



2024/1958

18.7.2024

**COMMISSION IMPLEMENTING REGULATION (EU) 2024/1958**

**of 17 July 2024**

**amending Implementing Regulation (EU) 2018/2019 as regards plants for planting of *Tilia cordata* L. and *Tilia platyphyllos* L., originating in the United Kingdom**

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 42(4), first subparagraph, thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2018/2019<sup>(2)</sup> establishes, on the basis of a preliminary risk assessment, a list of high risk plants, plant products and other objects.
- (2) Following a preliminary assessment, 34 genera and one species of plants for planting originating from third countries were provisionally listed in Implementing Regulation (EU) 2018/2019 as high risk plants. That list includes the genus *Tilia* L.
- (3) On 9 June 2023, the United Kingdom<sup>(3)</sup> submitted to the Commission a request for export to the Union of the following plants for planting of *Tilia cordata* L. and *Tilia platyphyllos* L., originating in the United Kingdom: up to 2-year-old budwood/graftwood with a maximum diameter of 12 mm, up to 7-year-old bare rooted plants for planting with a maximum diameter of 40 mm at the base of the stem, and up to 25-year-old plants for planting in growing medium with a maximum diameter of 80 mm at the base of the stem. That request was supported by the relevant technical dossier.
- (4) On 18 April 2024, the European Food Safety Authority ('the Authority') adopted a scientific opinion regarding the risk assessment of the plants for which the request was made<sup>(4)</sup>. The Authority did not identify any pest relevant for plants for planting of *Tilia cordata* L. and *Tilia platyphyllos* L. originating in the United Kingdom ('the relevant plants').
- (5) On the basis of the opinion of the Authority, the phytosanitary risk arising from the introduction into the Union territory of the relevant plants, regardless the age, size or type of plants, is considered acceptable.
- (6) Consequently, plants for planting of *Tilia cordata* L. and *Tilia platyphyllos* L. originating in the United Kingdom should no longer be considered high-risk plants. They should therefore be removed from the list of high-risk plants, plant products and other objects set out in the Annex to Implementing Regulation (EU) 2018/2019.
- (7) Implementing Regulation (EU) 2018/2019 should therefore be amended accordingly.

<sup>(1)</sup> OJ L 317, 23.11.2016, p. 4, ELI: <http://data.europa.eu/eli/reg/2016/2031/2019-12-14>.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2018/2019 of 18 December 2018 establishing a provisional list of high risk plants, plant products or other objects, within the meaning of Article 42 of Regulation (EU) 2016/2031 and a list of plants for which phytosanitary certificates are not required for introduction into the Union, within the meaning of Article 73 of that Regulation (OJ L 323, 19.12.2018, p. 10, ELI: [http://data.europa.eu/eli/reg\\_impl/2018/2019/oj](http://data.europa.eu/eli/reg_impl/2018/2019/oj)).

<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, and in particular Article 5(4) of the Windsor Framework (See Joint Declaration No 1/2023 of the Union and the United Kingdom in the Joint Committee established by 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 (OJ L 102, 17.4.2023, p. 87)) in conjunction with Annex 2 to that Framework, for the purpose of this act, references to the United Kingdom do not include Northern Ireland.

<sup>(4)</sup> EFSA PLH Panel (EFSA Panel on Plant Health), 2024. Scientific Opinion on the commodity risk assessment of *Tilia cordata* and *Tilia platyphyllos* plants from the UK. <https://doi.org/10.2903/j.efsa.2024.8803>

- (8) In order to comply with the Union obligations deriving from the World Trade Organization agreement on the application of sanitary and phytosanitary measures <sup>(5)</sup>, the import of plants for planting of *Tilia cordata* L. and *Tilia platyphyllos* L. originating in United Kingdom should resume within the shortest time possible.
- (9) This Regulation is in accordance with the opinion of the Standing Committee for Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Implementing Regulation (EU) 2018/2019 is amended in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the third 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, 17 July 2024.

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

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<sup>(5)</sup> Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) (adopted on 15 April 1994, entered into force on 1 January 1995; UNTS volume 1867, p. 493); World Trade Organization, [https://www.wto.org/english/tratop\\_e/sps\\_e/spsagr\\_e.htm](https://www.wto.org/english/tratop_e/sps_e/spsagr_e.htm).

## ANNEX

In the Annex to Implementing Regulation (EU) 2018/2019, in the table of point 1, in the second column 'Description', the entry '*Tilia* L.' is replaced by the following:

'*Tilia* L., other than plants for planting of *Tilia cordata* L. and *Tilia platyphyllos* L. originating in the United Kingdom.'

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