

Commission Implementing Regulation (EU) 2019/66 of 16 January 2019 on rules on uniform practical arrangements for the performance of official controls on plants, plant products and other objects in order to verify compliance with Union rules on protective measures against pests of plants applicable to those goods

COMMISSION IMPLEMENTING REGULATION (EU) 2019/66

of 16 January 2019

on rules on uniform practical arrangements for the performance of official controls on plants, plant products and other objects in order to verify compliance with Union rules on protective measures against pests of plants applicable to those goods

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 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, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)<sup>(1)</sup>, and in particular Article 22(3) thereof,

Whereas:

- (1) Official controls in the premises and, where applicable, in other locations used by professional operators authorised to issue plant passports in accordance with Article 84(1) of Regulation (EU) 2016/2031 of the European Parliament and of the Council<sup>(2)</sup>, should be carried out at least once per year. This is necessary to ensure a regular and consistent control covering the productive cycles of the relevant plants and also the life cycle of all relevant pests and their vectors.
- (2) The frequency of those controls should take into account the inspections at least once a year, and the sampling and testing if appropriate referred to in Article 92(1) of Regulation (EU) 2016/2031 in order to make sure that any inspections, and any sampling and testing performed under that Regulation are not repeated under this Regulation.
- (3) If necessary, on the basis of risk-related criteria, the competent authorities may increase the frequency of official controls in the premises and, where applicable, in other locations used by professional operators authorised to issue plant passports in accordance with Article 84(1) of Regulation (EU) 2016/2031.

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*Changes to legislation:* There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/66. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (4) Professional operators who have implemented for at least two consecutive years a pest risk management plan in accordance with Article 91 of Regulation (EU) 2016/2031 provide more reliable guarantees concerning the level of phytosanitary protection in their premises and, where applicable, in their other locations. Therefore, it is appropriate to allow competent authorities to reduce the frequency of official controls on those operators to at least once every two years.
- (5) A premise and, where applicable, other locations used by professional operators authorised to issue plant passports in accordance with Article 84(1) of Regulation (EU) 2016/2031 should be subject to at least one official control in addition to the one referred to in recital 1 if they are the place of origin of plants, plant products and other objects as defined in points (1), (2) and (5) of Article 2 of Regulation (EU) 2016/2031, which have been grown at least part of their life or have been located in a demarcated area established in accordance with Article 18(1) of that Regulation, and which can be expected to be infested by the pest for which that demarcated area had been established. That additional official control should be carried out as close as possible to the point in time when those plants, plant products and other objects are moved out of that demarcated area or from the infested zone to the buffer zone of that demarcated area. This is necessary to ensure that no phytosanitary risks occur after any normal official control and before the movement of the plants, plant products and other objects out of the demarcated area or from the infested zone to the buffer zone.
- (6) In order to ensure an appropriate level of phytosanitary protection as well as an effective overview on the import of plants into the Union and the risks thereof, the competent authorities, when the plants referred to in the first paragraph of Article 73 of Regulation (EU) 2016/2031 are imported into the Union territory, should perform official controls at arrival into the Union on at least 1 % of the consignments of those plants.
- (7) The official controls in the premises and, where applicable, in other locations used by professional operators authorised to apply the mark on wood packaging material referred to in Article 98(1) of Regulation (EU) 2016/2031 should be carried out at least once per year. This is necessary to ensure a regular and consistent control covering the phytosanitary risks associated with the production and trade of that type of material. If necessary, on the basis of risk-related criteria, the competent authorities may increase the frequency of official controls in the premises and, where applicable, in other locations used by professional operators authorised to apply the mark on wood packaging material referred to in Article 98(1) of Regulation (EU) 2016/2031.
- (8) As Regulations (EU) 2016/2031 and (EU) 2017/625 apply from 14 December 2019, this Regulation should also apply from that date.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

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- (1) [OJ L 95, 7.4.2017, p. 1.](#)
- (2) Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC ([OJ L 317, 23.11.2016, p. 4.](#)).

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**Changes and effects yet to be applied to the whole legislation item and associated provisions**

- Art. 1(5)(a) word substituted by S.I. 2020/1631 reg. 12(2)(c)(i)(aa)
- Art. 1(5)(a) words omitted by S.I. 2020/1631 reg. 12(2)(c)(i)(bb)
- Art. 1(5)(c) words inserted by S.I. 2020/1631 reg. 12(2)(c)(ii)(bb)
- Art. 1(5)(c) words substituted by S.I. 2020/1631 reg. 12(2)(c)(ii)(aa)
- Art. 1(5)(d) words substituted by S.I. 2020/1631 reg. 12(2)(c)(iii)
- Art. 2(b) words substituted by S.I. 2020/1631 reg. 12(3)(b)
- Art. 4(2)(b) words substituted by S.I. 2020/1631 reg. 12(5)(c)
- Art. 7(a) words substituted by S.I. 2020/1631 reg. 12(7)