

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1688

of 20 September 2021

amending Implementing Regulation (EU) 2020/1201 as regards the lists of host plants and specified plants, and the tests for the identification of *Xylella fastidiosa*

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/2031 of the European Parliament and of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC⁽¹⁾, and in particular Article 28(1) and (2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2020/1201⁽²⁾ has been applied since August 2020 with the aim to prevent further spread within and introduction into the Union of *Xylella fastidiosa* (Wells *et al.*) ('the specified pest').
- (2) Implementing Regulation (EU) 2020/1201 contains a provision on official checks at introduction into the Union. That provision refers to the official checks to be performed at the point of entry into the Union or at the place of destination established in accordance with Commission Directive 2004/103/EC⁽³⁾. Within the new framework for official checks established by Regulation (EU) 2017/625 of the European Parliament and of the Council⁽⁴⁾, Commission Delegated Regulation (EU) 2019/2123⁽⁵⁾ established new rules on official checks performed at control points other than border control posts. Delegated Regulation (EU) 2019/2123 repealed Directive 2004/103/EC with effect from 14 December 2020. It is therefore appropriate to replace the reference to that Directive by a reference to Delegated Regulation (EU) 2019/2123.
- (3) On 23 June 2021, the European Food Safety Authority updated the database of host plants susceptible to *Xylella fastidiosa* (Wells *et al.*). Annexes I and II to Implementing Regulation (EU) 2020/1201 should therefore be amended accordingly.
- (4) For reasons of transparency and clarity, it is appropriate to indicate, for each of the tests listed in Annex IV to Implementing Regulation (EU) 2020/1201, the Digital Object Identifier (DOI) which allows direct access to the scientific articles describing those tests.

⁽¹⁾ OJ L 317, 23.11.2016, p. 4.

⁽²⁾ Commission Implementing Regulation (EU) 2020/1201 of 14 August 2020 as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Wells *et al.*) (OJ L 269, 17.8.2020, p. 2).

⁽³⁾ Commission Directive 2004/103/EC of 7 October 2004 on identity and plant health checks of plants, plant products or other objects, listed in Part B of Annex V to Council Directive 2000/29/EC, which may be carried out at a place other than the point of entry into the Community or at a place close by and specifying the conditions related to these checks (OJ L 313, 12.10.2004, p. 16).

⁽⁴⁾ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 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, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) (OJ L 95, 7.4.2017, p. 1).

⁽⁵⁾ Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for the cases where and the conditions under which identity checks and physical checks on certain goods may be performed at control points and documentary checks may be performed at distance from border control posts (OJ L 321, 12.12.2019, p. 64).

- (5) Implementing Regulation (EU) 2020/1201 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food, and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2020/1201 is amended as follows:

- (1) in Article 33, paragraph 1 is replaced by the following:

‘1. All consignments of host plants, introduced into the Union from a third country, shall be officially checked at the border control post of first arrival into the Union or at a control point in the cases and conditions set out in Commission Delegated Regulation (EU) 2019/2123’;

- (2) Annex I is replaced by the text set out in Annex I to this Regulation;
- (3) Annex II is replaced by the text set out in Annex II to this Regulation;
- (4) Annex IV is replaced by the text set out in Annex III to this Regulation.

Article 2

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, 20 September 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Annex I to Implementing Regulation (EU) 2020/1201 is replaced by the following:

'ANNEX I

List of plants known to be susceptible to one or more subspecies of the specified pest ('host plants')

Acacia

Acer

Adenocarpus lainzii

Albizia julibrissin Durazz.

Alnus rhombifolia Nutt.

Amaranthus retroflexus L.

Ambrosia

Ampelopsis arborea (L.) Koehne

Ampelopsis brevipedunculata (Maxim.) Trautv.

Ampelopsis cordata Michx.

Anthyllis hermanniae L.

Artemisia

Asparagus acutifolius L.

Athyrium filix-femina

Baccharis

Brassica

Calicotome spinosa (L.) Link

Calicotome villosa (Poiret) Link

Callicarpa americana L.

Callistemon citrinus (Curtis) Skeels

Calluna vulgaris (L.) Hull

Carya

Catharanthus roseus

Celtis occidentalis L.

Cercis canadensis L.

Cercis occidentalis Torr.

Cercis siliquastrum L.

Chamaecrista fasciculata (Michx.) Greene

Chenopodium album L.

Chionanthus

Chitalpa tashkentensis T. S. Elias & Wisura
Cistus
Citrus
Clematis cirrhosa L.
Coelorachis cylindrica (Michx.) Nash *Coffea*
Conium maculatum L.
Convolvulus cneorum L.
Coprosma repens A.Rich.
Coronilla
Cyperus eragrostis Lam.
Cytisus
Digitaria
Diospyros kaki L.f.
Diplocyclos palmatus (L.) C.Jeffrey
Dodonaea viscosa (L.) Jacq.
Echium plantagineum
Elaeagnus angustifolia L.
Encelia farinosa A. Gray ex Torr.
Eremophila maculata (Ker Gawler) F. von Müller.
Erigeron
Erodium moschatum (L.) L'Hérit.
Erysimum hybrids
Euphorbia chamaesyce L.
Euphorbia terracina L.
Euryops chrysanthemoides (DC.) B.Nord
Euryops pectinatus (L.) Cass.
Fagus crenata Blume
Fallopia japonica (Houtt.) Ronse Decr.
Fatsia japonica (Thunb.) Decne. & Planch.
Ficus carica L.
Fortunella
Frangula alnus Mill.
Fraxinus
Genista
Ginkgo biloba L.

Gleditsia triacanthos L.
Grevillea juniperina Br.
Hebe
Helianthus
Helichrysum
Heliotropium europaeum L.
Hemerocallis
Hevea brasiliensis (Willd. ex A.Juss.) Müll.Arg.
Hibiscus
Humulus scandens (Lour.) Merr.
Ilex aquifolium L.
Ilex vomitoria Sol. ex Aiton
Iva annua L.
Jacaranda mimosifolia D. Don
Juglans
Juniperus ashei J. Buchholz
Koelreuteria bipinnata Franch.
Lagerstroemia
Laurus nobilis L.
Lavandula
Lavatera cretica
Ligustrum lucidum L.
Liquidambar styraciflua L.
Lonicera implexa
Lonicera japonica Thunb.
Lupinus aridorum
Lupinus villosus
Magnolia grandiflora L.
Mallotus paniculatus (Lam.) Müll.Arg.
Medicago arborea L.
Medicago sativa L.
Metrosideros
Mimosa
Modiola caroliniana (L.) G. Don
Morus

Myoporum insulare R. Br.

Myrtus communis L.

Nandina domestica Murray

Neptunia lutea (Leavenw.) Benth.

Nerium oleander L.

Olea

Osteospermum ecklonis DC.

Osteospermum fruticosum (L.) Norl.

Parthenocissus quinquefolia (L.) Planch.

Paspalum dilatatum Poir.

Pelargonium

Perovskia abrotanoides

Persea americana Mill.

Phagnalon saxatile (L.) Cass.

Phillyrea angustifolia L.

Phillyrea latifolia L.

Phlomis fruticosa L.

Phoenix

Pinus taeda L.

Pistacia vera L.

Plantago lanceolata L.

Platanus

Pluchea odorata (L.) Cass.

Polygala grandiflora

Polygala myrtifolia L.

Prunus

Psidium

Pteridium aquilinum

Pyrus

Quercus

Ratibida columnifera (Nutt.) Wooton & Standl.

Rhamnus

Rhus

Robinia pseudoacacia L.

Rosa

Rosmarinus

Rubus

Ruta chalapensis

Salvia mellifera Greene

Salvia officinalis

Salvia rosmarinus

Sambucus

Santolina chamaecyparissus L.

Santolina magonica

Sapindus saponaria L.

Sassafras

Setaria magna Griseb.

Solidago fistulosa Mill.

Solidago virgaurea L.

Sorghum halepense (L.) Pers.

Spartium

Stewartia pseudocamellia

Strelitzia reginae Aiton

Streptocarpus

Symphotrichum divaricatum (Nutt.) G.L.Nesom

Teucrium capitatum L.

Trifolium repens L.

Ulex

Ulmus

Vaccinium

Vinca

Vitis

Westringia fruticosa (Willd.) Druce

Westringia glabra R.Br.

Xanthium strumarium L.

ANNEX II

Annex II to Implementing Regulation (EU) 2020/1201 is replaced by the following:

'ANNEX II

List of plants known to be susceptible to specific subspecies of the specified pest ('specified plants')**Specified plants susceptible to *Xylella fastidiosa* subspecies *fastidiosa***

Acer

Ambrosia artemisiifolia L.

Calicotome spinosa (L.) Link

Cercis occidentalis Torr.

Cistus monspeliensis L.

Citrus sinensis (L.) Osbeck

Coffea

Erysimum

Genista lucida L.

Juglans regia L.

Lupinus aridorum

Magnolia grandiflora L.

Medicago sativa L.

Metrosideros

Morus

Nerium oleander L.

Pluchea odorata (L.) Cass.

Polygala myrtifolia L.

Psidium

Prunus

Rhamnus alaternus L.

Salvia rosmarinum

Rubus rigidus Sm.

Rubus ursinus Cham. & Schldl.

Ruta chalapensis

Sambucus

Spartium junceum L.

Streptocarpus

Teucrium capitatum L.

Ulmus americana L.

Vaccinium corymbosum

Vinca

Vitis

Specified plants susceptible to *Xylella fastidiosa* subspecies *multiplex*

Acacia

Acer griseum (Franch.) Pax

Acer pseudoplatanus L.
Acer rubrum L.
Adenocarpus lainzii
Alnus rhombifolia Nutt.
Ambrosia
Ampelopsis cordata Michx.
Anthyllis hermanniae L.
Artemisia
Athyrium filix-femina
Asparagus acutifolius L.
Baccharis halimifolia L.
Calicotome spinosa (L.) Link
Calicotome villosa (Poir.) Link
Callistemon citrinus (Curtis) Skeels
Calluna vulgaris (L.) Hull
Carya
Celtis occidentalis L.
Cercis canadensis L.
Cercis occidentalis Torr.
Cercis siliquastrum L.
Chionanthus
Cistus
Clematis cirrhosa L.
Convolvulus cneorum L.
Coprosma repens A. Rich.
Coronilla
Cytisus
Dodonaea viscosa (L.) Jacq.
Echium plantagineum
Elaeagnus angustifolia L.
Encelia farinosa Gray ex Torr.
Erigeron
Erodium moschatum
Euryops chrysanthemoides (DC.) B.Nord.
Euryops pectinatus (L.) Cass.
Fallopia japonica (Houtt.) Ronse Decr.
Ficus carica L.
Frangula alnus Mill.
Fraxinus
Genista
Ginkgo biloba L.
Gleditsia triacanthos L.
Grevillea juniperina Br.

Hebe
Helianthus
Helichrysum
Hibiscus syriacus
Ilex aquifolium L.
Iva annua L.
Koelreuteria bipinnata Franch.
Lagerstroemia
Laurus nobilis L.
Lavandula
Lavatera cretica
Liquidambar styraciflua L.
Lonicera
Lupinus aridorum
Lupinus villosus Willd.
Magnolia grandiflora L.
Medicago arborea L.
Medicago sativa L.
Metrosideros
Myrtus communis L.
Nerium oleander
Olea
Osteospermum ecklonis (DC.) Norl.
Pelargonium
Perovskia abrotanoides
Phagnalon saxatile (L.) Cass.
Phillyrea angustifolia L.
Phillyrea latifolia
Phlomis fruticosa L.
Pistacia vera L.
Plantago lanceolata L.
Platanus
Polygala myrtifolia L.
Polygala grandiflora
Prunus
Pteridium aquilinum
Quercus
Ratibida columnifera (Nutt.) Wooton & Standl.
Rhamnus
Robinia pseudoacacia L.
Rosa
Rosmarinus
Rubus

Salvia mellifera Greene
Salvia officinalis
Salvia rosmarinus
Sambucus
Santolina chamaecyparissus L.
Santolina magonica
Sapindus saponaria L.
Solidago virgaurea L.
Spartium
Strelitzia reginae Aiton
Ulex
Ulmus
Vaccinium
Vinca
Westringia fruticosa Guerin.
Xanthium strumarium L.

Specified plants susceptible to *Xylella fastidiosa* subspecies *pauca*

Acacia
Amaranthus retroflexus L.
Asparagus acutifolius L.
Catharanthus roseus (L.) G. Don
Chenopodium album L.
Cistus albidus L.
Cistus creticus L.
Citrus
Coffea
Dodonaea viscosa (L.) Jacq.
Eremophila maculata (Ker Gawler) F. von Müller.
Erigeron
Euphorbia chamaesyce L.
Euphorbia terracina L.
Grevillea juniperina Br.
Hebe
Heliotropium europaeum L.
Hibiscus
Laurus nobilis L.
Lavandula
Myoporum insulare Br.
Myrtus communis L.
Nerium oleander L.
Olea europaea L.
Osteospermum fruticosum (L.) Norl.

Pelargonium

Phillyrea latifolia L.

Pistacia vera

Polygala myrtifolia L.

Prunus

Rhamnus alaternus L.

Spartium junceum L.

Ulmus parviflorus

Vinca minor L.

Westringia fruticosa (Willd.) Druce

Westringia glabra Br.'

ANNEX III

Annex IV to Implementing Regulation (EU) 2020/1201 is replaced by the following:

'ANNEX IV

Tests for the identification of *Xylella fastidiosa* and its subspecies**A. Tests for the screening and identification of the presence of *Xylella fastidiosa***

1. Real time PCR based on Harper *et al.*, 2010 (and erratum 2013) ⁽¹⁾;
2. Loop-mediated isothermal amplification (LAMP) based on primers developed by Harper *et al.* 2010 (and erratum 2013) ⁽²⁾;
3. Real time PCR based on Ouyang *et al.*, 2013 ⁽³⁾
4. Conventional PCR based on Minsavage *et al.* 1994 ⁽⁴⁾

B. Molecular tests for the identification of the subspecies of *Xylella fastidiosa*

1. Multi Locus Sequence Typing (MLST) based on Yuan *et al.*, 2010 determining all subspecies ⁽⁵⁾;
2. PCR based on Hernandez-Martinez *et al.*, 2006 determining the subspecies *fastidiosa*, *multiplex* and *sandyi* ⁽⁶⁾;
3. PCR based on Pooler & Hartung 1995 determining the subspecies *pauca* ⁽⁷⁾.

⁽¹⁾ DOI: 10.1094/PHYTO-06-10-0168.

⁽²⁾ DOI: 10.1094/PHYTO-06-10-0168.

⁽³⁾ DOI: 10.1371/journal.pone.0081647.

⁽⁴⁾ DOI:10.1094/Phyto-84-456.

⁽⁵⁾ DOI: 10.1094/PHYTO-100-6-0601.

⁽⁶⁾ DOI: 10.1094/PD-90-1382.

⁽⁷⁾ DOI: 10.1007/BF00294703.'
