

Message 001

Communication from the Commission - TRIS/(2026) 0511

Directive (EU) 2015/1535

Notification: 2026/0082/LU

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħx il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20260511.EN

1. MSG 001 IND 2026 0082 LU EN 18-02-2026 LU NOTIF

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4. 2026/0082/LU - C40A - Pesticides and pesticide residues

5. Draft government amendments to Act no. 8177 amending the Act of 19 December 2014 on plant protection products

6. The purpose of the present draft government amendments is to amend Act no. 8177 amending the Act of 19 December 2014 on plant protection products.

7.

Regulation (EC) No. 1107/2009 concerning the placing of plant protection products on the market: Article 69
Draft government amendments to Act no. 8177 amending the Act of 19 December 2014 on plant protection products, to ensure alignment of the national framework with Regulation (EC) no. 1107/2009, in particular as regards the scope, definitions and official controls.

8. This draft amendment aims to amend Act no. 8177 amending the Act of 19 December 2014 on plant protection products. As this Act has not been notified to TRIS by the Luxembourg authorities, it is also being submitted together with the draft amendments.

Act no. 8177 seeks to adopt additional provisions required by Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law and of rules on animal health and welfare and plant health. These provisions have therefore been incorporated into the Act of 19 December 2014 on plant protection products.

Regulation (EU) 2017/625 provides a set of harmonised rules to prevent, eliminate or reduce the level of health risks to humans, animals and plants that may arise in the 'agri-food chain'. These rules enable citizens of the European Union to benefit from a high level of human, animal and plant health, and to ensure the functioning of the internal market.

This regulation also requires the designation of the competent authorities responsible for the proper enforcement of the legislation, the establishment of an effective control system, the establishment of a system of effective, dissuasive and proportionate administrative measures and criminal penalties, applicable in the event of non-compliance with the requirements of European legislation.

To this end, the competent authorities must, on the one hand, have a comprehensive legislative and regulatory framework that enables them to verify whether the activities of operators and goods placed on the European Union market, produced in the European Union or imported from third countries, comply with the standards and requirements applicable in the European Union and, on the other hand, provide for dissuasive penalties in the event of non-compliance.

The draft amendments are intended to take into account opinion no. 61.386 of the Council of State of 25 June 2024, as well as the opinions of the professional chambers.

It also seeks to harmonise provisions with other sectoral Acts relating to official controls on foodstuffs, animal feed, transmissible animal diseases and pests.

The main amendments introduced by the draft amendments in question seek to clarify the issue of the competent authority, supervisory powers, the collection of fees and administrative appeals.

Moreover, the draft amendments introduce a substantial reform of the system of administrative fines applicable to plant protection products and reclassify several forms of conduct initially subject to criminal penalties as conduct subject to administrative fines.

9. The purpose of these draft government amendments is to amend draft Act no. 8177 amending the Act of 19 December 2014 on plant protection products, in order to take account of opinion no. 61.386 of the Council of State of 25 June 2024 and the opinions of the professional chambers.

The main amendments seek to clarify the issue of the competent authority, the supervisory powers, the collection of fees and administrative appeals. In addition, the draft government amendments introduce a

substantial reform of the system of administrative fines applicable to plant protection products and reclassify several forms of conduct initially subject to criminal penalties as conduct subject to administrative fines. Lastly, it should be specified that a preliminary draft Act will be submitted shortly with a view to completely revising the framework Act on administration, namely the Act of 30 November 1976 on the reorganisation of the administration of technical agricultural services. The present draft government amendments take this into account in order to align with the future new framework Act.

10. References to the basic texts:

11. No

12.

13. No

14. No

15. Yes

16.

TBT aspects: No

SPS aspects: No

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