



Department
for Environment
Food & Rural Affairs

York Biotech T: 03459 335577
Campus helpline@defra.gov.uk
Sand Hutton www.gov.uk/defra
York
YO41 1LZ

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To: All NPPOs

Import requirements seeds of *Solanum lycopersicum* and *Capsicum* spp. The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020 on tomato brown rugose fruit virus. Seeds in storage prior to 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 in The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020. 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 Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020 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 4 February 2021 is extended until 31 December 2023, and an alternative additional declaration may be used by NPPOs of third countries. In addition to referencing the requirements in The Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020 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 Plant Health (Phytosanitary Conditions) (Amendment) (EU Exit) Regulations 2020 Annex 7 Part B point 6.

Any questions should be directed to the UK's IPPC official contact point via UKNPPO@defra.gov.uk.

Yours sincerely

Professor Nicola Spence CBE
UK Chief Plant Health Officer,
nicola.spence@defra.gov.uk