

Commission Regulation (EU) No 1141/2010 of 7 December 2010 laying down the procedure for the renewal of the inclusion of a second group of active substances in Annex I to Council Directive 91/414/EEC and establishing the list of those substances (Text with EEA relevance)

Article 6

Checking of application

1 Within 1 month of receipt of the application, the rapporteur Member State shall check whether the application fulfils the requirements of Articles 4 and 5.

2 Where the rapporteur Member State considers that the application fulfils the requirements of Articles 4 and 5, it shall, within the period of 1 month provided for in paragraph 1, inform the applicant, the Commission and the Authority of the date of receipt and that the application fulfils the requirements.

3 Where the rapporteur Member State considers that the application does not fulfil the requirements of Articles 4 and 5, it shall, within the period of 1 month provided for in paragraph 1, inform the applicant of the date of receipt and explain which requirements have not been fulfilled. It shall at the same time set the applicant a period of 14 days to render the application compliant. That period shall extend the period of 1 month provided for in paragraph 1. Where, at the end of the period set for rendering the application compliant, the rapporteur Member States considers that the application fulfils the requirements of Articles 4 and 5, paragraph 2 shall apply.

Where, at the end of the period set for rendering the application compliant, the rapporteur Member States considers that the application still does not fulfil the requirements of Articles 4 and 5, it shall, stating its reasons, immediately so inform the applicant, the Commission and the Authority.

Upon receiving the communication from the rapporteur Member State, the Commission shall, taking into account the view of the rapporteur Member State, decide whether the application fulfils the requirements of Articles 4 and 5 and inform the rapporteur Member State, the other Member States and the Authority of its decision. The rapporteur Member State shall immediately inform the applicant of that decision.

4 Where for an active substance no application fulfils the requirements of Articles 4 and 5, in accordance with Directive 91/414/EEC, the active substance shall be removed from Annex I to that Directive. Its non-inclusion and the withdrawal of the authorisations of plant-protection products containing that active substance shall be provided for.

5 Where two or more applications for the same active substance have been submitted separately and each is considered to fulfil the requirements of Articles 4 and 5, the rapporteur Member State shall communicate the contact details of each applicant to the other applicants.

6 The Commission shall publish, for each active substance, the names and the addresses of the applicants whose applications are considered to fulfil the requirements of Articles 4 and 5.

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EU) No 1141/2010. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 3-21 omitted by [S.I. 2019/556 reg. 15\(5\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/556 reg. 15\(6\)](#)
- Art. 1(2)(a) words substituted in earlier amending provision S.I. 2019/556, reg. 15(2) by [S.I. 2020/1376 reg. 3\(12\)\(a\)](#)
- Art. 1(3) words substituted in earlier amending provision S.I. 2019/556, reg. 15(2) by [S.I. 2020/1376 reg. 3\(12\)\(a\)](#)
- Art. 1(4)(a) words substituted in earlier amending provision S.I. 2019/556, reg. 15(2) by [S.I. 2020/1376 reg. 3\(12\)\(a\)](#)
- Art. 2(b) substituted by [S.I. 2019/556 reg. 15\(3\)\(a\)](#)
- Art. 2(c)-(f) omitted by [S.I. 2019/556 reg. 15\(3\)\(b\)](#)
- Art. 2(g)-(i) inserted by [S.I. 2019/556 reg. 15\(3\)\(c\)](#) (This S.I. is amended by S.I. 2019/559, reg. 7)
- Art. 2A inserted by [S.I. 2019/556 reg. 15\(4\)](#)
- Art. 2A(6) words substituted in earlier amending provision S.I. 2019/556, reg. 15(4) by [S.I. 2020/1376 reg. 3\(12\)\(b\)](#)