



System of Control of PPPs Placed on the Market in Hungary



Central Agricultural Office

Directorate of Plant Protection,
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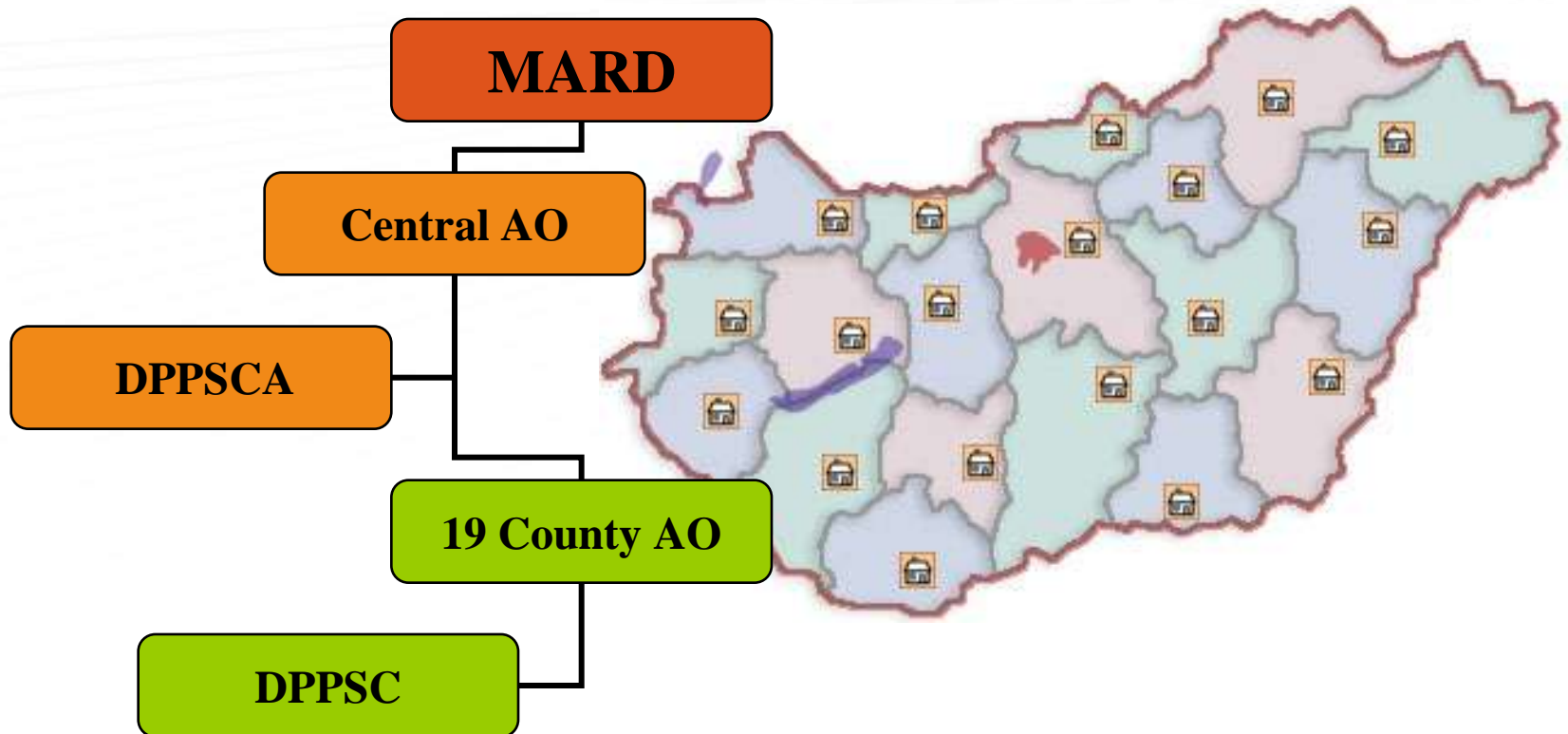


Outline

- Structure of authority
- Legal basis
- Main tasks of control
- Enforcement measures
- Counterfeiting and illegal trade
- Parallel import
- Figures about official measures



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~ 135 plant protection inspectors



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Legal basis

- Act No. 35 of 2000 on Plant Protection overruled by Act No. 46 of 2008 on the food chain and on its official control,
- Decree of the Minister of Agriculture and Rural Development 5/2001 (I.16.) on the plant protection activity,
- Decree of the Minister of Agriculture and Rural Development 89/2004 (V.15.) on the registration, placing on the market and use, as well as on the packaging, labelling, storage and transport of plant protection products,
- Government Decree 274/2006 (XII.23.) establishing the Agricultural Office last amended by 218/2008 (VII.30.) Government Decree
- Government Decree 156/2002 (VII.11.) on the detailed rules for the retail and wholesale distribution of plant protection products



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Main tasks of control of PPPs placed on the market

- Permission procedure of wholesalers and retailers
- Sampling of PPPs
- Control of
 - Location
 - Authorized trader
 - Contracts
 - Qualification
 - Labelling
 - Unauthorized PPPs
 - Expired PPPs
 - Damaged PPPs



The plant protection inspector's main tasks

- **Plant protection tasks:**
 - **supervision** of documentation
 - **sampling** of agricultural chemicals for quality control
 - **sampling** of fresh plant products, soil and water for residue analyses
 - **advice** for farmers on plant protection matters
 - **acting as first instance authority** in eliminating ragweed (*Ambrosia*) infestation in Hungary
- **Phytosanitary issues**
- **Quality control of fruit and vegetables**





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Enforcement measures Sanctions

- Before 1 September, 2008 the *Government Decree 187/2006 (VII.31.) on the detailed plant protection fine* gets the legal basis for the sanctions.

The fine could be from **20 000 to 5 million HUF**
(€70-1650)

- After 1 September, 2008 the *Government Decree 194/2008 (VII.31.) on the method of calculation and on the size of fines to be used in relation to the control of the food chain* gets the legal basis for the sanction.

The fine changed : **15 000 to 15 million HUF**
(€50-5000)



Counterfeiting and illegal trade

National Corporation against Counterfeiting

Founded: March, 2008

8 authorities involved

(CAO, Police, Tax Authority, Consumer Protection Authority etc.)

The aim of the cooperation is the fighting against „black economy”.

Yearly control plan to control the quality of pesticide.
Sampling is carried out at traders and farmer shops.





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- **The authority has a close cooperation with the special investigation authorities in case of doubtful matter.**
 - **There is one laboratory for formulation analysis –Velenca**
- The **test buying** was not regulated till 1 September 2008, but the new Act No. 46 of 2008 regulated it.
- The most endangered products are the sulfonyl ureas, because this PPPs are applied on 2 million hectares in maize and grain in Hungary.



Special control

- **Based on the estimation of international and national organizations (ECPA, Hungarian Plant Protection Association -HUCPA) the Department of Plant Protection of CAO DPPSCA ordered the increasing number of control in marketing of PPPs.**
 - at wholesalers and retailers
 - at farmers
 - labelling and packaging
 - registers of PPPs
 - account files
 - 2008 special control of trade of PPPs
 - some instances



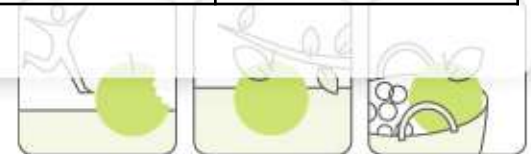
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Sales surveillance in 2007

- The controls on sales were carried out by the County DPPSC of AO /135 inspectors
- Total number of controls (samplings of PPPs, crops and use surveillance included): 17 800

2007	Total
Inspections	3 024
Infringements	175

2007	Infringements
Unauthorised product	49
Unauthorised sale	10
Deficiencies of record keeping	7
Expired PPPs	88
Other	21

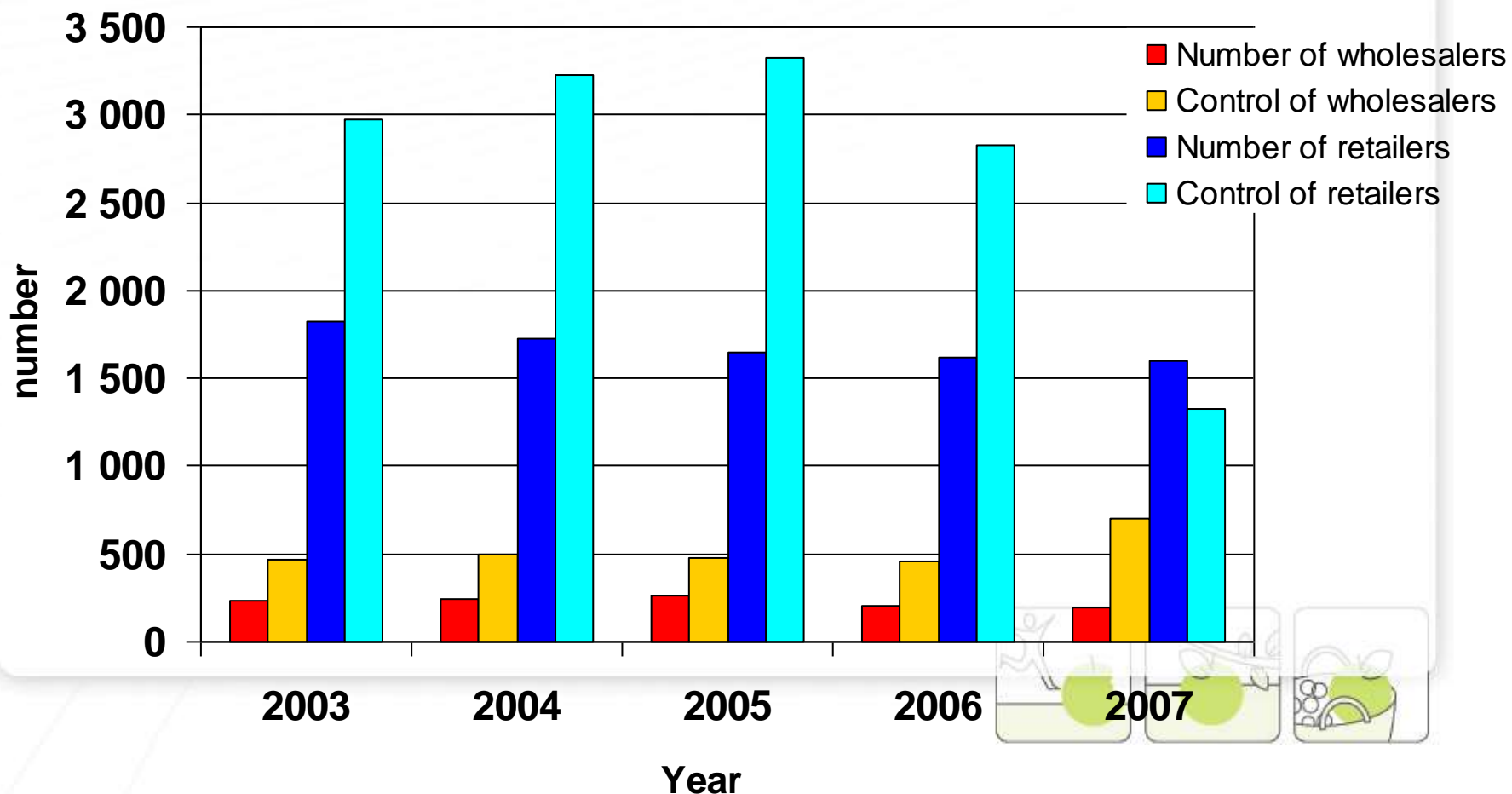




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The Number of Wholesalers and Retailers and the Control between 2003 and 2007



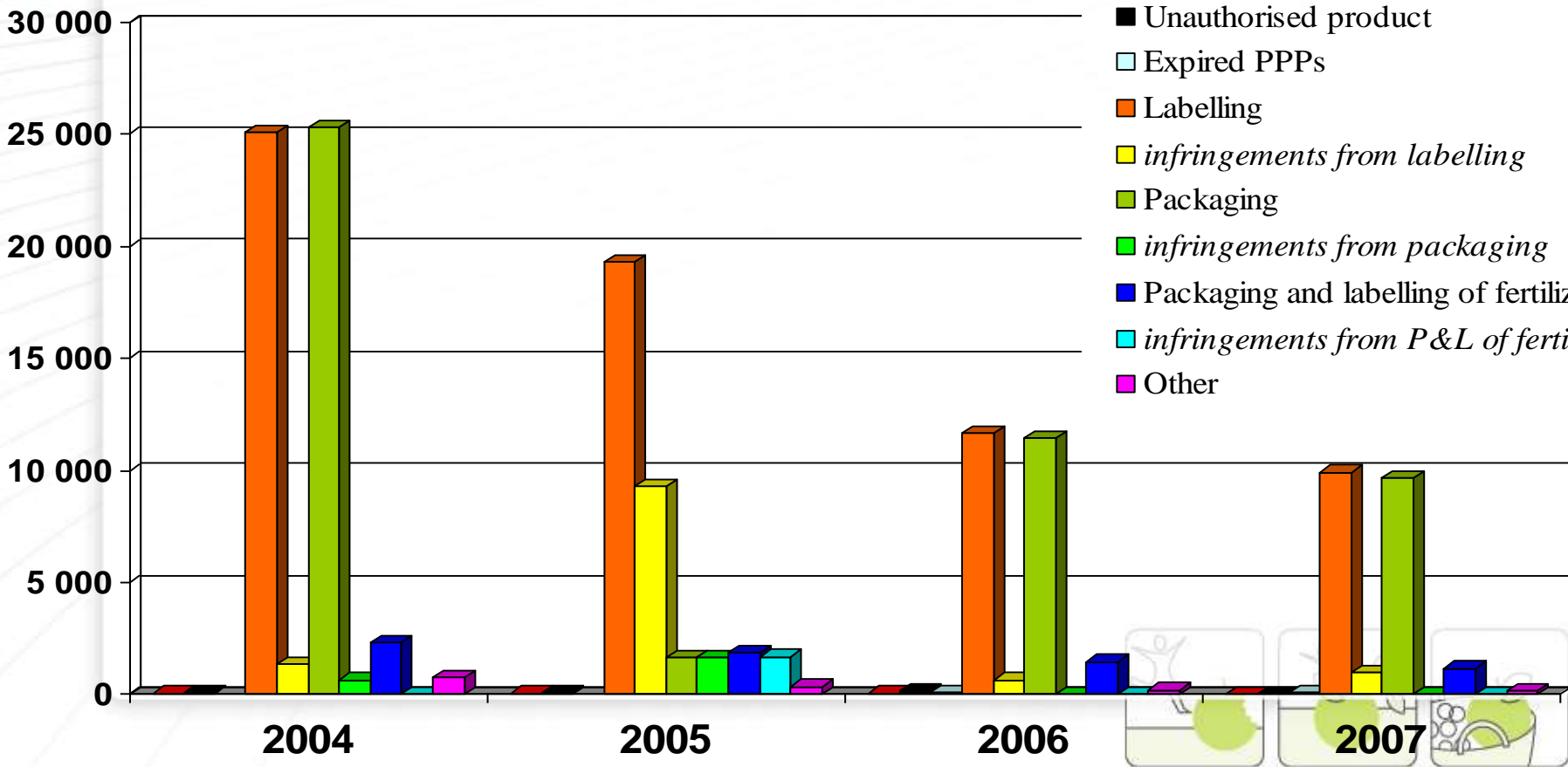


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Control of Placing on the Market of PPPs between 2004 and 2007

- Unauthorised sale
- Unauthorised product
- Expired PPPs
- Labelling
- *infringements from labelling*
- Packaging
- *infringements from packaging*
- Packaging and labelling of fertilizers
- *infringements from P&L of fertilizers*
- Other



Parallel trade: purpose and problems

- Purpose of the regulation of parallel trade is to increase the free movement of PPPs and availability of these products in the Member States.
- Problems with parallel import:
 - Abuse of parallel import – substitution of legitimate parallel trade with illegal products
 - No harmonised rules in EU for parallel import: it is easier to import counterfeit products





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How to fight illegal parallel imports?

- Regulation - legal basis of authorisation
- Post-approval arrangements
- Post-approval control



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Regulation of parallel imports in Hungary – crucial points

- **Legal basis:**
Parallel import is regulated by Ministerial Decree 89/2004 of the MARD / amendment is going on
- **Common origin**
Current regulation: Imported product is identical with the reference product (no common origin)
(In the draft new regulation: Common origin will be a prerequisite of parallel imports)
- **Repackaging**
Not restricted, but the applicant is required to report on repackaging and to submit data on the packaging material
(In the draft new regulation: detailed report on the repackaging will be required)



Post-approval requirements

- The approval holder is required to submit a report on the quantity of the imported product within 15 days
- Hungarian label is required to include batch number, country of origin and the name of the reference product

(In the draft new regulation:

- detailed information on repackaging: location / address of repackaging, contact person, date of repackaging
- reporting on changes after approval)





Post approval control of parallel products

- Sales surveillance / retailers and wholesalers
 - Unauthorised products
 - Labelling
 - Sampling of PPPs
- Analysis of samples of parallel import products : a.i. content, other (phys-chem) parameters



Parallel imports 2006-2008 in Hungary

- Proportion of parallel trade in the total pesticide market: < 1%
- Authorised PPPs in Hungary: 677 (November/2008)
- Parallel import approvals /120 approvals

On the basis of the companies' reports:

Parallel import	2006	2007	2008
Products imported	24	31	35
Number of companies	5	3	9

Chemical analysis in 2008: 11 batches (6 PPPs)





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Thank you for your attention!



