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► **B**

COMMISSION IMPLEMENTING DECISION

of 18 February 2013

on the supervision, plant health checks and measures to be taken on wood packaging material actually in use in the transport of specified commodities originating in China

(notified under document C(2013) 789)

(2013/92/EU)

(OJ L 47, 20.2.2013, p. 74)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Implementing Decision (EU) 2015/474 of 18 March 2015	L 76	64	20.3.2015
► <u>M2</u>	Commission Implementing Decision (EU) 2017/728 of 20 April 2017	L 107	33	25.4.2017



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Article 1

Definitions

For the purpose of this decision, the following definitions shall apply:

- (a) ‘wood packaging material’ means wood or wood products used in supporting, protecting or carrying a commodity, in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars and dunnage, actually in use in the transport of objects of all kinds; processed wood produced by glue, heat or pressure or a combination thereof and packaging material entirely composed of wood of 6 mm of thickness or less are excluded;
- (b) ‘specified commodities’ means commodities originating in China imported into the Union using the Combined Nomenclature codes listed in Annex I and meeting the descriptions laid down in Annex I to Council Regulation (EEC) No 2658/87 ⁽¹⁾;
- (c) ‘consignment’ means a quantity of goods being covered by a single document required for customs formalities or for other formalities.

Article 2

Supervision

1. The wood packaging material of each consignment of the specified commodities shall be subject to customs supervision pursuant to Article 37(1) of Council Regulation (EEC) No 2913/92 ⁽²⁾ and to supervision by the responsible official bodies as referred to in Article 13(1) of Directive 2000/29/EC. Specified commodities may only be placed under one of the customs procedures as specified in Article 4(16)(a), (d), (e), (f) and (g) of Regulation (EEC) No 2913/92, if the formalities as specified in Article 3 have been completed.

2. The responsible official bodies may require that airport authorities, harbour authorities or either importers or operators, as arranged between them, give, as soon as they are aware of the imminent arrival of the specified commodities, advance notice thereof to the customs office of the point of entry and to the official body of the point of entry.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

▼ B*Article 3***Plant health checks****▼ M1**

The wood packaging material of consignments of the specified commodities shall be subject to the plant health checks provided for in Article 13a(1)(b)(iii) of Directive 2000/29/EC at the minimum frequencies set out in Annex I to this Decision to confirm that the wood packaging material meets the requirements laid down in point (2) of Section I of Part A of Annex IV to Directive 2000/29/EC.

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Plant health checks shall take place at the point of entry into the Union or the place of destination established in accordance with Commission Directive 2004/103/EC ⁽¹⁾ which shall apply *mutatis mutandis*.

▼ M1*Article 4***Measures in case of non-compliance**

Where the plant health checks referred to in Article 3 show that point (2) of Section I of Part A of Annex IV to Directive 2000/29/EC is not complied with or that the wood packaging material is contaminated by harmful organisms listed in Part A of Annex I to that Directive, the Member State concerned shall immediately subject the non-compliant wood packaging material to one of the measures provided for in Article 13c(7) of that Directive.

▼ M2*Article 5***Reporting**

Without prejudice to Commission Directive 94/3/EC ⁽²⁾, Member States shall notify to the Commission, by 31 July 2017 for the period from 1 April 2016 to 31 March 2017 and by 30 April 2018 for the period from 1 April 2017 to 31 March 2018, the number and the results of the plant health checks carried out in accordance with Articles 2 and 3 of this Decision. To that end, Member States shall use the reporting template set out in Annex II.

▼ B*Article 6***Review**

This Decision shall be reviewed by 31 May 2014.

⁽¹⁾ OJ L 313, 12.10.2004, p. 16.

⁽²⁾ Commission Directive 94/3/EC of 21 January 1994 establishing a procedure for the notification of interception of a consignment or a harmful organism from third countries and presenting an imminent phytosanitary danger (OJ L 32, 5.2.1994, p. 37).

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Article 7

Entry into force and end of application

This Decision shall enter into force on 1 April 2013.

▼ M2

Articles 1 to 4 shall apply until 31 July 2018.

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Article 8

Addressees

This Decision is addressed to the Member States.

▼ **M1**

ANNEX I

SPECIFIED COMMODITIES

Combined Nomenclature Code	Description	Frequency of plant health checks (%)
2514 00 00	Slate, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape	15
2515	Marble, travertine, ecaussine and other calcareous monumental or building stone of an apparent specific gravity of 2,5 or more, and alabaster, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape	15
2516	Granite, porphyry, basalt, sandstone and other monumental or building stone, whether or not roughly trimmed or merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape	15
6801 00 00	Setts, curbstones and flagstones, of natural stone (except slate)	15
6802	Worked monumental or building stone (except slate) and articles thereof, other than goods of heading 6801; mosaic cubes and the like, of natural stone (including slate), whether or not on a backing; artificially coloured granules, chippings and powder, of natural stone (including slate)	15
6803 00	Worked slate and articles of slate or of agglomerated slate	15
► M2 6907 ◀	Glazed ceramic flags and paving, hearth or wall tiles; glazed ceramic mosaic cubes and the like, whether or not on a backing	15
7210	Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated	15

ANNEX II

REPORTING TEMPLATE

Report on the phytosanitary import checks of wood packaging material of each consignment of the specified commodities originating in China

Reporting Period:

Reporting Member State:

Points of entry involved:	Place of inspection:			number inspected at place of destination: number inspected at point of entry:				
	Combined Nomenclature Code: 2514 00 00	Combined Nomenclature Code: 2515	Combined Nomenclature Code: 2516	Combined Nomenclature Code: 6801 00 00	Combined Nomenclature Code: 6802	Combined Nomenclature Code 6803 00	Combined Nomenclature Code ► <u>M2</u> 6907 ◀	Combined Nomenclature Code 7210
No of incoming consignments entering the EU via the reporting Member State								
No of inspected consignments								
Of which No of consignments with compliant wood packaging material								
Of which No of consignments intercepted with non-compliant wood packaging material								
— Of which, with a harmful organism and without a compliant ISPM15 mark (please provide breakdown per harmful organism and whether the mark is missing or incorrect) ⁽¹⁾								
— Of which, with a harmful organism and a compliant ISPM15 mark (please provide breakdown per harmful organism)								
Please provide the country code, producer/treatment provider code and treatment code of the ISPM 15 mark(s)								

▼ **M1**

— Of which, without a compliant ISPM15 mark only (please provide breakdown between missing mark and incorrect mark) ⁽¹⁾								
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⁽¹⁾ Where applicable, please indicate the reasons why ISPM15 marks were identified as incorrect (type, method of application, etc.)