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INFORMATION MEMO

Harmonization of plant-pest control

The EEC Commission has submitted to the Council a draft directive concerning measures to prevent the introduction into Member States of plant pest (animal and vegetable, including viruses).

Member States are to be protected from pests coming into their territory either from other Member States or from non-member countries, and plant health control among the Member States is to be reorganized and simplified with a view to reducing obstacles to trade within the Community.

The steady increase in crop production - a major sector of agriculture - makes effective protection against the introduction of pests imperative. The first step is to harmonize the laws, regulations and administrative instructions governing plant protection within the EEC. The Commission has taken into account what has already been done by international organizations such as FAO and the European and Mediterranean Plant Protection Organization.

The directive sets out ways and means of attaining this objective, with rules for intra-Community trade and for trade with non-member countries.

Intra-Community trade

The first essential is to reorganize plant health control, which involves listing pests and improving controls in exporting countries; plants should be inspected before they are exported so as to avoid double checking. At present, inspection is generally carried out in connection with the issue of the phytosanitary certificate introduced by the International Plant Protection Convention, of which all EEC Member States are signatories. A methodical campaign must be undertaken against pests wherever they appear in the Member States, and exporting countries must be obliged to intensify controls in order to prevent pests from being exported.

The Commission believes that the Member States should gradually remove systematic controls on imports of plants or plant products. This can only be done gradually, because an atmosphere of mutual confidence will first have to be created. Member States will be required to bring their laws, regulations and administrative instructions into line with the directive within two years of its promulgation.

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Member States will have a further two years in which to carry out sample plant health inspections. After four years in all, once mutual confidence has grown, inspections will be carried out less frequently and will eventually be abolished completely, as they already have been between some Member States.

Trade with non-member countries

The directive emphasizes that Member States must be effectively protected against the introduction of pests from non-member countries, but this can only be done if imports of contaminated plants and plant products are absolutely banned. However, pests cannot always be detected at the time of entry, and for such cases the directive requires a special official inspection of crops or cultivated land in the country of origin.

The Member States must insist upon a phytosanitary certificate accompanying imports from non-member countries, or a similar reconsignment certificate where a consignment from a Member State has been split up or stored or has entered into free circulation in a non-member country and then been re-exported to another Member State.

Member States may waive certain requirements, particularly under reciprocal arrangements with each other.

Where there is imminent danger of pests entering their territory, Member States will be authorized to take temporary safeguard measures until Community regulations are introduced.

The directive will not cover stocks of plant products, so that provisionally some Member States can still invoke Article 36 of the Treaty to prohibit or restrict imports of contaminated plant products.

The legal basis for the Commission's proposal is Article 43 of the Treaty.

Annexes to the directive specify the categories of pest that may not be introduced, the Member States into which they may not be introduced, and the exporting countries from which and the plants on which they may not be introduced. A specimen phytosanitary certificate and a specimen reconsignment certificate are also included.

The Member States and trade organizations were consulted in the drafting of the directive.
