



STATUTORY INSTRUMENTS.

S.I. No. 425 of 2015



EUROPEAN UNION (PARALLEL IMPORT OF PLANT PROTECTION
PRODUCT) REGULATIONS 2015

EUROPEAN UNION (PARALLEL IMPORT OF PLANT PROTECTION PRODUCT) REGULATIONS 2015

I, SIMON COVENEY, Minister for Agriculture, Food and the Marine in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) for the purposes of giving further effect to Articles 34 and 36 of the Treaty of the Functioning of the European Union and to give effect to Council Regulation (EU) No 518/2013 of 13 May 2013¹ and Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Parallel Import of Plant Protection Product) Regulations 2015.

2. The European Communities (Plant Protection Products) Regulations 2012 (S.I. No. 159 of 2012) are amended:

(a) in Regulation 2(1) by substituting the definition of “Plant Protection Product Regulation” for the following-

“ ‘Plant Protection Product Regulation’ means Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009³ as amended by Council Regulation (EU) No 518/2013 of 13 May 2013 and Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014.”;

(b) by substituting Regulation 6 for the following—

“Application for parallel and intra Community trade permit

6. (1) A person wishing to place a plant protection product on the market in accordance with Article 52 of the Plant Protection Product Regulation referred to as parallel trade shall apply to the Minister in writing in a format determined by the Minister with the appropriate fee as determined by the Minister for a parallel trade permit.

(2) A person making an application under paragraph (1) shall comply with Article 52.4 of the Plant Protection Product Regulation and shall submit such other information as the Minister considers necessary.

(3) A person wishing to place a plant protection product on the market in the State—

¹OJ L 158, 10.6.2013, p. 72

²OJ L 189, 27.6.2014, p. 1

³OJ L 309, 24.11.2009, p. 1

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 9th October, 2015.

- (a) that is on the market in another Member State and the competent authority of that Member State has granted a parallel trade permit in respect of the product,
- (b) there is a reference product on the market in the State, and
- (c) the provisions of Article 52.1 of the Plant Protection Product Regulation do not apply to that plant protection product,

shall apply to the Minister in writing in a format determined by the Minister with the appropriate fee as determined by the Minister for an intra Community trade permit.

(4) Every reference to a parallel trade permit in these Regulations shall be construed as including a reference to an intra Community trade permit issued under paragraph (3).”



GIVEN under my Official Seal,
1 October 2015.

SIMON COVENEY,
Minister for Agriculture, Food and the Marine.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations give effect to Council Regulation (EU) No 518/2013 of 13 May 2013 and Regulation (EU) No 652/2014 of the European Parliament and of the Council of 15 May 2014 and amends the provisions of S.I. 159 of 2012 as they relate to the procedures concerning applications for parallel and intra Community trade permits.

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