

STATUTORY INSTRUMENTS

2023 No. 497

**The Plant Health and Phytosanitary
Conditions (Oak Processionary Moth and
Plant Pests) (Amendment) Regulations 2023**

PART 2

AMENDMENT OF PLANT HEALTH LEGISLATION

Amendment of Commission Delegated Regulation (EU) 2019/829

2.—(1) Commission Delegated Regulation (EU) 2019/829 supplementing Regulation (EU) 2016/2031 on protective measures against pests of plants, authorising Member States to provide for temporary derogations in view of official testing, scientific or educational purposes, trials, varietal selections, or breeding⁽¹⁾ is amended as follows.

(2) In Annex 1, in paragraph 1, in point (d), after “(including country)” insert “of the laboratory or institution from which the material originated”.

Amendment to Commission Implementing Regulation (EU) 2019/2072

3.—(1) Commission Implementing Regulation (EU) 2019/2072 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⁽²⁾ is amended as follows.

(2) In Annex 5, in Part F (measures to prevent the presence of RNQPS on seed potatoes)⁽³⁾, for the second table substitute—

<i>“(1)”</i>	<i>(2)</i>	<i>(3)</i>		<i>(4)</i>	<i>(5)</i>
<i>RNQPs or symptoms caused by RNQPs</i>	<i>Plants for planting (genus or species)</i>	<i>Thresholds for the growing plants for pre-basic seed potatoes⁽¹⁾</i>	<i>PB</i>	<i>Thresholds for the growing plants for basic seed potatoes⁽¹⁾</i>	<i>Thresholds for the growing plants for certified seed potatoes⁽¹⁾</i>
Blackleg (<i>Dickeya</i> Samson <i>et al.</i> spp.	<i>Solanum</i> <i>tuberosum</i> L.	0%	0%	1%	4%

⁽¹⁾ Additional restrictions concerning the planting of seed potatoes are provided for in S.S.I. 2006/319, 2015/395, S.I. 2015/1953, 2016/106 (W. 52), 2019/1517, S.S.I. 2019/421, S.I. 2020/206 (W. 48).

⁽¹⁾ EUR 2019/829, amended by S.I. 2020/1482, 2022/1020.

⁽²⁾ EUR 2019/2072, amended by S.I. 2020/1527; there are other amending instruments but none is relevant.

⁽³⁾ Annex 5, Part F was substituted by S.I. 2020/1527.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1)	(2)	(3)		(4)	(5)
<i>RNQPs or symptoms caused by RNQPs</i>	<i>Plants for planting (genus or species)</i>	<i>Thresholds for the growing plants for pre-basic seed potatoes⁽¹⁾</i>		<i>Thresholds for the growing plants for basic seed potatoes⁽¹⁾</i>	<i>Thresholds for the growing plants for certified seed potatoes⁽¹⁾</i>
		<i>PBTC</i>	<i>PB</i>		
[1DICKG]; <i>Pectobacterium</i> Waldee emend. Hauben <i>et al.</i> spp. [1PECBG])	<i>Solanum tuberosum</i> L.	0%	0%	0%	0%
<i>Candidatus</i> Liberibacter <i>solanacearum</i> Liefting <i>et al.</i> [LIBEPS]	<i>Solanum tuberosum</i> L.	0%	0.1%	0.8%	6%
Mosaic symptoms caused by viruses and symptoms caused by Potato leaf roll virus [PLRV00]					
Potato spindle tuber viroid [PSTVD0]	<i>Solanum tuberosum</i> L.	0%	0%	0%	0%”.

(1) Additional restrictions concerning the planting of seed potatoes are provided for in S.S.I. 2006/319, 2015/395, S.I. 2015/1953, 2016/106 (W. 52), 2019/1517, S.S.I. 2019/421, S.I. 2020/206 (W. 48).