

Regulation (EC) No 1107/2009 of the European Parliament and of the Council  
of 21 October 2009 concerning the placing of plant protection products on  
the market and repealing Council Directives 79/117/EEC and 91/414/EEC

CHAPTER III

**PLANT PROTECTION PRODUCTS**

<sup>F1F1</sup>SECTION 1

*Authorisation*

*Subsection 3*

*[<sup>F1</sup>Ongoing applications for] mutual recognition of authorisations*

*Article 41*

**Authorisation**

1 The [<sup>F1</sup>competent authority] to which an application under Article 40 [<sup>F2</sup>as it had effect immediately before IP completion day] is submitted shall, having examined the application and the accompanying documents referred to in Article 42(1), as appropriate with regard to the circumstances in its territory, authorise the plant protection product concerned under the same conditions as the [<sup>F3</sup>reference state], except where Article 36(3) applies.

[<sup>F4</sup>1A But where the application was for authorisation of minor uses in accordance with Article 51(7) as it had effect immediately before IP completion day, the competent authority must authorise such uses, except where—

- a Article 36(3) applies, or
- b the competent authority considers that those uses are not minor.]

2 By way of derogation from [<sup>F5</sup>paragraphs 1 and 1A, the competent authority] may authorise the plant protection product where:

- a an authorisation under point (b) of Article 40(1) [<sup>F6</sup>as it had effect immediately before IP completion day] was applied for;
- b it contains a candidate of substitution; [<sup>F7</sup>or]
- c Article 30 has been applied; or
- <sup>F8</sup>d .....

**Textual Amendments**

- F1** Words in Art. 41(1) substituted (31.12.2020) by [The Plant Protection Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/556\)](#), regs. 1(1), **5(16)(d)(i)(aa)** (with Sch. 1); 2020 c. 1, Sch. 5 para. 1(1)

---

**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1107/2009 of the European Parliament and of the Council, Article 41. (See end of Document for details)

---

- F2** Words in Art. 41(1) inserted (31.12.2020) by The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/556), regs. 1(1), **5(16)(d)(i)(bb)** (with Sch. 1) (as amended by S.I. 2020/1376, regs. 1(4), 3(5)(d)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 41(1) substituted (31.12.2020) by The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/556), regs. 1(1), **5(16)(d)(i)(cc)** (with Sch. 1); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Art. 41(1A) inserted (31.12.2020) by The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/556), regs. 1(1), **5(16)(d)(ii)** (with Sch. 1) (as amended by S.I. 2020/1376, regs. 1(4), 3(5)(d)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 41(2) substituted (31.12.2020) by The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/556), regs. 1(1), **5(16)(d)(iii)(aa)** (with Sch. 1); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in Art. 41(2)(a) inserted (31.12.2020) by The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/556), regs. 1(1), **5(16)(d)(iii)(bb)** (with Sch. 1) (as amended by S.I. 2020/1376, regs. 1(4), 3(5)(d)); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Word in Art. 41(2) inserted (31.12.2020) by The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/556), regs. 1(1), **5(16)(d)(iii)(cc)** (with Sch. 1); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 41(2)(c) omitted (31.12.2020) by virtue of The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/556), regs. 1(1), **5(16)(d)(iii)(dd)** (with Sch. 1); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EC) No 1107/2009 of the European Parliament and of the Council, Article 41.