

On the basis of the fifth paragraph of Article 10, fourth paragraph of Article 14, fifth paragraph of Article 15 and fourth indent of Article 73 of the Plant Health Act (Official Gazette of the RS, No. 45/01), the minister of agriculture, forestry and food hereby issues these

RULES

on provisional measures to prevent the introduction and spread of
pepino mosaic virus¹

I. GENERAL PROVISIONS

Article 1 (content)

These Rules shall regulate temporary measures with regard to the prevention of introduction and spread of pepino mosaic virus; special phytosanitary requirements in respect of the introduction and movements of seeds of tomato, *Lycopersicon lycopersicum* (L.) Karsten ex Farw. (furtheron as: seeds of tomato) with the aim to prevent the introduction and spread of pepino mosaic virus; surveys for the presence of pepino mosaic virus and reporting.

Article 2 (control and authorisations)

(1) The presence of pepino mosaic virus shall be established on the plants of tomato, in particular seeds:

- within the framework of the regular control in accordance with the regulation on the prevention of introduction, spread and suppression of organisms harmful to plants, plant products and regulated articles.
- within the special control in accordance with the regulation on protected zones and official systematic surveys carried out in special regulated areas, including visual examinations, sampling and laboratory testing.

(2) In addition to the Phytosanitary administration of the republic of Slovenia (furtheron as: the Administration) and the phytosanitary inspection, health examinations of tomato shall be carried out also by public bodies entrusted with the task and performers of public services in the field of plant health, which may, within the carrying out of the special control, take samples of plants and plant products in accordance with the authorisation and instructions of the Head of the Administration with regard to the taking of samples

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Ta pravilnik vsebinsko povzema Odločbo komisije št. 2004/xx/ES, ki nadomešča 2003/64/EC z dne 28. januarja 2003

and with Article 8 of these Rules.

II. INTRODUCTION AND MOVEMENT

Article 3 (introduction and movement of seeds of tomato)

The introduction and movement of seeds of tomato, contaminated by Pepino mosaic virus, shall be banned.

Article 4 (introduction from third countries)

(1) Introduction of seeds of tomato, originating in third countries, shall be permitted only if being free from Pepino mosaic virus and if meeting the special phytosanitary requirements laid down in Article 6 of these Rules.

(2) When importing the seeds of tomato, referred to in the previous paragraph, they shall be officially inspected for the presence of Pepino mosaic virus, in accordance with the regulations on protective measures with regard to the introduction, spread and suppression of organisms harmful to plants, plant products and regulated articles.

(3) Official examination from the previous paragraph shall include laboratory tests for the presence of Pepino mosaic virus.

Article 5 (movement)

(1) Seeds of tomato originating in the Community, may not be moved from their place of production unless they meet the special phytosanitary conditions laid down in Article 7 of these Rules.

(2) Paragraph 1 shall not apply to movement of seeds of tomato, the packaging of which or other indications clearly show that they are intended for sale to final consumers not involved in professional plant production.

III. SPECIAL PHYTOSANITARY REQUIREMENTS

Article 6²

(special phytosanitary requirements with regard to the introduction from third countries)

Seeds of tomato, originating in third countries, shall be accompanied by a phytosanitary certificate, issued in accordance with the provisions of the regulation on the procedures with regard to the prevention of introduction, spread and suppression of organisms harmful to plants, plant products and regulated articles, stating that they have been treated by means of an appropriate acid extraction method, and:

- that they originate in areas in which Pepino mosaic virus is known not to occur, or
- that no symptoms of Pepino mosaic virus have been observed on the plants at the place of production during their complete cycle of vegetation, or
- that they have undergone official testing for Pepino mosaic virus, on a representative sample and using appropriate methods, and have been found, in these tests, free from Pepino mosaic virus.

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Article 7³

(special phytosanitary requirements with regard to movement)

Seeds of tomato, originating in the Community, may be moved from the place of production only if they have been treated by means of an appropriate acid extraction method, and:

- that they originate in areas in which Pepino mosaic virus is known not to occur, or
- that no symptoms of Pepino mosaic virus have been observed on the plants at the place of production during their complete cycle of vegetation; or
- that they have undergone official testing for Pepino mosaic virus, on a representative sample and using appropriate methods, and have been found, in these tests, free from Pepino mosaic virus.

IV. SURVEYS AND REPORTING

Article 8

(special control)

² 2003/64/EC, ANNEX, points 1 and 2

³ 2003/64/EC, ANNEX, points 3 and 4

(1) The Administration shall ensure the carrying out of official annual surveys of Pepino mosaic virus within the special control of the plants of tomato, including fruit, in the protected production, in order to establish the presence, boundary of the possible spread or characteristics of the population, or to ensure control.

The Administration shall ensure the carrying out of official annual surveys of Pepino mosaic virus within the special control of plants of tomato, including fruit, in the protected production, in order to establish the presence, boundary of the possible spread or characteristics of the population, or to ensure control.

(2) The Head of the Administration shall approve program for the special control of Pepino mosaic virus in accordance with the rules on the carrying out of official surveys in the special regulated areas. The program shall specify methods of examinations as well as the extent of testing for the presence of Pepino mosaic virus.

(3) Surveys or special control referred to in this Article shall be carried out in accordance with the second paragraph of Article 2 of these Rules by:

- authorised performers of plant health, in particular in plantations for the production of fruit,
- phytosanitary inspectors, in particular at the places of production of seeds and plants for planting of tomato, as well as at border points of entry,
- authorised officials from the Administration.

(4) Laboratory tests for Pepino mosaic virus shall be carried out by designated laboratory in accordance with the regulation on technical and organisational conditions to be met by laboratories in order to carry out diagnostic examinations in the field of plant health.

(5) Inspection of the carrying out of these Rules shall be performed by phytosanitary inspectors in accordance with the act on plant health. 6) Coordination, reporting and exchange of information between bodies and performers of plant health shall be provided for by the Administration.

Article 9 (reporting)

(1) The Head of the Administration may, in accordance with the act on plant health and with these Rules, issue a decision for the adoption of suppression plan for Pepino mosaic virus, in the event of its occurrence within the territory of the Republic of Slovenia, and provide information thereof to other performers of control and holders of plants and plant products in the local manner and on the website of the Administration.

(2) The Administration shall, in accordance with the act on plant health and with international conventions and agreements, binding upon the Republic of Slovenia,

provide information with regard to the results of surveys and the measures introduced against Pepino mosaic virus, to the European Commission, Member States and international organisations from the field of plant health, each year until 30. September at the latest.

V. FINAL PROVISION

Article 10 (final provision)

These Rules shall take effect fifteen days after publication in the Official Gazette of the Republic of Slovenia.

No.: 327-01-555/2003
Ljubljana, 4 August 2003
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