

[^{F1}ANNEX V

Textual Amendments

F1 Substituted by [Commission Directive 2006/63/CE of 14 July 2006 amending Annexes II to VII to Council Directive 98/57/EC on the control of *Ralstonia solanacearum* \(Smith\) Yabuuchi et al.](#).

1. The elements to be considered in the determination of the extent of probable contamination under Article 5(1)(a)(iii) and 5(1)(c)(iii), shall include:
 - the listed plant material grown at a place of production designated as contaminated under Article 5(1)(a)(ii),
 - place(s) of production with some production link to the listed plant material designated as contaminated under Article 5(1)(a)(ii), including those sharing production equipment and facilities directly or through a common contractor,
 - the listed plant material produced in the place(s) of production referred to in the previous indent, or present in such place(s) of production during the period when the listed plant material designated as contaminated under Article 5(1)(a)(ii), was present on the place of production referred to in the first indent,
 - premises handling the listed plant material from the places of production referred to in the above indents,
 - any machinery, vehicle, vessel, store, or units thereof, and any other objects including packaging material, that may have come into contact with the listed plant material designated as contaminated under Article 5(1)(a)(ii),
 - any of the listed plant material stored in, or in contact with, any of the structures or objects listed in the previous indent, prior to the cleansing and disinfection of such structures and objects,
 - as a result of the investigation and testing under Article 5(1)(a)(i), in the case of potato, those tubers or plants with a sister or parental clonal relationship to, and in the case of tomato, those plants with the same source as, the listed plant material designated to be contaminated under Article 5(1)(a)(ii) and for which, although they may have tested negative for the organism, it appears that contamination is probable through a clonal link. Variety testing may be undertaken to verify the identity of the contaminated and clonally related tubers or plants,
 - place(s) of production of the listed plant material referred to in the previous indent,
 - place(s) of production of the listed plant material using water for irrigation or spraying which has been designated as contaminated under Article 5(1)(c)(ii),
 - listed plant material produced on fields flooded with surface water confirmed to be contaminated.
2. The elements to be considered in the determination of the possible spread under Article 5(1)(a)(iv) and 5(1)(c)(iii) shall include:
 - (i) in cases under Article 5(1)(a)(iv),
 - the proximity of other places of production growing the listed plant material,

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- the common production and use of seed potato stocks,
 - places of production using surface water for irrigation or spraying of listed plant material in cases where there is or has been risk of surface water run-off from, or flooding of, place(s) of production designated to be contaminated under Article 5(1)(a)(ii).
- (ii) in cases where surface water has been designated as contaminated under Article 5(1)(c)(ii):
- place(s) of production producing listed plant material adjacent to, or at risk from flooding by, the surface water designated as contaminated,
 - any discrete irrigation basin associated with the surface water designated as contaminated,
 - water bodies connected with the surface water designated as contaminated, taking into account:
 - the direction and rate of flow of the water designated as contaminated,
 - the presence of wild solanaceous host plants.
3. The notification referred to in the first subparagraph of Article 5(2) shall be provided as follows:
- immediately after the presence of the organism has been confirmed by laboratory testing, using the methods set out in Annex II, at least:
 - for potatoes,
 - (a) the variety name of the lot,
 - (b) the type (ware, seed, etc.) and where applicable the seed category,
 - for tomato plants, the variety name of the lot and, where applicable, the category.
 - without prejudice to the requirements for notification of a suspected occurrence in Article 4 (3), the Member State in which the occurrence has been confirmed shall, when there is a risk of contamination of listed plant material from or into another Member States(s), immediately notify the Member State(s) concerned of information needed to comply with Article 5(3), such as:
 - (a) the variety name of the potato or tomato lot,
 - (b) the name and address of the consignor and the consignee,
 - (c) the date of delivery of the potato or tomato lot,
 - (d) the size of the potato or tomato lot delivered,
 - (e) a copy of the plant passport or at least the plant passport number where appropriate, or where appropriate the registration number of the grower or merchant, and a copy of the delivery notice.

The Commission shall be notified immediately when such information has been provided.

4. The details of the additional notification referred to in the second subparagraph of Article 5(2) shall be provided as follows:

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After all investigations have been finalised, for each case:

- (a) the date that contamination was confirmed,
- (b) a brief description of the investigation carried out to identify the source and possible spread of the contamination, including the level of sampling undertaken,
- (c) information on the identified or presumed sources(s) of contamination,
- (d) details of the extent of the designated contamination, including the number of places of production and for potatoes, the number of lots with an indication of the variety and, if seed potatoes, category,
- (e) details of the zone demarcation, including the number of places of production, not designated as contaminated, but included in the zone,
- (f) details of water designation, including the name and location of the water body and the extent of the designation/irrigation ban,
- (g) for any tomato plant consignment or lot designated as contaminated, the certificates prescribed in Article 13(1)(ii) of Directive 2000/29/EC and passport number, in accordance with the listing in Annex V, Part A, Section I.2.2 to Directive 2000/29/EC,
- (h) such other information relating to the confirmed outbreak(s) as the Commission may require.]