

行政院農業委員會動植物防疫檢疫局 函

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受文者：本局高雄分局

發文日期：中華民國108年10月16日
發文字號：防檢四字第1081494674號
速別：普通件
密等及解密條件或保密期限：
附件：如文1081494674-A1~A2

主旨：有關歐盟針對番茄(*Solanum lycopersicum*)及番椒(*Capsicum annuum*)供種植用植物(含種子)採取Tomato brown rugose fruit virus(ToBRFV)輸入檢疫緊急措施案，請惠轉知輸出業者配合辦理，請查照。

說明：

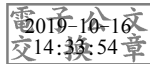
- 一、依據WTO/SPS 108年10月2日G/SPS/N/EU/350通知文件(如附件)辦理。
- 二、歐盟為防止ToBRFV於境內擴散及自境外移入，將採行相關寄主之檢疫緊急措施。自108年11月1日至111年3月31日，自非歐盟地區輸入番茄(*Solanum lycopersicum*)及番椒(*Capsicum annuum*)供種植用植物(含種子)，應符合下列規定之一，並於輸出國植物檢疫機關簽發之植物檢疫證明書上加註相關事項：
 - (一)產自非疫區國家，並加註說明。
 - (二)產自非疫生產區(area free from ToBRFV)，應於「輸出來源(place of origin)」欄註明區域名稱(name of the area)。
 - (三)自其他國家或地區輸入：
 - 1、種子以外之供種植用植物：應加註產自輸出國植物檢疫機關登錄核可之生產區域，並於適當時間經官方檢測確認未罹染ToBRFV。
 - 2、種子：應加註於輸出前經適當方法取樣及官方檢測，確認未罹染ToBRFV，並加註該檢測方法所引用之文獻。
- 三、查目前我國為ToBRFV之非疫區，業者如有輸出我國產番茄及番椒供種植用植物(含種子)至歐盟之需求，可配合加註該

批種植用植物或種子產自ToBRFV之非疫區國家，加註內容請參考附件。

- 四、又本局業於108年4月24日防檢四字第1081493431號函請行政院農業委員會種苗改良繁殖場（以下簡稱種苗場）協助該病毒輸出檢測作業，如輸出業者有檢測前揭病害之需求，可洽該場協助辦理。
- 五、另為避免該病害隨國際貿易傳入我國造成危害，請貴分局於執行番茄及番椒屬供種植用植物(含種子)輸入檢疫時，協助取樣送種苗場進行監測。

正本：本局基隆分局、本局新竹分局、本局臺中分局、本局高雄分局

副本：臺灣種苗改進協會、行政院農業委員會種苗改良繁殖場、行政院農業委員會農糧署、本局植物檢疫組





2 October 2019

(19-6354)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION OF EMERGENCY MEASURES

1.	Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved:
2.	Agency responsible: European Commission, Health and Food Safety Directorate-General
3.	Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Plants of <i>Capsicum annuum</i> and <i>Solanum lycopersicum</i> , including seeds
4.	Regions or countries likely to be affected, to the extent relevant or practicable: ☒ All trading partners ☐ Specific regions or countries:
5.	Title of the notified document: Commission Implementing Decision (EU) 2019/1615 of 26 September 2019 establishing emergency measures to prevent the introduction into and the spread within the Union of Tomato brown rugose fruit virus (ToBRFV). Language(s): English, French and Spanish. Number of pages: 4 https://members.wto.org/crnattachments/2019/SPS/EEC/19_5395_00_e.pdf https://members.wto.org/crnattachments/2019/SPS/EEC/19_5395_00_f.pdf https://members.wto.org/crnattachments/2019/SPS/EEC/19_5395_00_s.pdf
6.	Description of content: Import requirements and internal measures are put in place in relation to Tomato brown rugose fruit virus (ToBRFV).
7.	Objective and rationale: ☐ food safety, ☐ animal health, ☒ plant protection, ☐ protect humans from animal/plant pest or disease, ☐ protect territory from other damage from pests.
8.	Nature of the urgent problem(s) and reason for urgent action: The reason is the fast spread of the pest to neighbour countries, and the uncertainty of its worldwide distribution.
9.	Is there a relevant international standard? If so, identify the standard: ☐ Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): ☐ World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number): ☒ International Plant Protection Convention (e.g. ISPM number): ISPM No. 1, 4, 5, 7, 12, 29 ☐ None

Does this proposed regulation conform to the relevant international standard? ☒ Yes ☐ No If no, describe, whenever possible, how and why it deviates from the international standard:	
10.	Other relevant documents and language(s) in which these are available:
11.	Date of entry into force (dd/mm/yy)/period of application (as applicable): 1 November 2019 – 31 March 2022 ☐ Trade facilitating measure
12.	Agency or authority designated to handle comments: ☒ National Notification Authority, ☐ National Enquiry Point. Address, fax number and e-mail address (if available) of other body: European Commission DG Health and Food Safety, Unit D2-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 Fax: +(32 2) 29 98090 E-mail: sps@ec.europa.eu
13.	Text(s) available from: ☒ National Notification Authority, ☐ National Enquiry Point. Address, fax number and e-mail address (if available) of other body: European Commission DG Health and Food Safety, Unit D2-Multilateral International Relations Rue Froissart 101 B-1049 Brussels Tel: +(32 2) 29 54263 Fax: +(32 2) 29 98090 E-mail: sps@ec.europa.eu

COMMISSION IMPLEMENTING DECISION (EU) 2019/1615**of 26 September 2019****establishing emergency measures to prevent the introduction into and the spread within the Union of Tomato brown rugose fruit virus (ToBRFV)***(notified under document C(2019) 6826)*

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, and in particular the third sentence of Article 16(3) thereof,

Whereas:

- (1) Tomato brown rugose fruit virus ('the specified organism') is a harmful organism currently not listed in Annex I or Annex II to Directive 2000/29/EC.
- (2) However, in late 2018 Germany and Italy reported outbreaks of the specified organism on tomato crops in their territories and of the measures taken to control it. A pest risk analysis carried out by Italy has demonstrated that the specified organism and its damaging effects could be of significant plant health concern to the Union, in particular for *Solanum lycopersicum* L. and *Capsicum annuum* production.
- (3) Member States should therefore ensure that any person having under their control plants which may be infected with the specified organism is informed about its potential presence and the measures to be taken.
- (4) Member States should furthermore carry out annual surveys for the presence of the specified organism in their territories, to ensure a more pro-active approach against the establishment and spread of that organism.
- (5) In view of the evidence from Germany and Italy and of the spread of the specified organism in a rising number of third countries, susceptible specified plants for planting, including seed, should be subject to specific measures when introduced into the Union and should be accompanied by a phytosanitary certificate.
- (6) Those specific measures should provide for the timely detection of the specified organism in the Union territory, requirements for the introduction into the Union of the specified plants for planting, including seed, as well as official checks to be conducted at the introduction of the specified plants for planting including seed into the Union.
- (7) Such measures are necessary to ensure an enhanced protection of the Union territory from the entry, establishment and spread of the specified organism.
- (8) In order to allow the responsible official bodies and the professional operators to adapt to those requirements, this Decision should apply from 1 November 2019.
- (9) This Decision should be temporary and apply until 31 March 2022 to allow for its review before that time.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

HAS ADOPTED THIS DECISION:

Article 1

Definitions

For the purposes of this Decision, the following definitions shall apply:

- (a) 'specified organism' means Tomato brown rugose fruit virus (ToBRFV);
- (b) 'specified plants for planting' means plants for planting, of *Solanum lycopersicum* L. and *Capsicum annuum*;

Article 2

Prohibition of introduction and movement within the Union

The introduction into, and movement within, the Union of the specified organism shall be prohibited.

Article 3

Detection or suspected presence of the specified organism

Member States shall ensure that any person having under its control plants which may be infected with the specified organism is immediately informed of the presence or the suspected presence of the specified organism, of the possible consequences and risks, and of the measures to be taken to prevent the establishment and spread of the specified organism.

Article 4

Surveys of the specified organism in the territories of the Member States and identification

1. Member States shall conduct annual surveys for the presence of the specified organism on host plants in their territory.
2. Those surveys shall be carried out by the responsible official body, or under official supervision of the responsible official body. Those surveys shall include laboratory testing and shall be based on sound scientific and technical principles with regard to the possibility to detect the specified organism.
3. Member States shall notify the Commission and the other Member States, by 31 January of each year, of the results of the surveys that were carried out in the preceding calendar year.

Article 5

Movement of the specified plants for planting within the Union

The specified plants for planting, originating within the Union territory, may only be moved within the Union if they are accompanied by a plant passport prepared and issued in accordance with Commission Directive 92/105/EEC ⁽²⁾ and if they fulfil one of the following requirements:

- (a) they originate in areas where the specified organism is known not to occur;
- (b) in the case of plants for planting, other than seeds:
 - (i) they originate in a production site where the specified organism is known not to occur on the basis of official inspections carried out at the appropriate time to detect that organism; and
 - (ii) they derive from seeds which either originate in areas free from the specified organism or have undergone official testing for the specified organism on a representative sample using appropriate methods, and have been found, in these tests, to be free of the specified organism;
- (c) in the case of seeds, official sampling and testing for the specified organism has been carried out, on a representative sample using appropriate methods, and they have been found, in these tests, to be free of the specified organism.

⁽²⁾ Commission Directive 92/105/EEC of 3 December 1992 establishing a degree of standardisation for plant passports to be used for the movement of certain plants, plant products or other objects within the Community, and establishing the detailed procedures related to the issuing of such plant passports and the conditions and detailed procedures for their replacement (OJ L 4, 8.1.1993, p. 22).

*Article 6***Requirements for the introduction into the Union of the specified plants for planting**

Specified plants for planting shall only be introduced into the Union if they are accompanied by a phytosanitary certificate referred to in Article 13(1)(ii) of Directive 2000/29/EC and if they fulfil one of the following requirements:

- (a) The specified plants for planting shall originate in a third country free from the specified organism, as established by the national plant protection organisation concerned, in accordance with the relevant International Standards for Phytosanitary Measures. That information shall be stated in the phytosanitary certificate under 'Additional Declaration'.
- (b) The specified plants for planting shall originate in an area free from the specified organism, as established by the national plant protection organisation concerned, in accordance with the relevant International Standards for Phytosanitary Measures. The name of that area shall be stated in the phytosanitary certificate under 'place of origin'.
- (c) Where the specified plants for planting originate in third countries or areas other than those referred to in points (a) and (b), they shall fulfil the following requirements:
 - (i) in the case of specified plants for planting, other than seeds:
 - they have been produced in a production site which is registered and supervised by the national plant protection organisation in the country of origin and known to be free from the specified organism on the basis of official inspections carried out at the appropriate time to detect that organism; and
 - they derive from seeds which either originate in areas free from the specified organism or have undergone official testing for the specified organism on a representative sample using appropriate methods, and have been found, in these tests, to be free of the specified organism. Reference to the testing shall be included under 'Additional Declaration' of the phytosanitary certificate.

Information ensuring the traceability of the specified plants for planting to their site of production shall be available;

- (ii) in the case of seeds, official sampling and testing for the specified organism has been carried out, on a representative sample using appropriate methods, and they have been found, in these tests, to be free of the specified organism. Reference to the testing shall be included under 'Additional Declaration' of the phytosanitary certificate.

*Article 7***Official checks at introduction into the Union**

All consignments of specified plants for planting introduced into the Union shall be officially checked at the point of entry into the Union or at the place of destination as provided for in accordance with Commission Directive 2004/103/EC ⁽³⁾.

*Article 8***Date of application**

This Decision shall apply from 1 November 2019.

*Article 9***Date of expiration**

This Decision shall apply until 31 March 2022.

⁽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).

*Article 10***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 26 September 2019.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission
