



STATUTORY INSTRUMENTS.

S.I. No. 496 of 2023

EUROPEAN UNION (PLANT HEALTH) (AMENDMENT) REGULATIONS
2023

**EUROPEAN UNION (PLANT HEALTH) (AMENDMENT) REGULATIONS
2023**

I, CHARLIE MCCONALOGUE, Minister for Agriculture, Food and the Marine, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purpose of giving effect to Commission Implementing Regulation (EU) 2020/1540 of 22 October 2020¹, Commission Implementing Regulation (EU) 2020/1770 of 26 November 2020², Commission Implementing Regulation (EU) 2020/1825 of 2 December 2020³, Commission Implementing Regulation (EU) 2020/2210 of 22 December 2020⁴, Commission Implementing Regulation (EU) 2020/2211 of 22 December 2020⁵, Commission Implementing Regulation (EU) 2021/74 of 26 January 2021⁶, Commission Implementing Regulation (EU) 2021/83 of 27 January 2021⁷, Commission Implementing Regulation (EU) 2021/419 of 9 March 2021⁸, Commission Implementing Regulation (EU) 2021/608 of 14 April 2021⁹, Commission Implementing Decision (EU) 2021/682 of 26 April 2021¹⁰, Commission Implementing Regulation (EU) 2021/759 of 7 May 2021¹¹, Commission Delegated Regulation (EU) 2021/1353 of 17 May 2021¹², Commission Implementing Regulation (EU) 2021/984 of 17 June 2021¹³, Commission Implementing Regulation (EU) 2021/1688 of 20 September 2021¹⁴, Commission Implementing Regulation (EU) 2021/1809 of 13 October 2021¹⁵, Commission Implementing Regulation (EU) 2021/1936 of 9 November 2021¹⁶, Commission Implementing Regulation (EU) 2021/2069 of 25 November 2021¹⁷, Commission Implementing Regulation (EU) 2021/2130 of 2 December 2021¹⁸, Commission Implementing Regulation (EU) 2021/2285 of 14 December 2021¹⁹, Commission Implementing Regulation (EU) 2022/230 of 18 February 2022²⁰, Commission Implementing Regulation (EU) 2022/490 of 25 March 2022²¹, Commission Implementing Regulation (EU) 2022/632 of 13

¹ O.J. No. L353 of 23.10.2020, p.4

² O.J. No. L398 of 27.11.2020, p.6

³ O.J. No. L406 of 03.12.2020, p.58

⁴ O.J. No. L438 of 28.12.2020, p.28

⁵ O.J. No. L438 of 28.12.2020, p.41.

⁶ O.J. No. L27 of 27.01.2021, p.15

⁷ O.J. No. L29 of 28.01.2021, p.23

⁸ O.J. No. L83 of 10.03.2021, p.6

⁹ O.J. No. L129 of 15.04.2021, p.119

¹⁰ O.J. No. L144 of 27.04.2021, p.31

¹¹ O.J. No. L162 of 10.05.2021, p.18

¹² O.J. No. L291 of 13.08.2021, p.20

¹³ O.J. No. L216 of 18.06.2021, p.202

¹⁴ O.J. No. L332, of 21.9.2021, p. 6

¹⁵ O.J. No. L365 of 14.10.2021, p.41

¹⁶ O.J. No. L396, of 10.11.2021, p. 27

¹⁷ O.J. No. L421 of 26.11.2021, p.28

¹⁸ O.J. No. L432 of 03.12.2021, p.19

¹⁹ O.J. No. L458 of 22.12.2021, p.173

²⁰ O.J. No. L39 of 21.02.2022, p.11

²¹ O.J. No. L100 of 28.03.2022, p.10

April 2022²², Commission Implementing Regulation (EU) 2022/680 of 27 April 2022²³, Commission Implementing Regulation (EU) 2022/853 of 31 May 2022²⁴, Commission Implementing Regulation (EU) 2022/959 of 16 June 2022²⁵, Commission Implementing Regulation (EU) 2022/1192 of 11 July 2022²⁶, Commission Implementing Regulation (EU) 2022/1193 of 11 July 2022²⁷, Commission Implementing Regulation (EU) 2022/1194 of 11 July 2022²⁸, Commission Implementing Regulation (EU) 2022/1195 of 11 July 2022²⁹, Commission Implementing Regulation (EU) 2022/1265 of 20 July 2022³⁰, Commission Implementing Regulation (EU) 2022/1309 of 26 July 2022³¹, Commission Implementing Regulation (EU) 2022/1372 of 5 August 2022³², Commission Implementing Regulation (EU) 2022/1404 of 16 August 2022³³ Commission Implementing Regulation (EU) 2022/1629 of 21 September 2022³⁴, Commission Implementing Regulation (EU) 2022/1630 of 21 September 2022³⁵, Commission Implementing Regulation (EU) 2022/1659 of 27 September 2022³⁶, Commission Implementing Regulation (EU) 2022/1927 of 11 October 2022³⁷, Commission Implementing Regulation (EU) 2022/1941 of 13 October 2022³⁸, Commission Implementing Regulation (EU) 2022/1942 of 13 October 2022³⁹, Commission Implementing Regulation (EU) 2022/2095 of 28 October 2022⁴⁰, Commission Implementing Regulation (EU) 2023/158 of 23 January 2023⁴¹ and Commission Implementing Regulation (EU) 2023/446 of 27 February 2023⁴², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Plant Health) (Amendment) Regulations 2023.

2. The European Union (Plant Health) Regulations 2020 (S.I. No. 459 of 2020) are amended-

(a) in Regulation 2(1) by substituting for the definition of “Regulation No 2017/625”, the following –

²² O.J. No. L192 of 19.04.2022, p.11

²³ O.J. No. L125 of 28.04.2022, p.1

²⁴ O.J. No. L150 of 01.06.2022, p.62

²⁵ O.J. No. L165 of 21.06.2022, p.30

²⁶ O.J. No. L185 of 12.07.2022, p.12

²⁷ O.J. No. L185 of 12.07.2022, p.27

²⁸ O.J. No. L185 of 12.07.2022, p.47

²⁹ O.J. No. L185 of 12.07.2022, p.65

³⁰ O.J. No. L192 of 21.07.2022, p.14

³¹ O.J. No. L198 of 27.07.2022, p.4

³² O.J. No. L206 of 08.08.2022, p.16

³³ O.J. No. L214 of 17.08.2022, p.3

³⁴ O.J. No. L245 of 22.09.2022, p.14

³⁵ O.J. No. L245 of 22.09.2022, p.27

³⁶ O.J. No. L250 of 28.09.2022, p.1

³⁷ O.J. No. L265 of 12.10.2022, p.72

³⁸ O.J. No. L268 of 14.10.2022, p.13

³⁹ O.J. No. L268 of 14.10.2022, p.16

⁴⁰ O.J. No. L281 of 31.10.2022, p.53

⁴¹ O.J. No. L22 of 24.01.2023, p.15

⁴² O.J. No. L65 of 02.03.2023, p.11

“Regulation No 2017/625” means Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 as amended, supplemented or implemented by Commission Delegated Regulation (EU) 2018/631 of 7 February 2018, Commission Implementing Regulation (EU) 2018/329 of 5 March 2018, Commission Implementing Regulation (EU) 2018/1587 of October 2018, Commission Delegated Regulation (EU) 2019/478 of 14 January 2019, Commission Implementing Regulation (EU) 2019/66 of 16 January 2019 (as amended by Commission Implementing Regulation (EU) 2020/714 of 28 May 2020 and Commission Implementing Regulation (EU) 2020/887 of 26 June 2020), Commission Delegated Regulation (EU) 2019/624 of 8 February 2019, Commission Delegated Regulation (EU) 2019/625 of 4 March 2019, Commission Delegated Regulation (EU) 2019/1081 of 8 March 2019, Commission Delegated Regulation (EU) 2019/1012 of 12 March 2019, Commission Implementing Regulation (EU) 2019/530 of 27 March 2019, Commission Implementing Regulation (EU) 2019/723 of 2 May 2019, Commission Implementing Regulation (EU) 2019/626 of 5 March 2019 (as amended by Commission Implementing Regulation (EU) 2019/1981 of 28 November 2019), Commission Implementing Regulation (EU) 2019/627 of 15 March 2019, Commission Implementing Regulation (EU) 2019/628 of 8 April 2019, Commission Implementing Regulation (EU) 2019/1013 of 16 April 2019, Commission Delegated Regulation (EU) 2019/1602 of 23 April 2019, Commission Implementing Regulation (EU) 2019/1014 of 12 June 2019, Commission Delegated Regulation (EU) 2019/2090 of 19 June 2019, Commission Delegated Regulation (EU) 2019/1666 of 24 June 2019, Commission Implementing Regulation (EU) 2019/1139 of 3 July 2019, Commission Delegated Regulation (EU) 2019/2074 of 23 September 2019, Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019, Commission Implementing Regulation (EU) 2019/1685 of 4 October 2019, Commission Delegated Regulation (EU) 2019/2122 of 10 October 2019, Commission Delegated Regulation (EU) 2019/2125 of 10 October 2019, Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019, Commission Delegated Regulation (EU) 2019/2126 of 10 October 2019, Commission Delegated Regulation (EU) 2019/2127 of 10 October 2019, Commission Delegated Regulation (EU) 2019/2123 of 10 October 2019, Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019 (as amended by Commission Implementing Regulation (EU) 2020/625 of 6 May 2020, Commission Implementing Regulation (EU) 2020/1540 of 22 October 2020 and Commission Implementing Regulation (EU) 2021/608 of 14 April 2021), Commission Implementing Regulation (EU) 2019/1873 of 7 November 2019, Commission Implementing Regulation (EU) 2019/2128 of 12 November 2019, Commission

Implementing Regulation (EU) 2019/2007 of 18 November 2019, Commission Implementing Regulation (EU) 2019/2130 of 25 November 2019, Commission Implementing Regulation (EU) 2019/2129 of 25 November 2019, Commission Implementing Regulation (EU) 2019/2093 of 29 November 2019, Commission Implementing Regulation (EU) 2020/466 of 30 March 2020 (as amended by Commission Implementing Regulation (EU) 2020/1087 of 23 July 2020, Commission Implementing Regulation (EU) 2020/1341 of 28 September 2020, Commission Implementing Regulation (EU) 2021/83 of 27 January 2021 and Commission Implementing Regulation (EU) 2021/984 of 17 June 2021), Commission Implementing Regulation (EU) 2020/1158 of 5 August 2020, Commission Implementing Regulation (EU) 2020/1191 of 11 August 2020 (as amended by Commission Implementing Regulation (EU) 2021/74 of 26 January 2021 and Commission Implementing Regulation (EU) 2021/1809 of 13 October 2021) and Commission Delegated Regulation (EU) 2021/1353 of 17 May 2021, Commission Implementing Regulation (EU) 2021/1900 of 27 October 2021, Commission Implementing Regulation (EU) 2021/1935 of 8 November 2021, Commission Implementing Regulation (EU) 2021/2141 of 3 December 2021, Commission Implementing Regulation (EU) 2022/7 of 5 January 2022, Commission Implementing Regulation (EU) 2021/2246 of 15 December 2021, Commission Implementing Regulation (EU) 2022/36 of 11 January 2022, Commission Implementing Regulation (EU) 2022/37 of 12 January 2022, Commission Implementing Regulation (EU) 2022/158 of 4 February 2022, Commission Implementing Regulation (EU) 2022/160 of 4 February 2022, Commission Implementing Regulation (EU) 2022/176 of 9 February 2022, Commission Implementing Regulation (EU) 2022/250 of 21 February 2022, Commission Implementing Regulation (EU) 2022/478 of 24 March 2022, Commission Implementing Regulation (EU) 2022/363 of 24 January 2022, Commission Implementing Decision (EU) 2022/575 of 6 April 2022, Commission Implementing Regulation (EU) 2022/497 of 28 March 2022, Commission Implementing Regulation (EU) 2022/854 of 31 May 2022, Commission Implementing Regulation (EU) 2022/685 of 28 April 2022, Commission Implementing Regulation (EU) 2022/932 of 9 June 2022, Commission Implementing Regulation (EU) 2022/913 of 30 May 2022, Commission Implementing Regulation (EU) 2022/1372 of 5 August 2022, Commission Implementing Regulation (EU) 2022/1322 of 25 July 2022, Commission Implementing Regulation (EU) 2022/1219 of 14 July 2022, Commission Implementing Regulation (EU) 2022/1646 of 23 September 2022, Commission Implementing Regulation (EU) 2022/1428 of 24 August 2022, Commission Implementing Regulation (EU) 2022/1418 of 22 August 2022, Commission Implementing Regulation (EU)

2022/1389 of 2 August 2022, Commission Delegated Regulation (EU) 2021/2244 of 7 October 2021, Commission Delegated Regulation (EU) 2021/2156 of 17 September 2021, Commission Delegated Regulation (EU) 2021/2089 of 21 September 2021, Commission Delegated Regulation (EU) 2022/671 of 4 February 2022, Commission Delegated Regulation (EU) 2021/2305 of 21 October 2021, Commission Delegated Regulation (EU) 2022/931 of 23 March 2022, Commission Delegated Regulation (EU) 2022/887 of 28 March 2022, Commission Delegated Regulation (EU) 2022/2258 of 9 September 2022, Commission Delegated Regulation (EU) 2022/1667 of 19 July 2022, Commission Delegated Regulation (EU) 2022/1644 of 7 July 2022, Commission Delegated Regulation (EU) 2022/1615 of 22 April 2022, Commission Implementing Regulation (EU) 2022/2293 of 18 November 2022, Commission Implementing Regulation (EU) 2022/2304 of 24 November 2022, Commission Implementing Regulation (EU) 2022/2389 of 7 December 2022, Commission Implementing Regulation (EU) 2022/2418 of 9 December 2022, Commission Implementing Regulation (EU) 2022/2503 of 19 December 2022, Commission Implementing Regulation (EU) 2022/2504 of 19 December 2022, Commission Implementing Regulation (EU) 2023/174 of 26 January 2023, Commission Implementing Regulation (EU) 2023/516 of 8 March 2023, Commission Implementing Regulation (EU) 2023/514 of 8 March 2023, Commission Implementing Decision (EU) 2023/1016 of 22 May 2023, Commission Implementing Regulation (EU) 2023/1032 of 25 May 2023, Commission Delegated Regulation (EU) 2022/2292 of 6 September 2022, Commission Delegated Regulation (EU) 2023/182 of 23 November 2022 and Commission Delegated Regulation (EU) 2023/842 of 17 February 2023;”,

- (b) in Regulation 20(2)(b), by substituting “paragraph (1)” for “paragraph (5);”
- (c) in Regulation 57, by substituting for paragraph (g) the following –
 - “(g) Commission Implementing Regulation (EU) 2022/632 of 13 April 2022 in regards to the following:
 - (i) *Phyllosticta citricarpa* (McAlpine) Van der Aa, or
 - (ii) the specified fruit.”;
- (d) in Regulation 72, by inserting the following paragraph as paragraph (2) and consequently re-numbering Regulation 72 as paragraph (1) of that Regulation:

“(2) A statement or admission made by a person pursuant to a requirement under Regulation 65(10)(ii) is not admissible in evidence in proceedings brought against the person for an offence (other than an offence under this Regulation for failing

to give information or giving false information) under these Regulations.”,

- (e) in Regulation 75, by deleting paragraph (3), and
- (f) by substituting for the Schedule the following –

“Regulation 2

Schedule

Ref	EU Act
1	Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017
2	Commission Implementing Regulation (EU) 2017/2313 of 13 December 2017
3	Commission Implementing Regulation (EU) 2018/2018 of 18 December 2018
4	Commission Implementing Regulation (EU) 2018/2019 of 18 December 2018 (as amended by Commission Implementing Regulation (EU) 2020/1214 of 21 August 2020, Commission Implementing Regulation (EU) 2020/1361 of 30 September 2020, Commission Implementing Regulation (EU) 2021/419 of 9 March 2021, Commission Implementing Regulation (EU) 2021/1936 of 9 November 2021, Commission Implementing Regulation (EU) 2022/230 of 18 February 2022, Commission Implementing Regulation (EU) 2022/490 of 25 March 2022, Commission Implementing Regulation (EU) 2022/853 of 31 May 2022, Commission Implementing Regulation (EU) 2022/1309 of 26 July 2022, Commission Implementing Regulation (EU) 2022/1404 of 16 August 2022, Commission Implementing Regulation (EU) 2022/1942 of 13 October 2022 Commission Implementing Regulation (EU) 2023/158 of 23 January 2023 and Commission Implementing Regulation (EU) 2023/446 of 27 February 2023).
5	Commission Delegated Regulation (EU) 2019/827 of 13 March 2019
6	Commission Delegated Regulation (EU) 2019/829 of 14 March 2019
7	Commission Delegated Regulation (EU) 2019/1702 of 1 August 2019
8	Commission Implementing Regulation (EU) 2019/1715 of 30 September 2019
9	Commission Implementing Regulation (EU) 2019/2072 of 28 November 2019 as amended by (Commission Implementing Regulation (EU) 2020/1164 of 6 August 2020, Commission Implementing Regulation (EU) 2020/1825 of 2 December 2020, Commission Implementing Regulation (EU) 2020/2210 of 22

	December 2020, Commission Implementing Regulation (EU) 2020/2211 of 22 December 2020 Commission Implementing Regulation (EU) 2021/2069 of 25 November 2021, Commission Implementing Regulation (EU) 2021/2285 of 14 December 2021, Commission Implementing Regulation (EU) 2021/759 of 7 May 2021, Commission Implementing Regulation (EU) 2022/853 of 31 May 2022 and Commission Implementing Regulation (EU) 2022/959 of 16 June 2022).
10	Commission Implementing Regulation (EU) 2019/2148 of 13 December 2019 (as amended by Commission Implementing Regulation (EU) 2020/1217 of 25 August 2020)
11	Commission Implementing Regulation (EU) 2020/178 of 31 January 2020 (as amended by Commission Implementing Regulation (EU) 2022/680 of 27 April 2022)
12	Commission Implementing Regulation (EU) 2020/918 of 1 July 2020
13	Commission Implementing Regulation (EU) 2020/1002 of 9 July 2020
14	Commission Implementing Decision (EU) 2020/758 of 4 June 2020
15	Commission Implementing Regulation (EU) 2020/1191 of 11 August 2020 (as amended by Commission Implementing Regulation (EU) 2021/74 of 26 January 2021 and Commission Implementing Regulation (EU) 2021/1809 of 13 October 2021)
16	Commission Implementing Regulation (EU) 2020/1199 of 13 August 2020
17	Commission Implementing Regulation (EU) 2020/1201 of 14 August 2020 (as amended by Commission Implementing Regulation (EU) 2021/1688 of 20 September 2021 and Commission Implementing Regulation (EU) 2021/2130 of 2 December 2021)
18	Commission Implementing Regulation (EU) 2020/1213 of 21 August 2020 (as amended by Commission Implementing Regulation (EU) 2020/1362 of 30 September 2020, Commission Implementing Regulation (EU) 2021/419 of 9 March 2021, Commission Implementing Regulation (EU) 2021/1936 of 9 November 2021, Commission Implementing Regulation (EU) 2022/490 of 25 March 2022 Commission Implementing Regulation (EU) 2022/1942 of 13 October 2022, and Commission Implementing Regulation (EU) 2023/446 of 27 February 2023)
19	Commission Implementing Regulation (EU) 2020/1231 of 27 August 2020
20	Commission Implementing Regulation (EU) 2020/1292 of 15 September 2020
21	Commission Implementing Regulation (EU) 2020/1770 of 26 November 2020

22	Commission Implementing Regulation (EU) 2022/1192 of 11 July 2022
23	Commission Implementing Regulation (EU) 2022/1193 of 11 July 2022
24	Commission Implementing Regulation (EU) 2022/1194 of 11 July 2022
25	Commission Implementing Regulation (EU) 2022/1195 of 11 July 2022
26	Commission Implementing Regulation (EU) 2022/1265 of 20 July 2022
27	Commission Implementing Regulation (EU) 2022/1372 of 5 August 2022
28	Commission Implementing Regulation (EU) 2022/1629 of 21 September 2022
29	Commission Implementing Regulation (EU) 2022/1630 of 21 September 2022
30	Commission Implementing Regulation (EU) 2022/1659 of 27 September 2022
31	Commission Implementing Regulation (EU) 2022/1927 of 11 October 2022
32	Commission Implementing Regulation (EU) 2022/2095 of 28 October 2022

GIVEN under my Official Seal,
11 October, 2023.

CHARLIE MCCONALOGUE,
Minister for Agriculture, Food and the Marine.

L.S.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations update existing Legislation to give further effect to Plant Health Regulation (EU) 2016/2031 to provide for more proactive and effective measures to protect plants, plant products and forests from destructive pests and diseases.

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