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COMMISSION IMPLEMENTING DECISION

of 24 April 2014

on measures to prevent the introduction into and the spread within the Union of harmful organisms as regards certain fruits and vegetables originating in India

(notified under document C(2014) 2601)

(2014/237/EU)

(OJ L 125, 26.4.2014, p. 93)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Implementing Decision (EU) 2015/237 of 12 February 2015	L 39	21	14.2.2015
► <u>M2</u>	Commission Implementing Decision (EU) 2015/2434 of 18 December 2015	L 334	61	22.12.2015

**COMMISSION IMPLEMENTING DECISION****of 24 April 2014****on measures to prevent the introduction into and the spread within the Union of harmful organisms as regards certain fruits and vegetables originating in India***(notified under document C(2014) 2601)*

(2014/237/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular the third sentence of Article 16(3), thereof,

Whereas:

- (1) Plant health checks carried out by Member States on consignments of certain plants and plant products of Indian origin revealed a high number of interceptions due to the presence of harmful organisms mainly *Tephritidae* (non-European), *Thrips palmi* Karny or *Bemisia tabaci* Genn. The number of consignments from India intercepted with harmful organisms in the Union has shown an upward trend since 2010. Most of the interceptions concern plants other than seeds and roots of *Colocasia* Schott and plants other than seeds of *Mangifera* L., *Momordica* L., *Solanum melongena* L. and *Trichosanthes* L. (hereinafter 'the specified commodities').
- (2) Audits carried out by the Commission in India, in particular in 2010 and 2013, revealed shortcomings in the phytosanitary export certification system. Despite assurances and action taken by India, the number of interceptions increased further in 2013.
- (3) In the light of the outcome of those audits and the number of interceptions, it has been concluded that the current phytosanitary safeguards of India are insufficient to ensure that consignments are free from harmful organisms or to address the risk of introduction of harmful organisms into the Union through the import of the specified commodities.
- (4) Measures should be taken to address the risk posed by the import into the Union of the specified commodities originating in India. Consequently, the introduction into the Union of the specified commodities originating in India should be prohibited.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

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- (5) The measures should remain in place until 31 December 2015 in order to address the ongoing risk of introduction, while allowing India to upgrade its certification system.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

▼M1*Article 1*

The introduction into the territory of the Union of plants other than seeds and roots of *Colocasia* Schott and plants other than seeds of *Momordica* L., *Solanum melongena* L. and *Trichosanthes* L., originating in India shall be prohibited.

Article 1a

The introduction into the territory of the Union of plants of *Mangifera* L. other than seeds originating in India shall only be allowed if accompanied by a phytosanitary certificate, as referred to in the first subparagraph of point (ii) of Article 13(1) of Directive 2000/29/EC, with a description, under the heading 'Additional declaration', of the appropriate measures taken to ensure freedom from harmful organisms.

▼M2*Article 2*

This Decision shall expire on 31 December 2016.

▼B*Article 3*

This Decision is addressed to the Member States.