
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Official Controls (Plant Health and Genetically Modified Organisms) (Wales) Regulations 2020 (S.I. 2020/206) (W. 48) (“the 2020 Regulations”), that give effect to—

- (a) Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants (OJ No. L 317, 23.11.2016, p. 4), and
- (b) Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, in so far as it applies to the rules referred to in Article 1(2)(g) (OJ No. L 95, 7.4.2017, p. 1).

Regulation 2(3) and (7) updates the references in the 2020 Regulations to—

- (a) Commission Implementing Decision (EU) 2017/198 as regards measures to prevent the introduction into and the spread within the Union of *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto (OJ No. L 31, 4.2.2017, p. 29), which has been repealed and replaced by Commission Implementing Regulation (EU) 2020/885 as regards measures to prevent the introduction into and the spread within the Union of *Pseudomonas syringae* pv. *actinidiae* Takikawa, Serizawa, Ichikawa, Tsuyumu & Goto (OJ No. L 205, 29.6.2020, p. 9), and
- (b) Commission Implementing Decision (EU) 2019/1615 establishing emergency measures to prevent the introduction into and the spread within the Union of Tomato brown rugose fruit virus (OJ No. L 250, 30.9.2015, p. 91), which has been repealed and replaced by Commission Implementing Regulation (EU) 2020/1191 establishing measures to prevent the introduction into and the spread within the Union of Tomato brown rugose fruit virus (OJ No. L 262, 12.8.2020, p. 6).

Regulation 2(5) amends regulation 21 of the 2020 Regulations to allow the appropriate authority to authorise the use of potential quarantine plant pests for official testing, scientific or educational purposes, trials, varietal selection or breeding.

Regulation 2(6) amends Schedule 3 to the 2020 Regulations to enable Commission Delegated Regulation (EU) 2019/2123 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts (OJ No. L 321, 12.12.2019, p. 64) to be enforced from 14 December 2020 (the date on which the provisions in that Regulation will apply to certain plants, plant products and other objects).

Regulations 2(2) and (4), 3 and 4 make consequential and other minor amendments.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.