



GOVERNMENT OF MALTA

Government response to the consultation on the draft *Xylella fastidiosa* Regulations, 2018

28th November 2018

Ministry for the Environment, Sustainable Development and Climate Change

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Executive Summary

Introduction and overview

1. A brief introduction about the subject.

Xylella fastidiosa is a plant quarantine bacterium that can cause serious losses to European agriculture and the entire agri-food chain. Because of the large number of confirmed or potential host plants and the abundance and widespread distribution of known or potential insect vectors, the spread of this bacterium could take place with a high probability.

Xylella fastidiosa is currently regulated under Annex I Part A Section I of Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community, and by the Commission Implementing Decision 2015/789 as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Wells et al.) which lays down the legislative basis for the control of this harmful organism in all EU Member States.

Decision (EU) 2015/789 has been nationally enforced through Legal Notice 315 of 2017 – Control of *Xylella fastidiosa* (Wells et al.) Regulations, 2017 (Subsidiary Legislation 433.29).

Following the experience gained with the application of Decision (EU) 2015/789, based on current experience and scientific evidence, it has been shown that several further measures were required in order to achieve a more effective approach towards protecting the Union territory from further introduction and spread of *Xylella fastidiosa*. Therefore, Commission Implementing Decision (EU) 2017/2352 was adopted lately to amend Implementing Decision (EU) 2015/789 and provide for such measures that include a higher flexibility, transparency, and more risk proportionate measures.

It was deemed appropriate to repeal rather than amend the existing Subsidiary Legislation 433.29 and publish a new one in order to also include the recently adopted Commission Implementing Decision (EU) 2017/2352.

2. The public consultation date.

Include the objective and purpose of the public consultation.

The open public consultation was published on the 17th October 2018. Such consultation was launched as the new measures stipulated by Commission Implementing Decision (EU) 2017/2352 have an effect on the Maltese general public (non-professional final users) apart from local professional operators.

3. This consultation sought views on:

- *The notifications by professional operators and non-professional final users;*
- *Demarcation of infected areas and establishment of buffer zones;*
- *Origin of plant material;*
- *Documentation to accompany such material and record keeping;*

- *Information available to the general public, travellers, professional and international transport operators;*
- *The updated list of specified plants; and*
- *The updated list of infected zones in the EU.*

Responses to the consultation and process used to seek stakeholder views

This document is the Government Response to this consultation and sets out the Government's decisions on these matters.

4. The closing date of the public consultation. Which methods were used to receive the feedback. The total amount of responses. From whom you received the feedback.

The open consultation closed on the 15th November 2018. The draft Legal Notice and consultation documents in English and Maltese were made available during such consultation. Feedback was requested to be submitted by email. No response was received by the closing date of the consultation period.

5. Include (if any) meetings with stakeholders and list who the stakeholders were.

During the open consultation, no meetings were held.

Summary of responses and decisions

The following is a summary of the consultation responses received. We would like to thank all those who took the time to respond to the consultation and participate in stakeholder meetings around the consultation exercise.

6. Statistics.

- Total feedback received: 0
- Total feedback received by individuals: 0
- Total feedback received by organisations: 0
- Total feedback received through email: 0
- Total feedback received through online form: 0
- Total feedback received by post: 0

7. Summary of feedback received.

No feedback was received during the consultation period.

8. Your assessment and the Government's decision (list the Government's decisions).

The final decision is the adoption of the draft Legal Notice on the Control of *Xylella fastidiosa* (Wells et al.) Regulations, 2018 as presented during the consultation period.

Implementation

9. When you intend to implement the decisions

Subject to Parliamentary approval, the Ministry intends to implement the decision on the adoption of the draft Legal Notice on the Control of *Xylella fastidiosa* (Wells et al.) Regulations, 2018, once the Legal Notice is published in the Government Gazette.

Contact Details

If you have any questions regarding this response, please contact: plantprotection.mesdc@gov.mt