Message 001

Communication from the Commission - TRIS/(2025) 2417

Directive (EU) 2015/1535

Notification: 2025/0500/RO

Notification of a draft text from a Member State

Notification – Notification – Notifzierung – 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 késéseket - 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: 20252417.EN

1. MSG 001 IND 2025 0500 RO EN 04-09-2025 RO NOTIF

2. Romania

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4. 2025/0500/RO - C40A - Pesticides and pesticide residues

5. Draft Emergency Order on the manufacture, repackaging, marketing, import, export, use and provision of plant protection products and services on Romanian territory

6. Official controls performed to check operators' compliance with the rules on the manufacture, repackaging, marketing, import, export, use and provision of plant protection products and services on Romanian territory.

7.
Regulation (EC) No 1107/2009 concerning the placing of plant protection products on the market: Article 69
The regulation of repackaging and export activities through the establishment of official control requirements to ensure that unauthorised plant protection products intended for export are actually exported from Romania, as provided for in Article 28(2)(d) of Regulation (EC) No 1107/2009; (c) Emergency authorisation – authorisation issued under Article 53 of Regulation (EC) No 1107/2009;

Regulation (EU) 2016/2031 on protective measures against pests of plants: Article 52
Article 58 Exports of seeds treated under the conditions provided for in Article 57 shall comply with the provisions of Articles 100 and 102 of Regulation (EU) 2016/2031

8. The draft Emergency Order lays down provisions regarding the official control performed by staff of the National Plant Protection Authority, which are in line with the provisions of Article 24 of Regulation (EU) 2017/625 on official controls and other official activities, as amended and supplemented, and with the provisions of Article 28(2)(d) of Regulation (EC) No 1107/2009 concerning the placing of plant protection products on the market, as amended and supplemented, so as to ensure a high level of protection of human health and confidence in the food chain from the farm to the consumer.
Updating the national legal framework in the field of plant protection products, it regulates official controls regarding the requirements relating to the manufacture, repackaging, commercialisation, import, export, use and provision of plant protection products and services on the territory of Romania, in accordance with the rules established at European Union level.
Similarly, the emergency adoption of this draft legislative act provides a legal framework for the preparation and adoption of secondary legislation provided for in the draft Emergency Order, under which the related procedures will be regulated, namely:
- the templates for the import authorisation certificate, the export certificate and the registration certificates provided for in the draft legislative act;
- the conditions regarding the organisation and operation of the plant protection repository and phytopharmacy;
- the requirements that must be met by warehouses and storage premises in order to ensure that plant protection products are used safely;
- the procedure for performing official controls and other official activities regarding the manufacture, repackaging, marketing, import, export, use, storage and provision of plant protection products and services;
- the inspection rules for products manufactured for export and for the import and intra-Community movement of plant protection products.

9. The following shall be taken into account in the promotion of this Government Emergency Order:
- that plant protection products should only be used by trained and certified professional users;
- that plant protection products should be marketed and used safely, in such a way that the associated risks are minimised;

- the updating of the activity of importing and exporting plant protection products;
- the implementation of an official control system to verify the compliance of natural or legal persons marketing or using plant protection products on Romanian territory with the requirements laid down in Regulation (EU) 2017/625;
- the establishment of rules for the performance of official controls to address the hazards and risks that plant protection products may present, concerning the manufacture, repackaging, marketing, import, export, use and provision of plant protection products and services, to ensure their safe and sustainable use and to combat their illegal trade, including the adoption of measures to be taken in the event of non-compliance, provided for in Regulation (EU) 2017/625;
- the establishment of penalties applicable in the event of non-compliance with the rules regarding the manufacture, repackaging, marketing, import, export, use and provision of plant protection products and services on Romanian territory, which must be effective, proportionate and dissuasive; penalties that must be communicated to the European Commission without delay, including any subsequent amendments thereto;
- the establishment of offences or updating of financial penalties for violations of the rules perpetrated through fraudulent or deceptive practices, according to the seriousness of the offence;
- the regulation of repackaging and export activities through the establishment of official control requirements to ensure that unauthorised plant protection products intended for export are actually exported from Romania, as provided for in Article 28(2)(d) of Regulation (EC) No 1107/2009.
- the updating of national legislation on combating the illegal trade in and export of plant protection products following the recommendations of the evaluation mission carried out by the Committee on Chemicals and Biotechnologies during the process of Romania’s accession to the Organisation for Economic Co-operation and Development (OECD).

10. Reference(s) to basic text(s):

11. Yes

12. The establishment of specific rules for controls to respond to recognised uniform hazards and risks that might be posed by plant protection products at any stage of manufacture, placing on the market, entry into the Union, repackaging, storage and use of plant protection products to ensure their safe and sustainable use and to combat their illegal trade. The establishment of penalties and/or offences for non-compliance with the rules on the manufacture, repackaging, marketing, import, export, use and provision of services of plant protection products in Romania or for deceptive or fraudulent practices according to the seriousness of the offence. The regulation of repackaging and export activities through the establishment of official control requirements to ensure that unauthorised plant protection products intended for export are actually exported from Romania. Measures to ensure a single market and effective and safe trade with third countries in plant protection products so that the associated risks are minimised. The lack of a legislative framework has a negative impact on human health and the environment, namely on useful flora and fauna and the conservation of biodiversity. Inappropriate application of plant protection products leads to increased levels of pesticide residues in fruit and vegetables

13. No

14. No

15. No

16.
TBT aspects:
The draft is a technical regulation or a conformity assessment
The draft has significant impact on international trade

SPS aspects:
The draft is a sanitary or phitosanitary measure
The draft has significant impact on international trade

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