

COMMISSION DECISION

of 10 November 2008

amending Decision 2004/4/EC authorising Member States temporarily to take emergency measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards Egypt

(notified under document number C(2008) 6583)

(2008/857/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular Article 16(3) thereof,

Whereas:

- (1) Under Commission Decision 2004/4/EC⁽²⁾, tubers of *Solanum tuberosum* L., originating in Egypt, must not in principle be introduced into the Community. However, in previous years including the 2007/2008 import season the entry into the Community of such tubers was permitted from 'pest-free areas' and subject to specific conditions.
- (2) During the 2007/2008 import season, no interception of *Pseudomonas solanacearum* (Smith) Smith was recorded.
- (3) In the light of the request and technical information provided by Egypt, the Commission has established that there is no risk of spreading *Pseudomonas solanacearum* (Smith) Smith with the entry into the Community of tubers of *Solanum tuberosum* L. from 'pest-free areas' of Egypt, provided that certain conditions are satisfied.
- (4) The entry into the Community of tubers of *Solanum tuberosum* L., originating in 'pest-free areas' of Egypt, should therefore be permitted for the 2008/2009 import season.
- (5) Decision 2004/4/EC should therefore be amended accordingly.

- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2004/4/EC is amended as follows:

1. in Article 2 paragraph 1 '2007/2008' is replaced by '2008/2009';
2. in Article 4, '31 August 2008' is replaced by '31 August 2009';
3. in Article 7, '30 September 2008' is replaced by '30 September 2009';
4. the Annex is amended as follows:
 - (a) in point 1(b)(iii), '2007/2008' is replaced by '2008/2009';
 - (b) in the second indent of point 1(b)(iii), '1 January 2008' is replaced by '1 January 2009';
 - (c) in point 1(b)(xii), '1 January 2008' is replaced by '1 January 2009'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 November 2008.

For the Commission
Androulla VASSILIOU
Member of the Commission

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 2, 6.1.2004, p. 50.