
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 360

The Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020.

PART 1

General

Citation, commencement and application

1.—(1) These Regulations may be cited as the Official Controls (Plant Protection Products) Regulations (Northern Ireland) 2020 and come into operation on 31st December 2020.

(2) These Regulations do not apply to non-professional users of plant protection products.

Interpretation

2.—(1) In these Regulations—

“authorised person” means a person authorised by the Department under regulation 8(2) and includes an officer of a district council authorised by a district council under regulation 8(7);

“the Department” means the Department of Agriculture, Environment and Rural Affairs;

“the Official Controls Regulation” means Regulation (EU) 2017/625 of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products⁽¹⁾, in so far as it relates to the areas governed by the relevant legislation;

“operator” means any natural or legal person subject to one or more of the legal obligations provided for in the relevant legislation;

“plant protection product” has the same meaning as in the Plant Protection Products Regulation (see Article 2(1));

“the Plant Protection Products Regulation” means Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market⁽²⁾;

“premises” includes any place and, in particular, includes—

- (a) any vehicle, vessel, aircraft, hovercraft or marine structure, and
- (b) any tent or moveable structure;

(1) OJ No. L 95, 7.4.2017, p.1, as last amended by Commission Delegated Regulation (EU) 2019/2127.

(2) OJ No. L 309, 21.11.2009, p.1, as last amended by Regulation (EU) 2019/1009 (OJ No, L 170, 25.6.2019, p.1.

“professional use” and “professional user” have the same meaning as in the Plant Protection Products (Sustainable Use) Regulations 2012⁽³⁾ and the meaning of non-professional user is construed accordingly;

“relevant legislation” means European Union and domestic legislation governing the requirements for—

- (a) the placing on the market and use of plant protection products;
- (b) active substances, safeners and synergists;
- (c) adjuvants and co-formulants;
- (d) the sustainable use of pesticides, with the exception of pesticides application equipment.

(2) Terms used in these Regulations have the same meaning as they have in the Official Controls Regulation.

(3) In these Regulations, active substance, safener, synergist, co-formulant and adjuvant have the same meanings as in the Plant Protection Products Regulation (see Article 2(2) and (3)).

(4) Any reference in these Regulations to an “Article” or “Title” is to an Article or Title of the Official Controls Regulation.

(5) The Interpretation Act (Northern Ireland) 1954⁽⁴⁾ applies to these Regulations as it applies to an Act of the Assembly.

Designation of competent authority

3. The Department is designated the competent authority responsible for the organisation and the performance of official controls and other official activities in Northern Ireland in so far as they relate to the areas governed by the relevant legislation.

Exchange of information

4. The Department may disclose information to other competent authorities in the United Kingdom or in a member State for the purposes of these Regulations or the Official Controls Regulations.

(3) S.I. 2012/1657.

(4) 1954 c. 33 (N.I.).