

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

SECTION 1

Authorisation

Subsection 6

Derogations

Article 53

Emergency situations in plant protection

1 By way of derogation from Article 28, in special circumstances a Member State may authorise, for a period not exceeding 120 days, the placing on the market of plant protection products, for limited and controlled use, where such a measure appears necessary because of a danger which cannot be contained by any other reasonable means.

The Member State concerned shall immediately inform the other Member States and the Commission of the measure taken, providing detailed information about the situation and any measures taken to ensure consumer safety.

2 The Commission may ask the Authority for an opinion, or for scientific or technical assistance.

The Authority shall provide its opinion or the results of its work to the Commission within 1 month of the date of the request.

3 If necessary, a decision shall be taken, in accordance with the regulatory procedure referred to in Article 79(3), as to when and under what conditions the Member State:

- a may or may not extend the duration of the measure or repeat it; or
- b shall withdraw or amend its measure.

4 Paragraphs 1 to 3 shall not apply to plant protection products containing or composed of genetically modified organisms unless such release has been accepted in accordance with Directive 2001/18/EC.