



Date: 9 February 2024

To: All NPPOs

Import requirements seeds of *Solanum lycopersicum* and *Capsicum* spp. The Phytosanitary Conditions Regulation (retained regulation (EU) 2019/2072 on tomato brown rugose fruit virus. Seeds in storage prior to the introduction of (EU) 2020/1191, extension of temporary solution.

An EU emergency decision was introduced in August 2020 and these requirements have been implemented in the UK by the Phytosanitary Conditions Regulation (retained regulation (EU) 2019/2072. However, it has been noted that the tomato and Capsicum seeds, which are subject to these requirements being exported to Great Britain by third countries may have been produced some time ago and stored. This would mean that the requirements of The Phytosanitary Conditions Regulation (retained regulation (EU) 2019/2072 Annex 7 Part B point 6 b (i) concerning the inspection of the mother plants cannot be met as mother plants are no longer available for inspection.

The temporary solution detailed in my letter of 1 February 2023 is extended until 1 May 2024, and an alternative additional declaration may be used by NPPOs of third countries. In addition to referencing the requirements in The Phytosanitary Conditions Regulation (retained regulation (EU) 2019/2072 Annex 7 Part B point 6, the following can be specified on the additional declaration as an alternative to requirements of Annex 7 Part B point 6 b (i):

‘The seeds were harvested prior to 15 August 2020 and mother plants are no longer available for inspection.’

Reference to article Annex 7 Part B point 6 b (ii) should also be included:

‘That the seeds or their mother plants have undergone official sampling and testing for tomato brown rugose fruit virus and have been found, according to those tests, to be free from that pest.’

This would mean that all seed which were produced prior to 15th August 2020 will need to be tested in line with the sampling and testing requirements set out in the Phytosanitary Conditions Regulation (retained regulation (EU) 2019/2072 Annex 7 Part B point 6.

Any questions should be directed to the UK’s IPPC official contact point via

UKNPPO@defra.gov.uk.

After the 1st May 2024, an option for tomato and capsicum seed harvested before 15th August 2020 will be included in the Phytosanitary Conditions Regulation (retained regulation (EU) 2019/2072. Information concerning this change can be found [here](#) and the amendment to the Phytosanitary Conditions Regulation (retained regulation (EU) 2019/2072 can be found [here](#).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nicola Spence', written in a cursive style.

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