



**COMMISSION IMPLEMENTING REGULATION (EU) 2024/288**

**of 18 January 2024**

**concerning the frequency of checks on wood packaging material carrying, protecting or supporting certain commodities from certain third countries**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC <sup>(1)</sup>, and in particular Article 22(3) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2021/127 <sup>(2)</sup> sets out requirements for the introduction into the Union territory of, and plant health checks on, wood packaging material carrying, protecting or supporting certain commodities from certain third countries to ensure their compliance with Regulation (EU) 2016/2031 of the European Parliament and of the Council <sup>(3)</sup>. Implementing Regulation (EU) 2021/127 provides for a minimum frequency rate of plant health check of 15 % of the consignments of the commodities concerned. That Implementing Regulation ceases to apply on 31 December 2023.
- (2) Moreover, Commission Delegated Regulation (EU) 2019/2125 <sup>(4)</sup> sets out rules concerning the performance of specific official controls of wood packaging material, notification of certain consignments and measures to be taken in case of non-compliance.
- (3) Plant health checks conducted by Member States on the basis of Implementing Regulation (EU) 2021/127 have shown that wood packaging material used in the transport of certain commodities originating in Belarus, China and India hosted certain Union quarantine pests or was not marked in conformity with International Standards.
- (4) Since the plant health checks conducted in Member States demonstrate that the risk of introduction of live pests into the Union has not decreased, it is necessary that plant health checks continue to be performed on imported wood packaging material carrying, protecting or supporting the commodities concerned originating from Belarus, China and India at the same rate as that provided for in Implementing Regulation (EU) 2021/127.

<sup>(1)</sup> OJ L 95, 7.4.2017, p. 1.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2021/127 of 3 February 2021 setting the requirements for the introduction into the Union territory of wood packaging material for the transport of certain commodities originating in certain third countries and for plant health checks on such material, and repealing Implementing Decision (EU) 2018/1137 (OJ L 40, 4.2.2021, p. 3).

<sup>(3)</sup> 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 (OJ L 317, 23.11.2016, p. 4).

<sup>(4)</sup> Commission Delegated Regulation (EU) 2019/2125 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules concerning the performance of specific official controls of wood packaging material, notification of certain consignments and measures to be taken in case of non-compliance (OJ L 321, 12.12.2019, p. 99).

- (5) This Regulation should apply until 31 December 2026 to allow time to monitor the situation and determine whether compliance with this Regulation and Regulation (EU) 2016/2031 of wood packaging material carrying, protecting or supporting the commodities concerned originating from Belarus, China and India has improved.
- (6) In order to avoid any legal gap and to ensure that plant health checks continue to be performed at the same rate as that provided for in Implementing Regulation (EU) 2021/127, this Regulation should enter into force as soon as possible.
- (7) 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:

#### *Article 1*

### **Subject matter and scope**

This Regulation sets out the frequency of checks on wood packaging material supporting, protecting or carrying the specified commodities that enter into the Union.

This Regulation shall not apply to wood packaging material which is subject to the exemptions provided for in the International Standard for Phytosanitary Measures No 15 – Regulation of Wood Packaging Material in International Trade (ISPM 15) <sup>(5)</sup>

#### *Article 2*

### **Definition**

For the purposes of this Regulation, ‘specified commodities’ means commodities having all of the following characteristics:

- (a) they are supported by, protected by or carried in wood packaging material;
- (b) they originate in one of the third countries listed in the Annex;
- (c) they fall under one of the Combined Nomenclature codes (CN code) laid down in Annex I to Council Regulation (EEC) No 2658/87 <sup>(6)</sup>, as listed in the Annex.

#### *Article 3*

### **Frequency rate of plant health checks**

For the purpose of verifying compliance with Article 43(1) of Regulation (EU) 2016/2031, the competent authorities shall conduct plant health checks on wood packaging material supporting, protecting or carrying the specified commodities that enter into the Union, at a rate of at least 15 % of the consignments of the specified commodities.

#### *Article 4*

### **Entry into force and period of application**

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

It shall apply until 31 December 2026.

<sup>(5)</sup> International Standard for Phytosanitary Measures No 15 – Regulation of Wood Packaging Material in International Trade (ISPM 15) as published on: <https://www.ippc.int/en/core-activities/standards-setting/ispm15/#614>

<sup>(6)</sup> Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 January 2024.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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## ANNEX

**Specified commodities, Combined Nomenclature (CN) codes or TARIC codes and country of origin  
as referred to in Article 2**

Description of the commodity	Combined Nomenclature (CN) codes or TARIC codes	Country of origin
Slate, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of rectangular (including square) shape	2514	Belarus, China, India
Marble, travertine, ecaussine and other calcareous monumental or building stone of an apparent specific gravity of 2,5 or more, and alabaster, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of rectangular (including square) shape	2515	Belarus, China, India
Granite, porphyry, basalt, sandstone and other monumental or building stone, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape	2516	Belarus, China, India
Fuel wood, in logs, billets, twigs, in faggots or similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms	4401	Belarus, China, India
Packing cases, boxes, crates, drums and similar packing, of wood; cable-drums of wood; pallets, box pallets and other load boards, of wood; pallet collars of wood	4415	Belarus, China, India
Setts, curbstones and flagstones, of natural stone (except slate)	6801	Belarus, China, India
Worked monumental or building stone (except slate) and articles thereof, other than goods of heading 6801; mosaic cubes and the like, of natural stone (including slate), whether or not on a backing; artificially coloured granules, chippings and powder, of natural stone (including slate)	6802	Belarus, China, India
Worked slate and articles of slate or of agglomerated slate	6803	Belarus, China, India
Ceramic flags and paving, hearth or wall tiles; ceramic mosaic cubes and the like, whether or not on a backing; finishing ceramics	6907	Belarus, China, India
Aluminium plates, sheets and strip, of a thickness exceeding 0,2 mm	7606	Belarus, China, India