



2025/312

17.2.2025

**COMMISSION IMPLEMENTING REGULATION (EU) 2025/312**

**of 14 February 2025**

**amending Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Betula pendula* and *Betula pubescens*, 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 the Annex to Implementing Regulation (EU) 2018/2019 as high-risk plants. That list includes the genus *Betula* L.
- (3) On 27 April 2023, the United Kingdom<sup>(3)</sup> submitted to the Commission two requests for export to the Union of up to 1-year-old budwood/graftwood of *Betula pendula* with a maximum diameter of 12 mm; up to 7-year-old plants for planting of *Betula pendula* and *Betula pubescens* in growing medium, with a maximum diameter of 40 mm at the base of the stem; up to 7-year-old bare rooted plants for planting of *Betula pendula* and *Betula pubescens*, with a maximum diameter of 40 mm at the base of the stem and up to 15-year-old plants for planting of *Betula pendula* and *Betula pubescens* in growing medium, with a maximum diameter of 80 mm at the base of the stem ('the relevant plants'). Those requests were supported by the relevant technical dossiers.
- (4) On 26 September 2024, the European Food Safety Authority ('the Authority') adopted a scientific opinion regarding the risk assessment of the relevant plants<sup>(4)</sup>. The Authority identified *Entoleuca mammata*, *Meloidogyne fallax*, *Phytophthora ramorum* (non-EU isolates) and *Thaumetopoea processionea* as pests relevant for those plants, evaluated the risk mitigation measures described in the technical dossiers and estimated the likelihood of freedom of the relevant plants from those pests.

<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 purposes of this Regulation, references to the United Kingdom do not include Northern Ireland.

<sup>(4)</sup> EFSA PLH Panel (EFSA Panel on Plant Health), 2024. Commodity risk assessment of *Betula pendula* and *Betula pubescens* plants from the UK. *EFSA Journal*, 22(11), e9051. <https://doi.org/10.2903/j.efsa.2024.9051>.

- (5) *Meloidogyne fallax* and *Phytophthora ramorum* (non-EU isolates) are listed as Union quarantine pests in Annex II to Commission Implementing Regulation (EU) 2019/2072 <sup>(\*)</sup>, and *Entoleuca mammata* and *Thaumetopoea processionea* are listed as protected zone quarantine pests in Annex III to that Regulation.
- (6) On the basis of the opinion of the Authority, the phytosanitary risk arising from the introduction into the Union territory of the relevant plants is considered to be reduced to an acceptable level, provided that the respective import requirements set out in Annex VII to Implementing Regulation (EU) 2019/2072 are complied with.
- (7) As the phytosanitary risk from the introduction into the Union territory of large and old trees of *Betula pendula* and *Betula pubescens* (80 mm and 15-year-old) is considered to be reduced to an acceptable level, it is therefore justified to conclude that the phytosanitary risk from the introduction into the Union of all plants for planting of *Betula pendula* and *Betula pubescens*, irrespective of their size, age, bare rooted or in growing medium, originating in the United Kingdom, is reduced to an acceptable level.
- (8) Consequently, plants for planting of *Betula pendula* and *Betula pubescens* 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 in the Annex to Implementing Regulation (EU) 2018/2019.
- (9) Implementing Regulation (EU) 2018/2019 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to 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, 14 February 2025.

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

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<sup>(\*)</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, ELI: [http://data.europa.eu/eli/reg\\_impl/2019/2072/oj](http://data.europa.eu/eli/reg_impl/2019/2072/oj)).

## ANNEX

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

'*Betula* L., other than plants for planting of *Betula pendula* and *Betula pubescens*, originating in the United Kingdom'.

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