode, hologram, chip or other data carrier, replacing the lot traceability number, as referred to in Annex VI.

Article 89

Plant passports replacing phytosanitary certificates

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 by the competent authority 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.

That replacement may be carried out at the place of destination of the plant, plant product or other object concerned, instead of the place of those checks, where checking at the place of destination is allowed pursuant to an implementing act adopted in accordance with Article [...] of [OC Regulation].

2. Following the issuance of a plant passport referred to in paragraph 1, the competent authority ~~authorised operator issuing that plant passport~~ shall, ~~where applicable,~~ retain the phytosanitary certificate for at least three years.

That retainment may take the form of storage of the information contained in the phytosanitary certificate in a computerised database.

Where point (a0e) of Article 95(2) applies, that phytosanitary certificate shall be replaced by a certified copy of it.

Article 90

Obligation to remove the plant passport

1. The professional operator which has under its control a trade unit~~lot~~ of plants, plant products or other objects, shall remove the plant passport from that trade unit~~lot~~, in case it becomes aware that any of the requirements of Articles 78 to 82, 84, 82, 84 or 85, Article 88, or Article 89 are not fulfilled, **and notify the competent authority accordingly.**

~~The professional operator shall invalidate that plant passport by drawing a clearly visible and indelible diagonal red line over it.~~

2. In case the professional operator fails to comply with paragraph 1, the competent authorities shall remove the plant passport from the trade unit~~lot~~ concerned, **and shall invalidate that plant passport by drawing a clearly visible and indelible diagonal red line over it.**

3. Where paragraphs 1 and 2 apply, the professional operator concerned shall retain the invalidated plant passport or its content for at least three years.

~~That retainment may take the form of storage of the information contained in the invalidated plant passport in a computerised database, provided that this includes the information contained in any traceability barcode, hologram, chip or other data carrier, replacing the lot number, as referred to in Annex VI, and a statement concerning that invalidation.~~

4. Where paragraphs 1 and 2 apply, the professional operator concerned shall inform accordingly the authorised operator, or competent authority, who issued the invalidated plant passport. **That professional operator shall also inform the competent authority under the competence of which it operates.**
5. Member States shall notify, through the electronic notification system referred to in Article 97, the Commission and other Member States where a plant passport was removed and invalidated pursuant to paragraph 2.

SECTION 3

OTHER ATTESTATIONS

[Article 41b]

Specific import conditions for the introduction into the Union territory of wood packaging material

1. Wood packaging material, whether or not actually in use in the transport of objects of all kinds, shall only be introduced into the Union territory if it is marked with the mark referred to in Article 91, attesting that it has been subject to the treatments specified in Part A of Annex VII.
2. The Commission shall be empowered to adopt delegated acts in accordance with Article 98 to amend and supplement Part A of Annex VII to take into account the development of international standards.
3. The Commission shall by means of implementing acts and following international standards specify requirements as regards the treatments referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99 (3). Those implementing acts shall take into account relevant international standards.]

Article 91

Marking of wood packaging material, wood, or other objects

1. The mark applied on the wood packaging material referred to in Article 41b, or on wood packaging material, wood, or other objects as specified in the implementing acts adopted pursuant to Articles 27(1) or (2), 29(1) or (2), 41(1) or (2), 50(1) or (2), shall have the content and be in a format as specified in Part B of Annex VII.

Where the mark is applied in the Union territory, for the purposes of movement within, or out of, the Union territory, of the wood packaing material, wood or other objects, it shall only be applied by a registered operator authorised in accordance with Article 92.

Without prejudice to obligations under the International Plant Protection Convention, ~~tThe mark attesting that wood packaging material has been treated against Union quarantine pests and protected zone quarantine pests, in accordance with a method established pursuant to Article 27(1) or (2), Article 29(1) or (2), Article 41(1) or (2) or Article 50(1) or (2), shall contain the elements set out in Annex VII.~~

~~The size, font type used and position of the mark on the wood packaging material shall be sufficient to be both visible and legible to inspectors without the use of a visual aid. The mark shall be rectangular or square in shape and contained within a border line with a vertical line separating the logo referred to in point (a) of Annex VII from the other elements of the mark. Small gaps in the border, the vertical line and other components of the mark may be present.~~

~~That mark shall be durable, not transferable and placed in a location that is visible when the wood packaging material is in use, preferably on at least two opposite sides of the wood packaging material.~~

2. The Commission shall be empowered, in accordance with Article 98, to adopt delegated acts amending and supplementing Part B of Annex VII to adapt ~~that mark it~~ to the development of international standards.
3. ~~The mark shall only be applied by a professional registered operator authorised in accordance with Article 92.~~
4. ~~The Commission shall adopt, by means of implementing acts, the format specifications of the mark referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99(3).~~

Article 91a

Repairing of wood packaging material

1. Wood packaging material that is marked with the mark referred to in Article 91 shall only be repaired if all of the following conditions are fulfilled :
 - (a) the person carrying out that repair is an operator authorised according to Article 92;
 - (b) material and treatment used are suitable for repair;
 - (c) the mark is applied anew, as appropriate.
2. The Commission shall by means of implementing acts set out specific requirements concerning the material, treatment and marking referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99 (3). Those implementing acts shall take into account relevant international standards.
3. Paragraphs 1 and 2 shall not apply in the case where a professional operator permanently obliterates by any means all earlier applications of that mark from the wood packaging material.

Article 92

Authorisation and supervision of ~~professional~~ registered operators applying the mark of wood packaging material in the Union territory

1. An authorisation to apply the mark referred to in Article 91~~(3)~~ and repairing wood packaging material according to Article 91a shall be granted by the competent authority on application to a registered operator provided that it fulfils the following conditions:
 - (a) it possesses the necessary knowledge to carry out the treatment of the wood packaging material required pursuant to the acts referred to in Article 91~~(1)~~ and 91a;
 - (b) it operates appropriate facilities and equipment to carry out that treatment (hereinafter: 'treatment facilities');

~~(ba) its operations are subject to at least one audit per year by the competent authority.~~

The Commission may, by means of an implementing act ~~shall be empowered, in accordance with Article 98, to adopt delegated acts specify amending and supplementing~~ the requirements for authorisation, where appropriate in view of the development of scientific and technical knowledge and international standards. ~~Those requirements may also concern conditions and rules for the repair of wood packaging material. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 99(3).~~

~~The authorisation shall be granted by the competent authority on application.~~

2. ~~By way of derogation from paragraph 1, I~~the authorisation referred to in ~~that~~ paragraph 1 may be granted, concerning the marking of wood packaging material entirely composed of ~~treated~~ wood which has been subject to the treatments referred to in Part A of Annex VII, where the registered operator fulfils all of the following conditions:

- (a) it exclusively uses wood treated in ~~from treatment~~ facilities operated by a registered operator authorised pursuant to paragraph 1 and accompanied by a plant passport attesting that treatment or wood purchased from third countries that was treated and marked as required pursuant to Article 27(1) or (2), Article 29(1) or (2), Article 41(1) or (2) or Article 50(1) or (2);
- (b) it ensures that the wood used for that purpose can be traced back to those treatment facilities or the third country treatment facilities concerned;
- (c) where applicable pursuant to Articles 27(1) and (2), 29(1) and (2), 41(1) and (2) and 50(1) and (2), it exclusively uses wood referred to in point (a) which is accompanied by a plant passport

~~(ea) its operations are subject to at least one audit per year by the competent authority.~~

3. The competent authority shall supervise the ~~professional~~ registered operators authorised pursuant to paragraphs 1 and 2, to verify and ensure that they treat and mark wood packaging material in accordance with Article 91(1) and fulfil the conditions set out in paragraphs 1 and 2.

~~The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, supplementing the requirements set out in this paragraph concerning the supervision of professional operators by the competent authority.~~

4. Where the competent authority becomes aware that a professional operator does not comply with the requirements referred to in paragraphs 1 or, 2 ~~or~~ 3, that authority shall without delay take the measures necessary to ensure that the non-compliance with those provisions does not continue.

Where the competent authority has taken those measures, other than the withdrawal of the authorisation referred to in paragraph 1, and non-compliance continues, that authority shall without delay withdraw the authorisation referred to in paragraph 1.

Article 93

Attestations other than the mark of wood packaging material

1. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, setting out the elements to be contained in official attestations, specific for plants, plant products or other objects, other than wood packaging material, which are required by the applicable international standards as form of proof of the implementation of measures adopted pursuant to Article 27(1) or (2), Article 29(1) or (2), Article 41(1) or (2) or Article 50(1) or (2).
2. Those delegated acts may also set out requirements concerning one or more of the following:
 - (a) the authorisation of professional operators as regards the issuance of the official attestations referred to in paragraph 1;
 - (b) the supervision by the competent authority of the professional operators authorised pursuant to point (a);
 - (c) the withdrawal of that authorisation referred to in point (a).
3. The Commission shall adopt, by means of implementing acts, the format specifications of the attestations referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99(3).

SECTION 4

EXPORT OF PLANTS, PLANT PRODUCTS AND OTHER OBJECTS FROM THE UNION TERRITORY

Article 94

Phytosanitary certificate for export from the Union

1. Where for the export of a plant, plant product or other object from the Union territory to a third country, a phytosanitary certificate is required by the ~~rules~~ **official phytosanitary import requirements** of that third country (hereinafter: 'phytosanitary certificate for export'), that certificate shall be issued by the competent authority, at the request of the professional operator, **when all of the following conditions are fulfilled:**

(a) ~~that~~ professional operator is registered by that competent authority in accordance with Article 61 falls under the territorial competence of the competent authority ~~which~~

(aa) and the professional operator has under its control the plant, plant product or other object to be exported;

(b) it is ensured that that plant, plant product or other object complies with the import requirements of the third country concerned;

The competent authority ~~may~~ shall also issue a phytosanitary certificate at the request of persons other than professional operators, provided that the conditions set out in the first subparagraph are fulfilled.

2. [Without prejudice to obligations under the International Plant Protection Convention,] ~~t~~The phytosanitary certificate for export shall be issued provided that the information available ~~is sufficient~~ allows the competent authority to certify compliance of the plant, plant product or other object concerned with the import requirements of the third country concerned. That information may originate, ~~where applicable,~~ from one or more of the following elements, as applicable:

(a0) official inspections, sampling and testing of the plants, plant products or other objects concerned, or their place of production and its vicinities;

(a00) official information on the pest status in the area of origin of the plants, plant products or other objects concerned;

(a) a plant passport, as referred to in Article 73, accompanying the plants, plant products or other objects concerned, where that plant passports attests the results of official examinations by the competent authority;

(b) the mark of wood packaging material as referred to in Article 91(1), or the attestation referred to in Article 93(1);

(c) the information included in the pre-export certificate referred to in Article 96;

(d) official information included in the phytosanitary certificate as referred to in Article 67, where the plants, plant products or other objects concerned has been introduced into the Union territory from a third country;

~~(e) official inspections, sampling and testing of the plant, plant product or other object concerned.~~

3. The phytosanitary certificate for export shall be in the text and format of the model contain the elements set out in Part A of Annex VIII.

In case the pythosanitary certificate is not issued electronically, the paper used shall contain a watermark or embossed seal of the competent authority that signs the certificate. The colour of the paper shall be white. The colour of the printing shall be green.

4. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, amending and supplementing the elements referred to in paragraph 2 and Part A of Annex VIII to adapt them it to ~~scientific and technical developments and~~ the development of the relevant international standards.
5. ~~The Commission shall adopt, by means of implementing acts, the format specifications of the phytosanitary certificate as referred to in paragraph 1 and, where appropriate, details regarding the procedures to be fulfilled for its issuance. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99(3).~~
6. Electronic phytosanitary certificates for export shall only be valid when provided through, or in electronic exchange with, the computerised information management system referred to in Article 130 of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on Official Controls*].

Phytosanitary certificate for re-export from the Union

1. Where a plant, plant product or other object originates in a third country and has been introduced into the Union territory from that, or another, third country, a phytosanitary certificate for re-export **from the Union (hereinafter: ‘the phytosanitary certificate for re-export’)** shall, where possible, ~~may~~ be issued instead of the phytosanitary certificate for export.

The phytosanitary certificate for re-export shall be issued by the competent authority at the request of the professional operator when the following conditions are fulfilled:

(a) that professional operator is registered by that competent authority in accordance with Article 61 falls under the territorial competence of the competent authority;

(aa) he professional operator has under its control the plant, plant product or other object to be re-exported,

(b) it is ensured that that plant, plant product or other object complies with the import requirements of the third country concerned;

~~The phytosanitary certificate for re-export shall be issued by the competent authority at the request of the professional operator which has under its control the plant, plant product or other object to be exported.~~

The competent authority shall ~~may~~ also issue a phytosanitary certificate for re-export at the request of persons other than professional operators, provided that the conditions set out in the first subparagraph are fulfilled.

2. **Without prejudice to obligations under the International Plant Protection Convention, t**~~The phytosanitary certificate for re-export shall be issued provided that the information available allows to certify compliance with the requirements of the third country concerned and that~~ all of the following conditions are complied with:
- (a0) the original phytosanitary certificate accompanying the plant, plant product or other object concerned from the third country of origin, or a certified copy of it, is attached to the phytosanitary certificate for re-export;**
- (a) the plant, plant product or other object concerned has not been grown, produced or processed in the Member State from which it is exported to the third country concerned;
- (b) the plant, plant product or other object concerned has not been exposed to any risk of infestation or infection with quarantine pests **or regulated non-quarantine pests**, listed as such by the third country of destination, during storage in the Member State from which it is to be exported to that third country;
- ~~(c) where available, the phytosanitary certificate accompanying the plant, plant product or other object concerned from the third country of origin, or a certified copy of it, is attached to the phytosanitary certificate for re-export~~
- (ca) the identity of the plant, plant product or other object concerned has been maintained.**
3. The provisions of Article 94(2), concerning the information sufficient to certify compliance with the requirements of the third country concerned, shall apply accordingly.
4. The phytosanitary certificate for re-export shall be in the text and format of the model contain the elements set out in Part B of Annex VIII.

In case the pythosanitary certficate is not issued electronically, the paper used shall contain a watermark or embossed seal of the competent authority that signs the certificate. The colour of the paper shall be white. The colour of the printing shall be brown.

5. The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, amending **and supplementing** Part B of Annex VIII to adapt it to **the development of scientific and technical developments and the development of the relevant** international standards.
6. The Commission shall adopt, by means of implementing acts, the format specifications of the phytosanitary certificate as referred to in paragraph 1 **and, where appropriate, details regarding the procedures to be fulfilled for its issuance**. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99(3).
7. Electronic phytosanitary certificates for re-export shall only be valid when provided through, or in electronic exchange with, the computerised information management system referred to in Article 130 of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on Official Controls*].

Article 96

Pre-export certificates

1. The **competent authorities of the** Member State from which the plants, plant products and other objects referred to in Article 94(1) are exported and the **competent authorities of the** Member State in which the plants, plant products and other objects were grown, **stored** produced or processed, shall exchange information as necessary for issuing, ~~without delay,~~ the phytosanitary certificate for export.
2. The exchange of information referred to in paragraph 1 shall take the form of a harmonised document (hereinafter 'pre-export certificate'), in which the **competent authorities of the** Member State, in which the plants, plant products and other objects were grown, produced, **stored** or processed, **attests-certifies** compliance of those plants, plant products or other objects with specific phytosanitary requirements concerning one or more of the following:

(a) the absence, **or presence below a specified threshold**, of particular pests in the plants, plant products or other objects concerned;

(aa) the origin of the plants, plant products or other objects concerned in a specific field, production site, place of production or area;

(b) the **pest status in the field, production site, place of production or area of** origin of the plants, plant products or other objects concerned;

(ba) the results of the official examination, sampling and testing of the plants, plant products or other objects concerned;

(c) the phytosanitary procedures applied to the production or processing of the plants, plant products or other objects concerned.

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, **stored** or processed, **whereby the competent authority can confirm the compliance of those products with the requirements of the third country of destination**, while those plants, plant products or other objects are on the premises of the professional operator concerned.

4. The pre-export certificate shall accompany the plants, plant products and other objects concerned during their movement within the Union territory, unless the information contained in it is exchanged between the Member States concerned **through, or in electronic exchange with, the computerised information management system referred to in Article 130 of Regulation (EU) No .../.... [Office of Publications, please insert number of Regulation on Official Controls]** ~~by electronic means~~.

The pre-export certificate, or its certified copies, may be attached to the respective phytosanitary certificate.

5. **The pre-export certificate shall contain the elements and shall be in the format as set out in Part C of Annex VIII.** The Commission shall be empowered to adopt delegated acts, in accordance with Article 98, **amending and supplementing Part C of Annex VIII, to adapt it to the technical and scientific developments.** ~~setting out the contents of the pre-export certificate.~~
6. The Commission shall adopt, by means of implementing acts, the format specifications of the pre-export certificate **and lay down the procedures for its issuance.** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 99(3).

Chapter VII

Supporting measures by the Commission

Article 97

Establishment of electronic notification system

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

That system shall be connected to and compatible with the computerised information management system referred to in Article 130(1) of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on Official Controls*].

- ~~2. Where the notification concerns the presence of a quarantine pest in plants, plant products or other objects introduced into, officially presented for introduction into, or moved within, the Union territory, the notification referred to in paragraph 1 shall contain a reference to the plants, plant products and other objects concerned, the nature of the non-compliance and the measures taken.~~

~~Where the notification concerns the presence of a pest in the territory of a Member State, other than in a plant, plant product or other object introduced into, officially presented for introduction into, or moved within, the Union territory, the notification referred to in paragraph 1 shall contain a reference to the plants, plant products and other objects concerned, the name of the pest, the location and GPS coordinates of that presence, and the measures taken.~~

Article 97a

Information items, format and deadlines of notifications, and notifications in the case of suspected presence of pests

The Commission may, by means of implementing acts, lay down specific rules concerning the submission of notifications referred to in Articles 12, 16(3), 18(2), 27(7), subparagraph 1 of 28(3), 29(7), 33(1), 40(4), 41(4), 44(4), 47(6), 49(5), 50(4) and 57(1). Those rules shall concern one or more the following elements :

- (a) the information items to be included in those notifications;
- (b) the format of those notifications and instructions on how to fill-in that format;
- (c) deadlines for the submission of particular information items as referred to in point (a).
- (d) the cases where the suspected presence of a pest shall be notified due to the need of swift action in view of its biology and possibility of rapid and wide spread.

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

Chapter VIII

Final provisions

Article 98

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
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.
3. 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) 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.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to 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 enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Article 99

Committee procedure

1. The Commission shall be assisted by the Standing Committee on Plants, Animals, Food and Feed established by Article 58(1) of Regulation (EC) No 178/2002 of the European Parliament and of the Council. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so requests.

3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a simple majority of committee members so requests.

4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof shall apply.

Article 100

Penalties

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.

The Member States shall notify those provisions to the Commission by [*Office of Publications, please insert date of application of this Regulation*] at the latest and shall notify them without delay of any subsequent amendments affecting them.

Article 101

Repeals

1. Directive 2000/29/EC is repealed.

The following acts are also repealed:

(a) Directive 69/464/EEC;

~~(b) Directive 69/466/EEC;~~

(c) Directive 74/647/EEC ;

(d) Directive 93/85/EEC;

(e) Directive 98/57/EC;

(ea) Directive 2006/91/EC;

(f) Directive 2007/33/EC.

2. References to those repealed acts shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in Annex IX hereto.

Amendment of Regulation (EU) 652/2014

Regulation (EU) No 652/2014 is amended as follows:

(1) In Article 1, point (e) is replaced by the following:

'(e) on protective measures against pests of plants;'

(1a) In Article 5 (2), the following point (c) is inserted after point (b):

'(c) the programmes for the control of ~~organisms harmful to plants or plant products~~ pests in the outermost regions of the Union as referred to in Article 25;'

(2) In Article 167(1), points (a), (b) and (c) are replaced by the following:

'(a) measures to eradicate a pest from an infested area, taken by the competent authorities pursuant to Article 16(1), 27(1), 28(1) or 29(1) of Regulation (EU) No [...] / [...] of the European Parliament and of the Council [on protective measures against pests of plants]*;

(b) measures to contain a priority pest, listed pursuant to Article 6(2) of Regulation (EU) No [...] / [...]*, against which Union containment measures have been adopted pursuant to Article 27(2) ~~or Article 29(2)~~ of that Regulation, in an infested area from which that priority pest cannot be eradicated, where those measures are essential to protect the Union territory against further spread of that priority pest. Those measures shall concern the eradication of that pest from the buffer zone surrounding that infested area in case its presence is detected in that buffer zone;

- (c) prevention measures taken against the spread of a priority pest, listed pursuant to Article 6(2) of Regulation (EU) No [...]/*, against which Union measures have been adopted pursuant to Article 27(3)-~~or Article 29(3)~~ of that Regulation, where those measures are essential to protect the Union territory against further spread of that priority pest.

* OJ L ...,, p. ...' [Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...] /2013 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]

- (3) Article 178 is **replaced by the following amended as follows:**

'Article 178

Conditions

The measures referred to in Article 167 may qualify for grants provided that they have been applied immediately and the applicable provisions laid down in the relevant Union law have been complied with, and provided that one or more of the following conditions is fulfilled:

- (a) they concern Union quarantine pests, listed pursuant to Article 5(2) of Regulation (EU) No [...]/* as not known to occur in the Union territory;**
- (b) they concern pests, not listed as Union quarantine pests, which are subject to a measure adopted by the competent authority of a Member State pursuant to Article 28(1) of Regulation (EU) No [...]/*;**
- (c) they concern pests, not listed as Union quarantine pests, which are covered by a measure adopted by the Commission pursuant to Article 29(1) of Regulation (EU) No [...]/*;**
- (d) they concern priority pests listed pursuant to Article 6(2) of Regulation (EU) No [...]/*.**

For measures fulfilling the condition laid down in point (b), the grant shall not cover costs incurred later than two years after the entry into force of the measure adopted by the competent authority of the Member State concerned [pursuant to Article 28(1) of Regulation (EU) No [...] / [...]*], or incurred after the expiry of that measure.

For measures fulfilling the condition laid down in point (c), the grant shall not cover costs incurred after the expiry of the measure adopted by the Commission pursuant to Article 29(1) of Regulation (EU) No [...] / [...]*.

*** OJ L ...,, p. ...' [Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...] / 2013 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]**

~~(a) In the first paragraph, points (a) and (b) are replaced by the following:~~

~~'(a) they concern Union quarantine pests not known to occur in the Union territory, listed pursuant to Article 5(2) of Regulation (EU) No [...] / [...]*;~~

~~(b) they concern priority pests listed pursuant to Article 6(2) of Regulation (EU) No [...] / [...]*;~~

~~(c) they concern pests, not listed as Union quarantine pests, which are covered by a measure adopted by the Commission pursuant to Article 29(1) of Regulation (EU) No [...] / [...]*.~~

*** OJ L ...,, p. ...' [Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...] / 2013 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]**

(b) — The second paragraph is replaced by the following:

~~'For measures fulfilling the condition laid down in point (c) of the first paragraph, the grant shall not cover costs incurred after the expiry of the measure adopted by the Commission pursuant to Article 29(1) of Regulation (EU) No [...]/[...]*.~~

~~* — OJ L ..., ..., p. ...' [Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...]/2013 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]~~

(4) In paragraph 1 of Article 189, point (dea) is replaced by the following: Paragraph 1 of Article 19 is amended as follows:

'(dea) costs of compensation to the owners concerned for the value of the destroyed plants, plant products or other objects subject to the measures referred to in Article 167, limited to the market value of such plants, plant products and other objects as if they were not affected by those measures; the salvage value, if any, shall be deducted from the compensation; and'

(a) — The following point (ea) is inserted after point (c):

~~'(ea) costs incurred by Member States for compensation to the operators referred to in Article 2(7)(a), (b) and (c) of Regulation (EU) [...]/[...]* for the value of the destroyed plants, plant products or other objects subject to the measures referred to in Article 16 of that Regulation, as regards priority pests, listed pursuant to Article 6(2) of that Regulation;~~

~~* — OJ L ..., ..., p. ...' [Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...]/2013 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]~~

(b) — ~~Point (d) is replaced by the following:~~

~~'(d) in exceptional and duly justified cases, taking into account the Union added value of the measures, the costs incurred in carrying out other necessary measures than those referred to in points (a) to (ca), provided that such measures are set out in the grant decision referred to in Article 35(3).'~~

(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.'~~

(5) Article ~~1920~~ is amended as follows:

(a) ~~In the first paragraph, points (a) and (b) are~~ The first paragraph is replaced by the following:

'Grants may be awarded to Member States for annual and multiannual survey programmes that they carry out concerning the presence of pests ('survey programmes'), provided that those survey programmes comply with at least the following three conditions:

- (a) they concern Union quarantine pests ~~not known to occur in the Union territory,~~ listed pursuant to Article 5(2) of Regulation (EU) No [...]/* as not known to occur in the Union territory;
- (b) they concern priority pests listed pursuant to Article 6(2) of Regulation (EU) [...]/*; and

- (c) they concern pests not listed as Union quarantine pests which are covered by a measure adopted by the Commission pursuant to Article 29(1) of Regulation (EU) No [...]/*.

* OJ L ...,, p. ...' [*Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...] /2013 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*]

- (b) The third paragraph is replaced by the following:

'For measures fulfilling the condition laid down in point (c) of the first paragraph, the grant shall not cover costs incurred after the expiry of the measure adopted by the Commission pursuant to Article 29(1) of Regulation (EU) No [...]/*.

* OJ L ...,, p. ...' [*Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...] /2013 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*]

(6) Article 20 is amended as follows:

Point (a0) is added before point (a):

(a0) costs for visual inspections;

Article 102a

Amendment of the Regulation (EU) No 228/2013²

Article 24 of the Regulation (EU) No 228/2013 of the European Parliament and the Council of the 13 March 2013 laying down specific measures for agriculture in the outermost regions of the Union and repealing Council regulation (EC) No 247/2006 is amended as follows:

² **OJ L 78 of 20.3.2013, p.23**

'The Union shall contribute to the financing of the programmes for the control of organisms harmful to plants or plant products in the outermost regions in accordance with the provisions of Regulation (EU) No [...] /2013* for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material'

** OJ L, p. ...' [Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...] /2013 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]*

Article 102b

Amendment of Regulation (EU) 1143/2014

Regulation (EU) No 1143/2014 is amended as follows:

(1) In Article 2, point (d) is replaced by the following:

'(d) pests of plants listed pursuant to Article 5(2) or Article 32(3), or subject to measures pursuant to Article 29(1) of Regulation (EU) No XXX/XXXX [on protective measures against pests of plants*];'

** OJ L, p. ...' [Office of Publications, please insert this footnote, referring to the present Regulation, in Regulation (EU) No [...] /2014 on the prevention and management of the introduction and spread of invasive alien species]*

Article 103

Entry into force and application

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

It shall apply [*Office of Publications, please insert date counting 36 months from the entry into force*].

2. Article 97(2) shall apply from the date when the systems referred to in Article 97(1) are established.
3. The acts referred to in points (a), (d), (e) and (f) of Article 101(1) shall be repealed on 31 December 2021. In case of conflict between the provisions of those acts and the provisions of this Regulation, the provisions of this Regulation shall prevail.

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

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX I

~~Territories for which, for the purpose of this Regulation, references to third countries shall be read as references to third countries and to those territories, and for which references to the Union territory shall be read as references to the Union territory without those territories, as referred to in Article 1(2)~~

~~The territories of:~~

- ~~1. — Guadeloupe~~
- ~~2. — French Guiana~~
- ~~3. — Martinique~~
- ~~4. — Réunion~~
- ~~5. — Saint Martin~~
- ~~6. — Mayotte~~
- ~~7. — Ceuta~~
- ~~8. — Melilla~~
- ~~9. — The Canary Islands~~

ANNEX II

Criteria for the qualification of pests according to their risk to the Union territory

SECTION 1

CRITERIA TO IDENTIFY PESTS WHICH QUALIFY AS A QUARANTINE PEST, AS REFERRED TO IN ARTICLES 3, 7(1) AND 28(2)

(1) **Identity of the pest**

The taxonomic identity of the pest shall be clearly defined or, alternatively, the pest shall have been shown to produce consistent symptoms and to be transmissible.

The taxonomic identity of the pest shall be defined at species level or, alternatively, a higher or lower taxonomic level, where that taxonomic level is scientifically appropriate based on its virulence, host range or vector relationships.

(2) **Presence of the pest in the territory in question**

One or more of the following conditions shall apply:

- (a) the pest is not known to be present in the territory in question;
- (b) the pest is not known to be present in the territory in question, except in a limited part of it;
- (c) the pest is not known to be present in the territory in question, except for scarce, irregular, isolated and infrequent presences in it.

Where points (b) or (c) apply, the pest shall be considered to be ~~distributed to a limited extent~~not widely distributed.

(3) Capability of entry, establishment and spread of the pest in the territory in question

(a) *Capability of entry*

The pest shall be considered capable of entry into the territory in question, or, if present, into the part of that territory where it is not widely distributed ~~to a limited extent~~ (hereinafter: '**relevant part of the** endangered area'), either by natural spread, or if all of the following conditions are fulfilled:

- (i) it is associated, as regards plants, plant products or other objects which are moved into the territory in question, with those plants, plant products and other objects in the territory where they originate or from where they are moved into the territory in question;
- (ii) it survives during transport or storage;
- (iii) it may be transferred to a suitable host plant, plant product or other object in the territory in question.

(b) *Capability of establishment*

The pest shall be considered capable of ~~perpetuating its presence for the foreseeable future (hereinafter: 'establishment')~~ in the territory in question, or, if present, the part of that territory where it is not widely distributed ~~to a limited extent~~, if all of the following conditions are fulfilled:

- (i) hosts of the pest and, where relevant, vectors for transmission of the pest are available;
- (ii) the decisive environmental factors are favourable for the pest concerned and, where applicable, its vector, enabling it to survive periods of climatic stress and complete its life cycle;
- (iii) cultivation practices and control measures applied in that territory are favourable;

- (iv) the survival methods, reproductive strategy, genetic adaptability of the pest and its minimum viable population size support its establishment.

(c) *Capability of spread*

The pest shall be considered capable of ~~territorial~~ spread in the territory in question, or, if present, the part of that territory where it is not widely distributed ~~to a limited extent~~, if one or more of the following conditions is fulfilled:

- (i) the environment is suitable for natural spread of the pest;
- (ii) barriers to natural spread of the pest are insufficient;
- (iii) commodities or conveyances allow for movement of the pest;
- (iv) hosts and, where relevant, vectors of the pest are present;

(iva) cultivation practices and control measures applied in that territory are favourable;

- (v) natural enemies and antagonists of the pest are not present or not sufficiently capable to suppress the pest.

(4) Potential economic, social and environmental impact

The entry, establishment and spread of the pest in the territory in question, or, if present, the part of that territory where it is not widely distributed ~~to a limited extent~~, shall have unacceptable economic, social and/or environmental impacts for that territory, or the part of that territory where it is not widely distributed ~~to a limited extent~~, as regards one or more of the following points:

- (a) crop losses in terms of yield and quality;
- (b) costs of control measures;

- (c) costs of replanting and or losses due to the necessity of growing substitute plantserops;
- (d) effects on existing production practices;
- (e) effects on street trees, parks and ~~public and private green~~ natural and planted areas;
- (f) effects on native plants, biodiversity and ecosystem services;
- (g) effects on the establishment, spread and impact of other pests, for example due to the capacity of the pest concerned to act as a vector for other pests;
- (h) changes to producer costs or input demands, including control costs and costs of eradication and containment;
- (i) effects on producer profits that result from changes in quality, production costs, yields or price levels;
- (j) changes to domestic or foreign consumer demand for a product resulting from quality changes;
- (k) effects on domestic and export markets and prices paid, including effects on export market access and likelihood of phytosanitary restrictions imposed by trading partners;
- (l) resources needed for additional research and advice;
- (m) environmental and other undesired effects of control measures;
- (n) effects on Natura 2000 or other protected areas;
- (o) changes in ecological processes and the structure, stability or processes of an ecosystem, including further effects on plant species, erosion, water table changes, fire hazards, nutrient cycling;
- (p) costs of environmental restoration and prevention measures;
- (q) effects on food security and food safety;

- (r) effects on employment;
- (s) effects on water quality, recreation, tourism, animal grazing, hunting, fishing.

~~As regards points (a) to (g), direct effects on hosts in the endangered area shall be taken into account. Those effects shall be assessed taking account of the range of the host species, and on the basis of the types, amount and frequency of the damage suffered by those host species.~~

~~As regards points (h) to (s), indirect effects within and outside the endangered area shall be taken into account.~~

SECTION 2

CRITERIA TO IDENTIFY UNION QUARANTINE PESTS WHICH QUALIFY AS A PRIORITY PEST AS REFERRED TO IN ARTICLES 6(1) AND 7(2)

A Union quarantine pest shall be considered to have most severe economic, social or environmental impact for the Union territory, if its entry, establishment and spread fulfils one or more of the following points:

- (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~~¹ for **plantserops** with a total annual production value for the Union territory of at least [EUR 1 billion].

The **plantserops referred to in the first subparagraph may be trees that are not in production.**

- (b) Social impacts: the pest has the potential to cause one or more of the following effects:
 - (i) a significant employment decrease in the agriculture, horticulture ~~or~~^f forestry sector concerned **or industries related to those sectors, including tourism and recreation;**
 - (ii) **significant** risks to food security or food safety;

(iii) the disappearance of, or ~~permanent~~ long term large-scale damage to, ~~main~~ important tree species growing or cultivated in the Union territory or tree species of high importance in terms of landscape as well as cultural or historical heritage for the Union.

(c) Environmental impacts: the pest has the potential to cause one or more of the following effects:

(i) major effects on biodiversity and ecosystems services, including effects on species and habitats listed under the provisions of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora³ and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds⁴;

(ii) major and long term ~~permanent~~ increases of the use of plant protection products on the plantserops concerned.

(iia) the disappearance of, or ~~permanent~~ long term large-scale damage to, main important tree species growing or cultivated in the Union territory or tree species of high importance in terms of landscape as well as cultural or historical heritage for the Union.

³ OJ L 206, 22.7.1992, p. 7.

⁴ OJ L 20, 26.1.2010, p. 7.

SECTION 3

CRITERIA FOR A PRELIMINARY ASSESSMENT TO IDENTIFY PESTS WHICH PROVISIONALLY QUALIFY AS A UNION QUARANTINE PEST REQUIRING TEMPORARY MEASURES AS REFERRED TO IN ARTICLES 21(1), 28(1), 29(1) AND 30

SUBSECTION 1

CRITERIA FOR A PRELIMINARY ASSESSMENT TO IDENTIFY PESTS WHICH PROVISIONALLY QUALIFY AS A UNION QUARANTINE PEST REQUIRING TEMPORARY MEASURES AS REFERRED TO IN ARTICLE 28(1)

(1) Identity of the pest

The pest shall meet the criterion defined in point (1) of Section 1.

(2) Presence of the pest in the Member State's territory

The pest is not previously known to be present in the territory of a Member State. Based on the information available to that Member State, the pest is also not previously known to be present in the Union territory, or is considered to fulfil the conditions set out in points (b) or (c) of point (2) of Section 1 as regards the Union territory.

(3) Probability of establishment and spread of the pest in the Union territory, or the specific part(s) of the Union territory where it is not present

Based on the information available to the Member State, the pest meets the criteria defined in points (3)(b) and (c) of Section 1 as regards its territory and, to the extent possible for the Member State to assess this, the Union territory.

(4) Potential economic, social and environmental impact of the pest

Based on the information available to the Member State, the pest ~~has~~ **would have** unacceptable economic, social and/or environmental impacts as regards its territory and, to the extent possible for the Member State to assess this, the Union territory, if it would establish and spread in that territory, as concerns one or several of the areas defined in point (4) of Section 1.

Those impacts shall include at least one or more of the direct effects listed under point (4)(a) to (g) of Section 1.

SUBSECTION 2

CRITERIA FOR A PRELIMINARY ASSESSMENT TO IDENTIFY PESTS WHICH PROVISIONALLY QUALIFY AS A UNION QUARANTINE PEST REQUIRING TEMPORARY MEASURES AS REFERRED TO IN ARTICLE

29(1)

(1) Identity of the pest

The pest shall meet the criterion defined in point (1) of Section 1.

(2) Presence of the pest in the Union territory

The pest is not previously known to be present in Union territory or is considered to fulfil the conditions set out in points (b) or (c) of point (2) of Section 1 as regards the Union territory.

(3) Probability of establishment and spread of the pest in the Union territory, or the specific part(s) of the Union territory where it is not present

Based on the information available to the Union, the pest meets the criteria defined in points (3)(b) and (c) of Section 1 as regards the Union territory.

(4) Potential economic, social and environmental impact of the pest

Based on the information available to the Union, the pest ~~has~~ **would have** unacceptable economic, social and/or environmental impacts as regards the Union territory, if it would establish and spread in that territory, ~~as concerns one or several of the areas defined in point (4) of Section 1.~~ Those impacts shall include at least one or more of the direct effects listed under point (4)(a) to (g) of Section 1.

SECTION 4

CRITERIA TO IDENTIFY PESTS WHICH QUALIFY AS A ~~UNION QUALITY~~ REGULATED NON-QUARANTINE PEST AS REFERRED TO IN ARTICLE 36 AND 38

(1) Identity of the pest

The pest shall meet the criterion defined in point (1) of Section 1.

(2) Probability of spread in the Union territory of the pest

The ~~spread~~ transmission of the pest shall be assessed to take place mainly via specific plants for planting, rather than via natural spread or via movement of plant products or other objects.

That assessment shall include, as appropriate, the following aspects:

- (a) the number of life cycles of the pest on the concerned hosts;
- (b) the biology, epidemiology and survival of the pest;
- (c) possible natural, human-assisted or other pathways for transmission of the pest to the concerned host and pathway efficiency, including mechanisms of dispersal and dispersal rate;
- (d) ~~secondary~~ subsequent infestation and transmission of the pest from the concerned host to other plants and vice versa;
- (e) climatological factors;
- (f) cultural practices before and after harvest;
- (g) soil types;
- (h) susceptibility of the concerned host and relevant stages of host plants;
- (i) presence of vectors for the pest;
- (j) presence of natural enemies and antagonists of the pest;
- (k) presence of other hosts susceptible to the pest;

(l) prevalence of the pest in the Union territory;

(m) intended use of the plants.

(3) Potential economic, social and environmental impact of the pest

Infestations of the plants for planting referred to in point (2) with the pest shall have an unacceptable economic impact on the intended use of those plants as regards one or more of the following points:

(a) crop losses in terms of yield and quality;

(b) extra costs of control measures;

(c) extra costs of harvesting and grading;

(d) costs of replanting;

(e) losses due to the necessity of growing substitute plantserops;

(f) effects on existing production practices;

(g) effects on other host plants at the place of production;

(h) effects on the establishment, spread and impact of other pests, due to the capacity of the pest concerned to act as a vector for those other pests;

(i) effects on producer costs or input demands, including control costs and costs of eradication and containment;

(j) effects on producer profits that result from changes in production costs, yields or price levels;

(k) changes to domestic or foreign consumer demand for a product resulting from quality changes;

(l) effects on domestic and export markets and prices paid;

(m) effects on employment.

~~As regards points (a) to (h), direct effects on hosts in the endangered area shall be taken into account. Those effects shall be assessed on the basis of the types, amount and frequency of the respective damage.~~

~~As regards points (i) to (m), indirect effects within and outside the endangered area shall be taken into account.~~

ANNEX III

Elements to identify plants ~~or plant products for planting~~ which pose ~~pest~~ phytosanitary risks for the Union territory, as referred to in Articles 47(2) and 48

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

- (1) Characteristics of the plants ~~or plant products for planting~~
 - (a) They belong to, or are produced from, a plant genus or family known to commonly host pests regulated as quarantine pests in the Union territory or in third countries.
 - (b) They belong to, or are produced from, a plant genus or family known to commonly host polyphagous pests, or monophagous pests known to have major impact to plant species grown in the Union territory which have major economic, social or environmental importance to the Union territory.
 - (c) They belong to, or are produced from, a plant genus or family known to commonly harbour pests without signs and symptoms of those pests, or with a latent period for the expression of those signs or symptoms of at least three months, implying that the presence of pests on those plants ~~for planting~~ or plant products is likely to be missed during official controls at introduction into the Union territory, without recourse to sampling and testing or submission to quarantine procedures.
 - (d) They are grown outdoors or produced from plants grown outdoors in the third countries of origin.
 - ~~(e) They are not treated with generic plant protection products prior to or during shipment.~~
 - ~~(f) They are not subject to official export controls and certification in the third country of origin.~~

- (g) They are not shipped in closed containers or packaging, or when shipped in such a way, the shipments because of their size cannot be opened in closed premises for purposes of official controls at introduction into the Union territory.

(2) Origin of the plants ~~or plant products~~for planting

- (a) They originate from, or are moved from, a third country which is the source of ~~frequent~~ repetitive notifications of interceptions of quarantine pests not listed pursuant to Article 5(2).
- (b) They originate from, or are moved from, a third country which is not a member of the IPPC.

ANNEX IV

Measures and principles for the management of the risks of pests

SECTION 1

MEASURES TO MANAGE THE RISKS OF QUARANTINE PESTS AS REFERRED TO IN ARTICLES 16(1), 20, 24(2), 27(4), 28(1), 29(4), 40(2), 41(2), 44(3), 49(2) AND 50(2)

The management of the risks of quarantine pests shall consist of one or more, as appropriate, of the following measures:

- (1) Measures targeting prevention and elimination of infestation of cultivated and wild plants
 - (a) Restrictions as regards the identity, nature, origin, ancestry, provenance and production history of cultivated plants.
 - (b) Restrictions on the cultivation, harvesting and use of plants.
 - (c) Restrictions on the use of plant products, premises, land, water, soil, growing media, facilities, machinery, equipment and other objects.
 - (d) Surveillance, visual examination, sampling and laboratory testing of plants, plant products, premises, land, water, soil, growing media, facilities, machinery, equipment and other objects for the presence of quarantine pests.
 - (e) Surveillance for breakdown or change in the effectiveness of a resistant plant species or plant variety which relates to a change in the composition of the quarantine pest or its biotype, pathotype, race or virulence group.
 - (f) Physical, chemical and biological treatment of plants, plant products, premises, land, water, soil, growing media, facilities, machinery, equipment and other objects, infested or potentially infested with quarantine pests.
 - (g) Destruction of plants, plant products and other objects, infested or potentially infested with quarantine pests or for preventive purposes.

- (h) Information, data recording, communication and reporting obligations.

For the purposes of point (b), those measures may include requirements with regard to the testing of plant species and plant varieties for resistance to the quarantine pest concerned and the listing of plant species and plant varieties found to be resistant to the quarantine pest concerned.

For the purposes of point (f), those measures may include requirements with regard to:

- (a) the registration, authorisation and official supervision of professional operators applying the treatment concerned;
- (b) the issuance of a phytosanitary certificate, plant passport, label or other official attestation for the treated plants, plants products or other objects and the placing of the mark referred to in Article 91(1) following the application of the treatment concerned.

(2) Measures targeting consignments of plants, plants products and other objects

- (a) Restrictions on the identity, nature, origin, provenance, ancestry, production method, production history and traceability of plants, plant products and other objects.
- (b) Restrictions on the introduction, movement, use, handling, processing, packaging, storage, distribution and destination of plants, plant products and other objects.
- (c) Surveillance, visual examination, sampling, laboratory testing of plants, plant products and other objects for the presence of quarantine pests, including through subjection to quarantine procedures.
- (d) Physical, chemical and biological treatment and, where appropriate, destruction of plants, plant products and other objects, infested or potentially infested with quarantine pests.
- (e) Information, data recording, communication and reporting obligations.

For the purposes of points (a) to (d), those measures may include requirements with regard to:

- (a) the issuance of a phytosanitary certificate, plant passport, label or other official attestation, including the placing of the mark referred to in Article 91(1) to attest compliance with the provisions referred to in point (a) to (d);
- (b) the registration, authorisation and official supervision of professional operators applying the treatment referred to in point (d).

(3) Measures targeting pathways for quarantine pests, other than consignments of plants, plant products or other objects

- (a) Restrictions on the introduction and movement of quarantine pests as a commodity.
- (b) Surveillance, visual examination, sampling and laboratory testing and where appropriate destruction of commodities of quarantine pests.
- (c) Restrictions on plants, plant products and other objects carried by travellers.
- (d) Surveillance, visual examination, sampling and laboratory testing and where appropriate treatment or destruction of plants, plant products and other objects carried by travellers.
- (e) Restrictions on vehicles, packaging and other objects used in transport of commodities.
- (f) Surveillance, visual examination, sampling and laboratory testing and where appropriate treatment or destruction of vehicles, packaging and other objects used in transport of commodities.
- (g) Information, data recording, communication and reporting obligations.

SECTION 2

PRINCIPLES FOR THE MANAGEMENT OF THE RISKS OF PESTS AS REFERRED TO IN ARTICLES 16(1), 17(32), 27(4), 28(1), 29(4), 31(1), 37(5), 44(3), 47(2), 68(3), 69(3), 70(2), 74(3) AND 75(3)

The management of the risks of Union quarantine pests, protected zone quarantine pests and Union ~~quality regulated non-quarantine~~ pests shall respect the following principles:

(1) Necessity

Measures to manage the risk of a pest shall be applied only where such measures are necessary to prevent the ~~introduction-entry~~, establishment and spread of that pest.

(2) Proportionality

Measures taken to manage the risk of a pest shall be ~~consistent~~ proportionate to ~~with~~ the risk posed by the pest concerned and the level of protection that is required.

(3) Minimal impact

Measures taken to manage the risk of a pest shall represent the least restrictive measures available, and result in the minimum impediment to the international movement of people, commodities and conveyances.

(4) Non-discrimination

Measures taken to manage the risk of a pest shall not be applied in such a way as to constitute either a means of arbitrary or unjustified discrimination or a disguised restriction, particularly on international trade. They shall be no more stringent for third countries than measures applied to that same pest if present within the Union territory, if third countries can demonstrate that they have the same phytosanitary status and apply identical or equivalent phytosanitary measures.

(5) Technical justification

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

(6) Feasibility

Measures taken to manage the risk of a pest should be such as to allow that the objective of those measures is likely achieved.

ANNEX V

Contents of phytosanitary certificates for introduction into the Union territory

PART A

PHYTOSANITARY CERTIFICATES FOR EXPORT AS REFERRED TO IN ARTICLE 71(1)

Model Phytosanitary Certificate

No. _____

Plant Protection Organization of _____

TO: Plant Protection Organization(s) of _____

I. Description of Consignment

Name and address of exporter: _____

Declared name and address of consignee: _____

Number and description of packages: _____

Distinguishing marks: _____

Place of origin: _____

Declared means of conveyance: _____

Declared point of entry: _____

Name of produce and quantity declared: _____

Botanical name of plants: _____

This is to certify that the plants, plant products or other regulated articles described herein have been inspected and/or tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the current phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests.

They are deemed to be practically free from other pests.*

II. Additional Declaration

[Enter text here]

III. Disinfestation and/or Disinfection Treatment

Date _____ Treatment _____ Chemical (active ingredient) _____

Duration and temperature _____

Concentration _____

Additional information _____

Place of issue _____

(Stamp of Organization) _____ Name of authorized officer _____

Date _____

(Signature)

No financial liability with respect to this certificate shall attach to _____ (name of Plant Protection Organization) or to any of its officers or representatives.*

* Optional clause

PART B

PHYTOSANITARY CERTIFICATES FOR RE-EXPORT AS REFERRED TO IN ARTICLE 71(1)

Model Phytosanitary Certificate for Re-Export

No. _____

Plant Protection Organization of _____ (contracting party of re-export)

TO: Plant Protection Organization(s) of _____ (contracting party(ies) of import)

I. Description of Consignment

Name and address of exporter: _____

Declared name and address of consignee: _____

Number and description of packages: _____

Distinguishing marks: _____

Place of origin: _____

Declared means of conveyance: _____

Declared point of entry: _____

Name of produce and quantity declared: _____

Botanical name of plants: _____

This is to certify that the plants, plant products or other regulated articles described above
_____ were imported into (contracting party of re-export) _____ from
_____ (contracting party of origin) covered by Phytosanitary Certificate No.
_____.

*original ☐ *certified true copy ☐

of which is attached to this certificate; that they are

*packed ☐ *repacked ☐

in

*original ☐ *new ☐

containers, that based on the

*original phytosanitary certificate ☐

and

*additional inspection ☐

they are considered to conform with the current phytosanitary requirements of the importing contracting party, and that during storage in _____ (contracting party of re-export), the consignment has not been subjected to the risk of infestation or infection.

*Insert tick in appropriate ☐ boxes

II. Additional Declaration

[Enter text here]

III. Disinfestation and/or Disinfection Treatment

Date _____ Treatment _____ Chemical (active ingredient) _____

Duration and temperature _____

Concentration _____

Additional information _____

Place of issue _____

(Stamp of Organization) _____ Name of authorized officer _____

Date _____

(Signature)

No financial liability with respect to this certificate shall attach to _____ (name of Plant Protection Organization) or to any of its officers or representatives.*

* Optional clause

ANNEX VI

Plant passports

PART A

PLANT PASSPORTS FOR MOVEMENT WITHIN THE UNION TERRITORY AS REFERRED TO IN THE FIRST SUBPARAGRAPH OF ARTICLE 78(2)

- (1) The plant passport for movement within the Union territory shall contain the following elements:
- (a) **the words 'Plant Passport'** in its upper **left right** hand corner, ~~the words 'Plant Passport'~~ **unless specified otherwise in the implementing act referred to in Article 78(5) in one of the official languages of the European Union and in English, separated by a slash;**
 - (b) ~~in its upper right hand corner,~~ the flag of the European Union **in its upper left right hand corner, printed in colour or in black and white unless specified otherwise in the implementing act referred to in Article 78(5);**
 - (c) the letter 'A.', followed by the botanical name of the plant species or taxon concerned, in case of plants and plant products, or, where appropriate, the name of the object concerned;

(ca) optionally, the name of the variety

- (d) the letter 'B.', followed by subsequently the two-letter code, referred to in point (b) of Article 63, for the Member State in which the professional operator issuing the plant passport is registered, a hyphen and the registration number of the professional operator concerned **who issues the plant passport or for whom the plant passport is issued by the competent authority;**
- (e) the letter 'C.', followed by the ~~lot~~ **traceability**⁵ number of the plant, plant product or the other object concerned;
- (f) the letter 'D.', **where appropriate optionally** followed by:
 - (i)** the name of the third country of origin, or
 - (ii)** two-letter code, referred to in point (b) of Article 63, ~~for~~ **of** the Member State of origin, **if the plant passport is replaced in another Member State.**
- (2) The ~~lot~~ **traceability** number referred to in point 1(e) may be replaced by a reference to a unique traceability barcode, hologram, chip or other data carrier, present on the ~~lot~~-**trade unit if certain plants or plant products can be identified by it.**
- (3) The plant passport elements can be arranged one below the other or side by side.**

The examples below illustrate some acceptable variants of the required elements:

⁵ **[Traceability number: lot, batch, serial, week, supplier documents, delivery notes, cars etc. number used for traceability purposes.] [definition to be added under Article 2]**

	Plant passport in the EU language / Plant passport A <i>Botanical name</i> ‘Variety’ B MS – registration number C traceability number
---	--

	Plant passport in the EU language / Plant passport A <i>Botanical name</i> ‘Variety’ B MS – registration number 
---	--

	Plant passport in the EU language / Plant passport A <i>Botanical name</i> ‘Variety’ B MS – registration number C traceability number
---	--

	Plant passport in the EU language / Plant passport A <i>Botanical name</i> ‘Variety’ B MS – registration number 
---	--



Plant passport in the EU language/
Plant passport

A *Botanical name*

‘Variety’

B MS – registration number

C traceability number

D MS



Plant passport in the EU language / Plant passport

A *Botanical name* ‘Variety’ **B** MS – registration number

C traceability number **D** MS



Plant passport in the EU language/
Plant passport

A *Botanical name* ‘Variety’

B MS – registration number

C traceability number

D Third country of origin



Plant passport in the EU language / Plant passport

A *Botanical name* ‘Variety’ **B** MS – registration number

C traceability number **D** Third country of origin

PART B

PLANT PASSPORTS FOR MOVEMENT INTO AND WITHIN PROTECTED ZONES AS REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 78(2)

- (1) The plant passport for movement into and within protected zones shall contain the following elements:
- (a) **the words 'Plant Passport — ZP'** in its upper **left right** hand corner, ~~the words 'Plant Passport — ZP'~~ **unless specified otherwise in the implementing act referred to in Article 78(5) in one of the official languages of the European Union and in English, separated by a slash;**
 - (b) immediately underneath those words, the scientific name(s) **or code(s)**⁶ of the protected zone quarantine pest(s) concerned;
 - (c) **the flag of the European Union** in ~~the its~~ upper **left right** hand corner, ~~the flag of the European Union~~ **printed in colour or in black and white unless specified otherwise in the implementing act referred to in Article 78(5);**
 - (d) the letter 'A.', followed by the botanical name of the plant species or taxon concerned, in case of plants and plant products, or, where appropriate, the name of the object concerned;
- (da) optionally, the name of the variety**

⁶ **The text in Article 32 (3) will be amended**

(e) the letter 'B.', followed by subsequently the two-letter code, referred to in point (b) of Article 63, for the Member State in which the professional operator issuing the plant passport is registered, a hyphen and the registration number of the professional operator concerned **who issues the plant passport or for whom the plant passport is issued by the competent authority;**

(f) the letter 'C.', followed by the ~~lot~~ **traceability** number of the plant, plant product or the other object concerned;

(g) the letter 'D.', **where appropriate optionally** followed by:

(i) the name of the third country of origin, or

(ii) in case of replacement of the plant passport two-letter code, referred to in point (b) of Article 63, ~~for~~ **of** the Member State of origin **and the registration number of the professional operator concerned who issued the initial plant passport or for whom the initial plant passport was issued by the competent authority as referred in Article 88 (1) and (2).**

(2) The ~~lot~~ **traceability** number referred to in point 1(f) may be replaced by a reference to a unique traceability barcode, hologram, chip or other data carrier, present on the the ~~lot~~ **trade unit if certain plants or plant products can be identified by it.**

(3) The plant passport elements can be arranged one below the other or side by side.

The examples below illustrate some acceptable variants of the required elements:

	Plant passport in the EU language- ZP/ Plant passport –ZP
The scientific name(s) of the protected zone quarantine pest(s) concerned	
A <i>Botanical name</i> B MS – registration number C traceability number	

	Plant passport in the EU language- ZP/ Plant passport –ZP
The scientific name(s) of the protected zone quarantine pest(s) concerned	
A <i>Botanical name</i> ‘Variety’ B MS – registration number C traceability number	



Plant passport in the EU language- ZP/ Plant passport – ZP

The code(s) of the protected zone quarantine pest(s) concerned

A *Botanical name*

B MS – registration number

C traceability number



Plant passport in the EU language- ZP/ Plant passport – ZP

The code(s) of the protected zone quarantine pest(s) concerned

A *Botanical name* ‘Variety’ **B** MS – registration number

C traceability number



Plant passport in the EU language – ZP / Plant passport – ZP

The scientific name(s) or code(s) of the protected zone quarantine pest(s) concerned

A *Botanical name*

B MS – registration number

C traceability number

D initial plant passport’s MS – registration number



Plant passport in the EU language- ZP/ Plant passport – ZP

the scientific name(s) or code(s) of the protected zone quarantine pest(s) concerned

A *Botanical name* ‘Variety’ **B** MS – registration number

C traceability number

D initial plant passport’s MS – registration number



Plant passport in the EU
Plant passport – ZP

the scientific name(s) or code(s)
of the protected zone quarantine
pest(s) concerned

- A** *Botanical name*
- B** MS – registration number
- C** traceability number
- D** third country



Plant passport in the EU language- ZP/ Plant passport – ZP

the scientific name(s) or code(s) of the protected zone quarantine pest(s)
concerned

- A** *Botanical name* ‘Variety’ **B** MS – registration number
- C** traceability number
- D** third country

PART C

PLANT PASSPORTS FOR MOVEMENT WITHIN THE UNION TERRITORY, COMBINED WITH A CERTIFICATION LABEL, AS REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 78(3)

(1) The plant passport for movement within the Union territory, combined in a joint label with the official label referred to in Article 19 of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on plant reproductive material law*], or the master certificate referred to in Article 122 of that Regulation, shall contain the following elements:

- (a) **the words 'Plant Passport'** in the upper ~~left~~ **right** hand corner of the joint label, ~~the words 'Plant Passport'~~ **unless specified otherwise in the implementing act referred to in Article 78(5) in one of the official languages of the European Union and in English, separated by a slash;**
- (b) **the flag of the European Union** in the upper ~~left~~ **right** hand corner of the joint label, ~~the flag of the European Union~~ **printed in colour or in black and white unless specified otherwise in the implementing act referred to in Article 78(5);**

The plant passport shall be positioned in the joint label immediately above, and have the same width as, that official label or, where applicable, that master certificate.

~~Where point (c), (d), (e) or (f) as referred to in point (1) of Part A is not contained in that official label or, where applicable, that master certificate, that point shall be provided in the plant passport referred to in the first subparagraph.~~

(2) Point (2) of Part A shall apply accordingly.

(3) The plant passport elements can be arranged one below the other or side by side.

The examples below illustrate some acceptable variants of the required elements:

	Plant passport in the EU language / Plant passport
	A <i>Botanical name</i> ‘Variety’ B MS – registration number C traceability number
*** a) the indication ‘EU rules and standards’; b) MS of labelling or the respective code; c) responsible official body or the respective code; g) category, and for basic material also the generation number; j) quantity; l) year of issue; m) in case the original label is replaced by another label: the year of issue of the original label	

	Plant passport in the EU language / Plant passport
	A <i>Botanical name</i> ‘Variety’ B MS – registration number C traceability number
*** a) the indication ‘EU rules and standards’; b) MS of labelling or the respective code; c) responsible official body or the respective code; g) category, and for basic material also the generation number; j) quantity; l) year of issue; m) in case the original label is replaced by another label: the year of issue of the original label	

***[According to the article 2 of the Commission Implementing Directive 2014/96/EU of 15 October 2014 on the requirements for the labelling, sealing and packaging of fruit plant propagating material and fruit plants intended for fruit production, falling within the scope of Council Directive 2008/90/EC](#)

PART D

PLANT PASSPORTS FOR MOVEMENT INTO AND WITHIN PROTECTED ZONES, COMBINED WITH A CERTIFICATION LABEL, AS REFERRED TO IN THE THIRD SUBPARAGRAPH OF ARTICLE 78(3)

- (1) The plant passport for movement into and within protected zones, combined in a joint label with the official label referred to in Article 19 of Regulation (EU) No .../.... [*Office of Publications, please insert number of Regulation on plant reproductive material*] law, or the master certificate referred to in Article 122 of that Regulation, shall contain the following elements:
- (a) **the words 'Plant Passport — ZP'** in the upper **left right** hand corner of the joint label, **the words 'Plant Passport — ZP' unless specified otherwise in the implementing act referred to in Article 78(5) in one of the official languages of the European Union and in English, separated by a slash;**
 - (b) immediately underneath those words, the scientific name(s) **or code(s)** of the protected zone quarantine pest(s) concerned;
 - (c) **the flag of the European Union** in the upper **left right** hand corner of the joint label, **the flag of the European Union printed in colour or in black and white unless specified otherwise in the implementing act referred to in Article 78(5);**

The plant passport shall be positioned in the joint label immediately above, and have the same width as, that official label or, where applicable, that master certificate.

Where point (d), (e), (f) or (g) as referred to in point (1) of Part B is not contained in that official label or, where applicable, that master certificate, that point shall be provided in the plant passport referred to in the first subparagraph.

- (2) Point (2) of Part B shall apply accordingly.

- (3) The plant passport elements can be arranged one below the other or side by side.**

The examples below illustrate some acceptable variants of the required elements:

	Plant passport in the EU Plant passport –ZP
	the scientific name(s) or code(s) of the protected zone quarantine pest(s) concerned
A <i>Botanical name</i> ‘Variety’ B MS – registration number C traceability number	
*** a) the indication ‘EU rules and standards’; b) Member State of labelling or the respective code; c) responsible official body or the respective code; g) category, and for basic material also the generation number; j) quantity; l) year of issue; m) in case the original label is replaced by another label: the year of issue of the original label.	

	Plant passport in the EU language- ZP/ Plant passport –ZP
	the scientific name(s) or code(s) of the protected zone quarantine pest(s) concerned
A <i>Botanical name</i> ‘Variety’ B MS – registration number C traceability number	
*** a) the indication ‘EU rules and standards’; b) MS of labelling or the respective code; c) responsible official body or the respective code; g) category, and for basic material also the generation number; j) quantity; l) year of issue; m) in case the original label is replaced by another label: the year of issue of the original label	

***[According to the Article 2 of the Commission Implementing Directive 2014/96/EU of 15 October 2014 on the requirements for the labelling, sealing and packaging of fruit plant propagating material and fruit plants intended for fruit production, falling within the scope of Council Directive 2008/90/EC](#)

ANNEX VII

Mark for wood packaging material referred to in Article 91(1)

~~The mark applied to wood packaging material pursuant to Article 91(1) shall contain the following elements:~~

- ~~(a) — on its left hand, the following logo of the IPPC;~~
- ~~(b) — on its right hand, subsequently the two-letter treatment code, referred to in point (b) of Article 63, for the Member State in which the professional operator applying that mark is registered, a hyphen, the registration number of the professional operator concerned, and the following letters treatment code:~~
 - ~~(i) — in the case of heat treatment, 'HT';~~
 - ~~(ii) — in the case of dielectric heating, 'DH';~~
 - ~~(iii) — in the case of methylbromide treatment, 'MB'.~~

~~No other information shall be contained within the border of the mark.~~

~~The mark shall not be hand drawn.~~

PART A

TREATMENTS FOR WOOD PACKAGING MATERIAL AS REFERRED TO IN ARTICLE 41B

1. The wood packaging material referred to in Article 41b shall be made of debarked wood, but any number of visually separate and clearly distinct small pieces of bark may remain if they are:

(a) less than 3 cm in width (regardless of length) or,

(b) greater than 3 cm in width but with the total surface area of an individual piece of bark less than 50 square cm.

2. Without prejudice to the requirement laid down in paragraph 1, the wood packaging material referred to in Article 41b shall be subject to one of the following treatments:

(a) heat treatment;

(b) dielectric heating;

(c) methylbromide treatment (it is prohibited to apply the methylbromide treatment in the European Union).

PART B

CONTENT FORMAT AND REQUIREMENTS FOR THE MARK REFERRED TO IN ARTICLE 91(1)

1. The mark applied to wood packaging material pursuant to Article 91(1) shall contain the following elements:

- (a) on its left hand, the following logo of the IPPC;
- (b) on its right hand, subsequently the two-letter treatmentcountry code, referred to in point (b) of Article 63, for the Member State in which the professional operator applying that mark is registered, a hyphen, the registration number of the professional operator concerned, and the following letters treatment code:
 - (i) in the case of heat treatment, 'HT';
 - (ii) in the case of dielectric heating, 'DH';
 - (iii) in the case of methylbromide treatment, 'MB'.

No other information shall be contained within the border of the mark.

2. The mark shall be sufficiently visible and legible without the use of visual aid. The mark shall further be:

- a) durable and not-transferable;
- b) placed on a visible location on the wood packaging material and;
- c) preferably located at two opposite sides of the wood packaging material.

The use of red or orange shall be avoided. The mark shall not be hand drawn.

ANNEX VIII

Contents of phytosanitary certificates for export and re-export as referred to in Articles 94(3) and 95(4)

PART A

PHYTOSANITARY CERTIFICATES FOR EXPORT AS REFERRED TO IN ARTICLE 94(3)

- (1) The phytosanitary certificate for movement out of the Union territory, for the purpose of export to a third country, shall contain the following elements:
 - (a) the words 'Phytosanitary certificate', followed by subsequently:
 - (i) the letters 'EU';
 - (ii) the two-letter code, referred to in point (b) of Article 63, for the Member State in which the professional operator requesting the issuance of the phytosanitary certificate for export is registered;
 - (iii) a slash;
 - (iv) a unique identification code for the certificate, consisting of numbers or a combination of letters and numbers, the letters representing, as applicable, the province and district of the Member State where the certificate is issued;
 - (b) the words 'Name and address of exporter', followed by the name and address of the registered operator, **or private person**, requesting the issuance of the phytosanitary certificate for export;
 - (c) the words 'Declared name and address of consignee', followed by the declared name and address of the consignee;

- (d) the words "Plant protection organisation of", followed by the name of the Member State of which the plant protection organisation issues the certificate, and subsequently the words 'to the plant protection organisation(s) of', followed by the name or, as applicable, names, of the country or, as applicable, countries of destination;
- (e) the words 'Place of origin', followed by the place of origin of the plants, plant products or other objects included in the consignment for which the certificate is issued. **In all cases, the name of the country of origin should be stated;**
- (f) the words "Declared means of conveyance", followed by the declared means of conveyance of that consignment;
- (g) the words "Declared point of entry", followed by the declared point of entry into the country of destination of that consignment;
- (h) the words "Distinguishing marks: number and description of packages; name of produce; botanical name of plants", followed by the number and type of packages included in the consignment;
- (i) the words "Quantity declared", followed by the quantity of the plants, plant products or other objects included in that consignment, expressed by number or weight;
- (j) the words 'This is to certify that the plants, plant products or other regulated articles described herein have been inspected and/or tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the current phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests'. **Optionally, the following clause may be added:** 'They are deemed to be practically free from other pests.';

- (k) the words "Additional declaration", followed by the additional declaration referred to in Article 67(2) and the statement referred to in Article 67(3) and, optionally, any further phytosanitary information relevant to the consignment. If there is insufficient space for the whole of the additional declaration, ~~the text is to be continued on the back of the form;~~ an attachment may be added. The information in the attachment should only include what is required on the phytosanitary certificate. All the pages of the attachment should bear the number of the phytosanitary certificate and should be dated, signed and stamped in the same manner as required for the phytosanitary certificate. The phytosanitary certificate should refer to any attachments in the appropriate section;
- (l) the words 'Disinfestation and/or disinfection treatment';
- (m) the word "Treatment", followed by the treatment that has been applied to that consignment;
- (n) the words "Chemical (active ingredient)", followed by the active ingredient of the chemical used for the treatment referred to in point (m);
- (o) the words "Duration and temperature", followed by the duration and, where applicable, temperature of that treatment;
- (p) the word "Concentration", followed by the concentration of that chemical reached during that treatment;
- (q) the word "Date", followed by the date on which that treatment was applied;
- (r) the word "Additional information", followed by any additional information that the competent authority wishes to include in the certificate;
- (s) the words 'Place of issue', followed by the place of issuance of the phytosanitary certificate;

- (t) the word 'Date', followed by the date of issuance of the phytosanitary certificate;
 - (u) the words 'Name and signature of authorised officer', followed by the name and signature of the officer issuing and signing the phytosanitary certificate;
 - (v) the words 'Stamp of organisation', followed by the official stamp of the competent authority issuing the phytosanitary certificate.
- (2) ~~In case the pythosanitary certifeate is not issued electronically, tThe paper used shall contain the watermark or embossed seal of the competent authority that signs the certificate.~~

MODEL PHYTOSANITARY CERTIFICATE FOR EXPORT

1. Name and address of exporter		2. PHYTOSANITARY CERTIFICATE No EU XX /00000000	
3. Declared name and address of consignee		4. Plant protection organisation of	
		to plant protection organisation(s) of	
6. Declared means of conveyance		5. Place of origin	
7. Declared point of entry			
8. Distinguishing marks: number and description of packages; name of produce; botanical name of plants		9. Quantity declared	
10. This is to certify that the plants, plant products or other regulated articles described herein have been inspected and/or tested according to appropriate official procedures and are considered to be free from the quarantine pests specified by the importing contracting party and to conform with the current phytosanitary requirements of the importing contracting party, including those for regulated non-quarantine pests			
11. Additional declaration			
DISINFESTATION AND/OR DISINFECTION TREATMENT		18. Place of issue Date Name and signature of authorized officer Stamp of organisation	
12. Treatment			
13. Chemical (active ingredient)	14. Duration and temperature		
15. Concentration	16. Date		
17. Additional information			

EXPLANATORY NOTE

- Unnumbered box

This box is reserved for official use only

- Box 8

‘Description of packages’ means indication of the type of packages.

- Box 9

The quantity shall be expressed either by number or weight.

PART B

PHYTOSANITARY CERTIFICATES FOR RE-EXPORT AS REFERRED TO IN ARTICLE 95(4)

- (1) The phytosanitary certificate for movement out of the Union territory, for the purpose of re-export to a third country, shall contain the following elements:
 - (a) the words 'Phytosanitary certificate for re-export', followed by subsequently:
 - (i) the letters 'EU';
 - (ii) the two-letter code, referred to in point (b) of Article 63, for the Member State in which the professional operator requesting the issuance of the phytosanitary certificate for re-export is registered;
 - (iii) a slash;
 - (iv) a unique identification code for the certificate, consisting of numbers or a combination of letters and numbers, the letters representing, as applicable, the province and district of the Member State where the certificate is issued;
 - (b) the words 'Name and address of exporter', followed by the name and address of the registered operator requesting the issuance of the phytosanitary certificate for re-export;

- (c) the words 'Declared name and address of consignee', followed by the declared name and address of the consignee;
- (d) the words "Plant protection organisation of", followed by the name of the Member State of which the plant protection organisation issues the certificate, and subsequently the words 'to the plant protection organisation(s) of', followed by the name or, as applicable, names, of the country or, as applicable, countries of destination;
- (e) the words 'Place of origin', followed by the place of origin of the plants, plant products or other objects included in the consignment for which the certificate is issued;
- (f) the words "Declared means of conveyance", followed by the declared means of conveyance of that consignment;
- (g) the words "Declared point of entry", followed by the declared point of entry into the country of destination of that consignment;
- (h) the words "Distinguishing marks: number and description of packages; name of produce; botanical name of plants", followed by the number and type of packages included in the consignment;
- (i) the words "Quantity declared", followed by the quantity of the plants, plant products or other objects included in that consignment, expressed by number or weight;
- (j) the following text:

'This is to certify

- that the plants or plant products described above were imported into
..... (country of re-export) from (country of origin)
covered by phytosanitary certificate No

- ☐ *original ☐ *certified true copy of which is attached to this certificate,
- that they are
- ☐ *packed ☐ *repacked
- in
- ☐ *original ☐ *new containers,
- that based on the
- ☐ *original phytosanitary certificate
- and
- ☐ *additional inspection,
- they are considered to conform with the current phytosanitary **regulation**
requirements of the importing country, and
- that during storage in (country of re-export) the consignment
has not been subjected to the risk of infestation or infection.
- * Insert tick in appropriate boxes',

in which text the required information shall be filled and the applicable boxes ticked;

- (k) the words "Additional declaration", followed by the additional declaration referred to in Article 67(2) and the statement referred to in Article 67(3) and, optionally, any further phytosanitary information relevant to the consignment. If there is insufficient space for the whole of the additional declaration, **the text is to be continued on the back of the form; an attachment may be added. The information in the attachment should only include what is required on the phytosanitary certificate. All the pages of the attachment should bear the number of the phytosanitary certificate and should be dated, signed and stamped in the same manner as required for the phytosanitary certificate. The phytosanitary certificate should refer to any attachments in the appropriate section;**

- (l) the words 'Disinfestation and/or disinfection treatment';
 - (m) the word "Treatment", followed by the treatment that has been applied to that consignment;
 - (n) the words "Chemical (active ingredient)", followed by the active ingredient of the chemical used for the treatment referred to in point (m);
 - (o) the words "Duration and temperature", followed by the duration and, where applicable, temperature of that treatment;
 - (p) the word "Concentration", followed by the concentration of that chemical reached during that treatment;
 - (q) the word "Date", followed by the date on which that treatment was applied;
 - (r) the word "Additional information", followed by any additional information that the competent authority wishes to include in the certificate;
 - (s) the words 'Place of issue', followed by the place of issuance of the phytosanitary certificate;
 - (t) the word 'Date', followed by the date of issuance of the phytosanitary certificate;
 - (u) the words 'Name and signature of authorised officer', followed by the name and signature of the officer issuing and signing the phytosanitary certificate;
 - (v) the words 'Stamp of organisation', followed by the official stamp of the competent authority issuing the phytosanitary certificate.
- (2) ~~The paper used shall contain the embossed seal of the competent authority that signs the certificate.~~

MODEL PHYTOSANITARY CERTIFICATE FOR RE-EXPORT

1. Name and address of exporter		2. PHYTOSANITARY CERTIFICATE FOR RE-EXPORT No EU XX/00000000	
3. Declared name and address of consignee		4. Plant protection organisation of to plant protection organisation(s) of	
		5. Place of origin	
6. Declared means of conveyance			
7. Declared point of entry			
8. Distinguishing marks; number and description of packages; name of produce; botanical name of plants			9. Quantity declared
10. This is to certify - that the plants or plant products described above were imported into..... (country of re-export) from.....(country of origin) covered by phytosanitary certificate Nr. (*) ☐ original ☐ certified true copy of which is attached to this certificate; - that they are (*) ☐ packed ☐ repacked in ☐ original ☐ new containers - that based on the (*) ☐ original phytosanitary certificate and ☐ additional inspection, they are considered to conform with the current phytosanitary requirements of the importing country, and -that during storage in (country of re-export) the consignment has not been subjected to the risk of infestation or infection. (*)Insert tick in the appropriate boxes			
11. Additional declaration			
DISINFESTATION AND/OR DISINFECTION TREATMENT		18. Place of issue Date Name and signature of authorized officer Stamp of organisation	
12. Treatment			
13. Chemical (active ingredient)	14. Duration and temperature		
15. Concentration	16. Date		
17. Additional information			

EXPLANATORY NOTE

- Unnumbered box

This box is reserved for official use only

- Box 8

‘Description of packages’ means indication of the type of packages.

- Box 9

The quantity shall be expressed either by number or weight.

PART C (new)

PHYTOSANITARY CERTIFICATES FOR PRE-EXPORT AS REFERRED TO IN ARTICLE 96(5)

1 This document is issued by the competent authority of an EU MS according to [<i>Regulation on protective measures against pests of plants</i>] on request of a producer/trader in order to communicate to competent authorities of EU MS that certain phytosanitary procedures have been applied. <u>It may Not to be attached to the PC.</u>	2 INTRA-EU PRE-EXPORT CERTIFICATE <i>No. EU / Code MS / Internal individual reference number</i>
3 Producer/Trader	
4 Name of MS of origin 	
<i>Name of the competent authority [and if wanted logo of competent authority of origin]</i>	
5 Description of the consignment	6 Quantity declared
7 The plants, plant products or other regulated objects as described above <i>[Boxes of applicable options to be ticked; text of non-applicable options to be crossed out]</i> ☐ fulfil the requirements in accordance with [Article 41...] <i>[specify number of option applied]</i> ☐ have been inspected (e.g. during the growing season) and/or tested according to an appropriate official procedure <i>[if necessary list relevant procedures]</i> and found free <i>[name of the harmful organisms]</i> originate in a field ☐ a place of production ☐ an area ☐ officially recognized as being free from <i>[name of the harmful organisms]</i> Other official information <i>[e.g. related to the identification of the field/ production site/ place of production or the area]</i> 	
8 Place of issue and contact details (email/fax) Date	9 Stamp of the competent authority Name and signature of the authorized officer

ANNEX IX

Correlation table

Council Directive 69/464/EEC	This Regulation	Regulation (EU) No .../.... [<i>Office of Publications, please insert number of Regulation on Official Controls</i>]
Article 1	Article 27(1)	—
Article 2	Article 27(1)(d)	—
Articles 3, 4 and 5	Article 27(1)(c)	—
Article 6	Article 27(1)(e)	—
Article 7	—	—
Article 8	Article 8	—
Article 9	Article 31(1)	—
Articles 10 and 11	Article 27(1)(c)	—
Articles 12 and 13	—	—
Council Directive 93/85/EEC	This Regulation	Regulation (EU) No .../.... [<i>Office of Publications, please insert number of Regulation on Official Controls</i>]
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Article 2	Article 27(1)(f)	—
Article 3	Article 9	—
Articles 4 to 8	Article 27(1)(a), (b) and (c)	—
Article 9	—	—
Article 10	Article 8	—
Article 11	Article 31(1)	—
Article 12	Article 27(1)	—
Articles 13 to 15	—	—
Annexes I to V	Article 27(1)	—

Council Directive 98/57/EC	This Regulation	Regulation (EU) No .../.... [<i>Office of Publications, please insert number of Regulation on Official Controls</i>]
Article 1	Article 27(1)	—
Article 2	Article 27(1)(f)	—
Article 3	Article 9	—
Article 4 to 7	Article 27(1)(a), (b) and (c)	—
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Articles 12 to 14	—	—
Annexes I to VII	Article 27(1)	—
Council Directive 2007/33/EC	This Regulation	Regulation (EU) No .../.... [<i>Office of Publications, please insert number of Regulation on Official Controls</i>]
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Articles 2 and 3	Article 27(1) and (2)	—
Articles 4 to 8	Article 27(1)(f)	—
Articles 9 to 13	Article 27(1) and (2)	—
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Council Directive 2000/29/EC	This Regulation	Regulation (EU) No .../.... [<i>Office of Publications, please insert number of Regulation on Official Controls</i>]
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Article 1(5) and (6)	—	—
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Article 2(1)(c)	—	—
Article 2(1)(d)	Article 2(3)	—
Article 2(1)(e)	Article 1(1)	—
Article 2(1)(f)	Article 73	—
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Article 2(1)(h)	Articles 32 to 35	—
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Article 2(1)(i), second subparagraph	—	Articles 4 and 19
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Article 2(1)(j)	—	Article 2(28 <u>29</u>)
Article 2(1)(k)	—	Article 3
Article 2(1)(l)	—	Article 3
Article 2(1)(m)	—	Article 3
Article 2(1)(n)	—	Article 3
Article 2(1)(o)	Article 2(6)	—
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Article 5(2)	Article 49(3)	—
Article 5(3)	Articles 40(2) and 49(2)	—
Article 5(4)	Articles 51 and 70	—
Article 5(5)	Articles 8, 46 and 54	—
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