

## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) 2023/1787

of 14 September 2023

**amending Annexes III, IX and X to Implementing Regulation (EU) 2019/2072 as regards the listing of protected zones and respective protected zone quarantine pests, the prohibition of the introduction of plants, plant products and other objects into certain protected zones, and the special requirements for their introduction into or movement within certain protected zones**

THE EUROPEAN COMMISSION,

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

Having regard to 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 <sup>(1)</sup>, and in particular Article 32(3) and (6), Article 35(1), (2) and (5), Article 53(2) and Article 54(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/2072 <sup>(2)</sup> establishes uniform conditions for protective measures against pests of plants. Annexes III, IX and X to that Implementing Regulation establish the list of protected zones and the respective protected zone quarantine pests, the list of plants, plant products and other objects, originating from third countries or within the Union territory, whose introduction into certain protected zones is prohibited, and the list of plants, plant products and other objects to be introduced into, or moved within, protected zones and the corresponding special requirements for protected zones.
- (2) Certain parts of the territory of Slovenia were recognised as a protected zone with respect to *Erwinia amylovora* (Burrill) Winslow *et al.* Slovenia has now requested, in accordance with Article 35(2) of Regulation (EU) 2016/2031, that the status of its entire territory as a protected zone in respect of that protected zone quarantine pest be withdrawn. The entire territory of Slovenia should therefore no longer be recognised as a protected zone in respect of *Erwinia amylovora* (Burrill) Winslow *et al.*, and the relevant entry in Annex III to Implementing Regulation (EU) 2019/2072 should be removed.

<sup>(1)</sup> OJ L 317, 23.11.2016, p. 4.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 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, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019 (OJ L 319, 10.12.2019, p. 1).

- (3) For Italy, certain parts of the territory of Lombardy were recognised as a protected zone with respect to *Erwinia amylovora* (Burr.) Winsl. *et al.* In 2023, Italy submitted information showing that *Erwinia amylovora* (Burr.) Winsl. *et al.* is now established in the communes of Fara Gera d'Adda and Pontirolo Nuovo in the province of Bergamo, in the commune of Montevicchia in the province of Lecco and in the communes of Ceriano Laghetto and Cogliate in the province of Monza and Brianza. Those communes should therefore no longer be recognised as part of the protected zone in respect of *Erwinia amylovora* (Burr.) Winsl. *et al.* in Lombardy and should be deleted from the relevant entry in the table in Annex III to Implementing Regulation (EU) 2019/2072.
- (4) Furthermore, Italy has requested that the communes of Acquanegra Sul Chiese, Asola, Bozzolo, Canneto sull'Oglio, Casalromano, Marcaria, Mariana Mantovana, Redonesco, Rivarolo Mantovano and San Martino dall'Argine in the province of Mantova in Lombardy be recognised as a protected zone in respect of *Erwinia amylovora* (Burrill) Winslow *et al.* Based on surveys conducted in 2020, 2021 and 2022, Italy submitted evidence that *Erwinia amylovora* (Burrill) Winslow *et al.* does not occur in those territories, despite the existence of favourable conditions for its entrance, establishment and spread. However, further surveys should be carried out to confirm the continued absence of that protected zone quarantine pest in those communes. Therefore, the communes of Acquanegra Sul Chiese, Asola, Bozzolo, Canneto sull'Oglio, Casalromano, Marcaria, Mariana Mantovana, Redonesco, Rivarolo Mantovano and San Martino dall'Argine in the province of Mantova in Lombardy should be recognised as a temporary protected zone in respect of *Erwinia amylovora* (Burrill) Winslow *et al.* until 30 April 2026.
- (5) Certain parts of the territory of Slovakia were recognised as a protected zone with respect to *Erwinia amylovora* (Burrill) Winslow *et al.* Slovakia has now requested, in accordance with Article 35(2) of Regulation (EU) 2016/2031, that the status of its entire territory as a protected zone in respect of that protected zone quarantine pest be withdrawn. The entire territory of Slovakia should therefore no longer be recognised as a protected zone in respect of *Erwinia amylovora* (Burrill) Winslow *et al.*, and the relevant entry in Annex III to Implementing Regulation (EU) 2019/2072 should be removed.
- (6) The United Kingdom in respect of Northern Ireland <sup>(3)</sup> was recognised as a temporary protected zone with respect to *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.*, *Liriomyza huidobrensis* (Blanchard), *Liriomyza trifolii* (Burgess) and *Thaumatopoea proceSSIONEAE* L. until 30 April 2023. Based on survey results provided by the United Kingdom in respect of Northern Ireland in 2020, 2021 and 2022, it appears that Northern Ireland continues to be free from those protected zone quarantine pests. Therefore, the recognition of the United Kingdom in respect of Northern Ireland as protected zones in respect of *Xanthomonas arboricola* pv. *pruni* (Smith) Vauterin *et al.*, *Liriomyza huidobrensis* (Blanchard), *Liriomyza trifolii* (Burgess) and *Thaumatopoea proceSSIONEAE* L. should be continued without time limitation.
- (7) The territory of Czechia was recognised as a protected zone in respect of *Cryphonectria parasitica* (Murrill) Barr. Czechia has now requested, in accordance with Article 35(2) of Regulation (EU) 2016/2031, that the status of its territory as a protected zone in respect of that protected zone quarantine pest be withdrawn. Czechia should therefore no longer be recognised as a protected zone in respect of *Cryphonectria parasitica* (Murrill) Barr., and the relevant entry in Annex III to Implementing Regulation (EU) 2019/2072 should be removed.
- (8) Ireland was recognised as a temporary protected zone, with respect to *Thaumatopoea pityocampa* Denis & Schiffermüller, until 30 April 2023. On the basis of survey results provided by that Member State in 2020, 2021 and 2022, it appears that it continues to be free from that protected zone quarantine pest. Therefore, the recognition of Ireland as a protected zone in respect of *Thaumatopoea pityocampa* Denis & Schiffermüller should be continued without time limitation.

<sup>(3)</sup> In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (Withdrawal Agreement), and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, Regulation (EU) 2016/2031, as well as the Commission acts based on it, applies to and in the United Kingdom in respect of Northern Ireland after the end of the transition period provided for in the Withdrawal Agreement.

- (9) For the purpose of consistency with the amendments of Annex III to Implementing Regulation (EU) 2019/2072, which lists the protected zones and the respective protected zone quarantine pests, the corresponding changes should be made to Annexes IX and X to that Implementing Regulation, which list the plants, plant products and other objects whose introduction into certain protected zones is prohibited and the plants, plant products and other objects to be introduced into or moved within protected zones under special requirements, respectively.
- (10) The Canton of Valais in Switzerland was recognised as an area free from *Erwinia amylovora* (Burrill) Winslow *et al.*, and as such has been referred to as a possible origin for export into the respective protected zones in the Union of beehives and host plants of *Erwinia amylovora* (Burrill) Winslow *et al.* in the table, points 3 and 9, of Annex X to Implementing Regulation (EU) 2019/2072. Switzerland has now informed the Commission that it had withdrawn the status of the Canton of Valais as an area free from *Erwinia amylovora* (Burrill) Winslow *et al.* The Canton of Valais therefore no longer satisfies the requirements for areas from which beehives and host plants of *Erwinia amylovora* (Burrill) Winslow *et al.* may be exported to the respective protected zones in the Union and should therefore be deleted in the table, points 3 and 9, of Annex X to that Implementing Regulation.
- (11) Annexes III, IX and X to Implementing Regulation (EU) 2019/2072 should therefore be amended accordingly.
- (12) 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*

Annexes III, IX and X to Implementing Regulation (EU) 2019/2072 are amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 14 September 2023.

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

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## ANNEX

Annexes III, IX and X to Implementing Regulation (EU) 2019/2072 are amended as follows:

(1) The table in Annex III is amended as follows:

(a) in section (a) 'Bacteria', the third column 'Protected zones' of point 1 is amended as follows:

(i) point (i) is replaced by the following:

'(i) until 30 April 2026: Italy (Lombardy (the communes of Acquanegra Sul Chiese, Asola, Bozzolo, Canneto sull'Oglio, Casalromano, Marcaria, Mariana Mantovana, Redonesco, Rivarolo Mantovano and San Martino dall'Argine in the province of Mantova));

(ii) point (j) is deleted;

(b) in section (a) 'Bacteria', in the third column 'Protected zones' of point 2, the text is replaced by 'United Kingdom (Northern Ireland)';

(c) in section (b) 'Fungi and oomycetes', in the third column 'Protected zones' of point 2, point (a) is deleted;

(d) in section (c) 'Insects and mites', in the third column 'Protected zones' of point 14, point (b) is replaced by '(b) United Kingdom (Northern Ireland)';

(e) in section (c) 'Insects and mites', in the third column 'Protected zones' of point 15, point (b) is replaced by '(b) United Kingdom (Northern Ireland)';

(f) in section (c) 'Insects and mites', in the third column 'Protected zones' of point 19, point (a) is replaced by '(a) Ireland';

(g) in section (c) 'Insects and mites', in the third column 'Protected zones' of point 20, point (b) is replaced by '(b) United Kingdom (Northern Ireland)';

(2) The table in Annex IX is amended as follows:

(a) in point 1, the third column 'Protected zones' is amended as follows:

(i) point (e) is replaced by the following:

'(e) Italy (Abruzzo, Apulia, Basilicata, Calabria, Campania (except the communes of Agerola, Gragnano, Lettere, Pimonte and Vico Equense in the province of Naples, Amalfi, Atrani, Conca dei Marini, Corbara, Furore, Maiori, Minori, Positano, Praiano, Ravello, Scala and Tramonti in the province of Salerno), Lazio, Liguria, Lombardy (except the provinces of Milan, Sondrio and Varese, the communes of Fara Gera d'Adda and Pontirolo Nuovo in the province of Bergamo, the commune of Montevecchia in the province of Lecco, the communes of Bovisio Masciago, Ceriano Laghetto, Cesano Maderno, Cogliate, Desio, Limbiate, Nova Milanese and Varedo in the province of Monza and Brianza, and except the communes (other than Acquanegra Sul Chiese, Asola, Bozzolo, Canneto sull'Oglio, Casalromano, Marcaria, Mariana Mantovana, Redonesco, Rivarolo Mantovano and San Martino dall'Argine) in the province of Mantova), Marche (except the communes of Colli al Metauro, Fano, Pesaro and San Costanzo in the province of Pesaro and Urbino), Molise, Sardinia, Sicily (except the communes of Cesarò in the province of Messina, Adrano, Bronte and Maniace in the province of Catania, and Centuripe, Regalbuto and Troina in the province of Enna), Tuscany, Umbria, Valle d'Aosta, Veneto (except the provinces of Rovigo and Venice, the communes Barbona, Boara Pisani, Castelbaldo, Masi, Piacenza d'Adige, S. Urbano and Vescovana in the province of Padova, and the communes of Albaredo d'Adige, Angiari, Arcole, Belfiore, Bevilacqua, Bonavigo, Boschi S. Anna, Bovolone, Buttapietra, Caldiero, Casaleone, Castagnaro, Castel d'Azzano, Cerea, Cologna Veneta, Concamarise, Erbè, Gazzo Veronese, Isola della Scala, Isola Rizza, Legnago, Minerbe, Mozzecane, Nogara, Nogarole Rocca, Oppeano, Palù, Povegliano Veronese, Pressana, Ronco all'Adige, Roverchiara, Roveredo di Guà, San Bonifacio, Sanguinetto, San Pietro di Morubbio, San Giovanni Lupatoto, Salizzole, San Martino Buon Albergo, Sommacampagna, Sorgà, Terrazzo, Trevenzuolo, Valeggio sul Mincio, Veronella, Villa Bartolomea, Villafranca di Verona, Vigasio, Zevio and Zimella in the province of Verona));

(ii) points (h) and (i) are deleted;

(b) in point 2, the third column 'Protected zones' is amended as follows:

(i) point (e) is replaced by the following:

'(e) Italy (Abruzzo, Apúlia, Basilicata, Calabria, Campania (except the communes of Agerola, Gragnano, Lettere, Pimonte and Vico Equense in the province of Naples, Amalfi, Atrani, Conca dei Marini, Corbara, Furore, Maiori, Minori, Positano, Praiano, Ravello, Scala and Tramonti in the province of Salerno), Lazio, Liguria, Lombardy (except the provinces of Milan, Sondrio and Varese, the communes of Fara Gera d'Adda and Pontirolo Nuovo in the province of Bergamo, the commune of Montevecchia in the province of Lecco, the communes of Bovisio Masciago, Ceriano Laghetto, Cesano Maderno, Cogliate, Desio, Limbiate, Nova Milanese and Varedo in the province of Monza and Brianza, and except the communes (other than Acquanegra Sul Chiese, Asola, Bozzolo, Canneto sull'Oglio, Casalromano, Marcaria, Mariana Mantovana, Redondesco, Rivarolo Mantovano and San Martino dall'Argine) in the province of Mantova), Marche (except the communes of Colli al Metauro, Fano, Pesaro and San Costanzo in the province of Pesaro e Urbino), Molise, Sardinia, Sicily (except the communes of Cesarò in the province of Messina, Adrano, Bronte and Maniace in the province of Catania, and Centuripe, Regalbuto and Troina in the province of Enna), Tuscany, Umbria, Valle d'Aosta, Veneto (except the provinces of Rovigo and Venice, the communes Barbona, Boara Pisani, Castelbaldo, Masi, Piacenza d'Adige, S. Urbano and Vescovana in the province of Padova, and the communes of Albaredo d'Adige, Angiari, Arcole, Belfiore, Bevilacqua, Bonavigo, Boschi S. Anna, Bovolone, Buttapietra, Caldiero, Casaleone, Castagnaro, Castel d'Azzano, Cerea, Cologna Veneta, Concamarise, Erbè, Gazzo Veronese, Isola della Scala, Isola Rizza, Legnago, Minerbe, Mozzecane, Nogara, Nogarole Rocca, Oppeano, Palù, Povegliano Veronese, Pressana, Ronco all'Adige, Roverchiara, Roveredo di Guà, San Bonifacio, Sanguinetto, San Pietro di Morubbio, San Giovanni Lupatoto, Salizzole, San Martino Buon Albergo, Sommacampagna, Sorgà, Terrazzo, Trevenzuolo, Valeggio sul Mincio, Veronella, Villa Bartolomea, Villafranca di Verona, Vigasio, Zevio and Zimella in the province of Verona)');

(ii) points (h) and (i) are deleted;

(3) The table in Annex X is amended as follows:

(a) in point 3, in the third column 'Special requirements for protected zones', point (b) is deleted;

(b) in point 3, the fourth column 'Protected zones' is amended as follows:

(i) point (e) is replaced by the following:

'(e) Italy (Abruzzo, Apúlia, Basilicata, Calabria, Campania (except the communes of Agerola, Gragnano, Lettere, Pimonte and Vico Equense in the province of Naples, Amalfi, Atrani, Conca dei Marini, Corbara, Furore, Maiori, Minori, Positano, Praiano, Ravello, Scala and Tramonti in the province of Salerno), Lazio, Liguria, Lombardy (except the provinces of Milan, Sondrio and Varese, the communes of Fara Gera d'Adda and Pontirolo Nuovo in the province of Bergamo, the commune of Montevecchia in the province of Lecco, the communes of Bovisio Masciago, Ceriano Laghetto, Cesano Maderno, Cogliate, Desio, Limbiate, Nova Milanese and Varedo in the province of Monza and Brianza, and except the communes (other than Acquanegra Sul Chiese, Asola, Bozzolo, Canneto sull'Oglio, Casalromano, Marcaria, Mariana Mantovana, Redondesco, Rivarolo Mantovano and San Martino dall'Argine) in the province of Mantova), Marche (except the communes of Colli al Metauro, Fano, Pesaro and San Costanzo in the province of Pesaro e Urbino), Molise, Sardinia, Sicily (except the communes of Cesarò in the province of Messina, Adrano, Bronte and Maniace in the province of Catania, and Centuripe, Regalbuto and Troina in the province of Enna), Tuscany, Umbria, Valle d'Aosta, Veneto (except the provinces of Rovigo and Venice, the communes Barbona, Boara Pisani, Castelbaldo, Masi, Piacenza d'Adige, S. Urbano and Vescovana in the province of Padova, and the communes of Albaredo d'Adige, Angiari, Arcole, Belfiore, Bevilacqua, Bonavigo, Boschi S. Anna, Bovolone, Buttapietra, Caldiero, Casaleone, Castagnaro, Castel d'Azzano, Cerea, Cologna Veneta, Concamarise, Erbè, Gazzo Veronese, Isola della Scala, Isola Rizza, Legnago, Minerbe, Mozzecane, Nogara, Nogarole Rocca, Oppeano, Palù, Povegliano Veronese, Pressana, Ronco all'Adige, Roverchiara, Roveredo di Guà, San Bonifacio, Sanguinetto, San Pietro di Morubbio, San Giovanni Lupatoto, Salizzole, San Martino Buon Albergo, Sommacampagna, Sorgà, Terrazzo, Trevenzuolo, Valeggio sul Mincio, Veronella, Villa Bartolomea, Villafranca di Verona, Vigasio, Zevio and Zimella in the province of Verona)');

- (ii) points (h) and (i) are deleted;
  - (c) in point 9, in the third column 'Special requirements for protected zones', point (c) is deleted;
  - (d) in point 9, the fourth column 'Protected zones' is amended as follows:
    - (i) point (e) is replaced by the following:

'(e) Italy (Abruzzo, Apúlia, Basilicata, Calabria, Campania (except the communes of Agerola, Gragnano, Lettere, Pimonte and Vico Equense in the province of Naples, Amalfi, Atrani, Conca dei Marini, Corbara, Furore, Maiori, Minori, Positano, Praiano, Ravello, Scala and Tramonti in the province of Salerno), Lazio, Liguria, Lombardy (except the provinces of Milan, Sondrio and Varese, the communes of Fara Gera d'Adda and Pontirolo Nuovo in the province of Bergamo, the commune of Montevicchia in the province of Lecco, the communes of Bovisio Masciago, Ceriano Laghetto, Cesano Maderno, Cogliate, Desio, Limbiate, Nova Milanese and Varedo in the province of Monza and Brianza, and except the communes (other than Acquanegra Sul Chiese, Asola, Bozzolo, Canneto sull'Oglio, Casalromano, Marcaria, Mariana Mantovana, Redonesco, Rivarolo Mantovano and San Martino dall'Argine) in the province of Mantova), Marche (except the communes of Colli al Metauro, Fano, Pesaro and San Costanzo in the province of Pesaro e Urbino), Molise, Sardinia, Sicily (except the communes of Cesarò in the province of Messina, Adrano, Bronte and Maniace in the province of Catania, and Centuripe, Regalbuto and Troina in the province of Enna), Tuscany, Umbria, Valle d'Aosta, Veneto (except the provinces of Rovigo and Venice, the communes Barbona, Boara Pisani, Castelbaldo, Masi, Piacenza d'Adige, S. Urbano and Vescovana in the province of Padova, and the communes of Albaredo d'Adige, Angiari, Arcole, Belfiore, Bevilacqua, Bonavigo, Boschi S. Anna, Bovolone, Buttapietra, Caldiero, Casaleone, Castagnaro, Castel d'Azzano, Cerea, Cologna Veneta, Concamarise, Erbè, Gazzo Veronese, Isola della Scala, Isola Rizza, Legnago, Minerbe, Mozzecane, Nogara, Nogarole Rocca, Oppeano, Palù, Povegliano Veronese, Pressana, Ronco all'Adige, Roverchiara, Roveredo di Guà, San Bonifacio, Sanguinetto, San Pietro di Morubbio, San Giovanni Lupatoto, Salizzole, San Martino Buon Albergo, Sommacampagna, Sorgà, Terrazzo, Trevenzuolo, Valeggio sul Mincio, Veronella, Villa Bartolomea, Villafranca di Verona, Vigasio, Zevio and Zimella in the province of Verona)';
    - (ii) points (h) and (i) are deleted;
  - (e) in points 20, 21, 45 and 52, in the fourth column 'Protected zones', point (a) is deleted.
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