

Commission Implementing Regulation (EU) 2020/1292 of 15 September 2020 as regards measures to prevent the entry into the Union of *Agrilus planipennis* Fairmaire from Ukraine and amending Annex XI to Implementing Regulation (EU) 2019/2072

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1292

of 15 September 2020

as regards measures to prevent the entry into the Union of *Agrilus planipennis* Fairmaire from Ukraine and amending Annex XI to Implementing Regulation (EU) 2019/2072

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/2031 of the European Parliament and 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⁽¹⁾, and in particular Articles 41(2) and 72(1) thereof,

Whereas:

- (1) *Agrilus planipennis* Fairmaire ('the specified pest') is listed as a Union quarantine pest in Annex II to Commission Implementing Regulation (EU) 2019/2072⁽²⁾. It is also listed as a priority pest in Commission Delegated Regulation (EU) 2019/1702⁽³⁾.
- (2) Import requirements for certain types of plants, wood and isolated bark as regards the specified pest have been established in Annex VII to Implementing Regulation (EU) 2019/2072 for the third countries where the pest is present. According to Part A of Annex XI to that Regulation phytosanitary certificates are required for the introduction into the Union of such plants or plant products from the respective third countries of origin.
- (3) In November 2019, Ukraine confirmed the first official findings of the specified pest on its territory.
- (4) That country is not listed among the third countries the import from which into the Union territory is allowed pursuant to Annex VII to Implementing Regulation (EU) 2019/2072. Therefore, specific measures should be adopted to prevent the possible introduction into the Union of the specified pest present on certain types of plants, wood and isolated bark from Ukraine.
- (5) Taking into account the phytosanitary risk of specified pest, the respective plants, wood and bark known to be hosts of it and originating from Ukraine, when introduced into the Union, should be accompanied by a phytosanitary certificate including an additional declaration stating that they originate from an area free from the specified organism. Such additional declaration should be established in accordance with the relevant International Standards for Phytosanitary Measures and communicated to the

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Commission in advance. Certain types of wood should only be imported if appropriate treatment or removal of the bark and part of the outer sapwood has been performed, in order to ensure a higher level of phytosanitary protection.

- (6) As the status of the specified pest in Ukraine needs further confirmation, additional technical and scientific evidence should be obtained to assess the phytosanitary risk that it poses to the Union. Such evidence also needs to be obtained concerning its presence in other third countries, in order to update the respective measures listed in Annex VII to Implementing Regulation (EU) 2019/2072. The measures set out in this Regulation should therefore be reviewed as soon as possible.
- (7) Annex XI to Implementing Regulation (EU) 2019/2072 should also be amended, in order to require that the respective plants and plant products are introduced from Ukraine into the Union with a phytosanitary certificate.
- (8) 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 317, 23.11.2016, p. 4.](#)
- (2) Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019 ([OJ L 319, 10.12.2019, p. 1.](#))
- (3) Commission Delegated Regulation (EU) 2019/1702 of 1 August 2019 supplementing Regulation (EU) 2016/2031 of the European Parliament and of the Council by establishing the list of priority pests ([OJ L 260, 11.10.2019, p. 8.](#))

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