



CENTRAL INSTITUTE FOR SUPERVISING AND TESTING IN AGRICULTURE

Ústřední kontrolní a zkušební ústav
zemědělský - ÚKZÚZ

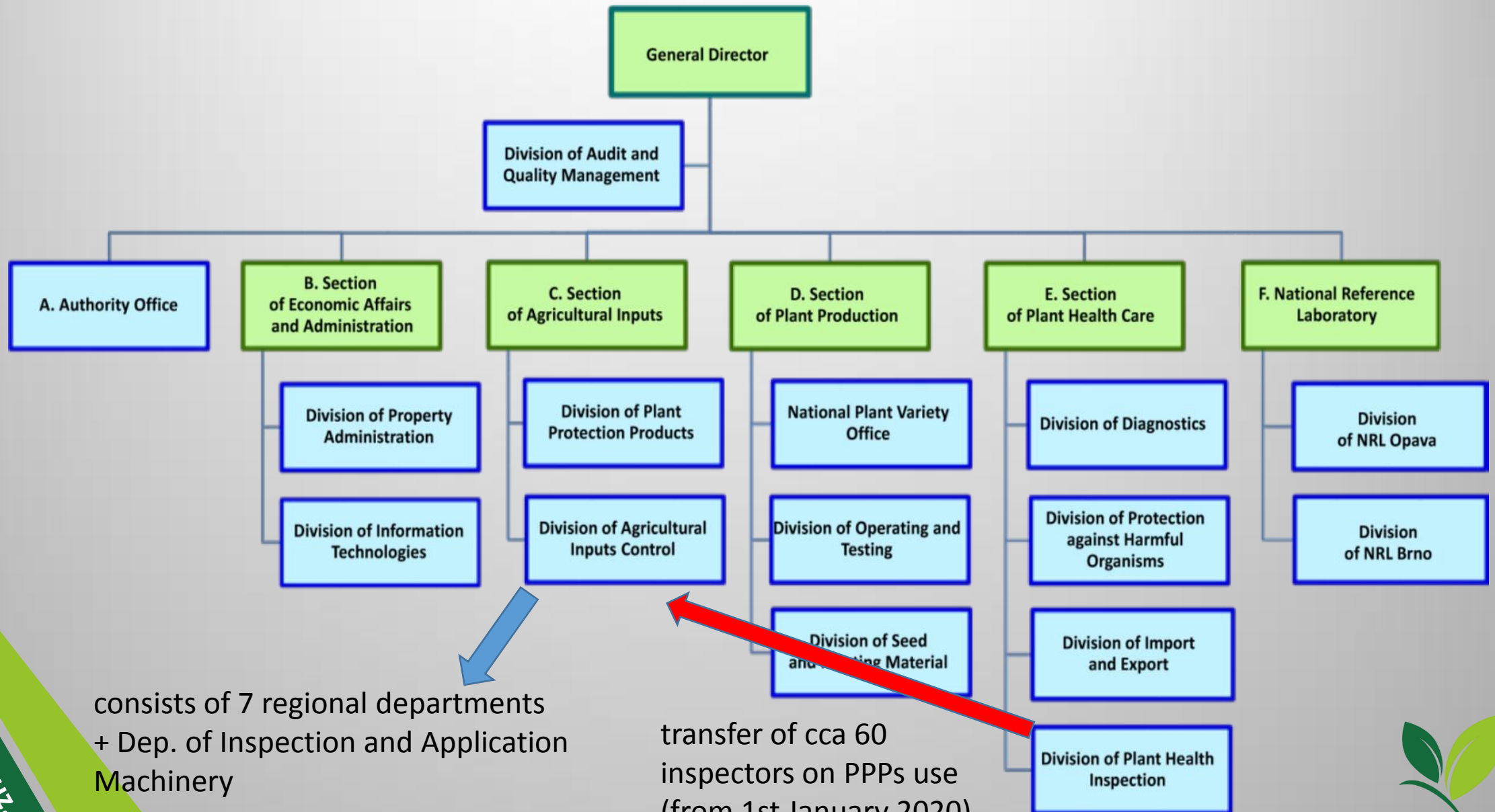
ISO 9001:2015

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Controls of PPPs distribution (placing on the market, marketing)



ORGANIZATIONAL STRUCTURE



consists of 7 regional departments
+ Dep. of Inspection and Application
Machinery

transfer of cca 60
inspectors on PPPs use
(from 1st January 2020)



Organizational changes 2020

- Inspectors controlling the use of PPPs will also be included in the Division of Agricultural Inputs Control from 1st January 2020 (until 31. 12. 2019 they are in the Division of Plant Health Inspection)
- There will be other major changes in the ÚKZÚZ structure, but they will not affect the control of PPPs





Division of Agricultural Inputs Control (DAIC)

Activities of regional departments:

- Control of the placing on the market, labeling, packaging and storage of fertilizers, including sampling
- Control of the placing on the market, production, import, storage, labeling and use of feed, including sampling
- **Control of the placing on the market, storage, packaging and labeling of plant protection products (PPPs), including sampling**
- Other activities



Department of Inspection and Application Machinery (DIAM)

- Placing on the market of PPPs
 - creation of a post-registration control plan for PPPs
 - list of active substances and PPPs to be sampled in a given year
 - elaboration and cooperation on creation of methodologies for DAIC in the area of PPPs distribution control
 - administration of officially collected PPPs samples
 - management of the PPPs database placed on the market
- Agenda of pesticides application equipment
(Article 8 and ANNEX II of Directive 2009/128/EC - SUD)
- Registration of distributors of PPPs for professional use



Numbers of samples and results (1)

- In practice, the inspector carries out 80-100 inspections per year.
- Sampling is carried out by inspectors as part of carrying out controls on the placing on the market of the PPPs or storage by the user.
- Also used control of purchase - check of e-shops



Numbers of samples and results (2)

ÚKZÚZ actions in case of non-compliance:

- remedial measures (official measures imposed in the place of control) - ordering the liquidation of PPP, ordering to inform its customers...
- extraordinary phytosanitary measure (hereinafter „MRO“ only)
 - form of public notice - ban on marketing and use
- initiation of administrative proceedings to impose a fine



Numbers of samples and results (3)

Number of controls / violations:

- 2015 - 590 / 83
- 2016 - 594 / 106
- 2017 - 580 / 77
- 2018 - 629 / 76

Samples passing / failing / MRO number:

- 2015 - 55 / 6 / 1
- 2016 - 40 / 8 / 4
- 2017 - 51 / 22 / 9
- 2018 - 44 / 21 / 7
- 8/2019 - 48 / 14 / 6



The most frequently found violations

From controls:

- sale of expired PPPs
- insufficiently maintained documentation, missing batch No ...
- defects in the labeling and packaging of PPPs

Laboratory analyses:

- the composition or phys-chem properties of the PPPs do not correspond to the documentation (non-compliance)
!!! More often the quality of the original products is worse!!!
- PPP from parallel trade - is not the same as the reference PPP



Investigation when special phytosanitary measure is realized

- initially find out the first distributor in the Czech Republic
- withdrawal from the market through the official measures
 - for suppliers of local distributors
 - for originators of PPPs in the Czech Republic
- to penalize important distributors in the administrative proceedings
 - if they are not found / convicted, to penalize the distributor where the PPP was taken
- MRO applies to all distribution chains and farmers
- in case of overlap of the case outside the Czech Republic - info send to the members of WG on Enforcement



E-shop and advertising control

- 10 inspections per year focused on nationwide promotion of products and sale via remote access - e-shops
- evaluated information on PPPs distributor's websites and advertising sites (Article 66 of Regulation EU 1107/2009)
- printed catalogues are evaluated (Article 66 of Regulation EU 1107/2009)
- for proof of sale of unauthorized PPPs used control purchase (last from PL, SK) - inspector orders PPP in his name and address of ÚKZÚZ
- there is a working group at the Ministry of Agriculture to unify the approach



Registration of distributors

- distributors of PPPs for professional users must be registered and must notify ÚKZÚZ of the place of activity
- the farmer must not purchase a PPP intended for professional users from unregistered distributor
- register of distributors is available at the ÚKZÚZ website
<http://eagri.cz/public/app/eagriapp/ro/Prehled/?POR=A>
- registration may be withdrawn in the case when are found repeated infringements



Reporting obligations

- An entrepreneur who relocates a PPPs in the Czech Republic for the purpose of being placed on the market must notify ÚKZÚZ of the names, batch numbers and quantities of the transferred PPPs.
- PPPs transferred to the Czech Republic intended for export to another country are also notified.
- Upon request from ÚKZÚZ, the PPPs distributor must provide packaging information and samples of PPPs.
- The manufacturer of PPP in the Czech Republic provides quarterly data on the amount of PPP, including names and batch No.
- Repackaging of PPP and re-labeling of the expiry date is subject to the ÚKZÚZ reporting obligation.



2D codes and electronic records

- Unfortunately, the current wording of the legislation does not guarantee uniformity of the system
- Amendment 2020 to the Act No. 147/2002 of the Czech Republic Collection of Laws (hereinafter „Coll.“) - specification + implementation of data storage
 - Standard datamatrix
 - Sending by distributors of data on purchase and sale of PPPs for professional users to the central repository
 - Creating an application for users (identifying suspicious PPPs, ...)
 - Possible connection to planned electronic records of PPPs usage
 - Link with reporting obligations
 - Working group established (Ministry of Agriculture, ÚKZÚZ, Czech Crop Protection Association, GS1, distributor's representatives)



Cooperation with Customs

- Customs provides ÚKZÚZ data on imports of PPPs from third countries
- ÚKZÚZ comments on imports (authorized x unauthorized)
- In the spring, a joint inspection action in the field took place with the Customs Administration (hereinafter CA), and no breach of legislation was detected
- Recently, the CA will hand over cases for sanctions to ÚKZÚZ (unless the person is charged with a criminal offence)



Working Group on Enforcement

(of DG SANTE, HFAA - former FVO)

- Experts on PPPs control from 28 EU MSs
- Preferred way of communication between members – e-mail
- Regular updating of the e-mail list is necessary
- Czech Republic is waiting for a clear definition of the channel for the exchange of information on PPPs according to Title IV Administrative assistance and cooperation, of the Regulation (EU) 2017/625 on official controls, i.e. Articles 102 to 108 thereof



Regulation (EU) 2017/625 on official controls

- The Regulation does not significantly intervene in the PPPs control procedures, which are subject to the requirements of the Czech Act: - „Inspection Act“ (Act No 255/2012 Coll.) and - „Phytosanitary Act“ (Act No 326/2004 Coll.)
- Necessary adjustments to the requirements for taking official samples of PPPs with a view to ensuring the right of a second expert opinion
 - taking sufficient quantities
 - of whole sales packages x samples in sample boxes
 - samples from sales packages are to be provided by the ÚKZÚZ laboratory, accredited according to ISO 17 025
- Possible pitfalls in the laboratory practice
 - there is an own separate Working Group on Formulation Labs (of DG SANTE, HFAA - former FVO)



Thank you for your attention!

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