
Control activities on marketing of PPPs

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Overview - Control system for PPPs



- **Austria comprises 9 Federal Provinces and 122 Districts**
- **Federal Office for Food Safety is responsible for controls on the marketing of PPPs**
- **In relation to controls on the use of PPPs the Federal Provinces are directly in charge of legislation and implementation of control measures**
- **Designated authority for control on pesticide residues is the Ministry of Health, Family and Youth. They gives instructions to the provincial authorities**
- **Two laboratories responsible for residue and formulation analysis**

Marketing of PPPs

- **Wholesalers and retailers are not certified**
- **Concerning the warehouse an operating permission is granted by the local district authorities**
- **Certain requirements necessary for owner and staff of the retail shop (training of sellers)**
 - **has to be established by December 2015**
- **Since June 2011 obligation for registration of the business**
- **Number of outlets is around 1700 (PPP professional use)**

PPPs permitted to be used in Austria



- **National authorisations including parallel trade permissions with Austrian label - 657**
- **968 permissions for placing on the market of German or Dutch PPPs (valid till December 2013)**
 - **German authorisations and parallel trade permissions German label**
 - **Dutch authorisations and parallel trade permissions translated Dutch label**

Official control on PPPs in Austria



- **Control activities on the use regulated by the Federal Provinces**
- **Control activities on marketing regulated in PPP Act 2011 by the Federal Office for Food Safety**
 - ✓ **Official tasks**
 - ✓ **Risk based annual inspection plan**
 - ✓ **weekly resource planning**

Legal basis - PPP Act 2011



- **Rights and obligations of inspectors**
 - ✓ **inspect stock, office**
 - ✓ **investigate business documents**
 - ✓ **take samples**
- **Sampling**
- **Corrective actions**
- **Temporary confiscation**
- **Obligations of business owner**
 - ✓ **notification on central register of distributors**
 - ✓ **provide all relevant business documents**

Regular training of inspectors



- **Knowledge of legal provisions**
 - ✓ **PPP Act**
 - ✓ **Law on General Administrative Procedure**
- **Documentation of controls (official act)**
- **Sampling procedure**
- **How to deal with critical situations**
 - ✓ **aggressive behaviour of persons**
 - ✓ **refusal of control**
- **Basics of accounting**
 - ✓ **Inspection of relevant business documents**

Checklist



- **Authorisation**
- **Assessment of Conformity - Labelling**
 - ✓ **Registration number**
 - ✓ **Product name**
 - ✓ **Function (Herbicide, Repellant,.....)**
 - ✓ **Formulation type (Soluble concentrate, Wetttable powder..)**
 - ✓ **Classification (Dangerous for the environment,....)**
 - ✓ **Batch number**
- **Packaging (undamaged and safe)**
- **Notification on central register of distributors**

Problematical storage

- **PPP mixed with food**
- **Bonded warehouse**



Non-Compliance with PPP Act 2011



- **NON-CONFORM PPP** > **Measures**
 - **importance of infringement**
 - **field of application (professional/nonprofessional)**
 - **Corrective actions**
 - ✓ **Ban on the placing on the market until non-conformity is corrected**
 - ✓ **Disposal or return to seller**
 - ✓ **Correction of the labelling**
 - **Temporary confiscation**
 - ✓ **non-conformity unrepairable (no authorisation)**
 - ✓ **ignore of corrective actions**

Administrative penal proceedings



- **Federal Office for Food Safety**
 - ✓ reports serious infringements to the District Administrative Authorities which carry out the enforcement procedures
 - ✓ is not a penal authority
- **District Administrative Authorities**
 - ✓ initiate an administrative penal proceeding
- **Federal Office for Food Safety**
 - ✓ can appeal against this judgments

Results



	2008	2009	2010	2011
Inspections	230	174	180	147
Controls on labelling of PPPs	2157	1784	1697	1771
Sampling	49	127	57	25
Corrective actions	-	23	114	200
Reports to the district administrative authorities	128	107	46	78
Amount of confiscated PPPs (t)	2.7	10.5	2.4	0.3

Present situation - Risks and consequences of illegal PPPs

- **Trade distortion and unfair business**
- **Undermines countries/EU evaluation and registration systems**
- **Health and environmental hazards**
- **Residues in food**
- **Low efficacy**
- **Phytotoxic effects**

Present situation – illegal PPPs



- **Trade in illegal PPPs is a growing problem – almost all countries affected**
- **Checks of business papers show, that “carousel” trade of PPPs between member states is in most cases basis for illegal trade**
- **Tendency to import only the active ingredients and to formulate the counterfeited PPPs within the EU**
- **Difficult to detect, stop and confiscate illegal PPPs on the basis of present legislation (problems for authorities to stop suspicious shipment/stocks for sampling and analysis)**
- **Penal proceedings of the administrative body have only limited deterrent effects**

Thank you!