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**Date** 20 April 2020

Dear Dorothée

**Article 52 of Regulation (EU) 2016/2031: temporary measures**

Thank you for your letter of 3 April and explanation of the position on each of the pests covered by the UK national measures.

We note in most cases that reviews are either in progress or are to be initiated, which we welcome. However, early resolution is unlikely and the UK measures are being introduced in response to the current situation, specifically the unacceptable level of pest risk which occurs at present, as explained in my letter of 10 March.

In the case of *Ceratocystis platani*, while the UK was present when the requirements in Regulation 2019/2072 were agreed, the UK measures are in response to the situation which has arisen since then, specifically additional information presented to SCOPAFF on 18-19 November about the new findings in France, which are much further north than previous findings and where there is no confirmed evidence about the source of infection. The spread of the pathogen north together with uncertainty about the pathway highlights an increased risk to the UK, which is why these measures have been introduced.

In relation to the imminent danger which exists as regards the other pests referred to, this can be summarised as:

- For *Xylella fastidiosa* – findings within the EU on plant material that has been traded or has been destined for trade (eg olive trees in Belgium) and the conclusions from EFSA about asymptomatic periods, which have not been reflected in EU legislation. Both factors indicate there is ongoing risk of infected material (including asymptomatic material) being traded within and from the EU.
- For *Agrilus planipennis* – evidence of natural spread into Ukraine, with a time lag between pest presence and official confirmation, together with EPPO conclusions about the need for an extensive buffer zone around outbreaks of this pest. EU legislation does not address the risk of importing infested material from Ukraine, or the risk of importing infested material from other countries where, based on their proximity to known outbreaks, the pest could potentially be present (based on EPPO's assessment concerning the need for a buffer zone). Similarly,

although the option of removing 2.5cm of sapwood has been revoked in relation to the US and Canada, in response to deficiencies identified during Sante F audits, it remains in place for other countries where this pest is present.

- For *Candidatus Phytoplasma ulmi* – currently there are no specific import or movement requirements in EU legislation for this pest, for which the UK is designated as a protected zone. Prior to protected zone status, the UK intercepted this pest on *Ulmus* trees from the EU, so without specific import and movement requirements in place, the UK is exposed to the risk of receiving material from infected places of production in the EU and other parts of the world where the pest is present.

In relation to the point about plant passports, I would like to clarify that the UK measures do not require an EU plant passport, or additional declarations on such passports. The requirement in relation to the plants and plant products originating in the EU 27 is for official statements, which can be made on other officially authorised documents or on EU plant passports if competent authorities wish to adopt this approach.

The measures have been signed by Ministers and laid before Parliament, so will come into force on the day indicated (21 April). We do of course look forward to the outcome of the Standing Committee, but hope in the meantime this further explanation is helpful.

Yours sincerely



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