

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 IX

EMERGENCIES

[^{F1}Article 69

Emergency measures

- 1 Where a competent authority is satisfied that the conditions in paragraph 2 are met, the competent authority may—
 - a in the case of an active substance, safener or synergist approved in relation to its constituent territory—
 - i) amend the conditions of approval, or
 - ii) suspend approval;
 - b in the case of a co-formulant, add that co-formulant to the unacceptable co-formulants register in relation to its constituent territory;
 - c in the case of a plant protection product authorised in its constituent territory—
 - i) amend the authorisation for that product;
 - ii) suspend the authorisation for that product.
- 2 The conditions referred to in paragraph 1 are—
 - a the approved active substance, safener, synergist, co-formulant or plant protection product is likely to constitute a serious risk to human or animal health or the environment, and
 - b that risk cannot be contained satisfactorily by means of other measures taken by the competent authority.
- 3 In performing a function under paragraph 1, the competent authority may obtain independent scientific advice, where the competent authority considers it appropriate to do so.
- 4 As soon as reasonably practicable after acting in accordance with paragraph 1(a), (b) or (c), the competent authority must—
 - a update the approvals register or unacceptable co-formulants register accordingly;
 - b in relation to an amendment or suspension under paragraph 1(a), begin a review of the active substance, safener or synergist in accordance with Article 21 or that Article as applied by Article 25A(4);
 - c in relation to a register addition under paragraph 1(b), begin a review of the co-formulant under Article 27(3);
 - d in relation to an amendment or suspension under paragraph 1(c), begin a review of the plant protection product authorisation under Article 44.
- 5 An amendment or suspension under paragraph 1(a) expires upon the completion of the review described in paragraph 4(b).

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 69. (See end of Document for details)

6 A register addition under paragraph 1(b) expires upon the completion of the review described in paragraph 4(c).

7 An amendment or suspension under paragraph 1(c) expires upon the completion of the review described in paragraph 4(d).

8 Following the expiry of an amendment or suspension under paragraph 1(a), or a register addition under paragraph 1(b), the competent authority must update the approvals register or unacceptable co-formulants register accordingly.

9 The Secretary of State may perform a function under paragraph 1 instead of a competent authority—

- a in relation to Wales, with the consent of the Welsh Ministers;
- b in relation to Scotland, with the consent of the Scottish Ministers.

10 Where the Secretary of State performs a function in accordance with paragraph 9, a reference to the competent authority in paragraphs 3, 4 and 8 is to be read as a reference to the Secretary of State.]

Textual Amendments

- F1** Art. 69 substituted (31.12.2020) by [The Plant Protection Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019 \(S.I. 2019/556\)](#), regs. 1(1), **11(2)** (with Sch. 1) (as amended by [S.I. 2019/1410](#), regs. 1(2), 6(3); [S.I. 2020/1376](#), regs. 1(4), 3(9)); 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 69.