

COURTESY TRANSLATION

Ordinance No 9

Definition of areas free from the harmful organism *Popillia japonica* within the territory of the Italian Republic.

HAVING REGARD TO the legislative decree 30th July 1999, No 300, about the Government organizational reform pursuant to article 11 of law 15th March 1997, No 59;

HAVING REGARD TO legislative decree 30th March 2001, No 165, relating to the general rules on the organization of work employed by public administrations, in particular article 4, paragraphs 1 and 2 and article 16, paragraph 1;

HAVING REGARD TO the Regulation (EU) 2016/2031 of the European Parliament of the Council of 26th October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC;

HAVING REGARD TO the Regulation (EU) 2017/625 of the European Parliament and of the Council of 15th March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/ EC and Council Decision 92/438/EEC (Official Controls Regulation);

HAVING REGARD TO the Commission Delegated Regulation (EU) 2019/1702 of 1st August 2019 supplementing Regulation (EU) 2016/2031 of the European Parliament and of the Council by establishing the list of priority pests;

HAVING REGARD TO the Commission Implementing Regulation (EU) 2019/2072 of 28th November 2019 establishing uniform conditions for the implementation of Regulation (EU) 2016/2031 of the European Parliament and the Council, as regards protective measures against pests of plants, and repealing Commission Regulation (EC) No 690/2008 and amending Commission Implementing Regulation (EU) 2018/2019;

HAVING REGARD TO the Commission Implementing Regulation (EU) 2023/1584 of 1st August 2023 on measures to prevent the establishment and spread of *Popillia japonica* Newman and on measures for the eradication and containment of that pest within certain demarcated areas of the Union territory;

HAVING REGARD TO the departmental decree of 3rd December 2020, No 9357219, by which Mr. Bruno Caio Faraglia was awarded the role of Director of the non-general management office DISR V (Central Phytosanitary Service) of the General Directorate of Rural Development of the Department of European and International Policies and Rural Development;

HAVING REGARD TO the ministerial decree 4th December 2020, No 9361300, containing "Identification of non-general management offices of the Ministry of Agricultural, Food and Forestry Policies";

HAVING REGARD TO the legislative decree 2nd February 2021, No 19, containing "Regulations for the protection of plants from harmful organisms pursuant the article 11 of law 4 October 2019, No 117, for

the transposition of national legislation to the provisions of Regulation (EU) 2016/2031 and Regulation (EU) 2017/625”;

HAVING REGARD in particular to the article 7, paragraph 5, of the legislative decree of 2nd February 2021, No 19, which provides that the implementation of the acts approved by the National Phytosanitary Committee is carried out through ordinances of the director of the Central Phytosanitary Service, published in the Official Journal of the Italian Republic;

HAVING REGARD TO the Decree of the Minister of Agriculture, Food Sovereignty and Forests no. 0154311 of 3 April 2024, regarding “Adoption of the National Emergency Plan for *Popillia japonica* Newman”;

HAVING REGARD TO the Piedmont Region Act No 853 of 11 November 2024, regarding “Updating the area delimited for the presence of *Popillia japonica* Newman in Piedmont”;

HAVING REGARD TO the Lombardy Region Act No 16480 of 4 November 2024, regarding “Updating the area delimited for the presence of *Popillia japonica* Newman in Lombardy. Repeal of decree of 30 October 2023 - n. 16820”;

HAVING REGARD TO the Valle d’Aosta Region Act No 7068 of 20 November 2023 regarding “2023 update of the delimited area and application of containment measures for *Popillia japonica*”;

HAVING REGARD TO the Emilia-Romagna Region Act No 27651 of 21 December 2023, concerning “Implementing provisions for intervention for the years 2023 and thereafter for the management of *Popillia japonica* in the Emilia-Romagna Region”;

HAVING REGARD TO the Friuli-Venezia Giulia Region Act No 478 of 25 August 2023, concerning “Definition of the areas delimited following the official confirmation of the presence of *Popillia japonica* Newman in the Autonomous Region of Friuli Venezia Giulia, for the application of emergency phytosanitary measures for the purpose of eradication”;

HAVING REGARD TO the Veneto Region Act No 70 of 1st September 2023 regarding Definition of the delimited areas following the confirmation of the presence of *Popillia japonica* Newman;

HAVING REGARD TO the International Standard for Phytosanitary Measures No. 4 as regards requirements for the establishment of pest-free areas (ISPM 4);

HAVING REGARD TO the International Standard for Phytosanitary Measures No. 5 “*Glossary of phytosanitary terms*” (ISPM 5);

HAVING REGARD TO the International Standard for Phytosanitary Measures No. 6 “*Guidelines for surveillance*” (ISPM 6);

HAVING REGARD TO the annual official investigations carried out by the Regional Phytosanitary Services on their territories, in compliance with the national program for the investigation of plant harmful organisms referred to in article 27 of the legislative decree of 2nd February 2021, No 19;

HAVING REGARD TO the outcome of the investigations carried out by the Regional Phytosanitary Services pursuant article 3 of the Implementing Regulation (EU) 2023/1584, which demonstrate the absence of *Popillia japonica* throughout the national territory with the exception of the demarcated areas established in the Regions of Piedmont, Lombardy, Emilia-Romagna, Valle d’Aosta, Liguria, Friuli-Venezia Giulia, Veneto;

HAVING REGARD TO the Official Technical Document, Document No. 38. Technical Sheet for the survey of the harmful organism: *Popillia japonica* and the EFSA phytosanitary surveillance sheet for *Popillia japonica*;

HAVING REGARD TO the Official Technical Document, Document No. 16. Diagnostic protocol for the identification of *Popillia japonica*;

WHEREAS the scientific evidence provided by the official surveys and the general information on *Popillia japonica*, as well as the specific National Program for the investigation of harmful organisms, for the permanent check of the phytosanitary status of the free areas, respond to the requirements of the International Standard ISPM No 4;

WHEREAS the pest status may evolve and the details can be consulted on the specific web pages;

CONSIDERED it necessary to provide Member States and Third Countries with official and detailed information on the presence of the harmful organism *Popillia japonica* and to officially declare the phytosanitary status of the national territory in relation to this organism, in order to assess the phytosanitary risk related to the spread of the harmful organism and to ensure the safety of national products to be moved and to be exported;

TAKEN NOTE of the list of areas free from the harmful organism *Popillia japonica* in the territory of the Italian Republic, approved on 9th December 2024 by the National Phytosanitary Committee, referred to in Article 7 of Legislative Decree 2nd February 2021, No 19;

DECLARES

Article 1

1. The areas of the territory of the Italian Republic, listed in Annex I, an integral part of this decree, are declared free from the harmful organism *Popillia japonica*.
2. The regional phytosanitary services comply with the provisions indicated in the Regulation (EU) 2023/1584, for the purpose of maintaining the status of an area free from *Popillia japonica* of the relevant portions of its territory.
3. The list of areas free from the harmful organism, referred to in paragraph 1, is revised on the basis of the results of the annual official investigations.

This ordinance will be sent to the supervisory body for registration and will come into force on day following its publication in the Official Gazette of the Italian Republic

Signature
Mr. Bruno Caio Faraglia
Director of the Central Phytosanitary Service

ANNEX 1

Areas of the Italian territory considered free from *Popillia japonica*

ABRUZZO - Entire regional territory

BASILICATA - Entire regional territory

CALABRIA - Entire regional territory

CAMPANIA - Entire regional territory

EMILIA ROMAGNA - Entire regional territory with the exception of the demarcated areas, *mutatis mutandis*, communicated by the Regional Phytosanitary Service and available on the website of the Central Phytosanitary Service in the section "Where it is widespread"

(<https://www.protezionedellepiante.it/popillia-japonica>)

FRIULI VENEZIA GIULIA - Entire regional territory with the exception of the demarcated areas, *mutatis mutandis*, communicated by the Regional Phytosanitary Service and available on the website of the Central Phytosanitary Service in the section "Where it is widespread"

(<https://www.protezionedellepiante.it/popillia-japonica>)

LAZIO – Entire regional territory

LIGURIA - Entire regional territory with the exception of the demarcated areas, *mutatis mutandis*, communicated by the Regional Phytosanitary Service and available on the website of the Central Phytosanitary Service in the section "Where it is widespread"

(<https://www.protezionedellepiante.it/popillia-japonica>)

LOMBARDIA - Entire regional territory with the exception of the demarcated areas, *mutatis mutandis*, communicated by the Regional Phytosanitary Service and available on the website of the Central Phytosanitary Service in the section "Where it is widespread"

(<https://www.protezionedellepiante.it/popillia-japonica>)

MARCHE - Entire regional territory

MOLISE - Entire regional territory

PIEMONTE - Entire regional territory with the exception of the demarcated areas, *mutatis mutandis*, communicated by the Regional Phytosanitary Service and available on the website of the Central Phytosanitary Service in the section "Where it is widespread"

(<https://www.protezionedellepiante.it/popillia-japonica>)

PUGLIA - Entire regional territory

SARDEGNA - Entire regional territory

SICILIA - Entire regional territory

TOSCANA - Entire regional territory

UMBRIA - Entire regional territory

VALLE D'AOSTA - Entire regional territory with the exception of the demarcated areas, *mutatis mutandis*, communicated by the Regional Phytosanitary Service and available on the website of the Central Phytosanitary Service in the section "Where it is widespread"

(<https://www.protezionedellepiante.it/popillia-japonica>)

VENETO - Entire regional territory with the exception of the demarcated areas, *mutatis mutandis*, communicated by the Regional Phytosanitary Service and available on the website of the Central

Phytosanitary Service in the section “Where it is widespread”
(<https://www.protezionedellepiante.it/popillia-japonica>)

PROVINCIA AUTONOMA di BOLZANO - Entire province territory

PROVINCIA AUTONOMA di TRENTO - Entire province territory