

# TRADUZIONE DI CORTESIA A CURA DI CIVI-ITALIA

MINISTRY OF AGRICULTURE, FOOD AND FORESTRY  
DECREE of 19 June 2015

Emergency measures to prevent, control and eradicate *Xylella fastidiosa* (Well e Raju) within the territory of the Italian Republic.

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## THE MINISTER OF AGRICULTURE, FOOD AND FORESTRY

Having regard to Council Directive 2000/29/EC of 8 May 2000, as amended, on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ;

Having regard to Legislative Decree No 214 of 19 August 2005, as amended, implementing Directive 2002/89/EC on protective measures against the introduction into the Community and spread within it of organisms harmful to plants or plant products;

Having regard to Commission Implementing Decision 2014/497/EU of 23 July 2014 as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Well e Raju);

Having regard to the Ministerial Decree of 12 September 2014 setting up a technical-scientific committee with the task of further examining aspects related to the management of the plant health emergency caused by *Xylella fastidiosa*;

Having regard to Ministerial Decree of 26 September 2014 on emergency measures for the prevention, control and eradication of *Xylella fastidiosa* within the territory of the Italian Republic;

Having regard to Ministerial Decree of 17 March 2015 on phytosanitary measures to control *Xylella fastidiosa* (Well e Raju) within the infected area in the Province of Lecce;

Having regard to Commission Implementing Decision (EU) 2015/789 of 18 May 2015 as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Well e Raju);

Having regard to the current situation in the Apulia Region requiring review of the demarcated area which includes the infected area in the province of Lecce, the surrounding 10Km wide buffer zone and the 30km wide surveillance zone outside the buffer zone;

Whereas in the province of Lecce, the specified organism is already widely established and in certain parts of that area it has been present for more than 2 years and it is no longer possible to eradicate it, containment measures need to be envisioned, instead of eradication measures, to protect at least production sites, plants with particular cultural, social or scientific value. The containment measures should aim to minimise the amount of bacterial inoculum in that area and keep the vector population at the lowest level possible;

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In view of the need to implement Commission Implementing Decision 2015/789/EU and to indicate the intervention measures for any new infected areas and define the specific intervention measures for the infected area in the province of Lecce;

In view of the observations of the technical-scientific committee referred to in the Ministerial Decree of 12 September 2014;

Having obtained a favourable opinion from the National Phytosanitary Committee, delivered at its session of 22 May 2015, in accordance with Article 52 of Legislative Decree No 214 of 19 August 2005;

Having obtained a favourable opinion from the Standing Committee for relations between Central Government, the regions and the autonomous provinces of Trento and of Bolzano, delivered at its meeting of 18 June 2015;

### Orders:

#### Art. 1 Purpose

1. This Decree establishes plant protection measures to prevent and contain the spread of the pest *Xylella fastidiosa*, for which control shall be mandatory across the territory of the Italian Republic.

#### Art. 2 Definitions

1. For the purposes of this Decree, the following definitions shall apply:

- a) 'specified organism' means European and non-European isolates of *Xylella fastidiosa* (Wells et al.);
- b) 'specified plants' means all plants for planting, other than seeds, belonging to the genera or species listed in Annex I;
- c) 'host plants' means all specified plants belonging to the genera or species listed in Annex II;
- d) 'professional operator' means any person involved professionally in one or more of the following activities concerning plants:
  - i) planting;
  - ii) breeding;

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- iii) production, including growing, multiplying and maintaining;
- iv) introduction into, and movement within, and out of the Union territory;
- v) making available on the market.

### Art. 3

#### Detection or suspected presence of the specified organism

1. Any person who suspects or becomes aware of the presence of the specified organism shall immediately inform the responsible regional Plant Protection Service and provide it with all relevant information concerning the presence, or suspected presence, of the specified organism, prior to public disclosure.
2. The responsible regional Plant Protection Service shall immediately record such information and notify the Central Plant Protection Service.
3. Where the responsible regional Plant Protection Service has been informed of a presence, or suspected presence, of the specified organism it shall take all necessary measures to confirm that presence, or the suspected presence.
4. The regional Plant Protection Services 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.

### Art. 4

#### Surveys of the specified organism in the national territories

1. The regional Plant Protection Services shall conduct annual surveys for the presence of the specified organism in their territory on the specified plants, on the basis of a specific regional monitoring plan.
2. The monitoring plan referred to in paragraph 1 shall be implemented through official surveys carried out by the regional Plant Protection Service or under its official supervision. The surveys shall consist of visual examinations and collection of samples and testing and shall be carried out at appropriate times of the year with regard to the possibility to detect the specified organism, according to guidelines adopted by the subsequent provision.
3. Those surveys shall take account of the available scientific and technical evidence, the biology of the specified organism and its vectors, the presence and biology of specified plants or possible host plants of the specified organism, and any other appropriate information, concerning the presence of the specified organism.

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4. Samples of confirmed or potential vector insects shall also undergo testing to check whether the bacterium is present in the area. If infected vector insect samples are detected, asymptomatic plant material as referred to in paragraph 1 shall be sampled.

5. The investigations referred to in paragraph 1 shall focus on the areas considered to be most at risk of being infected by the specified organism, such as:

- a) areas in which the specified plants show signs of decline;
- b) roads planted with the specified plants as roadside trees;
- c) areas in which the specified plants are produced and traded;
- d) uncultivated land and wastelands, parks and similar areas, tourist areas.

6. The regional Plant Protection Services may be assisted in carrying out the investigations provided for in the plan referred to in paragraph 1 by the State Forestry Corps, key regional agencies or other competent regional bodies, by agreement between the parties.

7. The regional Plant Protection Services shall notify to the Central Plant Protection Service the results of the surveys referred to in paragraph 1, on a quarterly basis, in order to confirm the phytosanitary status of the area, providing the following details:

- a) the number and type of sites inspected and their geographical coordinates;
- b) the number of samples analysed and their results;
- c) a map of the area monitored.

8. The Central Plant Protection Service shall published incoming notices on the website of the Ministry of Agriculture, Food and Forestry.

### Art. 5 Scientific research

1. The holding or movement of living *Xylella fastidiosa* material or any material infected with it shall be prohibited.

2. The Central Plant Protection Service shall authorise the holding or transfer of the material referred to in the previous paragraph pursuant to Title X of Legislative Decree No 214/2005.

3. Without prejudice to paragraphs 1 and 2, scientific institutions and other stakeholders willing to carry out investigations and experiments on the specified organism shall give advance notice to the

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relevant regional Plant Protection Service, for the request to be assessed by the Scientific Technical Committee and shall promptly notify that Service of the results prior to public disclosure.

### Art. 6

#### Establishment of demarcated areas

1. Where the presence of the specified organism is confirmed, the regional Plant Protection Service concerned shall without delay demarcate an area in accordance with paragraph 2.

2. The demarcated area shall consist of an infected zone and a buffer zone. The infected zone shall include all plants known to be infected by the specified organism, all plants showing symptoms indicating possible infection by that organism, and all other plants liable to be infected by that organism due to their close proximity to infected plants, or common source of production, if known, with infected plants, or plants grown from them.

As regards the presence of the specified organism in the province of Lecce, the infected zone shall at least include that entire province.

The buffer zone shall be of a width of at least 10 km, surrounding the infected zone.

The exact delimitation of the zones shall be based on sound scientific principles, the biology of the specified organism and its vectors, the level of infection, the presence of the vectors, and the distribution of specified plants in the area concerned.

3. If the presence of the specified organism is confirmed in the buffer zone, the delimitation of the infected zone and buffer zone shall immediately be reviewed and changed accordingly

4. Where based on the surveys referred to in Article 4 and on the monitoring referred to in paragraph 7 of Article 8 the specified organism is not detected in a demarcated area for a period of 5 years, this demarcation may be lifted.

5. By way of derogation from paragraph 1, the regional Plant Protection Service may decide not to establish a demarcated area immediately where all of the following conditions are fulfilled:

a) there is evidence that the specified organism was recently introduced into the area with the plants on which it was found;

b) there is an indication that those plants were infected before their introduction into the area concerned;

c) no vectors carrying the specified organism have been detected, on the basis of tests carried out in accordance with internationally validated testing methods, in the vicinity of those plants.

6. In the case referred to in paragraph 5, the regional Plant Protection Service shall:

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- a) carry out an annual survey for at least 2 years to determine whether any plants have been infected other than those on which the specified organism was first found to be present;
- b) on the basis of that survey, determine whether there is a need to establish a demarcated area;
- c) notify to the Central Plant Protection Service the justification for not establishing a demarcated area, and the outcome of the survey referred to in point (a) as soon as they become available.

### Art. 7

#### Prohibition concerning the planting of host plants in infected zones

1. The planting of host plants in infected zones shall be prohibited, except in sites which are physically protected against the introduction of the specified organism by its vectors.
2. The Central Plant Protection Service shall authorise the planting of host plants in infected zones in accordance with the conditions laid down in Legislative Decree No 214 of 19 August 2005, Title X.

### Art. 8

#### Eradication measures

1. The regional Plant Protection Service having established the demarcated area referred to in Article 6, shall take in that area the measures as set out in the following paragraphs.
2. The regional Plant Protection Service concerned shall, within a radius of 100 m around the plants which have been tested and found to be infected by the specified organism, require and supervise the immediate removal of:
  - a) host plants, regardless of their health status;
  - b) plants known to be infected by the specified organism;
  - c) plants showing symptoms indicating possible infection by that organism or suspected to be infected by that organism.
3. The regional Plant Protection Service concerned shall require sampling and testing of the specified plants within a radius of 100 m around each of the infected plants, in accordance with the International Standard for Phytosanitary Measures ISPM No 31.
4. The regional Plant Protection Service concerned shall require that appropriate phytosanitary treatments be carried out prior to the removal of plants referred to in paragraph 2 against the vectors of the specified organism and plants that may host those vectors. Those treatments may include, as appropriate, removal of plants.

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5. The regional Plant Protection Service concerned shall, *in situ* or in a nearby location designated for this purpose within the infected zone, order that the plants and parts of plants referred to in paragraph 2 be destroyed, in a manner ensuring that the specified organism is not spread.

6. The regional Plant Protection Service concerned shall carry out appropriate investigations to identify the origin of the infection. It shall trace the specified plants associated with the case of infection concerned, including those which were moved before a demarcated area was established. The results of such investigations shall be communicated to the regional Plant Protection Services in which those plants concerned originate, to the regional Plant Protection Services through which those plants have moved and to the regional Plant Protection Services where those plants have moved into, and notice sent to the Central Plant Protection Service.

7. The regional Plant Protection Service concerned shall monitor the presence of the specified organism by annual surveys at appropriate times. It shall carry out visual inspections of the specified plants and sample and test symptomatic plants, as well as asymptomatic plants in the proximity of the symptomatic ones.

In buffer zones, the surveyed area shall be based on a grid split into 100 m × 100 m squares. Visual inspections shall take place in each of those squares.

8. The regional Plant Protection Service concerned shall raise public awareness concerning the threat of the specified organism and concerning the measures adopted to prevent its introduction into and spread within the Union. It shall set up road signs indicating the delimitation of the respective demarcated area.

9. The regional Plant Protection Service concerned shall, where necessary, require that measures be taken addressing any particularity or complication that could prevent, hinder or delay adequate eradication of all plants that are infected or suspected of infection, irrespective of their location, public or private ownership or the person or entity responsible for them.

10. The regional Plant Protection Service shall take any other measure, which may contribute to the eradication of the specified organism, in accordance with ISPM No 9 and applying an integrated approach in accordance with the principles set out in ISPM No 14.

11. The regional Plant Protection Service shall promote and disseminate appropriate agricultural practices for the management of the specified organism and its vectors.

### Art. 9

#### Containment measures

1. By way of derogation from Article 8, only in the province of Lecce, the regional Plant Protection Service shall apply containment measures, as set out in the following paragraphs.

2. The regional Plant Protection Service shall require that all plants which have been found to be

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infected by the specified organism all plants which have been found to be infected by the specified organism be removed if they are situated in any of the following locations:

- a) in the proximity of the sites referred to in Article 12(2);
- b) in the proximity of the sites of plants with particular cultural, social or scientific value, identified by the regional Plant Protection Service;
- c) within a distance of 20 km from the border of the containment area with the rest of the Union territory.

All necessary precautions shall be taken to avoid spreading of the specified organism during and after removal.

3. The regional Plant Protection Service shall, within a radius of 100 m around the plants referred to in paragraph 2 and which have been found to be infected by the specified organism, sample and test the host plants, in accordance with the International Standard for Phytosanitary Measures ISPM No 31. That testing shall be carried out at regular intervals and, at least, twice a year.

4. The regional Plant Protection Service shall require that appropriate phytosanitary treatments be applied prior to the removal of plants referred to in paragraph 2 against the vectors of the specified organism and plants that may host those vectors. Those treatments may include, as appropriate, removal of plants

5. The regional Plant Protection Service shall, *in situ* or in a nearby location designated for this purpose within the containment area, require that the plants and parts of plants referred to in paragraph 2, be destroyed in a manner ensuring that the specified organism is not spread.

6. The regional Plant Protection Service shall shall promote and disseminate appropriate agricultural practices for the management of the specified organism and its vectors.

### Art. 10

#### Additional containment measures

1. Without prejudice to art. 9, the regional Plant Protection Service shall apply the following containment measures, within the Province of Lecce.

2. Olive groves shall be managed based on good agricultural practices and periodically pruned, to facilitate aeration of the plant and improve vegetative state.

Measures shall be differentiated according to the phytosanitary status observed:

- a) in asymptomatic olive grooves, pruning shall be performed every 2 years;

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b) in olive groves showing initial symptoms of infection, pruning shall be promptly performed in order to remove visibly infected plant parts;

c) in infected olive groves, severely infected plants shall be removed.

3. The following measures shall be taken to control *Xylella fastidiosa* insect vectors:

a) mechanical weed control between January and April against juvenile stages of vectors, consisting of:

i. soil tillage;

ii. weed shredding;

iii. flame weeding ;

iv. herbicide treatments;

b) at least 2 insecticide treatments on host plants, between May and August, against adult stages of vectors;

c) all insecticide treatments provided for in the “Set of eco-sustainable rules for phytosanitary control“ (*“Norme eco-sostenibili per la difesa fitosanitaria”*) issued by the Apulian Regional Authority, against adult stages of vectors.

4. The operational procedures shall be established by the Apulian Plant Protection Service.

### Art. 11

#### Establishment of a surveillance zone

1. A surveillance zone with a width of at least 30 km shall be established adjacent to the demarcated area covering the infected zone of the province of Lecce.

2. In the surveillance zone referred to in paragraph 1, the regional Plant Protection Service shall monitor the presence of the specified organism by annual surveys at appropriate times during the year. It shall carry out visual inspections of the specified plants and sample and test symptomatic plants.

The surveyed area shall be based on a grid split into 100 m × 100 m squares. Visual inspections shall take place in each of those squares.

The number of samples, methodology and results shall be indicated in the report referred to in Article 17.

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3. The regional Plant Protection Service shall shall promote and disseminate appropriate agricultural practices for the management of the specified organism and its vectors.

### Art. 12

#### Movement of specified plants within the Union

1. The movement within the Union, within or out of the demarcated areas, of specified plants which have been grown for at least part of their life in a demarcated area established in accordance with Article 6, shall be prohibited.

2. By way of derogation of paragraph 1, such movement can take place if the specified plants have been grown in a site where all of the following conditions are fulfilled:

- a) it is registered in accordance with Commission Directive 92/90/EEC;
- b) it is authorised by the regional Plant Protection Service as a site free from the specified organism and its vectors, taking into account the relevant International Standards for Phytosanitary Measures;
- c) it is physically protected against the introduction of the specified organism by its vectors;
- d) it is surrounded by a zone with a width of 200 meters which has been found by official visual inspection and, in the case of suspected presence of the specified organism, by sampling and testing, to be free from the specified organism, and is subject to appropriate phytosanitary treatments against the vectors of the specified organism; those treatments may include, as appropriate, removal of plants;
- e) it is subject to appropriate phytosanitary treatments to maintain freedom from vectors of the specified organism; those treatments may include, as appropriate, removal of plants;
- f) it is subjected annually, together with the zone referred to in point (d), to at least two official inspections carried out at appropriate times;
- g) throughout the time of growth of the specified plants, neither symptoms of the specified organism nor its vectors were found in the site or, if suspect symptoms were observed, tests carried out confirmed the absence of the specified organism;
- h) throughout the time of growth of the specified plants, no symptoms of the specified organism were found in the zone referred to in point (d) or, if suspect symptoms were observed, testing has been undertaken and absence of the specified organism has been confirmed.

3. Representative samples of each species of specified plants from each site have been subject to annual testing, at the most appropriate time, and the absence of the specified organism has been confirmed on the basis of tests carried out in accordance with internationally validated testing methods.

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4. Prior to movement, the lots of the specified plants were subjected to official visual inspection, sampling and molecular testing carried out in accordance with internationally validated testing methods, using a sampling scheme able to identify with 99 % reliability a level of presence of infected plants of 1 % or above and targeted especially at plants displaying suspect symptoms of the specified organism, in accordance with ISPM No 31.
5. Prior to movement, the lots of the specified plants were subjected to phytosanitary treatments against any of the vectors of the specified organism.
6. Specified plants moving through or within demarcated areas shall be transported in closed containers or packaging, ensuring that infection with the specified organism or any of its vectors cannot occur.
7. All plants referred to in paragraph 1, shall only be moved to and within the Union territory, if they are accompanied by a plant passport prepared and issued in accordance with Commission Directive 92/105/EEC.
8. By way of derogation to subparagraph 2(c) of this article, Production sites within the demarcated area may only produce the specified plants, except for host plants, if they are to be moved to the infected area. These productions shall be distinguished from the specified plants which are to be moved to buffer zones, shall be disease free and produced in accordance with the provisions of this article.

### Art. 13 Traceability

1. Professional operators supplying specified plants which have been grown for at least part of their lives in a demarcated area, or which have been moved through such an area, shall keep a record of each lot supplied and of the professional operator who received it.
2. Professional operators being supplied with specified plants which have been grown for at least part of their life in a demarcated area, or which have been moved through such an area, shall keep a record of each lot received and of the supplier.
3. Professional operators shall keep the records referred to in paragraphs 1 and 2 for 3 years from the date on which the respective lot was supplied to or by them.
4. The professional operators referred to in paragraphs 1 and 2 shall immediately inform their respective regional Plant Protection Services of each lot supplied or received by them. That information shall include the origin, consigner, consignee, place of destination, individual serial, week or batch number of the plant passport and identity and quantity of the lot concerned.
5. The regional Plant Protection Service receiving information pursuant to paragraph 4 shall immediately inform the regional Plant Protection Service of the place of destination of the lot concerned.

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6. The regional Plant Protection Services shall, upon request, make available the information referred to in paragraph 4 to the Commission.

### Art. 14

#### Official checks on movements of specified plants

1. The regional Plant Protection Services shall carry out regular official checks on specified plants being moved out of a demarcated area, or from an infected zone to a buffer zone. Such checks shall be performed at least in:

- a) the points where the specified plants are moved from infected zones into buffer zones;
- b) the points where the specified plants are moved from buffer zones into non-demarcated areas;
- c) the place of destination in the buffer zones;
- d) the place of destination in the non-demarcated areas.

2. The checks as referred to in paragraph 1 shall include a documentary check, and an identity check of the specified plants.

The checks as referred to in paragraph 1 shall be carried out irrespective of the location of the specified plants, ownership or the person or entity responsible for them.

### Art. 15

#### List of authorised sites

1. The regional Plant Protection Services shall establish and update a list of all sites authorised in accordance with Article 12(2) shall submit that list to the Central Plant Protection Service which shall transmit that list to the Commission.

### Art. 16

#### Measures in case of non-compliance with Article 12

1. Where the checks referred to in Article 14(2) show that the conditions laid down in Article 12 are not satisfied, the regional Plant Protection Service which carried out those checks shall require that the non-compliant plant *in situ* or in a nearby location be immediately destroyed. That action shall be carried out taking all necessary precautions to avoid spreading of the specified organism, and any vectors carried by that plant, during and after removal.

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## Art. 17

### Reporting on measures

1. The regional Plant Protection Services shall by 31 December of each year communicate to the Central Plant Protection Service, which shall then communicate to the Commission:

- a) a report on the measures taken pursuant to Articles 4, 6, 8, 9, 10 and 14 and on the results of those measures;
- b) a plan about the measures, including the scheduled time period of each measure, to be taken pursuant to Articles 4, 6, 8, 9, 10 and 14 in the following year.

Where justified by the development of the respective phytosanitary risk, the regional Plant Protection Services shall adapt the respective measures and accordingly update the plan referred to point (b). They shall immediately communicate to the Central Plant Protection Service the update of the plan.

## Art. 18

### Prohibition of the introduction of plants for planting, other than seeds, of *Coffea* originating in Costa Rica or Honduras

1. The introduction into the Union of plants for planting, other than seeds, of *Coffea* originating in Costa Rica or Honduras shall be prohibited.

Plants for planting, other than seeds, of *Coffea* originating in Costa Rica or Honduras which have been introduced into the Union before the application of this Decree, shall only be moved within the Union by professional operators after they have informed the responsible regional Plant Protection Service.

## Art. 19

### Introduction into the Union of specified plants originating in a third country where the specified organism is not present

1. Specified plants originating in a third country where the specified organism is not present may be introduced into the Union if the following conditions are fulfilled:

- a) the national plant protection organisation of the third country concerned has communicated in writing to the Commission that the specified organism is not present in the country;
- b) the specified plants are accompanied by a phytosanitary certificate, as referred to in Article 13(1)(ii) of Directive 2000/29/EC, stating under the rubric 'Additional Declaration' that the specified organism is not present in the country;
- c) on entry into the Union the specified plants have been checked by the responsible regional Plant Protection Service, in accordance with Article 19(2), and neither presence nor symptoms of the specified organism have been found.

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### Art. 20

Introduction into the Union of specified plants originating in a third country where the specified organism is known to be present

1. Specified plants originating in a third country where the specified organism is known to be present may be introduced into the Union where the following conditions are fulfilled:

a) they are accompanied by a phytosanitary certificate, as referred to in Article 13(1)(ii) of Directive 2000/29/EC;

b) they comply with paragraph 2 or with paragraphs 3 and 4;

c) on entry into the Union they have been checked by the responsible regional Plant Protection Service, in accordance with Article 19 and neither presence nor symptoms of the specified organism have been found.

2. Where specified plants originate in an area free from the specified organism, as established by the national plant protection organisation concerned in accordance with relevant International Standards for Phytosanitary Measures, the following conditions shall be fulfilled:

a) the national plant protection organisation of the third country concerned has communicated in writing to the Commission the name of that area;

b) the name of that area is stated in the phytosanitary certificate under the rubric 'place of origin'.

3. Where specified plants originate in an area where the specified organism is known to be present, the phytosanitary certificate shall state under the rubric 'Additional Declaration' that:

a) the specified plants have been produced in one or more sites fulfilling the conditions set out in paragraph 4;

b) the national plant protection organisation of the third country concerned has communicated in writing to the Commission the list of those sites, including their location within the country;

c) phytosanitary treatments against the vectors of the specified organism are applied in the site and its zone as referred to in paragraph 4(c);

d) representative samples of each species of specified plants from each site have been subject to annual testing, at the most appropriate time, and the absence of the specified organism has been confirmed on the basis of tests carried out in accordance with internationally validated testing methods;

e) as practically close to the time of export as possible, the lots of the specified plants were subjected to official visual inspection, sampling and molecular testing, carried out in accordance with internationally validated testing methods, confirming the absence of the specified organism, using a sampling scheme able to identify with 99 % reliability a level of presence of infected plants of 1 % or above and targeted especially at plants displaying suspect symptoms of the specified organism;

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f) immediately prior to export, the lots of the specified plants were subjected to phytosanitary treatments against any of the known vectors of the specified organism. In addition, the phytosanitary certificate referred to in point (a) of paragraph 1 shall indicate under the rubric 'Place of origin' the identification of the site referred to in point (a).

4. The site referred to in point (a) of paragraph 3 shall fulfil the following conditions:

a) it is authorised by the national plant protection organisation as free from the specified organism and its vectors, in accordance with the relevant International Standards for Phytosanitary Measures;

b) it is physically protected against the introduction of the specified organism by its vectors;

c) it is surrounded by a zone with a width of 200 meters which has been found by official visual inspection, and, in case of suspicion of the presence of the specified organism, by sampling and testing, to be free from the specified organism, and is subject to appropriate phytosanitary treatments against the vectors of the specified organism; those treatments may include, as appropriate, removal of plants;

d) it is subject to phytosanitary treatments that aim to maintain freedom from vectors of the specified organism; those treatments may include, as appropriate, removal of plants;

e) it is subjected annually, together with the zone referred to in point (c), to at least two official inspections carried out at appropriate times;

f) throughout the production time of the specified plants, neither symptoms of the specified organism nor its vectors were found in the site, or, if suspect symptoms were observed, testing has been undertaken and absence of the specified organism has been confirmed;

g) throughout the production time of the specified plants, no symptoms of the specified organism were found in the zone referred to in point (c) or, if suspect symptoms were observed, testing has been undertaken and absence of the specified organism has been confirmed.

### Art. 21

#### Official checks at introduction into the Union

1. All consignments of specified plants introduced into the Union from a third country shall be officially checked at the point of entry into the territory of the Italian Republic or at the place of destination established in accordance with Article 1 of Commission Directive 2004/103/EC, and, as applicable, pursuant to paragraph 2 or 3, and paragraph 4.

2. In the case of specified plants originating in a third country where the specified organism is not present, the regional Plant Protection Service at the point of entry shall carry out the following checks:

a) a visual inspection; and

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b) in the case of suspicion of the presence of the specified organism, sampling and testing of the lot of the specified plants to confirm the absence of the specified organism or its symptoms.

3. In the case of specified plants originating in a third country where the specified organism is known to be present, the regional Plant Protection Service at the point of entry shall carry out the following checks:

a) a visual inspection; and

b) sampling and testing of the lot of the specified plants to confirm the absence of the specified organism or its symptoms.

4. The samples referred to in paragraphs 2(b) and 3(b) shall be of a size that allows identifying with 99 % reliability a level of infected plants of 1 % or above, taking account of ISPM No 31.

### Art. 22 Compliance

1. The Regions and the autonomous Provinces shall repeal or amend the measures which they have adopted to protect themselves against the introduction and spread of the specified organism in order to comply with this Decree. They shall immediately inform the Central Plant Protection Service of those measures.

2. The National Plant Protection Service may be assisted in verifying compliance with the provisions of this Decree by the State Forestry Corps and the Central Inspectorate for Quality Controls and Fraud Prevention for Agri-food Products (ICQRF).

3. Pursuant to this Decree, mandatory phytosanitary measures shall be implemented by the owners or tenants of farmland or non agricultural areas falling within the demarcated area and recorded by the same in the treatment logbook, under Ministerial Decree of 12 January 2015.

4. The regional Plant Protection Service may, in duly justified cases, arrange for direct actions to be taken to ensure compliance with the obligations set out in this Decree.

### Art. 23 Financial measures

1. Any charges arising in connection with the application of phytosanitary measures under this Decree shall be borne by the owners/tenants farmland or non agricultural areas falling within the demarcated area.

2. Measures adopted in compliance with mandatory control decrees and provisions issued by the regional Plant Protection Services to combat *Xylella fastidiosa*, eligible under art. 16 of Regulation

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652/2014 of 15/5/2014, shall qualify for a Union financial contribution, in accordance with the provisions laid out in the aforesaid Regulation.

3. With regard to actions adopted in compliance with mandatory control decrees and provisions issued by the regional Plant Protection Services to combat *Xylella fastidiosa*, public bodies in the demarcated area and private individuals in the containment area, where no other public fund is available may qualify for a financial contribution within the limits of resources allocated for natural disasters and emergencies, according to the budget set in the Extraordinary Commissioner plan.

### Art. 24 Penalties

1. The administrative penalties laid down in Article 54 of Legislative Decree No 214 of 19 August 2005 shall apply to anyone breaching the provisions of this Decree.

### Art. 25 Repeal

Decree of 26 September 2014 is repealed.

Decree of 17 March 2015 is repealed.

This Ministerial Decree shall be sent to the supervisory body for registration and shall enter into force the day after its publication in the *Official Gazette* of the Italian Republic

Rome, 19 June 2015

The Minister: Martina

## TRADUZIONE DI CORTESIA A CURA DI CIVI-ITALIA

### Annex I

List of plants known to be susceptible to the European and non-European isolates of the specified organism ('specified plants')

*Acacia longifolia* (Andrews) Willd.  
*Acacia saligna* (Labill.) H. L. Wendl.  
*Acer*  
*Aesculus*  
*Agrostis gigantea* Roth  
*Albizia julibrissin* Durazz.  
*Alnus rhombifolia* Nutt.  
*Alternanthera tenella* Colla  
*Amaranthus blitoides* S. Watson  
*Ambrosia acanthicarpa* Hook.  
*Ambrosia artemisiifolia* L.  
*Ambrosia trifida* L.  
*Ampelopsis arborea* (L.) Koehne  
*Ampelopsis cordata* Michx.  
*Artemisia douglasiana* Hook.  
*Artemisia vulgaris* var. *heterophylla* (H.M. Hall & Clements) Jepson  
*Avena fatua* L.  
*Baccharis halimifolia* L.  
*Baccharis pilularis* DC.  
*Baccharis salicifolia* (Ruiz & Pav.)  
*Bidens pilosa* L.  
*Brachiaria decumbens* (Stapf)  
*Brachiaria plantaginea* (Link) Hitchc.  
*Brassica*  
*Bromus diandrus* Roth  
*Callicarpa americana* L.  
*Capsella bursa-pastoris* (L.) Medik.  
*Carex*  
*Carya illinoensis* (Wangenh.) K. Koch  
*Cassia tora* (L.) Roxb.  
*Catharanthus*  
*Celastrus orbiculata* Thunb.  
*Celtis occidentalis* L.  
*Cenchrus echinatus* L.  
*Cercis canadensis* L.

## TRADUZIONE DI CORTESIA A CURA DI CIVI-ITALIA

*Cercis occidentalis* Torr.  
*Chamaecrista fasciculata* (Michx.) Greene  
*Chenopodium quinoa* Willd.  
*Chionanthus*  
*Chitalpa tashkinensis* T. S. Elias & Wisura  
*Citrus*  
*Coelorachis cylindrica* (Michx.) Nash  
*Coffea*  
*Commelina benghalensis* L.  
*Conium maculatum* L.  
*Convolvulus arvensis* L.  
*Conyza canadensis* (L.) Cronquist  
*Cornus florida* L.  
*Coronopus didymus* (L.) Sm.  
*Cynodon dactylon* (L.) Pers.  
*Cyperus eragrostis* Lam.  
*Cyperus esculentus* L.  
*Cytisus scoparius* (L.) Link  
*Datura wrightii* Regel  
*Digitaria horizontalis* Willd.  
*Digitaria insularis* (L.) Ekman  
*Digitaria sanguinalis* (L.) Scop.  
*Disphania ambrosioides* (L.) Mosyakin & Clemants  
*Duranta erecta* L.  
*Echinochloa crus-galli* (L.) P. Beauv.  
*Encelia farinosa* A. Gray ex Torr.  
*Eriochloa contracta* Hitchc.  
*Erodium*  
*Escallonia montevidensis* Link & Otto  
*Eucalyptus camaldulensis* Dehnh.  
*Eucalyptus globulus* Labill.  
*Eugenia myrtifolia* Sims  
*Euphorbia hirta* L.  
*Fagus crenata* Blume  
*Ficus carica* L.  
*Fragaria vesca* L.  
*Fraxinus americana* L.  
*Fraxinus dipetala* Hook. & Arn.  
*Fraxinus latifolia* Benth.  
*Fraxinus pennsylvanica* Marshall  
*Fuchsia magellanica* Lam.  
*Genista monspessulana* (L.) L. A. S. Johnson  
*Geranium dissectum* L.  
*Ginkgo biloba* L.  
*Gleditsia triacanthos* L.  
*Hedera helix* L.  
*Helianthus annuus* L.  
*Hemerocallis*  
*Heteromeles arbutifolia* (Lindl.) M. Roem.  
*Hibiscus schizopetalus* (Masters) J.D. Hooker  
*Hibiscus syriacus* L.

## TRADUZIONE DI CORTESIA A CURA DI CIVI-ITALIA

*Hordeum murinum* L.  
*Hydrangea paniculata* Siebold  
*Ilex vomitoria* Sol. ex Aiton  
*Ipomoea purpurea* (L.) Roth  
*Iva annua* L.  
*Jacaranda mimosifolia* D. Don  
*Juglans*  
*Juniperus ashei* J. Buchholz  
*Koelreuteria bipinnata* Franch.  
*Lactuca serriola* L.  
*Lagerstroemia indica* L.  
*Lavandula dentata* L.  
*Ligustrum lucidum* L.  
*Lippia nodiflora* (L.) Greene  
*Liquidambar styraciflua* L.  
*Liriodendron tulipifera* L.  
*Lolium perenne* L.  
*Lonicera japonica* (L.) Thunb.  
*Ludwigia grandiflora* (Michx.) Greuter & Burdet  
*Lupinus aridorum* McFarlin ex Beckner  
*Lupinus villosus* Willd.  
*Magnolia grandiflora* L.  
*Malva*  
*Marrubium vulgare* L.  
*Medicago polymorpha* L.  
*Medicago sativa* L.  
*Melilotus*  
*Melissa officinalis* L.  
*Metrosideros*  
*Modiola caroliniana* (L.) G. Don  
*Montia linearis* (Hook.) Greene  
*Morus*  
*Myrtus communis* L.  
*Nandina domestica* Murray  
*Neptunia lutea* (Leavenw.) Benth.  
*Nerium oleander* L.  
*Nicotiana glauca* Graham  
*Olea europaea* L.  
*Origanum majorana* L.  
*Paspalum dilatatum* Poir.  
*Persea americana* Mill.  
*Phoenix reclinata* Jacq.  
*Phoenix roebelenii* O'Brien  
*Pinus taeda* L.  
*Pistacia vera* L.  
*Plantago lanceolata* L.  
*Platanus*  
*Pluchea odorata* (L.) Cass.  
*Poa annua* L.  
*Polygala myrtifolia* L.  
*Polygonum arenastrum* Boreau

## TRADUZIONE DI CORTESIA A CURA DI CIVI-ITALIA

*Polygonum lapathifolium* (L.) Delarbre  
*Polygonum persicaria* Gray  
*Populus fremontii* S. Watson  
*Portulaca*  
*Prunus*  
*Pyrus pyrifolia* (Burm. f.) Nakai  
*Quercus*  
*Ranunculus repens* L.  
*Ratibida columnifera* (Nutt.) Wooton & Standl.  
*Rhamnus alaternus* L.  
*Rhus diversiloba* Torr. & A. Gray  
*Rosa californica* Cham. & Schldl.  
*Rosmarinus officinalis* L.  
*Rubus*  
*Rumex crispus* L.  
*Salix*  
*Salsola tragus* L.  
*Salvia mellifera* Greene  
*Sambucus*  
*Sapindus saponaria* L.  
*Schinus molle* L.  
*Senecio vulgaris* L.  
*Setaria magna* Griseb.  
*Silybum marianum* (L.) Gaertn.  
*Simmondsia chinensis* (Link) C. K. Schneid.  
*Sisymbrium irio* L.  
*Solanum americanum* Mill.  
*Solanum elaeagnifolium* Cav.  
*Solidago virgaurea* L.  
*Sonchus*  
*Sorghum*  
*Spartium junceum* L.  
*Spermacoce latifolia* Aubl.  
*Stellaria media* (L.) Vill.  
*Tillandsia usneoides* (L.) L.  
*Toxicodendron diversilobum* (Torr. & A. Gray) Greene  
*Trifolium repens* L.  
*Ulmus americana* L.  
*Ulmus crassifolia* Nutt.  
*Umbellularia californica* (Hook. & Arn. ) Nutt.  
*Urtica dioica* L.  
*Urtica urens* L.  
*Vaccinium*  
*Verbena litoralis* Kunth  
*Veronica*  
*Vicia faba* L.  
*Vinca*  
*Vitis*  
*Westringia fruticosa* (Willd.) Druce  
*Xanthium spinosum* L.  
*Xanthium strumarium* L.

## TRADUZIONE DI CORTESIA A CURA DI CIVI-ITALIA

### Annex II

List of plants known to be susceptible to the European isolates of the specified organism ('specified plants')

*Acacia saligna* (Labill.) Wendl.

*Catharanthus*

*Myrtus communis* L.

*Nerium oleander* L.

*Olea europaea* L.

*Polygala myrtifolia* L.

*Prunus avium* (L.) L.

*Prunus dulcis* (Mill.) D.A. Webb

*Rhamnus alaternus* L.

*Rosmarinus officinalis* L.

*Spartium junceum* L.

*Vinca*

*Westringia fruticosa* (Willd.) Druce