

Date: 6 November 2020

Dear Sir/Madam,

**Import requirements seeds of *Solanum lycopersicum* and *Capsicum* spp.  
Commission implementing regulation (EU) 2020/1191 on Tomato brown rugose fruit  
virus. Seeds in storage in third countries prior to introduction of (EU) 2020/1191.**

A new EU emergency decision was introduced in August 2020 and these requirements are being implemented in the UK. However, it has been noted that the tomato and *Capsicum* seeds, which are subject to the requirements (EU) 2020/1191 being exported to the UK by third countries may have been produced some time ago and stored. This would mean that the requirements of Article 9.1 of (EU) 2020/1191 concerning the inspection of the mother plants cannot be met as mother plants are no longer available for inspection.

As a temporary solution the following alternative additional declaration can be used by NPPOs of third countries, until 31 December 2020:

In addition to reference to regulation (EU) 2020/1191 the following can be specified on the additional declaration as an alternative to requirements of article 9.1 (a) (i):  
'The seeds were harvested prior to 15 August 2020 and mother plants are no longer available for inspection.'

Reference to article 9.1 (a) (ii) should also be included:

'the specified seeds concerned or their mother plants have undergone official sampling and testing for the specified pest and have been found, according to those tests, to be free from the specified 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 (EU) 2020/1191.

Yours faithfully,



Professor Nicola Spence  
Chief Plant Health Officer for the UK