Harmonised frequency rates for plant import controls

Published by AGRINFO on 28 Feb 2024

EU outlines rules on consistent frequency rates for plant import controls

Commission Implementing Regulation (EU) 2022/2389 of 7 December 2022 establishing rules for the uniform application of frequency rates for identity checks and physical checks on consignments of plants, plant products and other objects entering the Union

Update

The EU has outlined the rules on applying consistent frequency rates for plant import controls (identity and physical checks). The goal is to strike a balance between maintaining strict protection measures and the practical enforcement capabilities of each EU Member State.

Impacted products

Plants and plant products

What is changing?

This Regulation sets new rules for checking plant consignments entering the EU. The frequency of checks is based on the risk level of each product, and its origin. The frequencies are reviewed yearly and can be adjusted according to new data.

High-risk items

High-risk items are always subject to full checks (100%). These include all plants intended for planting, and any plant or plant product susceptible to increased phytosanitary risk in accordance with Regulation 2016/2031, Arts. 28(1), 30(1), and 49(1).

Lower-risk items

The default rate for checks is 100% for all consignments. However, this can be reduced for lower-risk items on request by EU Member States.

Annex I of the Regulation details the minimum frequency rate of identity and physical checks for certain products and countries of origin.

Annex II outlines the criteria for establishing frequency rates, summarised as follows:

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- at least 600 consignments have undergone documentary, identity, and physical checks in the past 3 years
- infestation by Union quarantine pests is less than 1% of total consignments imported annually.

Why?

The Regulation aims to manage phytosanitary risks while balancing the enforcement control capabilities of EU Member States. Uniform frequency rates of checks and a harmonised approach across all EU Member States enhance the effectiveness of biosecurity measures in response to evolving threats from harmful pests and diseases, and facilitate safe trade.

Timeline

This Regulation became effective on 14 December 2022.

What are the major implications for exporting countries?

By standardising the frequency rates for identity and physical checks across all EU Member States, based on risk assessments, this Regulation ensures a clearer and more predictable framework for exporters, ensuring all EU Member States apply the same criteria.

Recommended Actions

Non-EU countries should ensure their plant exports comply with EU phytosanitary requirements to reduce the likelihood of physical checks and maintain market access. This requires enhanced plant health measures and certification processes.

Background

This Regulation is within the broader legislative framework intended to enhance plant health and ensure the safety of the agri-food chain: Regulations (EU) 2017/625 (Official Controls Regulation) and 2016/2031 (Plant Health Regulation).

The Official Controls Regulation provides the foundation for all official controls across the agri-food chain, ensuring a harmonised approach towards maintaining health and safety standards. It ensures a comprehensive biosecurity strategy within the EU, encompassing plant

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health, animal health, and food safety.

Resources

Regulation (EU) 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products

Regulation (EU) 2016/2031 on protective measures against pests of plants

Commission Regulation (EC) No 1756/2004 specifying the detailed conditions for the evidence required and the criteria for the type and level of the reduction of the plant health checks of certain plants, plant products or other objects

Sources

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