

**Modifications to EU Phytosanitary Regulations arising from the Act of 23.09.2003  
concerning the conditions of accession of the new EU members**

**Only relevant paragraphs are presented**

ANNEX II. Section “PHYTOSANITARY LEGISLATION”

2. Commission Decision 97/5/EC of 12 December 1996 recognizing Hungary as being free from *Clavibacter michiganensis* (Smith) Davis *et al* ssp. *sepedonicus* (Spieckerman and Kotthoff) Davis *et al* is repealed.

4. In the first indent of Article 1 of Commission Decision 98/83/EC of 8 January 1998 recognising certain third countries and certain areas of third countries as being free of *Xanthomonas campestris* (all strains pathogenic to Citrus), *Cercospora angolensis* Carv. *et Mendes* and *Guignardia citricarpa* Kiely (all strains pathogenic to Citrus) (OJ L 15, 21.1.1998, p. 41), as amended by later decisions, the following countries are deleted:

‘Cyprus’ and ‘Malta’

5. In Council Directive 2000/29/EC of 8 May 2000 as later amended:

(a) In Part B of Annex I, the following is inserted after point 1 in table (a):

1.

‘1.1. *Daktulosphaera vitifoliae* (Fitch)’

‘CY’

(b) In Part B of Annex I, points 2 and 3 in table (a) are replaced by the following:

‘2. *Globodera pallida* (Stone) Behrens

FI, LV, SI, SK

3. *Leptinotarsa decemlineata* Say

E (Ibiza and Menorca), IRL, CY, M, P (Azores and Madeira), UK, S (Malmöhus, Kristianstads, Blekinge, Kalmar, Gotlands Län, Halland), FI (the districts of Åland, Turku, Uusimaa, Kymi, Häme, Pirkanmaa, Satakunta)’

(c) In Part B of Annex I, point 1 in table (b) is replaced by the following:

|                                     |  |
|-------------------------------------|--|
| '1. Beet necrotic yellow vein virus | DK, F (Brittany), FI, IRL, LT, P (Azores), S, UK (Northern Ireland)' |
|-------------------------------------|--|

(d) In Part A, Section I (a), of Annex II, the following point is deleted:

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| '14. <i>Eutetranychus orientalis</i> Klein | Plants of <i>Citrus</i> L., <i>Fortunella</i> Swingle, <i>Poncirus</i> Raf. and their hybrids, other than fruit and seeds' |
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(e) In Part A, Section II (a), of Annex II, the following is inserted after point 6:

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|--|---|
| '6.1 <i>Eutetranychus orientalis</i> Klein | Plants of <i>Citrus</i> L., <i>Fortunella</i> Swingle, <i>Poncirus</i> Raf. Raf. and their hybrids, other than fruit and seeds' |
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(f) In Part B of Annex II, point 6(d) in table (a) is replaced by the following:

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|-------------------------------------|--|--|
| '6(d) <i>Ips sexdentatus</i> Börner | Plants of <i>Abies</i> Mill., <i>Larix</i> Mill., <i>Picea</i> A. Dietr., <i>Pinus</i> L. over 3 m in height, other than fruit and seeds, wood of conifers ( <i>Coniferales</i> ) with bark, isolated bark of conifers | IRL, CY, UK (Northern Ireland, Isle of Man)' |
|-------------------------------------|--|--|

(g) In Part B of Annex II, point 2 in table (b) is replaced by the following:

|   |  |   |
|---|--|---|
| '2. <i>Erwinia amylovora</i> (Burr.) Winsl. et al | Parts of plants, other than fruit, seeds and plants intended for planting, but including live pollen for pollination of <i>Chaenomeles</i> Lindl., <i>Cotoneaster</i> Ehrh., <i>Crataegus</i> L., <i>Cydonia</i> Mill., <i>Eriobotrya</i> Lindl., <i>Malus</i> Mill., <i>Mespilus</i> L., <i>Pyracantha</i> Roem., <i>Pyrus</i> L., <i>Sorbus</i> L. other than <i>Sorbus intermedia</i> (Ehrh.) Pers. and <i>Stranvaesia</i> Lindl. | E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, |
|---|--|---|

|  |   |
|--|---|
|  | <p>Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), LV, LT, A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), P, SI, SK, FI, UK (Northern Ireland, Isle of Man and the Channel Islands)'</p> |
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(h) In Part B of Annex II, table (d) is replaced by the following:

‘(d) Virus and virus-like organisms

| Species                                      | Subject of contamination  | Protected zone(s)         |
|--|---|---------------------------|
| 1. Citrus tristeza virus (European isolates) | Fruits of <i>Citrus</i> L., <i>Fortunella</i> Swingle, <i>Poncirus</i> Raf., and their hybrids, with leaves and peduncles | EL, F (Corsica), I, M, P' |

(i) In Part A, point 12, of Annex III, the following are deleted from the right hand column:

‘Cyprus’ and ‘Malta’

(j) In Part A, point 14, of Annex III, the following are deleted from the right hand column:

‘Estonia, Latvia, Lithuania’ ‘Cyprus’ and ‘Malta’

(k) In Annex III, Part B is replaced by the following:

‘PART B

PLANTS, PLANT PRODUCTS AND OTHER OBJECTS THE INTRODUCTION OF WHICH SHALL BE PROHIBITED IN CERTAIN PROTECTED ZONES

| Description   | Protected zone(s)  |
|---|--|
| <p>1. Without prejudice to the prohibitions applicable to the plants listed in Annex III A (9) and (18), where appropriate, plants and live pollen for pollination of: <i>Chaenomeles</i> Lindl., <i>Cotoneaster</i> Ehrh., <i>Crataegus</i> L., <i>Cydonia</i> Mill., <i>Eriobotrya</i> Lindl., <i>Malus</i> Mill., <i>Mespilus</i> L., <i>Pyracantha</i> Roem., <i>Pyrus</i> L., <i>Sorbus</i> L. other than <i>Sorbus intermedia</i> (Ehrh.) Pers., <i>Stranvaesia</i> Lindl., other than fruit and seeds, originating in third countries other than those recognised as being free from <i>Erwinia amylovora</i> (Burr.) Winkl. et al. in accordance with the procedure laid down in Article 18</p> | <p>E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castelguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), LV, LT, P, SI, SK, FI, UK (Northern Ireland, Isle of Man and Channel Islands)’</p> |

- (l) In Part A, Section I, point 34, second indent, of Annex IV, the following is deleted from the left hand column:  
‘Estonia, Latvia, Lithuania’
- (m) In Part A, Section I, point 34 third indent, of Annex IV, the following is deleted from the left hand column:  
‘Cyprus’ and ‘Malta’
- (n) In Part B point 6 of Annex IV, the following is inserted in the right hand column after ‘IRL’:  
‘CY’
- (o) In Part B point 12, of Annex IV, the following is inserted in the right hand column after ‘IRL’ ‘CY’
- (p) In Part B point 14.5, of Annex IV, the following is inserted in the right hand column after ‘IRL’ ‘CY’

(q) In Part B of Annex IV, point 21 is replaced by the following:

|  |   |   |
|--|---|---|
| <p>‘21. Plants and live pollen for pollination of: <i>Chaenomeles</i> Lindl., <i>Cotoneaster</i> Ehrh., <i>Crataegus</i> L., <i>Cydonia</i> Mill., <i>Eriobotrya</i> Lindl., <i>Malus</i> Mill., <i>Mespilus</i> L., <i>Pyracantha</i> Roem., <i>Pyrus</i> L., <i>Sorbus</i> L. other than <i>Sorbus intermedia</i> (Ehrh.) Pers., <i>Stranvaesia</i> Lindl., other than fruit and seeds</p> | <p>Without prejudice to the prohibitions applicable to the plants listed in Annex III(A)(9), (18), and Annex III(B)(1), where appropriate, official statement that:</p>   | <p>E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castalguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), LV, LT, P, FI, SI, SK, UK (Northern Ireland, Isle of Man and Channel Islands)</p> |
|  | <p>(a) the plants originate in the protected zones E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castalguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), LV, LT, P, FI, SI, SK, UK (Northern Ireland, Isle of Man and Channel Islands)</p> <p>or</p> | <p>E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castalguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in</p>  |
|  | <p>(b) the plants have been produced or, if moved into a ‘uffer zone’ maintained, for a period of at least one year, on a field:</p> <p>(aa) located in an officially designated ‘uffer zone’ covering at least 50 km<sup>2</sup> i.e. an area where host plants are subjected to an officially approved and supervised control regime with the object of minimising the risk of <i>Erwinia amylovora</i> (Burr.) Winsl. et al. being spread from the plants grown there</p> <p>(bb) which has been officially approved before the start of the last complete cycle of vegetation, for the cultivation of plants</p>  | <p>E, F (Corsica), IRL, I (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castalguglielmo, Bagnolo di Po, Giacciano con Baruchella, Bosaro, Canaro, Lusina, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in</p>  |

|  |  |
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| <p>under the requirements laid down in this point;</p> <p>(cc) which, as well as the other parts of the ‘uffer zone’ has been found free from <i>Erwinia amylovora</i> (Burr.) Winsl. et al. since the beginning of the last complete cycle of vegetation:</p> <p>at official inspections carried out at least twice in the field, as well as in the surrounding zone of a radius of at least 250 m, i.e once during July/August and once during September/October,</p> <p>and</p> <p>at official spot checks carried out in the surrounding zone of a radius of at least 1 km, at least once during July to October, in selected appropriate places, in particular where appropriate indicator plants are present,</p> <p>and</p> <p>at official tests carried out in accordance with an appropriate laboratory method on samples officially drawn, since the start of the last complete cycle of vegetation, from plants having shown symptoms of <i>Erwinia amylovora</i> (Burr.) Winsl. et al. on the field or in other parts of the ‘uffer zone’</p> <p>and</p> <p>(dd) from which, as well as from the other parts of the ‘uffer zone’ no host plants showing symptoms of <i>Erwinia amylovora</i> (Burr.) Winsl. et al. have been removed without prior official investigation or approval.</p> | <p>the province of Verona the communes of Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), A (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), LV, LT, P, SI, SK, FI, UK (Northern Ireland, Isle of Man and Channel Islands)’</p> |
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(r) In Part B of Annex IV, the following is added after point 21:

|   |  |           |
|---|--|-----------|
| <p>‘21.1. Plants of <i>Vitis</i> L., other than fruit and seeds</p> | <p>Without prejudice to the prohibition applicable to the plants listed in Annex III(A)(15), official statement that the plants:</p> <p>(a) originate in an area known to be free from</p> | <p>CY</p> |
|---|--|-----------|

|  |  |            |
|--|--|------------|
|  | <p><i>Daktulosphaira vitifoliae</i> (Fitch);</p> <p>or</p> <p>(b) have been grown at a place of production which has been found free from <i>Daktulosphaira vitifoliae</i> (Fitch) on official inspections carried out during the last two complete cycles of vegetation;</p> <p>or</p> <p>(c) have been subject to fumigation or other appropriate treatment against <i>Daktulosphaira vitifoliae</i> (Fitch).</p>  |            |
| <p>21.2. Fruits of <i>Vitis</i> L.</p> | <p>The fruits shall be free from leaves and official statement that the fruits:</p> <p>(a) originate in an area known to be free from <i>Daktulosphaira vitifoliae</i> (Fitch);</p> <p>or</p> <p>(b) have been grown at a place of production which has been found free from <i>Daktulosphaira vitifoliae</i> (Fitch) on official inspections carried out during the last two complete cycles of vegetation;</p> <p>or</p> <p>(c) have been subject to fumigation or other appropriate treatment against <i>Daktulosphaira vitifoliae</i> (Fitch).</p> | <p>CY'</p> |

(s) In Part A II of Annex V, the following is added to point 1.9.: 'fruits of *Vitis* L.'

(t) In Part B I, point 7(b), of Annex V, the following are deleted:

'Estonia, Latvia, Lithuania' 'Cyprus' and 'Malta'

(u) In Part B II of Annex V, the following is added after point 6:

'6a Fruits of *Vitis* L.'

6. In Commission Directive 2001/32/EC of 8 May 2001 recognising protected zones exposed to particular plant health risks in the Community as later amended:

(a) In Article 1, the following paragraphs are added:

'In the case of point (a)(3.1.), the said zone in Cyprus is recognised until 31 March 2006.'

In the case of point (a)(6), the said zone in Latvia, Slovenia and Slovakia is recognised until 31 March 2006.

In the case of point (a)(11), the said zone in Cyprus is recognised until 31 March 2006.

In the case of point (a)(13), the said zone in Cyprus and Malta is recognised until 31 March 2006.

In the case of point (b)(2), the said zone in Latvia, Lithuania, Slovenia and Slovakia is recognised until 31 March 2006.

In the case of point (d)(1), the said zone in Lithuania is recognised until 31 March 2006.

In the case of point (d)(3), the said zone in Malta is recognised until 31 March 2006.’ (b) In table (a) in the Annex, the following point 3.1 is added after point 3:

‘3.1. *Daktulosphaera vitifoliae* (Fitch) | Cyprus,’

(c) Point 6 of table (a) in the Annex is replaced by the following:

‘6. *Globodera pallida* (Stone) Behrens | Latvia, Slovenia, Slovakia, Finland,’

(d) Point 11 of table (a) in the Annex is replaced by the following:

‘11. *Ips sexdentatus* Boerner | Ireland, Cyprus, United Kingdom (Northern Ireland and Isle of Man)’

(e) Point 13 of table (a) in the Annex is replaced by the following:

‘13. *Leptinotarsa decemlineata* Say | Spain (Ibiza and Menorca), Ireland, Cyprus, Malta, Portugal (Azores and Madeira), Finland (districts of Åland, Håme, Kymi, Pirkanmaa, Satakunta, Turku, Uusimaa), Sweden (counties of Blekroge, Gotlands, Halland, Kalmar and Skåne), United Kingdom’

(f) Point 2 of table (b) in the Annex is replaced by the following:

‘2. *Erwinia amylovora* (Burr.) Winsl. et al. | Spain, France (Corsica), Ireland, Italy (Abruzzi; Apulia; Basilicata; Calabria; Campania; Emilia-Romagna: provinces of Forlì-Cesena, Parma, Piacenza and Rimini; Friuli-Venezia Giulia; Lazio; Liguria; Lombardy; Marche; Molise; Piedmont; Sardinia; Sicily; Tuscany; Trentino-Alto Adige: autonomous provinces of Bolzano and Trento; Umbria; Valle d'Aosta; Veneto: except in the province of Rovigo the communes Rovigo, Polesella, Villamarzana, Fratta Polesine, San Bellino, Badia Polesine, Trecenta, Ceneselli, Pontecchio Polesine, Arquà Polesine, Costa di Rovigo, Occhiobello, Lendinara, Canda, Ficarolo, Guarda Veneta, Frassinelle Polesine, Villanova del Ghebbo, Fiesso Umbertiano, Castelguglielmo, Bagnolo di Po, Giacciano

con Baruchella, Bosaro, Canaro, Lusia, Pincara, Stienta, Gaiba, Salara, and in the province of Padova the communes Castelbaldo, Barbona, Piacenza d'Adige, Vescovana, S. Urbano, Boara Pisani, Masi, and in the province of Verona the communes Palù, Roverchiara, Legnago (the portion of the communal territory situated to the north east of the Transpolesana national road), Castagnaro, Ronco all'Adige, Villa Bartolomea, Oppeano, Terrazzo, Isola Rizza, Angiari), Latvia, Lithuania, Austria (Burgenland, Carinthia, Lower Austria, Tirol (administrative district Lienz), Styria, Vienna), Portugal, Slovenia, Slovakia, Finland, United Kingdom (Northern Ireland, Isle of Man and Channel Islands)'

(g) Point 1 of table (d) in the Annex is replaced by the following:

|                                     |  |
|-------------------------------------|--|
| '1. Beet necrotic yellow vein virus | Denmark, France (Brittany), Ireland, Lithuania, Portugal (Azores), Finland, Sweden, United Kingdom (Northern Ireland)' |
|-------------------------------------|--|

(h) Point 3 of table (d) in the Annex is replaced by the following:

|  |   |
|--|---|
| '3. Citrus tristeza virus (European strains) | Greece, France (Corsica), Italy, Malta, Portugal' |
|--|---|

7. Commission Decision 2001/575/EC of 13 July 2001 recognising Slovakia and Slovenia as being free from *Clavibacter michiganensis* ssp. *sepedonicus* is repealed.

8. Commission Decision 2002/674/EC of 22 August 2002 recognising Slovakia as being free from *Erwinia amylovora* is repealed.

**ANNEX III. Section "PHYTOSANITARY LEGISLATION"**

Annex III provides that the Commission shall, at some future time, adapt Directive 2000/29/EC with a view to inserting:

- *Dendrolimus sibiricus* (Tschetverikov) to point 10 in Part A, Section I(a) of Annex I;
- a list of plants (*Ambrosia* spp.) as point (e) in Section II, Part A of Annex I.

ANNEX IX. Section “PHYTOSANITARY LEGISLATION”

1. Concerning Council Directive 93/85/EEC of 4 October 1993 on the control of potato ring rot: Lithuania may postpone the application of Article 7(2) and 7(4) of Directive 93/85/EEC until 1 January 2006. During that period, potatoes produced in Lithuania shall not be introduced into the territory of other Member States.

ANNEX XII. Section “PHYTOSANITARY LEGISLATION”

In Annex XII, concerning the Control Directive on Potato Wart Disease (69/464/EEC), special dispositions are made for Poland for 10 years from the date of accession, as follows:

- (a) For a period of 10 years from the date of accession Poland shall limit the potato varieties planted in Poland to varieties fully (laboratory and field) resistant to *Synchytrium endobioticum* (Schilbersky) Percival, the causal agent of potato wart disease. During this period additional protection measures shall be taken in Poland to safeguard trade in seed and ware potatoes and in plants intended for planting originating in Poland, both within Poland and with other Member States, until it has been established that the old outbreak sites of potato wart disease no longer contain viable sporangia of *Synchytrium endobioticum* (Schilbersky) Percival, or that plots have been clearly scheduled, i.e. demarcated as contaminated by *Synchytrium endobioticum* (Schilbersky) Percival, and until the implementation of additional or stricter provisions in line with Article 9 of Directive 69/464/EEC is no longer necessary. Descheduling of plots shall be made in accordance with EPPO standard PM 3/59(1) «*SYNCHYTRIUM ENDOBIOTICUM*: soil tests and descheduling of previously infested plots».
- (b) The additional measures shall, having regard to sound scientific principles, the biology of the harmful organism concerned and the possible pathways for its dissemination and in particular the production, marketing and processing system of the host plants of this organism in Poland, include the following:
  - (i) For seed potatoes: in addition to the requirements of point 18(1) of Annex IV.A.II to Directive 2000/29/EC, compliance with Article 4 of Directive 69/464/EEC shall be ensured through official verification at the level of the individual plot on which seed potatoes were produced. In addition, areas where pathotypes 2 and 3 are known to occur shall be excluded as areas from which seed potatoes are eligible for movement into areas in Poland where *Synchytrium endobioticum* (Schilbersky) Percival is known not to occur or into other Member States. «Area» is defined at the district (Powiat) level;
  - (ii) For ware potatoes:
    - (aa) areas where pathotypes 2 and 3 are known to occur shall be excluded as areas from which such potatoes are eligible for movement into areas in Poland where *Synchytrium endobioticum* (Schilbersky) Percival is known not to occur or into other Member States;
    - (bb) as regards potatoes originating in areas other than those mentioned under (aa), they shall either:
      - originate in an area where *Synchytrium endobioticum* (Schilbersky) Percival is known not to occur. «Area» is defined at the district (Powiat) level,

or

- originate in a place of production where *Synchytrium endobioticum* (Schilbersky) Percival is known not to occur,

or

- be of a variety resistant to at least pathotype 1 of *Synchytrium endobioticum* (Schilbersky) Percival and, if moved into an area in Poland determined by survey as free from *Synchytrium endobioticum* (Schilbersky) Percival or into other Member States, have been washed or otherwise cleaned, and are free from soil.

(iii) For plants with roots, planted or intended for planting, grown in the open air: in addition to the requirements of point 24 of Annex IV.A.II to Directive 2000/29/EC, compliance with Article 4 of Directive 69/464/EEC shall be ensured through official verification at the level of the individual plot on which these plants were produced. Moreover, areas where pathotypes 2 and 3 are known to occur shall be excluded as areas from which these plants are eligible for movement into areas in Poland where *Synchytrium endobioticum* (Schilbersky) Percival is known not to occur or into other Member States. «Area» is defined at the district (Powiat) level;

- (c) The designation of resistant potato varieties shall be according to tests based on the European and Mediterranean Plant Protection Organisation (EPPO) Protocol for the Identification of Quarantine Fungi. Official recognition of areas or places of production as being free from *Synchytrium endobioticum* (Schilbersky) Percival, shall be in accordance with the Food and Agriculture Organisation International Standards for Phytosanitary Measures No 4 on «Requirements for the establishment of pest free areas» or No 10 on «Requirements for the establishment of pest free places of production and pest free production sites»;
- (d) At places of production where *Synchytrium endobioticum* (Schilbersky) Percival is known not to occur, as referred to in the second indent of paragraph (b)(ii)(bb), the Commission may allow the conclusion of individual agreements on the production of non-resistant varieties with the Polish competent authorities;
- (e) Poland shall ensure, through the registration of all potato producers, warehouses and distribution centres, that all consignments of potatoes can be traced back to their district of origin. For that purpose, the registration number of the said producers, warehouses and dispatching centres shall contain a reference to the districts where the potatoes have been produced, stored, graded or packed. This registration number shall be displayed on every consignment of potatoes originating in Poland and moved within Poland or into other Member States.
- (f) Poland shall submit annual reports on the results of the surveys carried out in respect of the distribution of *Synchytrium endobioticum* (Schilbersky) Percival in its territory. By the end of the period of 10 years, the surveys shall have been completed and all residual or possible newly infected plots, together with their safety zone, which shall be large enough to ensure the protection of surrounding areas, shall have been scheduled. The annual reports shall include lists of the areas and places of production where *Synchytrium endobioticum* (Schilbersky) Percival is known not to occur, as referred to in the first and second indents of paragraph (b)(ii)(bb).
- (g) Before the end of the 10 year period, the Commission shall, in cooperation with the Polish authorities, examine the situation in the light of developments and consider whether any further measures are necessary. Any such measures shall be adopted in accordance with the procedure laid down in Article 18 of Directive 2000/29/EC.