

# 2014

Hellenic Ministry Of Rural  
Development & Food

C.N.A.: Directorate of  
Plant Produce Protection

## **[Inspection requirements for the production, storage or movement of not authorized in Greece plant protection products intended for use in another Member State or in third countries]**

The present Ministerial Decision describes the inspection requirements provided in article 28, paragraphs 2c and 2d of Regulation (EC) No 1107/2009

## **Ministerial Decision Num 10211/102084/4-10-2012**

[Informal translation in English language]

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**HELLENIC DEMOCRACY  
MINISTRY OF RURAL DEVELOPMENT & FOOD  
GENERAL DIRECTORATE OF PLANT PRODUCE  
DIRECTORATE OF PLANT PRODUCE PROTECTION  
PESTICIDE DEPARTMENT**

**Address: 150, L. Syngrou Avenue**

**Postal code: 176 71 - KALLITHEA**

**TELEFAX: 210 92 12 090**

**Info: Dionyssis Vlachos**

**Tel: +30 210 928.72.38**

**Subject: "Inspection requirements for the production, storage or movement of not authorized in Greece plant protection products intended for use in another Member State or in a third country»**

Having regard to:

1. The Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of the plant protection products and repealing Council Directives 79/117/EEC and 91/414/EEC.
2. The law No 4036/2012 (OJ A'8) concerning the placing of the plant protection products, their sustainable use and related provisions.
3. The provisions of Presidential Decree No 86/2012 (OJ A' 141).
4. The informative note dated 10-9-2012 of the Plant Produce Protection Directorate, as Coordinating National Authority for plant protection products.

### **Article 1**

#### **Purpose – General Provisions**

1. The present Ministerial Decision regulates the requirements and the inspection procedure for the production, storage or movement of not authorized in Greece plant protection products intended to be sent for use in another Member State or in a third country for the purpose to ensure that these plant protection products are not used in Greece but moved abroad Greece or exported.
2. The corresponding procedures concerning authorized plant protection products are out of the scope of the present Ministerial Decision.

3. The provisions of the present Ministerial Decision are applied without prejudice to the provisions of Regulation (EC) No 689/2008 of the European Parliament and the Council concerning the export and import of dangerous chemicals.

## **Article 2**

### **Required procedure**

1. Those interested in importing, manufacturing, packaging, storing, moving or marketing of non-authorized in Greece plant protection products with purpose to transfer them into another Member – State where an authorization is in force, it is required to inform in written the Coordinating National Authority (CNA) by submitting a written request- five (5) days prior to entering the consignment of the PPP in Greece. In case of importing the consignment from a third country outside EU into Greece, this application must be submitted at least ten (10) days prior to entering the consignment of the PPP in Greece. The request contains in minimum the information specified in all following sections, selecting the case matching the requested movement:

#### 1.1. Section A. – Consignment’s entry in Greece

##### Choice A. Entry of consignment from another Member - State:

- The country of origin, where the plant protection products were manufactured, the name of the sender and the expected time of consignment arrival in Greece. In case that, after the submission of the application, the expected time of consignment arrival changes, the Coordinating National Authority (C.N.A.) should be informed, if the new arrival time differs from the declared at least more than seven (7) days.
- The type of transportation (truck, car, ship, plane) and details of the mean of transportation, if known to the applicant.

##### Choice B. Entry of consignment of third country origin:

- The country of origin, where the plant protection products were manufactured, the name of the last supplier and the expected time of consignment arrival in Greece. In case that, after the submission of the application, the expected time of consignment arrival changes, the Coordinating National Authority (C.N.A.) should be immediately informed.
- The custom of entry.
- The type of transportation (truck, car, ship, plane) and details of the mean of transportation, if known to applicant.
- In this case, the C.N.A. after checking the documentation, issues an import certificate for the specific consignment in order to be re-exported, in which certificate the necessary information is referred and it is notified to the Customs of import.

#### 1.2. Section B. – Description of consignment entering Greece

- Trade name of the plant protection product, if any.
- In case that the consignment contains formulated product: Name and content of contained active substance and formulation type. In case that the consignment contains active substances: Name of active substance and per cent purity.
- Description of the consignment and particularly type, size and number of packages and total net weight of the consignment.

- Batch number(s) of the plant protection products, provided there have been notified to the applicant by the supplier.

### 1.3. Section C. – Works intended to be made in Greece

- Brief description of the work intended to be made in Greece (manufacturing, packaging or storage).
- Description of the formulations (active substance, content and formulation type) and estimation of the number of packages intended to be produced (e.g. one thousand packages of three liters each).
- Trade name and authorization number of the plant protection product to the country of dispatch. Where more than one plant protection products are intended to be produced or there are more than one countries of dispatch, the data are matched with those of the previous paragraph. Especially where no authorization number exists in countries of dispatch, according to these countries legislation, the applicant should mention the indication: “No authorization number exists in the country of destination: ..... (the country of destination is added)”.

### 1.4. Section D. – Consignment’s exit from the Greek territory

- The estimated date of consignment’s exit from the Greek territory, with an allowed deviation up to thirty (30) days.
- The Member – State(s) or third country (–ies), in which it is intended to be move the consignment.

The provisions of the above mentioned in paragraphs 1.2 to 1.4 are applied even in the case of stocks of a plant protection product that its authorization was revoked for reasons different than infringements regarding unacceptable deviations in the guaranteed composition or in its physicochemical properties in comparison to those referred to the authorization dossier.

2. The C.N.A. inspects the above data and where required, communicates with the competent authority of the Member State of origin or the third country in a fifteen (15) days period from the submission of the application, to confirm the submitted data and to receive the consent for the dispatch of the consignment. In case formulating or packaging the preparation, the declared plant abilities are checked in comparison to those mentioned in Pesticide Plant Registry.
3. The C.N.A. respectively informs the local authority (Directorate of Rural Economy and Veterinary Medicine of the Regional Unit), where the applicant is going to receive the consignment or the local authority where the entry point exists in order to make an on-site inspection of the consignment, according to the submitted data. The consignment inspection is made in no more than ten (10) days from the declared entry of the consignment.
4. In case that the competent authority of the country of destination responds that the plant protection products of the consignment are not authorized, the C.N.A. informs the applicant by written document and two options are given: a) change of consignment destination, if the provisions of the present Ministerial Decision are fulfilled or b) return of the consignment to its supplier.
5. Otherwise, the C.N.A. informs the applicant to proceed to consignment’s management and the local authority to proceed, after ending the declared works, to the inspection of the consignment exiting in order to ensure that it corresponds to the total quantity entered in Greece. This inspection is mainly documentation check and only if deemed necessary a physical inspection of the consignment takes place.
6. In case of a next similar consignment (same active substance or formulation, same origin and same country of destination and formulated product) expected to enter Greece in a time period of less than a year from the previous one, an application is made according to the provisions of the above paragraph 1 directly to the local authority with cc to C.N.A. After the works are completed, the local authority checks the end-products

to ensure that they correspond to the quantity entered Greece. In case that the similar consignment is originated from a third country, an application is submitted to C.N.A. according to the above paragraphs in a ten (10) days period to obtain an import certificate.

7. Once the applicants have received and handled in the last two (2) years at least ten (10) consignments of plant protection products, without any finding of infringement from the inspections, forthcoming imports of plant protection products not authorized in Greece can be manufactured, repackaged, stored, marketed or sold to another EU Member State, according to the following procedure:
  - No need to submit an application referred to paragraph 1 above, provided that the consignment comes from another Member - State.
  - The C.N.A. and the local authority are informed in the first ten (10) days of each month about the consignments that were received and dispatched during the previous month by submitting supporting documents (invoices and bills of lading of the plant protection products that were received, and also invoices and bills of lading of the plant protection products that were sent outside Greece).
  - The local authority conducts at least one on site inspection per year to confirm the accuracy of the submitted data.
8. In case of infringements, administrative and punitive sanctions provided in article 9, paragraph 2 and article 10, paragraph 2 of law 4036/2012 (OJ A'8) respectively are imposed and the procedure described in the above paragraphs 6 and 7 is suspended for five (5) years for the offender.
9. The foregoing shall also apply if the imported plant protection products are reserved in a customs warehouse.
10. In the case where for any reason, after the consignment's entry with unauthorized in Greece plant protection products, its shipping outside Greek territory is canceled, a six (6) months period is provided for a resubmission of the data of the above mentioned paragraph 1.4 (returning to sender is included). This period may be renewed for three (3) times. Applicants are responsible for the safety of the consignment. If finally export is not possible, the consignment is treated as agrochemical wastes, according to the relevant legislation.

### **Article 3**

#### **Inspections – Record keeping**

1. The Extension Service reserves the right to request any additional information deemed necessary on each transferred consignment. In case of impediment or obstruction or refusal providing the requested data and other documentation, penalties are imposed according to Article 8 paragraph 4 of Law 4036/2012 (Government Gazette A 8).
2. The applicants are required to maintain printed all the documentation of each consignment for a period of five (5) years from the consignment's exit from Greece.
3. This decision shall be published in the Government Official Journal.

Athens, October 4th, 2012

The Deputy Minister of  
Rural Development and Food