



Department
for Environment
Food & Rural Affairs

Exports

The Journey: Legislation, special requirements and pre-export

Content

This module will cover the basic principles of the current EU legislation that covers plant health as well as where to find any emergency or official notifications to any changes in the EU's import requirements.

It will also look at the first steps in the export journey and what you need to do to prepare for an export.



International plant health learning objectives

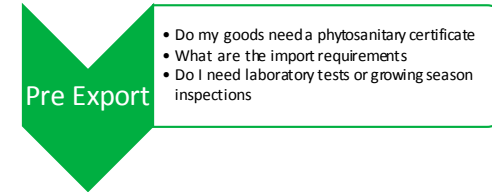
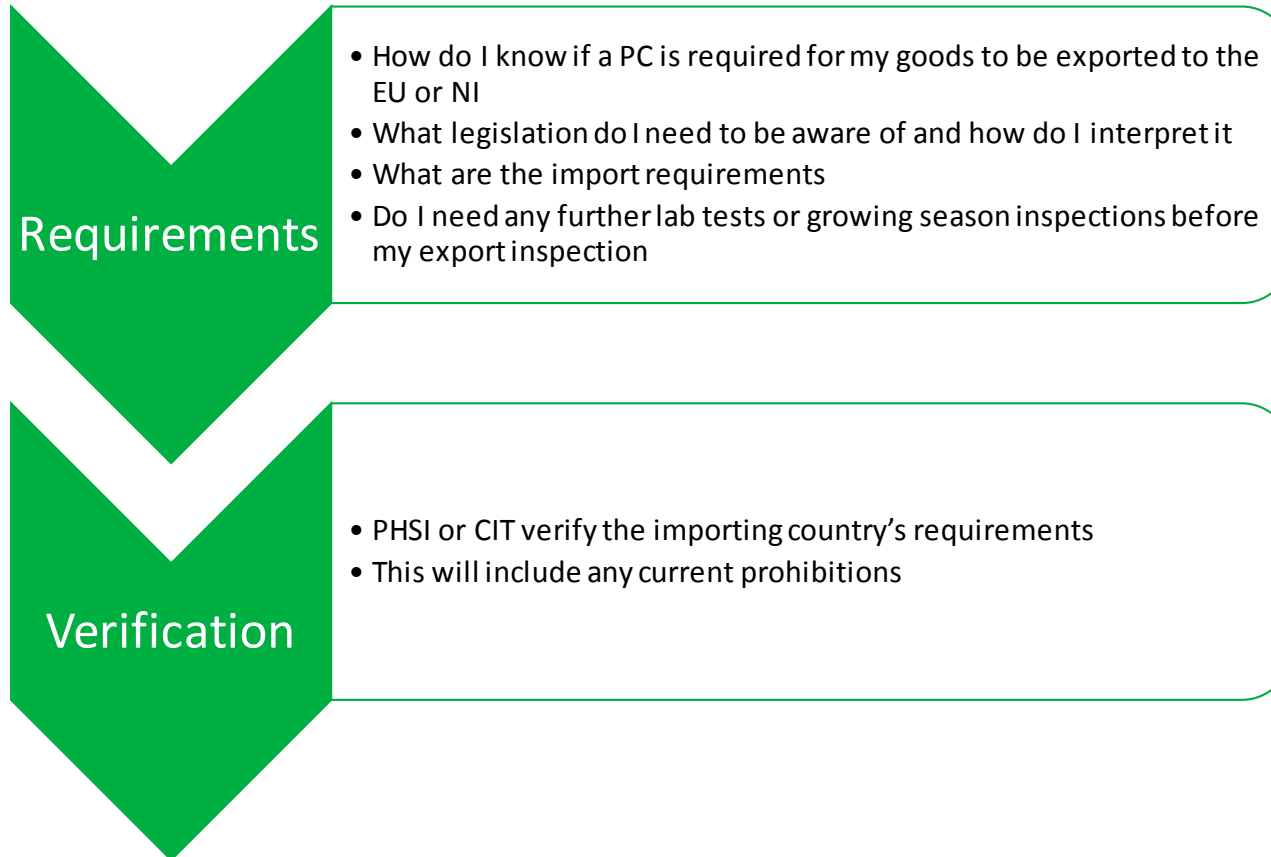
Understand:

- Legislative purpose and principles
- What goods don't require a Phytosanitary Certificate (PC)
- Which pieces of legislation can be used to determine the import requirements of the EU.



Export Journeys

Pre Export:



Legislation - Purpose

- To prevent the **introduction** into of organisms harmful to plants and plant products and to prevent their **spread within** a country.
- In order to protect agriculture and the environment and to facilitate international trade of plant and plant products

Fundamental Requirements

Under IPPC rules any controls must be:

- **Technically justified** - normally this is done by completing Pest Risk Analysis (PRA). A PRA is an evaluation of evidence to determine whether an organism is a pest and whether it should be regulated and if so the strength of any phytosanitary measures to be taken.
- **Uniform** - by following internationally agreed definitions under International Plant Protection Convention (IPPC) and internal Standard Operating Procedures (SOPs)
- **Transparent** - by the publication of import standards (legislation)
- To be able to export goods to the EU you will have to know which EU legislation is applicable and where to look up requirements.



EU Legislative Structure



Smarter Rules for Safer Food (SRSF)

- The SRSF package includes 3 principal EU regulations, each piece of legislation listed below will also contain various implementing and delegated acts that provide further detailed information about a particular area:
 - Official Controls Regulation (EU) 2017/625: how controls across the agri-food chain will be monitored and enforced
 - **Plant Health Regulation (EU) 2016/2031: controls for protecting plants from disease and pests**
 - Animal Health Regulation (EU) 2016/429: a framework for the principles of European animal health
- The new Plant Health and Official Controls Regulations, became applicable on 14 December 2019 and collectively replaced a number of existing regulations, which modernised and improved plant health controls. These regulations, which apply across the EU.

Extended scope of phytosanitary certificate (PC) requirements

- With the introduction of the new Plant Health Regulation (PHR) and its accompanying acts it meant that the scope of the goods requiring a PC significantly increased.
- PCs now needed for almost all plants and living parts of plants, including seeds intended for planting.

Exemptions

Only five tropical fruits do not require a PC:

- Pineapple
- Coconut
- Durian
- Banana (*Musa* sp.)
- Dates



EU Legislative Structure



Smarter Rules for Safer Food (SRSF)

- For phytosanitary requirements there are also a few other pieces of legislation that you will need to be aware of for exports:
 - Phytosanitary Conditions Regulation (PCR) – 2019/2072
 - Emergency Measures

What is an Emergency Measure

- Where the EU has justified grounds and as a matter of urgency need to address a serious pest risk the EU can adopt measures to implement the necessary risk mitigation measures in a harmonised manner at the Union level.
- This enables the EU to react fast to new and novel pests diseases without having to go through the full legislative process. They often tend to be time limited and any measures need to be justified.
- Emergency Measures can be implemented at any time, so exporters need to be aware of any changes of legislation, as it may affect certain commodities that are exported.

EU Legislative Structure

Emergency Measures

- There are several ways to stay up-to-date with EU emergency measures:
 - Current Emergency Measures can be found the [EU's website](#) (you need to read each one to determine which goods it applies to)
 - Sign up to the [EU's official journal](#) and sign up for notifications. Where possible you should always use a consolidated version
 - Review WTO notifications via [ePing](#)



ePing enables timely access to evolving product requirements and facilitates dialogue amongst the public and private sector in addressing potential trade problems at an early stage.

European Commission

Home [EU](#) Food, farming, fisheries [EU](#) Food Safety [EU](#) Plants [EU](#) Plant health and biosecurity [EU](#) EU Plant Health legislation [EU](#)

Plants

PLANT HEALTH & BIOSECURITY

Legislation

New EU plant health rules

Emergency measures

Xylella fastidiosa

Long-term measures

Trade within the EU

Non-EU trade

Protected zones

Plant health interceptions (EUROPHYT)

Harmful organisms outbreaks in the EU

Expert groups and working groups

ALL TOPICS

Emergency control measures by species

The EU has taken emergency control measures for the following harmful organisms

- **Anoplophora chinensis** (Forster): Decision 2012/138/EC
 - Register of places of production in China [↗](#), set by China's national plant protection organisation as free from Anoplophora chinensis
- **Anoplophora glabripennis** (Motschulsky): Decision 2015/993/EU
 - Anoplophora chinensis and Anoplophora glabripennis surveys in the EU
 - Annual Report 2016/2017 [↗](#)
 - Annual Report 2015/2016 [↗](#)
 - Pest status of Anoplophora dimensis and Anoplophora glabripennis in the EU [↗](#)
- **Anomia bungii** (Faldernmann) - Commission Implementing Decision (EU) 2018/1503
 - Pest status of Anomia bungii (Faldernmann) in the EU [↗](#)
- **Diabrotica virgifera**:
 - Derogation of Diabrotica virgifera virgifera (Western Corn Rootworm)
 - The repealing of the emergency measures.
 - The amendment of Directive 2000/29
 - The Commission recommendation

Epitrix spp. - Decision 2012/270/EU, as last amended by Implementing Decision (EU) 2018/5

Portugal

- List of demarcated areas – November 2018 [↗](#)
- Demarcated areas – Madeira – September 2014 [↗](#)

Spain

- January 2018 – map [↗](#)
- January 2018 – list [↗](#)

RELATED DOCUMENTS

- Plant health factsheet [↗](#)
- Plant health Q&As [↗](#)

QUICK LINKS

- GMO register
- EU Pesticides database
- Procedure to apply for authorisation of a PPP
- Plant variety database
- Community Plant Variety Office (CPVO)
- Health and food audits and analysis
- Access to documents project
- European Food Safety Authority (EFSA)
- E-news
- Press Releases
- Infographics and factheets
- Food Fraud

EU Legislative Structure

Phytosanitary Conditions Regulation (PCR) – 2019/2072



- The PCR contains most of the requirements needed to exports goods to the EU and includes:
 - A list of all the quarantine pests and diseases
 - What goods require a PC and pre-notification
 - Whether any goods have special requirements that need to be met
 - A list of EU Member States (MS) that have protected zone status.
- The PCR can be found by Googling 2019/2072 or from the [EU's website](#)
- The PCR is updated to take into account new quarantine pests and diseases as well as new special requirements.
- The next slide will show all the annexes in the PCR, which you should have some working knowledge of but also the key Annexes that details the EU's import requirements, which you will have to know how to navigate to find out if goods are eligible for exports.

PCR - Annexes

Annex	Common Description
I	Definitions
II	List of Union quarantine pests
III	List of protected zones and their quarantine Pests
IV	List of Regulated Non-Quarantine Pests (RNQPs) and their hosts
V	measures to prevent the presence of RNQPs
VI	Prohibitions
VII	Special requirements for goods being imported to the EU
VIII	Special requirements for goods originating in the EU
IX	List of plants and plant products prohibited from entering protected zones
X	Special requirements for certain goods moving into protected zones
XI	Part A – Which goods require a PC and pre-notification Part B – Which goods require a PC Part C – Which goods do not require a PC

Bold denotes relevance for exports

PCR - Annexes

Annex	Common Description
XII	List of goods that require a PC for introduction into a PZ from certain countries
XIII	What goods require a plant passport
XIV	What goods require a PZ plant passport

- All fruit, vegetables and cut flowers will require a PC, as stated by Annex XI Part A and Part B. (except for those 5 fruits mentioned in Part C)
- This means that all goods being exported to the EU will require a phytosanitary inspection.
- Note: All goods and pests will be referenced by their scientific names in Latin. You may have to Google their name, to know what it is. The scientific name will be required on the PC.
 - *Malus* = Apples
 - *Pyrus* = Pears
 - *Rubus* = Raspberries

Knowledge Test



Knowledge Test

Please visit the below link to complete the knowledge test for this module:

PHEATS – Legislation, special requirements and pre-export

<https://forms.office.com/Pages/ResponsePage.aspx?id=UCQKdycCYkyQx044U38RAvJ7GY98IcdOvJfSZ-UDeKFUQzIZV1QyMjJWVTdMNTNYNTIEWERLMIBBRy4u>

