

Brussels, **XXX**
SANTE/2020/7074 I
(POOL/G1/2020/7074 I/7074 I-EN
CIS.docx
[...](2022) **XXX** draft

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

of **XXX**

**amending Implementing Regulation (EU) 2020/1201 as regards the list of plants known
to be susceptible to *Xylella fastidiosa***

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

of **XXX**

amending Implementing Regulation (EU) 2020/1201 as regards the lists of plants known to be susceptible to *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/EC¹, and in particular Article 28(1) thereof,

Whereas:

- (1) Annexes I and II to Commission Implementing Regulation (EU) 2020/1201² list the plants for planting, other than seeds, known to be susceptible to one or more subspecies, and to specific subspecies, of *Xylella fastidiosa* (Wells *et al.*) ('the specified pest').
- (2) Since the adoption of Implementing Regulation (EU) 2020/1201, the European Food Safety Authority ('the Authority') has updated its database of plants for planting, other than seeds, known to be susceptible to the specified pest by including *Anthyllis barbajovis* L., *Arbutus unedo* L., *Argyranthemum frutescens* (L.) Sch.Bip., *Berberis thunbergii* DC., *Calocephalus brownii* (Cass.) F.Muell., *Cortaderia selloana* (Schult. & Schult.f.) Asch. & Graebn., *Citrus limon* (L.) Osbeck, *Citrus paradisi* Macfad., *Citrus reticulata* Blanco, *Clematis vitalba* L., *Cortaderia selloana* (Schult. & Schult.f.) Asch. & Graebn., *Dittrichia viscosa* (L.) Greuter, *Elaeagnus angustifolia* L., *Elaeagnus x submacrophylla* Servett., *Erica cinerea* L., *Eriocephalus africanus* L., *Ficus carica* L., *Gazania rigens* (L.) Gaertn., *Genista hirsuta* Vahl., *Hypericum androsaemum* L., *Hypericum perforatum* L., *Jacobaea maritima* (L.) Pelser & Meijden, *Magnolia x soulangeana* Soul.-Bod., *Myoporum laetum* G. Forst., *Myrtus communis* L., *Olea europaea* subsp. *sylvestris* (Mill.) Rouy, *Pelargonium graveolens* L'Hér., *Phlomis italica* L., *Retama monosperma* (L.) Boiss., *Ruta graveolens* L., *Salvia apiana* Jeps., *Scabiosa atropurpurea* var. *maritima* L., *Strelitzia reginae* Aiton, *Syringa vulgaris* L., *Thymus vulgaris* L., *Ulex europaeus* L., *Viburnum tinus* L. and *Vitex agnus-castus* L. as hosts of certain subspecies of the specified pest³. Annexes I and II to Implementing Regulation (EU) 2020/1201 should therefore reflect that update.

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 [Update of the *Xylella* spp. host plant database – systematic literature search up to 30 June 2022, EFSA Journal 2023;21\(1\):7726.](#)

- (3) In the case of the genus *Phoenix*, it is appropriate to list the species *Phoenix reclinata* Jacquin and *Phoenix roebelenii* O'Brien in Annex I to Implementing Regulation (EU) 2020/1201, as only those two species have been found to be susceptible to the specified pest according to the latest update by the Authority of the database of plants for planting, other than seeds, known to be susceptible to the specified pest.
- (4) In the case of the genus *Lonicera*, it is appropriate to list the species *Lonicera implexa* Soland. and *Lonicera japonica* Thunb. in Annexes I and II to Implementing Regulation (EU) 2020/1201, as only those two species have been found to be susceptible to the *Xylella fastidiosa* subspecies *multiplex* according to the latest update by the Authority of the database of plants for planting, other than seeds, known to be susceptible to the specified pest.
- (5) *Phillyrea latifolia* L. should be removed from the list of specified plants susceptible to the *Xylella fastidiosa* subspecies *multiplex* in Annex II to Implementing Regulation (EU) 2020/1201 because it was mistakenly reported by Member States as a specified plant.
- (6) *Fortunella* should be removed from Annex I to Implementing Regulation (EU) 2020/1201 because it has never been reported by Member States and neither is it included in the Authority's database of plants for planting, other than seeds, known to be susceptible to the specified pest.
- (7) The names of certain plants in Annexes I and II to Implementing Regulation (EU) 2020/1201 should be updated to reflect the latest developments of the international nomenclature. In this respect, the denominations of the species *Osteospermum ecklonis* DC./*Osteospermum ecklonis* DC. Norl. and *Osteospermum fruticosum* (L.) Norl., which are listed in Annexes I and II to Implementing Regulation (EU) 2020/1201, should be replaced by the denominations *Dimorphotheca ecklonis* (DC.) Norl. and *Dimorphotheca fruticosa* (L.) Norl.
- (8) For purposes of clarity and accuracy, the authors should be added in the names of certain genera and species in Annexes I and II to Implementing Regulation (EU) 2020/1201, where those indications were missing.
- (9) Implementing Regulation (EU) 2020/1201 should therefore be amended accordingly.
- (10) 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

Amendments to Implementing Regulation (EU) 2020/1201

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

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

Article 2

Entry into force

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

Ursula VON DER LEYEN

DRAFT