



Notification Number: 2011/439/F

## **Draft Decree on the conditions for approval of entry and for introduction into the environment of non-indigenous macro-organisms that are useful for plants, particularly as part of biological control.**

Date received : 22/08/2011

End of Standstill : 23/11/2011

Issue of comments by : Commission

### Message

Message 002

Communication from the Commission - SG(2011) D/51997

Directive 98/34/EC

Translation of the message 001

Notification: 2011/0439/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201101997.EN)

#### **1. Structured Information Line**

MSG 002 IND 2011 0439 F EN 22-08-2011 F NOTIF

#### **2. Member State**

F

#### **3. Department Responsible**

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### 3. Originating Department

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### 4. Notification Number

2011/0439/F - S60E

### 5. Title

Draft Decree on the conditions for approval of entry and for introduction into the environment of non-indigenous macro-organisms that are useful for plants, particularly as part of biological control.

### 6. Products Concerned

The products concerned by the draft technical rule are animals (insects, mites, nematodes) used for biological control and for pollinating other cultures.

### 7. Notification Under Another Act

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### 8. Main Content

The decree sets down the procedure for the request and issue of permits for the entry and introduction into the environment of non-indigenous macro-organisms that are useful for plants (biological control adjuvants, pollinators) as well as the conditions that these permits can impose. This procedure is based on the assessment of the phytosanitary and environmental risk that this entry and introduction can present.

It provides for an accelerated procedure for macro-organisms that have already undergone a risk assessment in a country in which the agricultural, phytosanitary and environmental conditions, particularly in terms of climate and biodiversity, are comparable.

The option of an accelerated procedure is also provided, without phytosanitary and environmental risk assessment, for requests for entry in the territory carried out within the scope of work performed without introduction into the environment, subject to adherence to the measures of confinement for the circulation, carrying and handling of the macro-organism in question stipulated in the permit.

Keywords: macro-organism, biological control, pollinator, introduction, assessment.

### 9. Brief Statement of Grounds

Contrary to the phytopharmaceutical sector, which is regulated (harmonised at European level), French producers of macro-organisms (biological control adjuvants and pollinators) are currently free in their choice of introduction and production of indigenous and non-indigenous species. The absence of a regulatory framework promotes company decisions relating to economy and commercial status, but do not anticipate the sanitary risks



(associated with the introduction of hyperpredators, hyperparasites or entomopathogens, contaminants) and environmental risk (competition with indigenous species, intraguild predation). By applying the measures set down in the draft, France wishes to protect the environment, to preserve public opinion regarding biological control and to assure economic stability for the sector.

#### 10. Reference Documents - Basic Texts

Reference texts: - ISPM 03 of the IPPC (International Plant Protection Convention): Guidelines for the export, shipment, import and release of biological control agents and other beneficial organisms.

- Standard OEPP PM 6/1 (1) "Safe use of biological control: First import of exotic biological control agents for research under contained conditions"
- Standard OEPP PM 6/2 (2) "Safe use of biological control: Import and release of non-indigenous biological control agents"
- Standard OEPP PM 6/3 (4) "Safe use of biological control: List of biological control agents widely used in the EPPO region"
- French Rural and Sea Fisheries Code, in particular Chapter VIII of Title V of Book II;
- French Environmental Code, in particular Articles L. 411-1 to L. 412-1;
- French Consumer Code, in particular Article L.221-3

#### 11. Invocation of the Emergency Procedure

No

#### 12. Grounds for the Emergency

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#### 13. Confidentiality

No

#### 14. Fiscal measures

No

#### 15. Impact assessment

Yes

#### 16. TBT and SPS aspects

TBT relevance

No - The draft is compliant with an international standard.

SPS aspect

No - The draft is not a sanitary or phytosanitary measure.

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**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

**Single Market for goods**  
Prevention of Technical Barriers

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