Revision of EU Plant Health Law

Published by AGRINFO on 30 Oct 2023; Revised 10 Jan 2025

Regulation (EU) 2024/3115 as regards multiannual survey programmes, notifications concerning the presence of regulated non-quarantine pests, temporary derogations from import prohibitions and special import requirements and establishment of procedures for granting them, temporary import requirements for high-risk plants, plant products and other objects, the establishment of procedures for the listing of high-risk plants, the content of phytosanitary certificates and the use of plant passports, and as regards certain reporting requirements for demarcated areas and surveys of pests

What is changing and why?

Changes to the EU Plant Health Law

The EU Plant Health Law (Regulation 2016/2031) establishes rules to protect the European Union from harmful organisms (pests) that can affect plants. These include rules that apply to plants and plant products brought into the EU from non-EU countries. The Regulation deals with two main categories of pests: quarantine pests (not commonly found in the EU), and regulated non-quarantine pests (RNQPs) associated with plants for planting (plants that are intended to be planted or replanted).

The European Commission has reviewed the Regulation after its first 5 years of application, and has identified areas to improve. In particular, the Commission presents a clearer system to allow non-EU countries to apply for derogations (exemptions) to import bans if they provide evidence that they can manage the pest risks.

The main changes that could affect exports to the EU include:

- Regulated non-quarantine pests and phytosanitary certificates: Today, non-EU countries have to state in the phytosanitary certificate which option from a list of measures they are taking to manage some quarantine pests. The new Regulation states that they will now also have to do this for RNQPs.
- Temporary derogations: The EU can restrict imports to manage pest risks. A new procedure will let non-EU countries request a temporary derogation from these restrictions by detailing what steps they are taking to reduce risk. If approved, these exemptions would last up to 5 years. They would be reviewed annually based on the exporting country's pest risk management reports.
- Listing of high-risk plants: The Commission will clarify the procedure for listing high-risk plants in order to increase transparency.

Copyright © **COLEAD 2026,** *AGRINFO is funded by the European Union and implemented by COLEAD.*

- Equivalence: There is now a specific procedural framework for recognising equivalence and an emphasis on formalising equivalence through separate legislation.
- Official attestations: The Commission can specify what information non-EU countries must include in official attestations (alternatives to phytosanitary certificates used in some circumstances). This scope covered by this information will no longer be limited to what is included in the international standards.
- Union Plant Health Team: The new Regulation establishes a Union Plant Health Team of technical experts who will provide urgent assistance in cases of new plant pest outbreaks. This Team may also assist non-EU countries in cases of outbreaks that could threaten the EU.

Changes to the Official Controls Regulation

According to the Official Controls Regulation (2017/625, Art. 66), EU Member States must notify incidents where plants and plant products entering the EU in passengers' personal luggage or through postal services (intended for personal consumption or use) do not comply with EU plant health rules. The new Regulation introduces an exemption from this obligation, but only where the non-compliance is because there is no phytosanitary certificate or other official attestation.

Actions

Countries exporting **plants for planting** must update their procedures for issuing phytosanitary certificates so that they include the new requirements regarding RNQPs.

Non-EU countries that are affected by **temporary EU plant health measures/ derogations** must provide annual reports to the European authorities on how they have been implemented. If this report shows that the actions taken are insufficient to address the identified risk, the EU may introduce additional requirements.

Timeline

The new rules take effect from **5 January 2025**.

The extension to RNQPs in plants for planting (that requires phytosanitary certificates to state the pest management options taken) will take effect from **6 July 2026**.

For more information see the full record on the AGRINFO website – where you can also view the latest AGRINFO Update newsletters and search the database.

Copyright © **COLEAD 2026,** *AGRINFO is funded by the European Union and implemented by COLEAD.*

Disclaimer: *Under no circumstances shall COLEAD be liable for any loss, damage, liability or expense incurred or suffered that is claimed to have resulted from the use of information available on this website or any link to external sites. The use of the website is at the user's sole risk and responsibility. This information platform was created and maintained with the financial support of the European Union. Its contents do not, however, reflect the views of the European Union.*

Copyright © **COLEAD 2026,** *AGRINFO is funded by the European Union and implemented by COLEAD.*