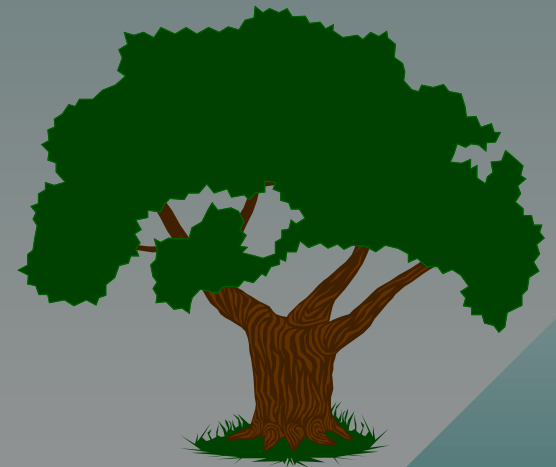


Commission Regulations on the Official Controls of PPPs Placed on the Market - state of play

Josef ŠVARŤÍČEK

Central Institute for Supervising and Testing in Agriculture
PPPs Division, Brno, Czech Republic



REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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)

Official Journal of the European Union L 95, 7.4.2017

Unless some exceptions it shall apply from 14 Dec 2019

Official Controls Regulation (1)

Article 1 *Subject matter and scope*

1. This Regulation lays down rules for:

a) the performance of official controls and other official activities by the competent authorities of the MSs;...

2. *This Regulation shall apply to the official controls performed for the verification of compliance with the rules, whether established at Union level or by the Member States, to apply Union legislation in the areas of: ...*

h) requirements for the placing on the market and use of plant protection products and the sustainable use of pesticides, with the exception of pesticides application equipment;

Official Controls Regulation (2)

Article 24 *Specific rules on official controls and for action taken by the competent authorities in relation to plant protection products*

- 1. Official controls to verify compliance with the rules referred to in point (h) of Article 1(2) of this Regulation shall include official controls on active substances and safeners, synergists, co-formulants and adjuvants as referred to in Article 2 (2) and (3) of Regulation (EC) No 1107/2009.*

ctnd. on the next slide

Official Controls Regulation (3)

Article 24 *ctnd.*

3. The Commission is empowered to adopt delegated acts in accordance with Article 144 to supplement this Regulation by laying down rules for the performance of official controls referred to in paragraph 1 of this Article. Those delegated acts shall lay down rules on:

ctnd. on the next slide

Official Controls Regulation (4)

Article 24, paragraph 3. ctnd.

(a) specific requirements for the performance of such official controls to respond to recognised uniform hazards and risks which might be posed by plant protection products, concerning the manufacture, placing on the market, entry into the Union, labelling, packaging, transport, storage and use of plant protection products to ensure their safe and sustainable use and to combat their illegal trade; and

ctnd. on the next slide

Official Controls Regulation (5)

Article 24, paragraph 3. ctnd.

(b) the cases where the competent authorities in relation to specific non-compliances are to take one or more of the measures referred to in Articles 137(2) and 138(2).

Official Controls Regulation (6)

Article 24 *ctnd.*

4. The Commission *may*, by means of implementing acts, lay down detailed rules on uniform practical arrangements for the performance of official controls on the products referred to in paragraph 1 regarding:

ctnd. on the next slide

Official Controls Regulation (7)

Article 24, paragraph 4. *ctnd.*

(a) uniform minimum frequency of such official controls, where a minimum level of official control is necessary to respond to recognised uniform hazards and risks which might be posed by plant protection products, concerning the manufacture, placing on the market, entry into the Union, labelling, packaging, transport, storage and use of plant protection products to ensure their safe and sustainable use and to combat their illegal

ctnd. on the next slide

Official Controls Regulation (8)

Article 24, paragraph 4. ctnd.

(b) the collection of information, monitoring and reporting on suspected poisonings from plant protection products;

(c) the collection of information, and the monitoring of and reporting on non-authorised plant protection products including illegal trade of plant protection products.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 145(2).

Regulation No 1107/2009/EC (1)

Chapter VIII Controls

Article 68 Monitoring and Controls:

FIRST SUBPARAGRAPH:

Member States shall carry out official controls in order to enforce compliance with this Regulation.

THIRD SUBPARAGRAPH:

A Regulation, adopted in accordance with the regulatory procedure with scrutiny referred to in Article 79(4), shall set out provisions for the controls, in particular on the production, packaging, labelling, storage, transport, marketing, formulation, parallel trade and use of plant protection products.

It shall also contain provisions concerning the collection of information and reporting on suspected poisonings.

Official Controls Regulation (9)

Article 161 Amendments to Regulation (EC) No 1107/2009
Regulation (EC) No 1107/2009 is amended as follows:

(1) Article 68 is amended as follows:

(a) the **first paragraph is replaced** by the following:

„Member States shall submit to the Commission **by 31 August** each year a report, for the previous year, on the scope and the outcome of the official controls performed in order to verify compliance with this Regulation“;

(b) the **second and third paragraphs are deleted.**

(2) point (n) of Article 78(1) is deleted.

Commission Regulations on the Official Controls of PPPs Placed on the Market (1)

Possibility to be issued according to paragraphs 3. and 4. of Article 24 of Regulation (EU) 217/625:

3. The Commission is empowered to adopt **delegated acts** in accordance with Article 144 to supplement this Regulation

4. The Commission may, by means of **implementing acts**, lay down detailed rules on uniform practical arrangements for the performance of official controls

Commission Regulations on the Official Controls of PPPs Placed on the Market (2)

Commission Official Controls Expert Group (OCEG - E00911 in the Register of Commission EGs):

https://ec.europa.eu/food/safety/official_controls/expert_working_groups_en

Mission:

Discusses and potentially agrees on issues related to the implementation and enforcement of Regulation (EC) No. 882/2004 and the Official Controls Regulation (EU) 2017/625.

It will also be involved in the development of tertiary legislation based on the empowerments provided by Regulation (EU) 2017/625.

Commission Regulations on the Official Controls of PPPs Placed on the Market (3)

Commission Official Controls Expert Group (OCEG - E00911 in the Register of Commission EGs):

Task:

Assist the Commission in relation to the implementation of existing Union legislation, programmes and policies.

Assist the Commission in the preparation of delegated acts.

Coordinate with Member States, exchange of views.

Commission Regulations on the Official Controls of PPPs Placed on the Market (4)

Commission Official Controls Expert Group (OCEG - E00911 in the Register of Commission EGs):

Lead DG:

SANTE - DG Health and Food Safety

Meeting of OCEG on 10 March 2017:

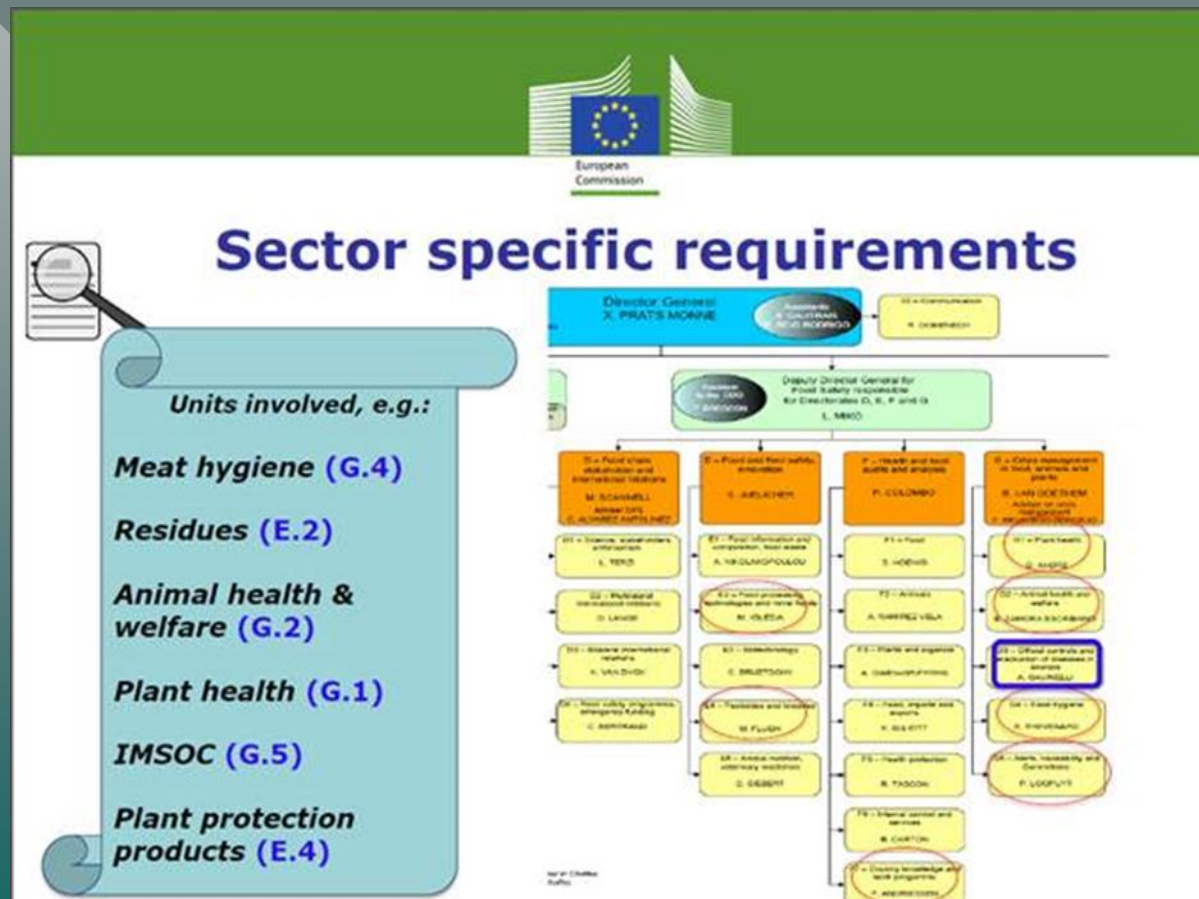
First OCEG meeting enacting terms of the new Official Controls Regulation - Regulation (EU) 2017/625.

First three presentations, related to this Regulation as to tertiary legislation planning were given, but none act on official controls of PPPs placed on the market:

https://ec.europa.eu/food/safety/official_controls/expert_working_groups/presentations_en#20170310

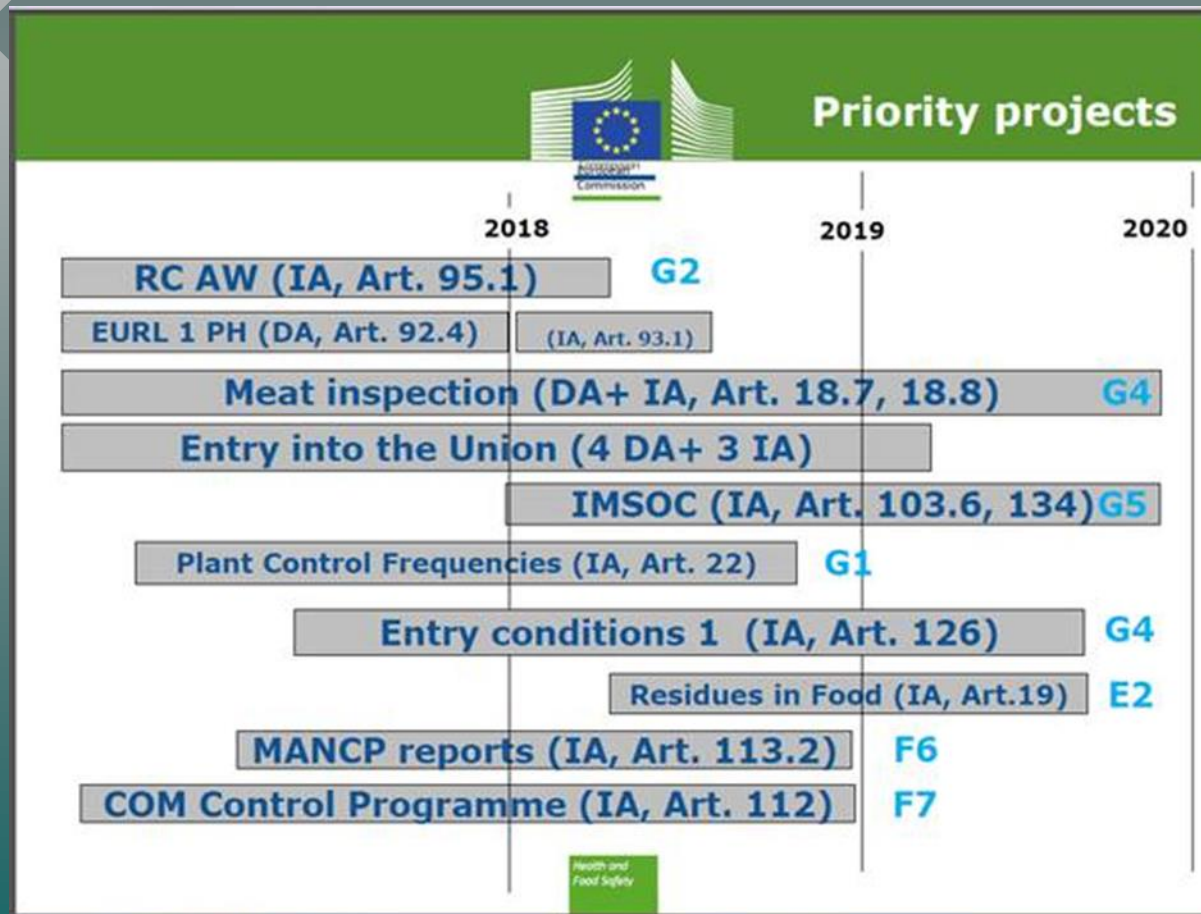
Commission Regulations on the Official Controls of PPPs Placed on the Market (5)

Presentation 1 - Enacting terms of the OCR, slide 11



Commission Regulations on the Official Controls of PPPs Placed on the Market (6)

Presentation 2 - Preliminary Planning of the OCR, slide 8



Commission Regulations on the Official Controls of PPPs Placed on the Market (7)

Presentation 3 - Consultation planning, slide 4



Potential specific groups

Sector specific empowerments	Potential groups to be used
FOOD HYGIENE, MEAT INSPECTION – G4 (ART. 18.7 + 18.8)	Food hygiene (PAFF WG)
RESIDUES + PLANT PROTECTION PRODUCTS – G2, E2, E4 (ART. 19 + 24)	Pesticide residues (E00928) Veterinary medicine residues (PAFF WG)
ANIMALS, POAOs, GERMINAL PRODUCTS, ABPs - G2 (ART. 20)	Animal health (E00930)
PLANTS AND PLANT PRODUCTS – G1 (ART. 22)	Plant health (E00925)
GMOs – E3 (ART. 23)	CAs dealing with GMOs (E00482)
ORGANIC PRODUCTS, PDOs + PGIs AND TSGs – DG AGRI (ART. 25 + 26)	CDG Organic Farming (E03199)
ADDITIONAL IMPORT CONDITIONS ENTRY INTO THE EU – G4 (ART. 126)	OCR (E00911) + subgroup on import "Food hygiene" and "Import Controls (PAFF WG)
ANNUAL REPORT STANDARD MODEL FORMS – F6 (ART. 113)	National Control Plans and Annual Reports (E03026)
TECHNICAL ASPECTS OF AAC, IMSOC – G5 (ART. 106 – 108 + 46.2)	Groups dealing with electronic exchange (Traces, RASFF...) PAFF WG

E = Commission expert group, see: <http://ec.europa.eu/transparency/regexpert/>



Commission Regulations on the Official Controls of PPPs Placed on the Market (8)

*Commission Official Controls Expert Group (OCEG
- E00911 in the Register of Commission EGs):*

Next meeting of OCEG on 27 October 2017:

There are points on the agenda of this meetings related to the Official Controls Regulation Articles, containing paragraphs on the issues of the PPPs official controls, but these paragraphs are not again planned to be on the agenda of this meeting !!!

Regulation No 1107/2009/EC (2)

Chapter VIII Controls, **Article 67** Record-keeping:

1. Producers, suppliers, distributors, importers, and exporters of plant protection products shall **keep records of the plant protection products** (*what kind of data?*) they produce, import, export, store or place on the market for at least 5 years. Professional users of plant protection products shall, for at least 3 years, **keep records of the plant protection products** they use, containing the **name of the plant protection product, the time and the dose of application, the area and the crop where the plant protection product was used.**

Three important data are not required:

Registration No, BATCH No, Registration holder

Regulation No 1107/2009/EC (3)

Chapter VIII Controls, **Article 67** Record-keeping:

4. **Implementing measures** to ensure the uniform application of paragraphs 1, 2 and 3 **may be adopted in accordance with the regulatory procedure** referred to in Article 79(3).

Commission Regulations on the Official Controls of PPPs Placed on the Market (9)

Is there any intent of the European Commission to issue any Commission Regulation in question, which shall apply from 14 Dec 2019 at the latest, i.e. Regulations according to the:

- Regulation (EU) 2017/625, Art. 24, paragraph 3.
delegated acts
- Regulation (EU) 2017/625, Art. 24, paragraph 4.
implementing acts
- Regulation (EC) No 1107/2009, Art. 67, paragraph 4.
implementing measures

Thank you for your attention!

www.ukzuz.cz

