

Commission Implementing Decision of 1 March 2012 as regards emergency measures to prevent the introduction into and the spread within the Union of *Anoplophora chinensis* (Forster) (notified under document C(2012) 1310) (2012/138/EU)

*Article 3*

**Import of the specified plants originating in China**

1 As regards imports originating in China, specified plants may only be introduced into the Union if they fulfil the following conditions:

- a they comply with the specific import requirements as set out in point 1 of Section 1(B) of Annex I;
- b on entry into the Union they are inspected by the responsible official body in accordance with point 2 of Section 1(B) of Annex I for the presence of the specified organism, and no signs of that organism have been found;
- c the place of production of those plants:
  - (i) is designated by a unique registration number assigned by the national plant protection organisation of China;
  - (ii) is included in the most recent version of the register communicated by the Commission to the Member States in accordance with paragraph 3;
  - (iii) has not, within the previous 2 years, been the subject of a communication by the Commission to the Member States of the removal from the register in accordance with paragraph 3; and
  - (iv) has not, within the previous 2 years, been the subject of a communication by the Commission to the Member States as referred to in paragraph 4 or paragraph 5.

2 However, plants of *Acer* spp. shall not be introduced into the Union until 30 April 2012.

From 1 May 2012, paragraph 1 shall apply to plants of *Acer* spp.

3 The Commission shall communicate to the Member States the register of places of production in China which its national plant protection organisation has established as in compliance with point 1(b) of Section 1(B) of Annex I.

Where that organisation updates the register by removing a place of production either because that organisation has found that that place of production no longer complies with point 1(b) of Section 1(B) of Annex I or because the Commission has informed China of evidence of the presence of the specified organism at import of specified plants from that place of production, and China makes the updated version of the register available to the Commission, the Commission shall communicate the updated version of the register to the Member States.

Where that organisation updates the register by including a place of production because that organisation has found that that place of production complies with point 1(b) of Section 1(B) of Annex I and China makes the updated version of the register available to the Commission as well as the necessary explanatory information, the Commission shall

communicate that updated version and, where appropriate, that explanatory information to the Member States.

Through Internet based information pages, the Commission shall make the register and its updates available to the public.

4 Where during an inspection at a registered place of production, as set out in points (ii), (iii) and (iv) of point 1(b) of Section 1(B) of Annex I, the Chinese plant protection organisation finds evidence of the presence of the specified organism and the Commission is notified of that finding by China, the Commission shall immediately communicate that finding to the Member States.

Through Internet based information pages, the Commission shall also make this information available to the public.

5 Where the Commission has evidence from sources other than those referred to in paragraphs 3 and 4 that a place of production listed in the register does not comply with point 1(b) of Section 1(B) of Annex I or that the specified organism has been found on specified plants imported from such a place of production, it shall communicate the information concerning that place of production to the Member States.

Through Internet based information pages, the Commission shall also make this information available to the public.