



COMMISSION IMPLEMENTING REGULATION (EU) 2026/152

of 22 January 2026

amending Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Berberis thunbergii* originating in the United Kingdom, and amending Implementing Regulation (EU) 2020/1213 as regards the phytosanitary measures for the introduction of those plants for planting into the Union territory and correcting Implementing Regulation (EU) 2020/1213 as regards certain plants for planting of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana* 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 ⁽¹⁾, and in particular Article 42(4), third subparagraph, thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2018/2019 ⁽²⁾ 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 included in the list set out in the Annex to Implementing Regulation (EU) 2018/2019 as high-risk plants. That list includes the genus *Berberis* L.
- (3) Commission Implementing Regulation (EU) 2020/1213 ⁽³⁾ sets out the phytosanitary measures for the introduction into the Union territory of certain plants, plant products and other objects, which have been removed from the Annex to Implementing Regulation (EU) 2018/2019, but for which phytosanitary risks are not yet fully assessed. This is because one or more pests hosted by those plants are not yet included in the list of Union quarantine pests of Commission Implementing Regulation (EU) 2019/2072 ⁽⁴⁾, but they may fulfil the conditions to be included in that list following a further complete risk assessment.

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

⁽²⁾ 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).

⁽³⁾ Commission Implementing Regulation (EU) 2020/1213 of 21 August 2020 concerning the phytosanitary measures for the introduction into the Union of certain plants, plant products and other objects which have been removed from the Annex to Implementing Regulation (EU) 2018/2019 (OJ L 275, 24.8.2020, p. 5, ELI: http://data.europa.eu/eli/reg_impl/2020/1213/oj).

⁽⁴⁾ 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).

- (4) On 20 October 2023, the United Kingdom ⁽⁵⁾ submitted to the Commission a request for export to the Union of up to 3-year-old bare-rooted plants for planting of *Berberis thunbergii*, with a maximum diameter of 40 mm at the base of the stem, and up to 4-year-old rooted plants for planting of *Berberis thunbergii* in growing medium, with a maximum diameter of 40 mm at the base of the stem, originating in the United Kingdom ('the relevant plants'). That request was supported by the relevant technical dossiers.
- (5) On 22 May 2025, the European Food Safety Authority ('the Authority') adopted a scientific opinion regarding the risk assessment of the relevant plants ⁽⁶⁾. The Authority identified *Bemisia tabaci* (European populations), *Phytophthora kernoviae* and *Phytophthora ramorum* (non-EU isolates) as pests relevant for those plants, evaluated the risk mitigation measures described in the dossiers and estimated the likelihood of freedom of the relevant plants from those pests.
- (6) *Bemisia tabaci* (European populations) is listed as a protected zone quarantine pest in Annex III to Implementing Regulation (EU) 2019/2072, while *Phytophthora ramorum* (non-EU isolates) is listed as a Union quarantine pest in Annex II to that Implementing Regulation.
- (7) *Phytophthora kernoviae* is not yet included in the list of Union quarantine pests. A complete pest risk assessment needs to become available, to determine whether that pest is to be listed in Annex II to Implementing Regulation (EU) 2019/2072, and whether as a consequence the relevant plants, originating in the United Kingdom, together with the relevant specific requirements are to be listed in Annex VII to that Implementing Regulation.
- (8) 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 appropriate measures are applied to address the risk of pests related to those plants. Consequently, up to 3-year-old bare-rooted plants for planting of *Berberis thunbergii*, with a maximum diameter of 40 mm at the base of the stem, and up to 4-year-old rooted plants for planting of *Berberis thunbergii* in growing media, with a maximum diameter of 40 mm at the base of the stem, 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 described by the United Kingdom in the dossiers are considered sufficient to reduce to an acceptable level the risk arising from the introduction into the Union territory of the relevant plants. Those measures should therefore be adopted as phytosanitary import requirements to ensure the phytosanitary protection of the Union territory.
- (11) Commission Implementing Regulation (EU) 2025/1088 ⁽⁷⁾ amended Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana* originating in the United Kingdom and Implementing Regulation (EU) 2020/1213, as regards the phytosanitary measures for the introduction of those plants for planting into the Union territory.
- (12) That amendment erroneously listed in the Annex to Implementing Regulation (EU) 2020/1213 *Alnus* Mill. other than up to 2-year-old graftwood of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana*, with a maximum diameter of 12 mm, originating in the United Kingdom and up to 7-year-old plants for planting of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana*, with a maximum diameter of 40 mm at the base of the stem, originating in the United Kingdom as plants subject to measures related to *Phytophthora siskiyouensis*.

⁽⁵⁾ 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.

⁽⁶⁾ EFSA Panel on Plant Health, 2025. Commodity risk assessment of *Berberis thunbergii* plants from the UK. <https://doi.org/10.2903/j.efsa.2025.9496>.

⁽⁷⁾ Commission Implementing Regulation (EU) 2025/1088 of 2 June 2025 amending Implementing Regulation (EU) 2018/2019 as regards certain plants for planting of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana* originating in the United Kingdom and Implementing Regulation (EU) 2020/1213 as regards the phytosanitary measures for the introduction of those plants for planting into the Union territory (OJ L, 2025/1088, 3.6.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/1088/oj)

- (13) The wording in the amendment of the list should therefore be corrected to include in its scope only up to 2-year-old graftwood of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana*, with a maximum diameter of 12 mm, originating in the United Kingdom and up to 7-year-old plants for planting of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana*, with a maximum diameter of 40 mm at the base of the stem, originating in the United Kingdom, as plants subject to measures related to *Phytophthora siskiyouensis*, as these has been the subject of the relevant dossier submitted by the United Kingdom.
- (14) In Implementing Regulation (EU) 2020/1213, the entry for *Cornus alba* and *Cornus sanguinea* originating in the United Kingdom was erroneously included before the entry for *Alnus cordata*, *Alnus glutinosa* and *Alnus incana* originating in the United Kingdom and is therefore not in the right alphabetical order. Therefore, the entry for *Cornus alba* and *Cornus sanguinea* originating in the United Kingdom should be moved after the entry for *Alnus cordata*, *Alnus glutinosa* and *Alnus incana*, originating in the United Kingdom.
- (15) Implementing Regulation (EU) 2020/1213 should therefore be amended accordingly.
- (16) 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 Annex I to this Regulation.

Article 2

The Annex to Implementing Regulation (EU) 2020/1213 is amended in accordance with Annex II to this Regulation.

Article 3

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, 22 January 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

In the Annex to Implementing Regulation (EU) 2018/2019, in the table of point 1, in the second column 'Description', the entry 'Berberis L., other than up to three-year-old plants for planting of *Berberis thunbergii* in growing medium, with a maximum height of 40 cm, originating in Türkiye.' is replaced by the following:

'Berberis L., other than:

- up to 3-year-old plants for planting of *Berberis thunbergii* in growing medium, with a maximum height of 40 cm, originating in Türkiye;
 - up to 3-year-old bare-rooted plants for planting of *Berberis thunbergii*, with a maximum diameter of 40 mm at the base of the stem, originating in the United Kingdom;
 - up to 4-year-old plants for planting of *Berberis thunbergii* in growing medium, with a maximum diameter of 40 mm at the base of the stem, originating in the United Kingdom.'
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ANNEX II

1. In the table of the Annex to Implementing Regulation (EU) 2020/1213, in the first column, the following entry:

‘*Alnus* Mill., other than:

- up to 2-year-old graftwood of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana*, with a maximum diameter of 12 mm, originating in the United Kingdom
- up to 7-year-old plants for planting of *Alnus cordata*, *Alnus glutinosa* and *Alnus incana*, with a maximum diameter of 40 mm at the base of the stem, originating in the United Kingdom’

is replaced by:

‘*Alnus cordata*, *Alnus glutinosa* and *Alnus incana*,

- up to 2-year-old graftwood with a maximum diameter of 12 mm;
- up to 7-year-old plants for planting with a maximum diameter of 40 mm at the base of the stem.’

2. In the table of the Annex to Implementing Regulation (EU) 2020/1213, the row of the following entry is deleted:

‘*Cornus alba* and *Cornus sanguinea*,

- up to two-year-old plants for planting with a maximum diameter of 10 mm at the base of the stem;
- up to five-year-old plants for planting in growing medium, with a maximum diameter of 40 mm at the base of the stem; and
- up to seven-year-old bare-rooted plants for planting with a maximum diameter of 40 mm at the base of the stem.’

3. In the table of the Annex to Implementing Regulation (EU) 2020/1213, the following rows are inserted between the entry ‘*Alnus cordata*, *Alnus glutinosa* and *Alnus incana*,

- up to 2-year-old graftwood with a maximum diameter of 12 mm;
- up to 7-year-old plants for planting with a maximum diameter of 40 mm at the base of the stem.’

and the entry ‘*Fagus sylvatica*, up to fifteen-year-old plants for planting with a maximum diameter of 80 mm at the base of the stem.’:

Plants, plant products or other objects	CN Code	Third countries of origin	Measures
‘ <i>Berberis thunbergii</i> , — up to 3-year-old bare-rooted plants for planting, with a maximum diameter of 40 mm at the base of the stem — up to 4-year-old plants for planting in growing medium with a maximum diameter of 40 mm at the base of the stem.	ex 0602 90 45 ex 0602 90 46 ex 0602 90 47 ex 0602 90 48	United Kingdom	(a) Official statement that: (i) the plants are free from <i>Phytophthora kernoviae</i> ; (ii) the site of production has been found free from <i>Phytophthora kernoviae</i> during official inspections carried out at appropriate times, since the beginning of the last growing season;

Plants, plant products or other objects	CN Code	Third countries of origin	Measures
			<p>(iii) a system has been put in place to ensure that tools and machinery have been cleaned to be free from soil and plant debris, and disinfected to be free from <i>Phytophthora kernoviae</i>, before they have been introduced into the site of production; and</p> <p>(iv) immediately prior to export, consignments of the plants have been subjected to an official inspection for the presence of <i>Phytophthora kernoviae</i> with such a sample size as to enable at least the detection of 1 % level of infestation with a level of confidence of 99 %;</p> <p>(b) the phytosanitary certificates for those plants include under the heading "Additional Declaration":</p> <p>(i) the following statement: "The consignment complies with Commission Implementing Regulation (EU) 2020/1213"; and</p> <p>(ii) the specification of the registered sites of production.</p>
<p><i>Cornus alba</i> and <i>Cornus sanguinea</i>,</p> <p>— up to 2-year-old plants for planting with a maximum diameter of 10 mm at the base of the stem;</p> <p>— up to 5-year-old plants for planting in growing medium, with a maximum diameter of 40 mm at the base of the stem; and</p> <p>— up to 7-year-old bare-rooted plants for planting with a maximum diameter of 40 mm at the base of the stem.</p>	<p>ex 0602 10 90</p> <p>ex 0602 90 45</p> <p>ex 0602 90 46</p> <p>ex 0602 90 48</p>	United Kingdom	<p>(a) Official statement that:</p> <p>(i) the plants are free from <i>Discula destructiva</i>;</p> <p>(ii) the site of production has been found free from <i>Discula destructiva</i> during official inspections carried out at appropriate times, since the beginning of the last growing season;</p> <p>(iii) a system has been put in place to ensure that tools and machinery have been cleaned to be free from soil and plant debris, and disinfected to be free from <i>Discula destructiva</i> before they have been introduced into the site of production; and</p> <p>(iv) immediately prior to export, consignments of the plants have been subjected to an official inspection for the presence of <i>Discula destructiva</i> including random sampling and testing;</p>

Plants, plant products or other objects	CN Code	Third countries of origin	Measures
			(b) the phytosanitary certificates for those plants include under the heading "Additional Declaration": (i) the following statement: 'The consignment complies with Commission Implementing Regulation (EU) 2020/1213'; and (ii) the specification of the registered sites of production.'