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COMMISSION DIRECTIVE 2001/32/EC

of 8 May 2001

**recognising protected zones exposed to particular plant health risks in the Community and
repealing Directive 92/76/EEC**

(OJ L 127, 9.5.2001, p. 38)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Directive 2002/29/EC of 19 March 2002	L 77	26	20.3.2002
► <u>M2</u> Commission Directive 2003/21/EC of 24 March 2003	L 78	8	25.3.2003
► <u>M3</u> Commission Directive 2003/46/EC of 4 June 2003	L 138	45	5.6.2003
► <u>M4</u> Commission Directive 2004/32/EC of 17 March 2004	L 85	24	23.3.2004
► <u>M5</u> Commission Decision 2004/522/EC of 28 April 2004	L 228	18	29.6.2004
► <u>M6</u> Commission Directive 2005/18/EC of 2 March 2005	L 57	25	3.3.2005

Amended by:

► <u>A1</u> Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded	L 236	33	23.9.2003
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COMMISSION DIRECTIVE 2001/32/EC

of 8 May 2001

**recognising protected zones exposed to particular plant health risks
in the Community and repealing Directive 92/76/EEC**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 first subparagraph of Article 2(1)(h) thereof,

Having regard to the requests made by Denmark, Greece, Spain, France, Ireland, Italy, Austria, Portugal, Finland, Sweden and the United Kingdom,

Whereas:

- (1) Under the provisions of Directive 2000/29/EC, 'protected zones' exposed to particular plant health risks may be defined and therefore may be accorded special protection under conditions compatible with the internal market. Such zones were defined in Commission Directive 92/76/EEC of 6 October 1992, recognising protected zones exposed to particular plant health risks in the Community ⁽²⁾ as last amended by Directive 2000/23/EC ⁽³⁾.
- (2) Since then, there have been significant developments in the plant health status of some of these zones initially recognised as protected zones in respect of the relevant harmful organisms.
- (3) From information supplied by Denmark it appears that it is no longer appropriate to maintain the protected zone recognised for Denmark in respect of *Bemisia tabaci* Genn. (European populations) and tomato spotted wilt virus.
- (4) Certain provisions on protective measures in Portugal against *Gonipterus scutellatus* Gyll. and in the United Kingdom and in Ireland against *Pissodes* spp. (European) should be modified to take into account the present distribution of these organisms in the respective countries.
- (5) From information supplied by United Kingdom and Sweden it appears that following local government reorganisation, the current description of the respective protected zones in respect of *Dendroctonus micans* Kugelan and *Leptinotarsa decemlineata* Say should be modified.
- (6) Under Directive 92/76/EEC, Austria, Ireland and the regions of Apulia, Emilia-Romagna, Lombardia and Veneto in Italy were provisionally recognised as protected zone in respect of *Erwinia amylovora* (Burr.) Winsl. et al. for a period expiring on 31 March 2001.
- (7) From information supplied by Ireland it appears that the provisional recognition of the protected zones for Ireland in respect of *Erwinia amylovora* (Burr.) Winsl. et al. should be extended for a further limited period.
- (8) From information supplied by Austria and Italy it appears that some areas within Austria and Italy should no longer be recognised as protected zones in respect of *Erwinia amylovora* (Burr.) Winsl. et al., whilst other areas should be recognised as protected zones in respect of *Erwinia amylovora* (Burr.) Winsl. et al. for a further limited period.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 305, 21.10.1992, p. 12.

⁽³⁾ OJ L 103, 28.4.2000, p. 72.

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- (9) From information supplied by France it appears that some areas within France should not longer be recognised as protected zones in respect of *Erwinia amylovora* (Burr.) Winsl. et al.
- (10) From information supplied by United Kingdom it appears that the provisional recognition of the protected zone for United Kingdom in respect of beet necrotic yellow vein virus should be extended for a further limited period.
- (11) It is therefore necessary to modify the existing designation of protected zones. In the interest of clarity, a new list of such zones should be adopted. Directive 92/76/EEC should therefore be repealed. In view of the continuing plant health problems, this Directive should enter into force and be transposed as soon as possible.
- (12) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

▼M5*Article 1*

The zones in the Community listed in the Annex are hereby recognised as protected zones referred to in the first subparagraph of Article 2(1)(h) of Directive 2000/29/EC, in respect of the harmful organism(s) listed against their names in the Annex to this Directive.

In the case of point (a)(3.1) of the Annex, the said zone in Cyprus is recognised until 31 March 2006.

In the case of point (a)(6) of the Annex, the said zones in Latvia, Slovenia and Slovakia are recognised until 31 March 2006.

In the case of point (a)(11) of the Annex, the said zone in Cyprus is recognised until 31 March 2006.

In the case of point (a)(13) of the Annex, the said zones in Cyprus and Malta are recognised until 31 March 2006.

In the case of point (b)(2) of the Annex, for Ireland, Italy (Apulia, Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Lombardy; Trentino-Alto Adige: autonomous province of Trento; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes of Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), Latvia, Lithuania, Austria (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), Slovenia and Slovakia the said zones are recognised until 31 March 2006.

In the case of point (d)(1) of the Annex, the said zone in Lithuania is recognised until 31 March 2006.

In the case of point (d)(3) of the Annex, the said zone in Malta is recognised until 31 March 2006.

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In the case of point (b)(2) of the Annex, the said zone in Estonia is recognised until 31 March 2007.

▼B*Article 2*

The extension of the recognition beyond the dates referred to in Article 1, and any amendment to the list of protected zones referred to in Article 1, shall be made in accordance with the procedure laid down in Article 18 of Directive 2000/29/EC, taking into account the results of appropriate surveys based on Community conditions and monitored by Commission experts.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 21 May 2001 at the latest. They shall apply them from 22 May 2001. They shall forthwith inform the Commission thereof. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The procedure for such a reference shall be adopted by Member States.

2. Member States shall immediately communicate to the Commission the essential provisions of domestic law which they adopt in the field governed by this Directive. The Commission shall inform the other Member States thereof.

Article 4

Directive 92/76/EEC is hereby repealed with effect from 22 May 2001.

Article 5

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 22 May 2001.

Article 6

This Directive is addressed to the Member States.

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ANNEX

ZONES IN THE COMMUNITY RECOGNISED AS 'PROTECTED ZONES', IN RESPECT OF HARMFUL ORGANISM(S) LISTED AGAINST THEIR NAMES

Harmful organisms	Protected zones: territory of
(a) Insects, mites and nematodes, at all stages of their development	
1. <i>Anthonomus grandis</i> (Boh.)	Greece, Spain (Andalusia, Catalonia, Extremadura, Murcia, Valencia)
2. <i>Bemisia tabaci</i> Genn. (European populations)	Ireland, Portugal (Alentejo, Azores, Beira Interior, Beira Litoral, Entre Douro e Minho, Madeira, Ribatejo e Oeste and Trás-os-Montes), Finland, Sweden, United Kingdom
3. <i>Cephalcia lariciphila</i> (Klug.)	Ireland, United Kingdom (Northern Ireland, Isle of Man and Jersey)
▼ <u>A1</u> 3.1. <i>Daktulosphaira vitifoliae</i> (Fitch)	Cyprus
▼ <u>B</u> 4. <i>Dendroctonus micans</i> Kugelan	► <u>M6</u> Greece, Ireland, United Kingdom (Northern Ireland, Isle of Man and Jersey) ◀
5. <i>Gilpinia hercyniae</i> (Hartig)	Greece, Ireland, United Kingdom (Northern Ireland, Isle of Man and Jersey)
▼ <u>A1</u> 6. <i>Globodera pallida</i> (Stone) Behrens	Latvia, Slovenia, Slovakia, Finland
▼ <u>B</u> 7. <i>Gonipterus scutellatus</i> Gyll	► <u>M3</u> Greece, Portugal (Azores) ◀
8. <i>Ips amitinus</i> Eichhof	Greece, France (Corsica), Ireland, United Kingdom
9. <i>Ips cembrae</i> Heer	Greece, Ireland, United Kingdom (Northern Ireland and Isle of Man)
10. <i>Ips duplicatus</i> Sahlberg	Greece, Ireland, United Kingdom
▼ <u>A1</u> 11. <i>Ips sexdentatus</i> Boerner	Ireland, Cyprus, United Kingdom (Northern Ireland and Isle of Man)
▼ <u>B</u> 12. <i>Ips typographus</i> Heer	Ireland, United Kingdom
▼ <u>A1</u> 13. <i>Leptinotarsa decemlineata</i> Say	Spain (Ibiza and Menorca), Ireland, Cyprus, Malta, Portugal (Azores and Madeira), Finland (districts of Åland, Häme, Kymi, Pirkanmaa, Satakunta, Turku, Uusimaa), Sweden (counties of ► <u>M6</u> Blekinge, Gotland ◀, Halland, Kalmar and Skåne), United Kingdom
▼ <u>M2</u> 14. <i>Liriomyza bryoniae</i> (Kaltenbach)	Ireland, the United Kingdom (Northern Ireland)
▼ <u>M1</u> _____	
▼ <u>B</u> 15. <i>Sternochetus mangiferae</i> Fabricius	Spain (Granada and Malaga), Portugal (Alentejo, Algarve and Madeira)
16. <i>Thaumetopoea pityocampa</i> (Den. and Schiff.)	Spain (Ibiza)
(b) Bacteria	
1. <i>Curtobacterium flaccumfaciens</i> pv. <i>flaccumfaciens</i> (Hedges) Col.	Greece, Spain, Portugal

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Harmful organisms	Protected zones: territory of
▼ M5 2. <i>Erwinia amylovora</i> (Burr.) Winsl. <i>et al</i>	Spain, ► M6 Estonia, ◀ France (Corsica), Ireland, Italy (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Trentino-Alto Adige: autonomous province of Trento; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castलगuglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago, Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), Latvia, Lithuania, Austria (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), Portugal, Slovenia, Slovakia, Finland, United Kingdom (Northern Ireland, Isle of Man and Channel Islands)
▼ B (c) Fungi	
▼ M6 01. <i>Cryphonectria parasitica</i> Barr (Murrill)	Czech Republic, Denmark, Greece (Crete and Lesvos), Ireland, Sweden and the United Kingdom (except Isle of Man)
▼ B 1. <i>Glomerella gossypii</i> Edgerton 2. <i>Gremmeniella abietina</i> Morelet 3. <i>Hypoxyton mammatum</i> (Wahl.) J Miller	Greece Ireland, United Kingdom (Northern Ireland) Ireland, United Kingdom (Northern Ireland)
(d) Viruses and virus-like organisms	
▼ M5 1. <i>Beet necrotic yellow vein virus</i>	► M6 ————— ◀ France (Brittany), Ireland, Lithuania, Portugal (Azores), Finland, United Kingdom (Northern Ireland)
▼ B 2. Tomato spotted wilt virus	Finland, Sweden
▼ A1 3. Citrus tristeza virus (European strains)	Greece, France (Corsica), ► M6 ————— ◀ Malta, Portugal