



2024/3163

19.12.2024

COMMISSION IMPLEMENTING REGULATION (EU) 2024/3163

of 18 December 2024

amending the Annex to Implementing Regulation (EU) 2023/2059 as regards the inclusion of certain goods of plant origin in the list of rest-of-the-world commodities

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2023/1231 of the European Parliament and of the Council of 14 June 2023 on specific rules relating to the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods, plants for planting, seed potatoes, machinery and certain vehicles operated for agricultural or forestry purposes, as well as non-commercial movements of certain pet animals into Northern Ireland⁽¹⁾, and in particular Article 9(4), point (a), thereof,

Whereas:

- (1) Regulation (EU) 2023/1231 lays down specific rules relating to, inter alia, the entry into Northern Ireland from other parts of the United Kingdom of certain consignments of retail goods for placing on the market in Northern Ireland for the final consumer, including specific rules for consignments of rest-of-the-world retail goods.
- (2) More specifically, Article 9(1), point (a), of Regulation (EU) 2023/1231 provides that rest-of-the-world retail goods consisting of commodities of animal or plant origin or composite products subject to the animal health or plant health rules referred to in Article 1(2), points (d), (e) and (g), of Regulation (EU) 2017/625 of the European Parliament and of the Council⁽²⁾ ('rest-of-the-world commodities') may enter into Northern Ireland from other parts of the United Kingdom and be placed on the market in Northern Ireland in accordance with Article 4 of Regulation (EU) 2023/1231 only if the United Kingdom provides written evidence that the import conditions and official controls requirements provided for in Regulations (EC) No 1069/2009⁽³⁾, (EU) 2016/429⁽⁴⁾ and (EU) 2016/2031⁽⁵⁾ of the European Parliament and of the Council, in Regulation (EU) 2017/625, and in the Commission acts adopted pursuant to those Regulations apply to those commodities under the national law of the United Kingdom, and those import conditions and official controls requirements are effectively implemented by the United Kingdom.

⁽¹⁾ OJ L 165, 29.6.2023, p. 103, ELI: <http://data.europa.eu/eli/reg/2023/1231/oj>.

⁽²⁾ 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, ELI: <http://data.europa.eu/eli/reg/2017/625/oj>).

⁽³⁾ Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation) (OJ L 300, 14.11.2009, p. 1, ELI: <http://data.europa.eu/eli/reg/2009/1069/oj>).

⁽⁴⁾ Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (OJ L 84, 31.3.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/429/oj>).

⁽⁵⁾ 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 (OJ L 317, 23.11.2016, p. 4, ELI: <http://data.europa.eu/eli/reg/2016/2031/oj>).

- (3) Commission Implementing Regulation (EU) 2023/2059 ⁽⁶⁾ establishes, in the Annex thereto, the list of rest-of-the-world commodities, which currently lists goods of animal and of non-animal origin.
- (4) By letter dated 11 October 2024, the United Kingdom provided the written evidence that the import conditions and official controls requirements laid down in Regulations (EU) 2016/2031 and (EU) 2017/625 and related to certain goods of plant origin from certain third countries, apply under its national law, and those import conditions and official controls requirements related to these goods are effectively implemented by the United Kingdom. It is therefore appropriate to amend the Annex to Implementing Regulation (EU) 2023/2059 to add those goods to the list of rest-of-the-world commodities.
- (5) In the interest of legal certainty and to avoid any unnecessary disruption to trade, this Regulation should enter into force as a matter of urgency.
- (6) As the United Kingdom provided the written evidence related to the plant health rules referred to in Article 9(1), point (a), of Regulation (EU) 2023/1231 from 2 September 2024 for those rest-of-the-world goods of plant origin, and to avoid any unnecessary disruption to trade, this Regulation should thus apply retroactively from that date.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) 2023/2059 is amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 2 September 2024.

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

Done at Brussels, 18 December 2024.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁶⁾ Commission Implementing Regulation (EU) 2023/2059 of 26 September 2023 laying down rules for the application of Regulation (EU) 2023/1231 of the European Parliament and of the Council as regards the listing of certain rest-of-the-world commodities that may enter into Northern Ireland as retail goods from other parts of the United Kingdom and be placed on the market in Northern Ireland (OJ L 238, 27.9.2023, p. 103, ELI: http://data.europa.eu/eli/reg_impl/2023/2059/oj).

ANNEX

In the Annex to Implementing Regulation (EU) 2023/2059, the following commodities are added to the category of commodities 'Goods of non-animal origin':

'24	Figs, fresh	0804 20 10	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
25	Lychees, fresh	ex 0810 90 20	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
26	Dragon fruit (Fresh Pitahaya)	ex 0810 90 20	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries

Cut Flowers and Flower Buds

1	Fresh Carnations	0603 12 00	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
2	Fresh Chrysanthemum	0603 14 00	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
3	Fresh Lilies (<i>Lilium</i> spp.)	0603 15 00	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
4	Fresh Alstroemeria	ex 0603 19 70	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
5	Fresh Tulips	ex 0603 19 70	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries

6	Fresh Sunflowers	ex 0603 19 70	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
7	Fresh Gypsophila	ex 0603 19 70	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
8	Fresh Protea	ex 0603 19 70	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
9	Fresh Brassica	ex 0603 19 70 ex 0704 90 90	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries

Cut Herbs

1	Fresh Chives	ex 0703 90 00	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
2	Fresh Lemongrass	ex 0709 99 90 ex 1211 90 86	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
3	Fresh Tarragon	ex 0709 99 90	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
4	Fresh Parsley	ex 0709 99 90	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
5	Fresh Dill	ex 0709 99 90	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries

6	Fresh Thyme	0910 99 31 0910 99 33	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
7	Fresh Mint	ex 1211 90 86	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
8	Fresh Coriander	ex 0709 99 90	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
9	Fresh Rosemary	ex 1211 90 86	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
10	Fresh Sage	ex 1211 90 86	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
11	Fresh Basil	ex 1211 90 86	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries
12	Turmeric	0910 30 00	Phytosanitary certificate conforming to the model set out in the Annex to the International Plant Protection Convention	All third countries'