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Regulation on protective measures against pests of plants (EU/2016/2031)

A guide to understand the regulation
and to help in its implementation.



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Foreword



"For several months, our sector is preparing the entry into application of the Plant Health Regulation 2016/2031, scheduled for December 14th, 2019.

This highly technical text is already leading to many operational consequences for seed production and marketing companies.

Its main objective is to control and manage pests according to the risk they represent from an economic, environmental, social and agricultural point of view, and according to their impact on the quality of production. By

bringing together several measures in a single regime, the regulation simplifies the management of pests and empowers private operators in their control.

Euroseeds mobilized strongly during the drafting phase of the regulation. Since its publication the Euroseeds Secretariat has multiplied initiatives to support companies in the operational understanding of this regulation: information on species concerned by plant passport's requirements to circulate nationally and in the European Union, steps to implement a Phytosanitary Risk Management Plan (PRMP), workshops to inform and gather feedback, etc.

This guide is the complementary reference tool that will allow companies to better understand the regulation, identify the main changes required and find practical information for a proper implementation.

Background

Phytosanitary rules are aimed at protecting European agriculture and forestry by preventing the entry and spread of non-native pests.

In a context of increasing global flows of plants, a recent assessment of these rules has identified the need to set up new rules to ensure a better control and to cope with the influx of new pests and plant diseases. In addition, with climate change, many of these pests and diseases are now more able to survive in Europe than they were before. It therefore seemed essential to update the



existing rules to fully address these increased risks and to put in place uniform rules across all EU Member States.

Regulation (EU) 2016/2031, which governs the conditions that plants (including seeds) must meet to circulate within the EU (including within a Member State) or in the context of trade with third countries, entered into force on 14 December 2016. This mechanism will be fully applicable as of 14 December 2019, leaving 3 years for the Commission to prepare secondary acts setting out the conditions for its application. A Commission Implementing Regulation establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 is still under development. This draft Regulation contains a number of Annexes that establish:

- the list of plants, plant products and other objects that shall be accompanied by a Phytosanitary Certificate when introduced into the European Union (Annex XI) or into specific protected zones (Annex XII),
- the EU lists of quarantine pests (Annex II) and regulated non-quarantine pests (Annex IV),
- the list of plants, plant products and other objects for which a plant passport is required for movement within the Union territory (Annex XIII) or within specific protected zones (Annex XIV)
- the rules for the internal movement of regulated products in the European Union (Annex V and Annex VIII),

- the list of protected zones in the European Union and the list of quarantine pests relevant thereto (Annex III),
- the list of regulated products the import of which into the European Union is prohibited (Annex VI) and into specific protected zones (Annex IX)
- the lists of phytosanitary requirements that imported regulated articles shall comply with when introduced into the European Union (Annex VII) or into specific protected zones (Annex X).

This guide constitutes an inventory of the practical consequences of the entry into force of this new regulation. It makes it possible to identify the main points concerning seeds and seed producers but does not replace the regulation as such. The references of the articles are quoted so that they can be referenced for further details. This guide is intended to be updated in the event of consequent regulatory changes.

Regulation (EU) 2016/2031 governs the movement of seeds and plants within the European Union from a phytosanitary point of view. To this end, it sets out in particular the principle of a preventive strategy for the importation of plants from certain third countries, establishes a prioritization of harmful organisms associated with the definition of management measures (including the rules relating to plant passports). It also provides for the compulsory registration of professional operators and other management measures for phytosanitary certificates for export to third countries.

What you must remember

Regulation on protective measures against pests of plants (EU/2016/2031) will be fully applicable as of 14 December 2019

A Commission Implementation Regulation establishing uniform conditions will list:

- *Annex I: Definitions*
- *Annex II: List of Union quarantine pests*
- *Annex III: List of protected zones and the respective protected zone quarantine pests*
- *Annex IV: List of Union regulated non-quarantine pests ('RNQPs') and specific plants for planting, with categories and thresholds*

- *Annex V: Measures to prevent the presence of RNQPs on specific plants for planting*
 - *Annex VI: List of plants, plant products and other objects whose introduction into the Union from certain third countries is prohibited*
 - *Annex VII: List of plants, plant products and other objects, originating from third countries and the corresponding special requirements for their introduction into the Union territory*
 - *Annex VIII: List of plants, plant products and other objects, originating in the Union territory and the corresponding special requirements for their movement within the Union territory*
 - *Annex IX: List of plants, plant products and other objects, whose introduction into certain protected zones is prohibited*
 - *Annex X: List of plants, plant products and other objects, to be introduced into, or moved within protected zones and corresponding special requirements for protected zones*
 - *Annex XI: List of plants, plant products and other objects subject to phytosanitary certificates for their introduction into the Union territory and those for which such certificates are not required*
 - *Annex XII: List of plants, plant products and other objects for which a phytosanitary certificate is required for their introduction into a protected zone from certain third countries of origin or dispatch*
 - *Annex XIII: List of plants, plant products and other objects for which a plant passport is required for movement within the Union territory*
 - *Annex XIV: List of plants, plant products and other objects for which a plant passport with the designation "ZP" is required for introduction into, and movement within certain protected zones*
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Emerging risks and preventive strategy for imports

The Plant Health Regulation provides a new approach to prevent pests entering the EU from third countries. It will now be possible to implement precautionary measures with regard to emerging risks related to plants. With this in mind, a category of high-risk plants is created. High-risk plants are those which, on the basis of a preliminary assessment, present a phytosanitary risk considered as unacceptable for the European territory. Their introduction into European territory from a third country shall therefore be prohibited pending a risk assessment. This list of High-Risk plants is defined through the Commission Implementing Regulation (EU) 2018/2019 (currently no seed of agricultural or vegetables plant species are listed).

High-risk plants whose introduction into the Union territory shall be prohibited pending a risk assessment are currently:

- Plants for planting, other than seeds, in vitro material and naturally or artificially dwarfed woody plants for planting of the following species: Acacia, Acer, Albizia, Alnus, Annona, Bauhinia, Berberis, Betula, Caesalpinia, Cassia, Castanea, Cornus, Corylus, Crataegus, Diospyros, Fagus, Ficus carica, Fraxinus, Hamamelis, Jasminum, Juglans, Ligustrum, Lonicera, Malus, Nerium, Persea, Populus, Prunus, Quercus, Robinia, Salix, Sorbus, Taxus, Tilia, Ulmus.
- Plants of *Ullucus tuberosus*
- Fruits of *Momordica* originating from third countries where *Thrips palmi* is known to occur
- Wood of *Ulmus* originating from third countries where *Saperda tridentata* is known to occur

What you must remember

High-risk plants are plants whose introduction into the Union territory shall be prohibited pending a risk assessment.

Currently no seed of agricultural or vegetables plant species are listed as High-risk plants.

Moreover, following the assessment of the risk through a pest risk analysis, certain plants from certain third countries may be further prohibited to be introduced and moved on the territory as they present an unacceptable risk or are likely to be the vehicle of potential quarantine pests.

This list will be referenced as Annex VI of the Commission Implementing Regulation establishing uniform conditions for the implementation of Regulation (EU) 2016/2031.

Plants, plant products and other objects, related to agricultural and vegetable plant species, whose introduction into the Union from certain third countries is prohibited following a Pest Risk Assessment, are:

- Plants for planting of *Fragaria*, other than seeds
- Plants for planting of the family Poaceae, other than plants of ornamental perennial grasses of the subfamilies Bambusoideae and Panicoideae and of the genera *Buchloe*, *Bouteloua*, *Calamagrostis*, *Cortaderia*, *Glyceria*, *Hakonechloa*, *Hystrix*, *Molinia*, *Phalaris*, *Shibataea*, *Spartina*, *Stipa* and *Uniola*, other than seeds
- Tubers of *Solanum tuberosum* L. (seed potatoes), Plants for planting of stolon- or tuber-forming species of *Solanum* L. or their hybrids, Tubers of species of *Solanum* L., and their hybrids
- Plants for planting of Solanaceae other than seeds
- Soil as such consisting in part of solid organic substances
- Growing medium as such, other than soil, consisting in whole or in part of solid organic substances, other than that composed entirely of peat or fibre of *Cocos nucifera*, previously not used for growing of plants or for any agricultural purposes

Please refer to the regulative text to learn more about the listed third countries of origin and the full list of regulated products.

This list includes the prohibition of introducing seed potatoes into the EU from third countries other than Switzerland

The list does not include other seeds of agricultural or vegetables plant species.

A derogation is provided for this prohibition of introduction to carry out official analyses, for a scientific or pedagogic purpose or for trials, for varietal selection and genetic improvement as referred in Article 48.

What you must remember

*Tubers of *Solanum tuberosum* L. (seed potatoes) and plants for planting of stolon- or tuber-forming species of *Solanum* L. or their hybrids, originating from third countries other than Switzerland shall be prohibited to be introduced into the EU*

Plants for planting of Solanaceae other than seeds, originating from Third countries other than Albania, Algeria, Andorra, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Egypt, Faeroe Islands, Georgia, Iceland, Israel, Jordan, Lebanon, Libya, Liechtenstein, Moldova, Monaco, Montenegro, Morocco, North Macedonia, Norway, Russia (partly), San Marino, Serbia, Switzerland, Syria, Tunisia, Turkey and Ukraine shall be prohibited to be introduced into the EU

Prioritization of harmful organisms and related management measures

The regulation specifically categorizes harmful organisms according to their dangerousness:

- Quarantine Pests (QP)
among which it is important to distinguish between
 - Union quarantine pests as such,
 - Priority Quarantine Pests, and
 - Protected Zones Quarantine Pests.

Union Quarantine Pests are not present on the European territory (or limited) and are considered likely to have an unacceptable economic, environmental or social impact for the territory. They must be eliminated.

Priority pests are Quarantine Pests for which the potential economic, environmental or social impact is the most severe.

Where a Quarantine Pest is present in the EU but not in a Member State (or a part thereof), such territory may be recognised as a protected zone as regards that quarantine pest (Protected Zone Quarantine Pests).

- Regulated Non-Quarantine Pests (RNQP)

Regulated Non-Quarantine Pests are present on the European territory. Regulated Non-Quarantine Pests are transmitted mainly through specific plants for planting. The presence of Regulated Non-Quarantine Pests on those plants for planting has an unacceptable economic impact as regards the intended use of those plants for planting. Feasible and effective measures are available to prevent its presence on the plants for planting concerned.

Union Quarantine Pests

Quarantine Pests must meet specific criteria defined in the Regulation 2016/2031 (Annex I section I).

Main references to Union Quarantine Pests are to be found in the Regulation under:

- Articles 3, 4 and 5: definitions, principles,
- Article 8: derogations for research,

- Articles 9, 11 and 12: alert and information procedures,
- Articles 14, 16, 29 and 30: measures in case of suspicion of harmful organisms meeting the criteria for Quarantine Pests,
- Article 17: eradication measures,
- Articles 22 and 23: surveillance of the territory,
- Article 28 to specific measures for certain Quarantine Pests,
- Articles 61, 62, 63 and 64 to quarantine stations.

The Commission Implementing Regulation establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 lists Quarantine Pests in Annex II.

Please refer to the regulative text to learn more about the listed Quarantine Pests.

From the Quarantine Pests list, the following pests have been identified by seed experts as relevant for agricultural and vegetable plant species. The pests listed below does not reflect the exhaustivity of the Quarantine Pest List. Please refer to the regulative text to have the full list.

- Part A: Pests not known to occur in the Union territory
 - Bacteria
 - *Candidatus Liberibacter solanacearum* (haplotypes A, B and F)
 - *Curtobacterium flaccumfaciens* pv. *flaccumfaciens*
 - *Pantoea stewartii* subsp. *stewartia*
 - *Xanthomonas oryzae* pv. *oryzae*
 - *Xanthomonas oryzae* pv. *oryzicola*
 - Fungi and oomycetes
 - *Phoma andina*
 - *Puccinia pittieriana*
 - *Septoria malagutii*
 - *Thecaphora solani*
 - *Tilletia indica*
 - Insects and mites
 - *Amauromyza maculosa*
 - *Bactericera cockerelli*
 - *Bemisia tabaci* (non-European populations)

- *Diabrotica barberi*
- *Diabrotica virgifera zea*
- *Heliiothis zea*
- *Keiferia lycopersicella*
- *Liriomyza sativae*
- *Listronotus bonariensis*
- *Neoleucinodes elegantalis*
- *Spodoptera eridania*
- *Spodoptera frugiperda*
- *Spodoptera litura*
- *Tecia solanivora*
- Tephritidae
- *Thrips palmi*

• Nematodes

- *Nacobbus aberrans*

• Virus, viroids and phytoplasmas

- Beet curly top virus
- Potato viruses, viroids and phytoplasmas
- Begomoviruses
- Cowpea mild mottle virus
- Lettuce infectious yellows virus
- Melon yellowing-associated virus
- Squash vein yellowing virus
- Tomato chocolate virus
- Tomato marchitez virus
- Tomato mild mottle virus

• Part B: Pests known to occur in the Union territory

• Bacteria

- *Clavibacter sepedonicus*
- *Ralstonia solanacearum*

- Xylella fastidiosa
- Fungi and oomycetes
 - Synchytrium endobioticum
- Nematodes
 - Globodera pallida
 - Globodera rostochiensis
 - Meloidogyne chitwoodi
 - Meloidogyne fallax
- Virus, viroids and phytoplasmas
 - Tomato leaf curl New Delhi virus

The regulation provides measures in case of suspicion and/or detection of Quarantine Pests:

- Notification by professional operators to the Competent Authority of any evidence they may have concerning an imminent danger related to Quarantine Pests,
- Notification by the relevant Member State to the Commission and the other Member States in the event of evidence of imminent danger of introduction of a Quarantine Pest in the EU territory,
- After official confirmation of the presence of the Quarantine Pest, notification by the Competent Authority to EU Commission, other Member States and professional operators,
- Implementation of the necessary measures by professional operators in accordance with instructions given by the Competent authority to eradicate the Quarantine Pest.

When plants are imported into the EU, Phytosanitary Certificates will be required to guarantee the absence of Quarantine Pests on the concerned plants.

Priority Quarantine Pests

Priority Quarantine Pests must meet specific criteria defined in the Regulation 2016/2031 (Annex I section II). Priority pests are Quarantine Pests for which the potential economic, environmental or social impact is the most severe.

Main references to Union Priority Quarantine Pests are to be found in the Regulation in:

- Article 6: definitions,
- Article 13: public information,
- Article 24: surveillance,
- Articles 25, 26 and 27: management measures.

Management measures for Priority Quarantine Pests are defined in article 25, 26 and 27 and in Annex II section I of the Regulation 2016/2031: contingency plans, simulation exercises and action plans for priority pests.

The list of Priority Quarantine Pests has not been published yet.

Protected zone Quarantine Pests

Where a Quarantine Pest is present in the EU but not in a Member State (or a part thereof), such territory may be recognised as a protected zone as regards that quarantine pest (Protected Zone Quarantine Pests).

Main references to Union Priority Quarantine Pests are to be found in the Regulation under:

- Articles 32: recognition of protected areas,
- Article 33: obligations concerning protected zones,
- Articles 34: surveillance,
- Article 35: extent and revocation of recognition.

The requirement for the management of a Union Quarantine Pest apply in the related area.

The Commission Implementing Regulation establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 lists Protected Zone Quarantine Pests in Annex III.

Please refer to the regulative text to learn more about the listed Quarantine Pests.

From the Protected Zone Quarantine Pests list, the following pests have been identified by seed experts as relevant for agricultural and vegetable plant species. The pests listed below does not reflect the exhaustivity of the Protected Zone Quarantine Pest List. Please refer to the regulative text to have the full list.

- *Colletotrichum gossypii* for Greece
- *Bemisia tabaci* (European populations) for Ireland, Sweden and United Kingdom
- *Liriomyza bryoniae* for Ireland and United Kingdom (Northern Ireland)

- *Liriomyza huidobrensis* and *Liriomyza trifolii* for Ireland and United Kingdom (Northern Ireland) until April 2020
- Beet necrotic yellow vein virus for Ireland, France (Brittany), Portugal (Azores), Finland, and United Kingdom (Northern Ireland)

Regulated Non-Quarantine Pests

Regulated Non-Quarantine Pests must meet specific criteria defined in the Regulation 2016/2031 (Annex I section 4).

Main references to Regulated Non-Quarantine Pests are to be found in the Regulation under:

- Articles 36: definitions, principles,
- Article 37: prohibition to introduce or move a Regulated Non-Quarantine Pest,
- Articles 39: exception for Regulated Non-Quarantine Pest to be used for scientific purposes.

The Commission Implementing Regulation establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 lists Regulated Non-Quarantine Pests as well as associated thresholds in Annex IV.

Please refer to the regulative text to learn more about the listed Regulated Non-Quarantine Pests.

From the Regulated Non-Quarantine Pests list, the following pests have been identified by seed experts as relevant for agricultural and vegetable plant species. The pests listed below does not reflect the exhaustivity of the Regulated Non-Quarantine Pest List. Please refer to the regulative text to have the full list and thresholds.

- Part A: RNQPs concerning fodder plant seed
 - *Clavibacter michiganensis* ssp. *Insidiosus*
 - Seeds of *Medicago sativa*
 - *Ditylenchus dipsaci*
 - Seeds of *Medicago sativa*
- Part B: RNQPs concerning cereal seed

- Gibberella fujikuroi
 - Seeds of *Oryza sativa*
- Aphelenchoides besseyi
 - Seeds of *Oryza sativa*
- Part F: RNQPs concerning vegetable seed
 - Clavibacter michiganensis ssp. michiganensis
 - Seeds of *Solanum lycopersicum*
 - Xanthomonas axonopodis pv. phaseoli
 - Seeds of *Phaseolus vulgaris*
 - Xanthomonas euvesicatoria
 - Seeds of *Capsicum annuum*, *Solanum lycopersicum*
 - Xanthomonas gardneri
 - Seeds of *Capsicum annuum*, *Solanum lycopersicum*
 - Xanthomonas perforans
 - Seeds of *Capsicum annuum*, *Solanum lycopersicum*
 - Xanthomonas vesicatoria
 - Seeds of *Capsicum annuum*, *Solanum lycopersicum*
 - Acanthoscelides obtectus
 - Seeds of *Phaseolus coccineus*, *Phaseolus vulgaris*
 - Bruchus pisorum
 - Seeds of *Pisum sativum*
 - Bruchus rufimanus
 - Seeds of *Vicia faba*
 - Ditylenchus dipsaci

- Seeds of *Allium cepa*, *Allium porrum*
- *Ditylenchus gigas*
 - Seeds of *Vicia faba*
- Pepino mosaic virus
 - Seeds of *Solanum lycopersicum*
- Potato spindle tuber viroid
 - Seeds of *Capsicum annuum*, *Solanum lycopersicum*
- Part G: RNQPs concerning seed potato
 - Blackleg as caused by:
 - *Dickeya*
 - *Pectobacterium*
 - *Candidatus Liberibacter solanacearum* other than haplotypes A, B and F
 - *Candidatus Phytoplasma solani*
 - Mosaic symptoms as caused by
 - Potato virus A
 - Potato virus M
 - Potato virus S
 - Potato virus X
 - symptoms caused by leaf roll virus
 - Potato spindle tuber viroid
 - *Ditylenchus destructor*
 - Black scurf affecting tubers over more than 10,0 % of their surface as caused by *Rhizoctonia solani*
 - Powdery scab affecting tubers over more than 10.0 % of their surface as caused by *Spongospora subterranean*
- Part H: RNQPs concerning seed of oil and fibre plants
 - *Alternaria linicola*

- Seeds of *Linum usitatissimum*
- *Boeremia exigua* var. *linicola*
 - Seeds of *Linum usitatissimum*
- *Botrytis cinerea*
 - Seeds of *Helianthus annuus*, *Linum usitatissimum*
- *Colletotrichum lini*
 - Seeds of *Linum usitatissimum*
- *Diaporthe caulivora*
 - Seeds of *Glycine max*
- *Fusarium*
 - Seeds of *Linum usitatissimum*
- *Plasmopara halstedii*
 - Seeds of *Helianthus annuus*
- *Sclerotinia sclerotiorum*
 - Seeds of *Brassica rapa* L. var. *silvestris*, *Sinapis alba*, *Brassica napus* L. (partim), *Helianthus annuus*

Management measures for Regulated Non-Quarantine Pests are defined in the Commission Implementing Regulation establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 in Annex V.

Mandatory registration of professional operators

Article 65 of the Regulation stipulates that the competent authority shall keep and update a register containing professional operators operating in the territory of the Member State and introducing or moving plant products (including seeds and seedlings) for which a phytosanitary certificate or a plant passport is required. The European Commission may decide that other categories of operators should be registered if the pest risk of the plants they grow is considered important. The notion of professional operator applies to any operator, public or private, participating in a professional capacity in one or more of the following activities related to plants, plant products and other objects: planting, breeding, production (including cropping, multiplication and maintenance), introduction and circulation within the territory of the Union (as well as export from that territory), making available on the market, storage, collection, dispatch and processing. Exemptions to the registration of operators are provided for in this same article.

In concrete terms, this means that seed companies will have to register with the competent authority. Article 66 specifies the elements to be included in the application for registration. For seed companies it is:

- The name, the address in the Member State of registration and the details of the professional operator;
- A statement indicating the intention of the professional operator to carry out one or more of the activities referred to in Article 65 (1) relating to plants, plant products and other objects;
- A statement indicating the intention of the operator to issue plant passports in accordance with Article 84 (1);
- The address of the sites and, where appropriate, the location of plots used by the professional operator in the Member State to carry out the activities referred to in Article 65 (1) for the purpose of registration;
- Types of goods, families, genres or species of plants and plant products and, where appropriate, the nature of others.

What you must remember

Professional operators must be registered.

Contact your National Plant Protection Organisation for further information about registration

Plants Passports

Rationale of Plant Passports

The inclusion of pathogens, in particular from the marketing directives and the current Directive 2000/29/EC, in the list of regulated non-quarantine pests has important consequences from an operational point of view since the seeds of certain species shall require a plant passport to circulate, including on a national territory. This obligation will apply for any movement of the seeds concerned between professional operators, and for any category: basic, commercial or research seed lots. The Plant Passport therefore concerns not only seedlots produced in a specific EU Member State or in the EU, but also seedlots introduced in an EU Member State (replacement of Phytosanitary Certificate by a Plant Passport).

The Commission Implementing Regulation establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 lists plants, plant products and other objects for which a plant passport is required for movement within the Union territory in Annex XIII.

Please refer to the regulative text to learn more about the listed species subject to plant passport.

From that list, the following agricultural and vegetable plant species have been identified by seed experts as relevant. The plants listed below does not reflect the exhaustivity of the List. Please refer to the regulative text to have the full list.

- Cereal and proteaginous species
 - *Oryza sativa*

- Oil and fibre plant species
 - *Helianthus annuus*
 - *Brassica napus* L. (partim)
 - *Brassica rapa* L. var. *silvestris*
 - *Glycine max*
 - *Sinapis alba*
 - *Linum usitatissimum*

- Potatoes
 - *Solanum tuberosum*

- Fodder plants and amenity grasses
 - Medicago sativa

- Vegetable species
 - Allium cepa, including Allium cepa var. aggregatum
 - Allium schoenoprasum
 - Allium porrum
 - Phaseolus
 - Solanum lycopersicum
 - Capsicum annuum
 - Pisum sativum
 - Vicia faba

Exemptions to the obligation of apposition of Plant Passport

However, the Regulation provides exemptions from the obligation to affix the Plant Passport in the following cases:

Exemption for direct supply to final users:

Article 81 states that "no plant passport is required for the movement of plants, plant products or other objects supplied directly to a final user, including non-professional gardeners. This exception does not apply to:

(a) final users receiving plants, plant products or other objects by means of sales through distance contracts (e.g. Internet on-line selling); or

(b) final users of plants, plant products or other objects for which a passport plant protection for protected areas is required in under Article 80. "

Further exemptions are specified in Article 37: necessary movement of plants for planting for their disinfection and movement of plants for planting within or between the premises of the professional operator concerned.

What is a Plant Passport?

According to Article 78, a Plant Passport is an official label used for the movement of plants, plant products and other objects within the territory of the Union and, where appropriate, for their introduction and circulation in areas protected areas, which certifies compliance with all the requirements set out in Article 85 and, with regard to the introduction and circulation in protected areas, Article 86, the contents and form of which are in conformity in Article 83. "

From an operational point of view, the Plant Passport must take the form of a separate label printed on any medium allowing the printing of the elements specified below (see paragraphs "mandatory information"). These elements should be organized inside a rectangular or square shape and be readable without having to use a visual aid. They will be delimited by a border or otherwise distinctly separated from any inscription or image so as to be easily visible and clearly recognizable. This information must be non-modifiable and permanent. Plant Passports should be affixed to the trade unit of plants, plant products or other items (directly on the plant, for example) or on the package, or container when transported under these conditions. Plant Passports will therefore no longer be affixed to delivery documents.

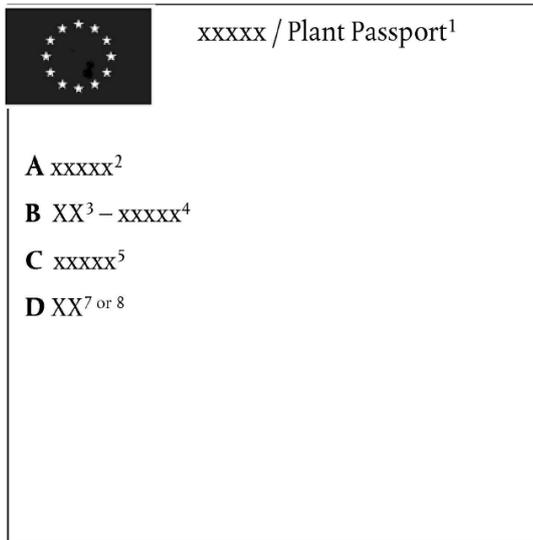
In the case of plants for planting produced or made available on the market as pre basic, basic or certified material, the plant passport shall be included in the official certification label.

Mandatory information

The size of the plant passports, the use of a border line, the proportions of the size of their elements, and the fonts used in the models are only examples. The flag of the Union may be printed in colour, or in black and white, either with white stars on black background, or vice versa. The following elements shall be printed on Plant Passports:

- The words 'Plant Passport' (or 'Plant Passport — PZ' for protected zone cases)
- The botanical name(s) of the plant(s) species and optionally, the name of the variety
- The two-letter code for the Member State
- The national registration number of the professional operator
- The traceability code of the plant, plant product or the other object

Examples of Plant Passport



How to issue a Plant Passport?

To be able to issue a phytosanitary passport, the operator must necessarily be authorized (Article 84). The authorization of a professional operator to affix a Plant Passport will be linked to its ability to recognize pests, the establishment of a traceability system, the identification and monitoring of critical points of production, and the positive result of the periodic official surveillance inspection.

Concretely, this authorization can be obtained by the professional operator:

Either through the assessment by the competent authority of the compliance with the requirements specified in Articles 89 and 90 of the Regulation: relevance of its approach to the analysis of risks (critical points in the production process, etc.), traceability (Articles 69 and 70) and the competence in the field of phytosanitary diagnosis (necessary knowledge, appropriate training);

Or via the establishment and validation of a pest risk management plan

The Pest Risk Management Plan includes the previously mentioned requirements, its deployment by the professional operator allows him to be authorized to issue Plant Passports for species and production sites covered.

NB: the establishment of a pest risk management plan, approved by the competent authority, is a possibility offered by Article 91 of the Regulation so that the professional operator can be authorized to issue Plant Passports while benefiting from a reduced inspection frequency. The Pest Risk Management Plan approach remains proof of the company's good management of the pest risk.

How to affix a Plant Passport?

Plant passports shall be attached by the professional operators concerned to the trade unit of the plants, plant products and other objects concerned before they are moved within the Union territory. Where such plants, plant products or other objects are moved in a package, bundle or container, the plant passport shall be attached to that package, bundle or container.

In practice this means that a plant passport may be affixed on a cardboard containing several packets of seeds from different species and seed lots. In such case, the plant passport must list all the concerned species submitted to plant passport requirements. This applies also to seed mixtures or rolls for plantlets or cuttings. Please refer to your national plant protection organisation for further information and validation of this practice before implementation.

Replacement and withdrawal of Plant Passport

Two scenarios are provided for by the regulation:

The Plant Passport itself can be replaced by the professional operator when the seedlot for which a Plant Passport was issued is split into new seedlots: new plant passports must therefore be issued and replace to the original Plant Passport which must be kept for at least 3 years with regard to traceability requirements (see Article 93).

The Plant Passport must be removed from the seedlot by the operator professional if he finds that it does not respect the relevant phytosanitary requirements anymore. In such a case, the operator must inform the competent authority (see Article 95).

What you must remember

Professional operators must be authorised to issue Plant Passports.

Contact your National Plant Protection Organisation for further information about authorisation and conditions to issue plant passports and validation of pest risk management plans

Management of Phytosanitary Certificates

Phytosanitary certificate for the introduction into the Union territory

Articles 71, 72 and 76 of the Regulation recall that seed and seedling from a third country must be accompanied by a phytosanitary certificate issued by the competent authority of that country, in accordance with the requirements formulated by the Commission. Article 94 specifies that the phytosanitary certificate is replaced by a Plant Passport by the competent authority at the point of entry after checking the conformity of the lot. The replacement of the Phytosanitary Certificate may be carried out at the place of destination instead of the point of entry, if allowed.

The Commission Implementing Regulation establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 lists in Annex XI (or in Annex XII for protected zones), other plants for which a Phytosanitary certificate is required for an introduction into the EU. Nevertheless, seeds of any species listed in seed marketing directives shall need a phytosanitary certificate in order to be introduced into the Union territory.

Moreover, the Annex VII lists plants, plant products and other objects, originating from third countries and the corresponding special requirements for their introduction into the Union territory.

Please refer to the regulative text to learn more about the listed plants.

What you must remember

Seed and seedling from a third country must be accompanied by a phytosanitary certificate issued by the competent authority of that country

Additional declarations for some plants are defined in Annex VII

Contact your National Plant Protection Organisation for further information about import conditions

Phytosanitary certificate for export from the Union

Articles 100, 101 and 102 of the Regulation recall that where a phytosanitary certificate is required by the phytosanitary import requirements of a third country ('phytosanitary certificate for export'), that certificate shall be issued by the competent authority, at the request of the professional operator. To do so, the professional operator needs to be registered by that competent authority. The phytosanitary certificate for export shall be issued where the information available allows the competent authority to certify compliance of the plant concerned with the phytosanitary import requirements of the third country.

For the re-export of a seedlot, which originates in a third country and has been introduced into the Union territory from that, or another, third country, a phytosanitary certificate for re-export from the Union ('the phytosanitary certificate for re-export') shall, where possible, be issued instead of the phytosanitary certificate for export. The phytosanitary certificate for re-export shall be issued where the information available allows certifying of compliance with the phytosanitary import requirements of the third country and that the original phytosanitary certificate is attached, the seedlot has not been further processed to change its nature since its introduction, the seedlot has not been exposed to any risk of infestation or contamination.

For the export of a seedlot from a Member state which is not the country of production of the seedlot, the competent authorities of the Member State from which the seedlot is exported and the competent authorities of the Member State in which the seedlot was grown, produced, stored or processed shall exchange the necessary phytosanitary information as the basis for issuing the phytosanitary certificate for export. The exchange of information shall take the form of a harmonised document ('pre-export certificate'), in which the competent authorities of the Member State, in which the seedlot was grown, produced, stored or processed, certify compliance of it with specific phytosanitary requirements.

What you must remember

Phytosanitary certificate for export (as well as phytosanitary certificate for re-export and pre-export certificate) shall be issued by the competent authority, at the request of the professional operator.

Contact your National Plant Protection Organisation for further information about export conditions

Please contact Euroseeds Secretariat, your national seed association, or your national plant protection organisation in case of any further information needed on the implementation of the EU Regulation on Plant Health



Avenue des Arts 52 B
1000 Brussels

www.euroseeds.eu

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Avenue des Arts 52 B
1000 Brussels

www.euroseeds.eu

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