

DECISIONS

COMMISSION DECISION

of 25 November 2010

amending Decision 2004/4/EC authorising Member States temporarily to take emergency measures against the dissemination of *Pseudomonas solanacearum* (Smith) Smith as regards Egypt

(notified under document C(2010) 8185)

(2010/714/EU)

THE EUROPEAN COMMISSION,

been sufficiently mitigated, provided that the specific conditions indicated in Decision 2004/4/EC are satisfied.

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

- (4) The entry into the Union of tubers of *Solanum tuberosum* L., originating in 'pest-free areas' of Egypt, should therefore be permitted for the 2010/2011 import season.

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 Article 16(3) thereof,

- (5) Decision 2004/4/EC established that it had to be reviewed by 30 September 2010. In light of the above findings, the deadline for the review should be extended.

Whereas:

- (6) Decision 2004/4/EC should be therefore amended accordingly.

(1) Under Commission Decision 2004/4/EC⁽²⁾, tubers of *Solanum tuberosum* L., originating in Egypt, must not in principle be introduced into the Union. In line with a possibility to derogate from that Decision, the entry of such tubers into the Union was permitted from 'pest-free areas' and subject to specific conditions in previous years, including the 2009/2010 import season.

- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2004/4/EC is amended as follows:

(2) During the 2009/2010 import season, only one interception of *Pseudomonas solanacearum* (Smith) Smith was recorded in the Union.

1. in Article 2(1), '2009/2010' is replaced by '2010/2011';

(3) As requested by Egypt, and in the light of the information provided by it, the Commission has established that the risk of spreading *Pseudomonas solanacearum* (Smith) Smith with the entry into the Union of tubers of *Solanum tuberosum* L. from 'pest-free areas' of Egypt has

2. in Article 4, '31 August 2010' is replaced by '31 August 2011';

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 2, 6.1.2004, p. 50.

3. in Article 7, '30 September 2010' is replaced by '30 September 2011';

4. the Annex is amended as follows:

Article 2

This Decision is addressed to the Member States.

(a) in point 1(b)(iii), '2009/2010' is replaced by '2010/2011';

Done at Brussels, 25 November 2010.

(b) in the second indent of point 1(b)(iii), '1 January 2010' is replaced by '1 January 2011';

(c) in point 1(b)(xii), '1 January 2010' is replaced by '1 January 2011'.

For the Commission

John DALLI

Member of the Commission
