Customs codes for plant products that must meet EU phytosanitary requirements

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EU proposes updated CN codes for certain plant products that have additional EU phytosanitary requirements including some Solanum fruits – send feedback until 27 December

Draft Commission Implementing Regulation amending Implementing Regulation (EU) 2019/2072 as regards combined nomenclature (CN) codes

Draft Annex

Update

Regulation 2019/2072 (Annexes VI to XIV) lists the plants and plant products whose introduction or movement within the European Union (EU) is prohibited or subject to special phytosanitary requirements. These are identified by specific customs codes – Combined Nomenclature (CN) codes.

The European Commission proposes to clarify that the special requirements in place to prevent the entry into the EU of the fruit fly *Bactrocera latifrons* apply to all *Solanum* fruits, including those exported under CN code 0810 90 75, such as melon pear (*S. muricatum*) and tree tomato (*S. betaceum*).

Proposed updates to the CN codes also reflect recent changes in the customs classification of some products (including tomatoes, bananas, peaches and nectarines, and Brussels sprouts). The clarifications do not change the phytosanitary requirements for these products.

Countries that are members of the World Trade Organization can comment on this proposal until **27 December 2026**.

Impacted products

Tomatoes, bananas, peaches, nectarines, Brussels sprouts, Solanum spp., melon pears, tree tomatoes

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What is changing?

Regulation 2019/2072 (Annexes VI to XIV) lists the plants and plant products whose introduction or movement within the European Union is prohibited (EU) or subject to special phytosanitary requirements. These are identified by specific customs codes – Combined Nomenclature (CN) codes – according to Regulation 2658/87.

The European Commission proposes to clarify that the special requirements in place to prevent the entry into the EU of the fruit fly *Bactrocera latifrons* apply to all *Solanum* fruits, including those exported under CN code 0810 90 75, such as melon pear (*S. muricatum*) and tree tomato (*S. betaceum*).

Proposed updates to the CN codes also reflect recent changes in the customs classification of some products (including tomatoes, bananas, peaches and nectarines, and Brussels sprouts). The clarifications do not change the phytosanitary requirements for these products.

Table 1 summarises the CN code changes relevant to agri-food products.

Why?

The EU aims to align the CN codes used in its plant health legislation with the latest updates to its customs nomenclature, to provide consistency across all EU laws. Clarifications regarding *Solanum* fruits aim to ensure that all such fruits meet the necessary phytosanitary import requirements.

Timeline

The Regulation is expected to be published in the first quarter of 2027, and will enter into force 20 days after the date of publication.

What are the major implications for exporting countries?

Exporters of *Solanum* fruits exported under CN code 0810 90 75, including melon pear (*S. muricatum*) and tree tomato (*S. betaceum*), will have to demonstrate compliance through one of the prescribed phytosanitary options for managing fruit fly (*Bactrocera latifrons*). These requirements are set out in Regulation 2019/2072, Annex VII, 72.1.

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Recommended Actions

Exporters of *Solanum* fruits under CN code **0810 90 75** should first check whether their country of origin is listed in Regulation 2019/2072 (Annex VII, 72.1, column 3). If it is, they must select which of the options in column 4 they will use to demonstrate that the consignment is free from *B. latifrons*. The option used must be stated as an additional declaration on the phytosanitary certificate.

Competent authorities of countries that are members of the World Trade Organization can submit comments on the EU's proposal by emailing the EU SPS Enquiry Point until **27 December 2026** (**G/SPS/N/EU/986**).

Background

In order to enter the EU, all living plant material (including entire plants, parts of plants, fruits, cut flowers, seeds, etc.) must be accompanied by a phytosanitary certificate issued by the exporting country's competent authority. Only five fruits are exempt: pineapples, coconuts, durians, bananas, and dates (Regulation 2019/2072, Annex XI, Part C).

Resources

Commission Implementing Regulation (EU) 2019/2072 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031, as regards protective measures against pests of plants

Sources

Draft Commission Implementing Regulation as regards combined nomenclature (CN) codes

Draft Annex

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Tables & Figures

Table 1: Main changes to combined nomenclature (CN) codes affecting agri-food products

Product	Old CN code	New CN code	Ref. in Reg. 2019/2072	Changes to phytosanitary requirements
Fruits of Solanum spp.	Not listed	ex* 08109075	Annex VII, 72.1	Solanum fruits falling under category 0810 9075 and imported from the countries specified in point 72.1 must also comply with the import requirements concerning Bactrocera latifrons
Tomatoes	07020000	07020010 07020091 07020099	Annex VII, 67, 68, 68.1, 69, 72.1; Annex XI, Part A	No changes
Peaches and nectarines (Prunus spp.)	08093010 08093090	08093020 08093030 08093080	Annex VII, 61, 63; Annex XI, Part A	No changes
Bananas (Musa spp.)	08039010	08039011 08039019	Annex XI, Part C	No changes
Brussels sprouts	07042000	ex* 07042000	Annex XI, Part B	Clarifies that fresh and chilled Brussels sprouts within this CN code require phytosanitary certificates

* “ex” means that only the specifically named product within the broader customs category is affected.

Source: Draft Annex

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