

Commission Directive 2009/7/EC of 10 February 2009 amending Annexes I, II, IV and V to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

COMMISSION DIRECTIVE 2009/7/EC

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amending Annexes I, II, IV and V to Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

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 points (c) and (d) of the second paragraph of Article 14 thereof,

After consulting the Member States concerned,

Whereas:

- (1) Directive 2000/29/EC lists organisms which are harmful to plants or plant products and provides for certain measures against their introduction into Member States from other Member States or third countries.
- (2) On the basis of information supplied by Member States and an examination of Annexes I, II, IV and V to Directive 2000/29/EC by experts, it is appropriate to amend the lists of harmful organisms in Annexes I and II to improve protection against the introduction of such organisms into the Community. All changes are based on technical and scientific evidence.
- (3) Taking into account increased international trade in plants and plant products, a phytosanitary protection of the Community is needed against the introduction of the following harmful organisms which are so far not known to be present in the Community: *Dendrolimus sibiricus* Tschetverikov; *Rhynchophorus palmarum* (L.); *Agilus planipennis* Fairmaire on plants of *Fraxinus* L., *Juglans mandshurica* Maxim., *Ulmus davidiana* Planch., *Ulmus parvifolia* Jacq., and *Pterocarya rhoifolia* Siebold & Zucc., and only known to be present in Canada, China, Japan, Mongolia, Republic of Korea, Russia, Taiwan and the United States; Chrysanthemum stem necrosis virus on plants of *Dendranthema* (DC.) Des Moul. and *Lycopersicon lycopersicum* (L.) Karsten ex Farw.; *Scrobipalopsis solanivora* (Povolny) on tubers of *Solanum tuberosum* L. and *Stegophora ulmea* (Schweinitz : Fries) Sydow & Sydow on plants of *Ulmus* L. and *Zelkova* L., intended for planting, other than seeds. In addition, the further spread of

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Paysandisia archon (Burmeister), found in some areas in the Community on 11 genera of Palmae and under official control, needs to be limited for the same reasons.

- (4) The names of *Saissetia nigra* (Nietm.) and *Diabrotica virgifera* Le Conte should be amended in line with the revised scientific denominations of those organisms. *Saissetia nigra* (Nietm.) has become *Parasaissetia nigra* (Nietner). *Diabrotica virgifera* Le Conte has been split into two subspecies, namely *Diabrotica virgifera virgifera* Le Conte, regionally present in the Community, and *Diabrotica virgifera zaeae* Krysan & Smith, not present in the Community.
- (5) The listing of those organisms in Annexes I and II to Directive 2000/29/EC needs therefore to be amended.
- (6) Consequently, the relevant requirements in Annexes IV and V to Directive 2000/29/EC for the import or movement of host plants of harmful organisms referred to in Annexes I and II need to be amended to take account of the amended listing in Annexes I and II.
- (7) The CN code for wood of *Acer saccharum* Marsh. needs to be updated in Annex V, Part B to complete the list of CN codes for wood subject to import control.
- (8) Annexes I, II, IV and V to Directive 2000/29/EC should therefore be amended accordingly.
- (9) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

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(1) [OJ L 169, 10.7.2000, p. 1.](#)