



Brussels, **XXX**
[...] (2017) **XXX** draft

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

**updating and amending the list of invasive alien species of Union concern established by
Commission Implementing Regulation (EU) No 2016/1141 pursuant to Regulation (EU)
No 1143/2014 of the European Parliament and of the Council**

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updating and amending the list of invasive alien species of Union concern established by Commission Implementing Regulation (EU) No 2016/1141 pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species¹, and in particular Article 4(1) and (2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 2016/1141² establishes a list of invasive alien species of Union concern ('the Union list'), which is to be kept updated as appropriate, in accordance with Article 4(2) of Regulation (EU) No 1143/2014.
- (2) The Commission has concluded, on the basis of the available evidence and the risk assessments carried out pursuant to Article 5(1) of Regulation (EU) No 1143/2014, that all criteria set out in Article 4(3) of that Regulation are met for the following invasive alien species: *Alopochen aegyptiacus* Linnaeus, 1766; *Alternanthera philoxeroides* (Mart.) Giseb; *Asclepias syriaca* L.; *Elodea nuttallii* (Planch.) St. John; *Gunnera tinctoria* (Molina) Mirbel; *Heracleum mantegazzianum* Sommier & Levier; *Impatiens glandulifera* Royle; *Microstegium vimineum* (Trin.) A. Camus; *Myriophyllum heterophyllum* Michaux; *Nyctereutes procyonoides* Gray, 1834; *Ondatra zibethicus* Linnaeus, 1766; *Pennisetum setaceum* (Forssk.) Chiov.
- (3) The Commission has concluded that for all those invasive alien species all elements set out in Article 4(6) of Regulation (EU) No 1143/2014 have been duly considered.
- (4) Since the date of adoption of Implementing Regulation (EU) No 2016/1141, the CN codes laid down in Council Regulation (EEC) No 2658/87³ have been updated, with the most recent amendments having been laid down in Commission Implementing Regulation (EU) 2016/1821⁴. Implementing Regulation (EU) No 2016/1141 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Invasive Alien Species,

¹ OJ L 317, 4.11.2014, p. 35

² Commission Implementing Regulation (EU) No 2016/1141 of 13 July 2016 adopting a list of invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council (OJ L 189, 14.7.2016, p.4).

³ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

⁴ Commission Implementing Regulation (EU) 2016/1821 of 6 October 2016 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 294, 28.10.2016, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

The list set out in Annex I to this Regulation shall be added to the list of invasive alien species of Union concern established by Commission Implementing Regulation (EU) No 2016/1141.

Article 2

The Annex to Commission Implementing Regulation (EU) No 2016/1141 shall be amended in accordance with Annex II to this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

[...]