

Annual Report on control measures  
according to Article 68 of Regulation  
(EC) No. 1107/2009

Sweden 2015

ENFORCEMENT 9/16



The Swedish Chemicals Agency is supervisory authority under the Government. We work in Sweden, the EU and internationally to develop legislation and other incentives to promote good health and improved environment. We monitor compliance of applicable rules on chemical products, pesticides and substances in articles and carry out inspections. We also provide guidance regarding enforcement and inspections to municipalities and county administrative boards. We review and authorise pesticides before they can be used. Our environmental quality objective is A Non-toxic Environment.

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## **Preface**

According to Article 68 of Regulation (EC) No 1107/2009 on the placing of plant protection products on the market, Member States shall carry out controls to ensure compliance with the Regulation. The Swedish Chemicals Agency is responsible for compile a report on the results of these controls and submit to the Commission. This report compile official controls carried out in 2015.

# Content

- Summary ..... 5
- 1 Background ..... 6
- 2 Organisation of official control on plant protection products..... 6
- 3 Quantity of plant protection products on the market..... 7
- 4 Controls on the marketing and use of plant protection products..... 7
- 5 Other information ..... 9
- 6 References ..... 9

## Summary

This report compiles information from various sources on control measures carried out in Sweden according to Article 68 of Regulation (EC) No 1107/2009 on the placing of plant protection products on the market.

In 2015, 3,878 Swedish operators were subjected to official controls concerning plant protection products in Sweden.

The operators comprised of manufacturers, importers, distributors of plant protection products and professional users within the agricultural, horticulture and forestry sectors. Six suspected cases of violation of the Swedish legislation were reported and the authorities issued rulings of five prohibitions and five environmental sanction charges.

Nearly 5,190 distributors and professional users were trained and issued with licenses to use plant protection products. The local authorities issued 465 permits to use plant protection products in specific areas and 218 notifications for the use of plant protection products in non-agricultural areas. Approximately 1,260 enquiries on pesticides were made to the Swedish Poisons Information Centre by the public and the medical service. None of the enquiries were related to poisoning.

# 1 Background

According to Article 68 of Regulation (EC) No 1107/2009 on the placing of plant protection products on the market, Member States shall carry out controls to ensure compliance with the Regulation. They shall compile a report on the extent and results of these controls and submit it to the Commission within six months after the end of that year to which the report relates. According to Article 55 of Regulation (EC) No 1107/2009, plant protection products shall be used properly. Proper usage shall include the application of the principles of good plant protection practice and compliance with the conditions established in accordance with Article 31 and specified on the labelling. It shall also comply with the provisions of Directive 2009/128/EC on establishing a framework for Community action to achieve the sustainable use of pesticides. Directive 2009/128/EC is implemented in the Swedish Regulation 2014:425<sup>1</sup>.

Supervisory authorities carry out controls according to the Swedish Regulation SFS 2011:13<sup>2</sup>.

Non-compliance is regulated by national legislation, the Environmental Code<sup>3</sup>, which sets out sanctions and penalties and Regulation 2012:259<sup>4</sup>, which in turn sets out environmental sanction charges. Authorities may take various measures for non-compliance with Regulations, such as prospection, prohibition and environmental sanction charges. Decisions on prohibitions may be combined with a fine. Authorities may also use other measures that do not require such decisions. Examples of these other measures are official reprimands with demands for correction.

## 2. Organisation of official control on plant protection products

The Swedish Chemicals Agency and the Swedish Environmental Protection Agency are bodies affiliated to the Ministry of Environment and Energy.

The Swedish Chemicals Agency is responsible for compliance of Regulation (EC) 1107/2009. The Agency addresses questions concerning authorisations, approvals, exemptions and other measures. The Agency is responsible for official control of primary suppliers and for providing guidance to municipalities in their control of plant protection products on the market.

The Swedish Environmental Protection Agency is responsible for environmental issues. The Agency is responsible for providing guidance to municipalities in their control of use of plant protection products outside the agricultural sector.

The Swedish Board of Agriculture and the National Board of Forestry are bodies affiliated to the Ministry of Enterprises and Innovation. The Swedish Board of Agriculture is responsible for providing guidance to municipalities in their controls of use of pesticides in the agricultural and horticultural sector, and the National Board of Forestry for use in the forestry sector.

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<sup>1</sup> Regulation 2014:425

<http://www.notisum.se/rnp/sls/fakta/a0140425.htm>

<sup>2</sup> Regulation 2011:13

<http://www.notisum.se/rnp/sls/lag/20110013.htm>

<sup>3</sup> Environmental Code

<http://www.notisum.se/rnp/sls/lag/19980808.HTM>

<sup>4</sup> Regulation 2012:259

<https://www.notisum.se/rnp/sls/lag/20120259.htm>

21 county authorities are responsible for licensing retail outlets for certain hazardous plant protection products. The counties are responsible for controlling cross compliance, which is not included in this report.

290 municipalities are responsible for planning and performing controls on marketing (distributors) and the use of plant protection products. The municipalities issue permits to use plant protection products in specific areas and are responsible for the notification to spread plant protection products on land not used for agriculture, horticulture or forestry. All central authorities cooperate in guiding municipalities, for example in joint projects.

### 3. Quantity of plant protection products on the market

The quantities of sold plant protection products<sup>5</sup> and the number of authorised plant protection products<sup>6</sup> are published annually at the Swedish Chemicals Agency's website.

### 4. Controls on the marketing and use of plant protection products

Controls are carried out on operators like manufacturers, importers, distributors and professional users in the agricultural, horticultural and forestry sectors. In addition to these controls, analyses to verify the active substance content, etc., of authorised plant protection products is performed basically every year. The most recent analysis conducted in 2014 showed significant discrepancies. The next analysis will be undertaken in 2016. Plant protection products to be analysed are primarily purchased in stores.

The total number of controls carried out in 2015 were 3,878, of which the Swedish Chemicals Agency carried out controls on 7 manufactures/importers (Table 1). Local authorities carried out controls on 53 distributors and 3,818 professional users.

Table 1 Number of controlled operators 2015

Swedish Chemicals Agency	Municipalities			Total	
Manufactures/ importers	Distributors	Professional users			
		Agricultural sector	Horticultural sector	Forestry sector	
7	53	3,655	160	3	<b>3,878</b>

Rules concerning approvals, labelling and packaging of plant protection products as well as permits among manufacturers, importers and distributors were checked in 2015 (Table 2). Controls at manufacturers and importers were all targeted controls.

Regulations on approvals, labelling and condition of use, storage, documentation, safety distances, permits and training of professional users of plant protection products were checked. 53 permits regarding the handling of hazardous pesticides were checked among retailers and 2,223 permits regarding use of plant protection products in certain user categories were checked among professional users.

<sup>5</sup> <http://www.kemi.se/hitta-direkt/statistik/forsalda-kvantiteter-av-bekampningsmedel>

<sup>6</sup> <http://webapps.kemi.se/BkmRegistret/Kemi.Spider.Web.External/>

Training and advertising were not requested in the municipalities report, but will be included in next year's survey. Analysis of plant protection products were not performed in 2015.

Table 2 Number of controlled rules/operator 2015

Rules	Swedish Chemicals Agency	Municipalities				Total number	
		Manufacturers/importers	Distributors	Professional users			
				Agricultural sector	Horticultural sector		Forestry sector
Approval	4	53	2,649	153	3	<b>2,862</b>	
Formulation analysis	0	-	-	-	-	<b>0</b>	
Labelling	1	53	-	-	-	<b>54</b>	
Advertising	1	-	-	-	-	<b>1</b>	
Training	1	-	-	-	-	<b>1</b>	
Packing	0	53	-	-	-	<b>53</b>	
Permit <sup>7</sup>	0	53	-	-	-	<b>53</b>	
Labelling & condition of use	-	-	1,925	136	3	<b>2,064</b>	
Storage	-	-	2,697	148	3	<b>2,848</b>	
Documentation	-	-	3,019	47	1	<b>3,067</b>	
Safety distance	-	-	2,417	112	3	<b>2,532</b>	
Training	-	-	2,795	146	2	<b>2,943</b>	
Permit <sup>8</sup>	-	-	2,105	117	1	<b>2,223</b>	

The lack of compliance to rules observed at the controls can both be of minor and major deficiencies. Penalties for major infringements are prosecution, prohibition or environmental sanction charges.

In 2015, six operators were faced with prosecution (Table 3). Five prohibitions and five environmental sanction charges were ruled by the authorities'. 735 official reprimands were made.

<sup>7</sup> Permit to handle hazardous plant protection products

<sup>8</sup> Permit to use plant protection products in certain user categories



Table 3. Number of decisions on sanctions 2015

Rules	Swedish Chemicals Agency	Municipalities				Total number
		Manufacturers/ importers	Distributors	Professional users		
Agricultural sector	Horticultural sector			Forestry sector		
Official reprimand	0	4	696	34	1	<b>735</b>
Prosecution	2	1	3	0	0	<b>6</b>
Prohibition	0	0	5	0	0	<b>5</b>
Environmental sanction charge	0	1	4	0	0	<b>5</b>
<b>Total</b>	<b>2</b>	<b>6</b>	<b>708</b>	<b>34</b>	<b>1</b>	

## 5. Other information

### Permits to use plant protection products in specific areas

The local authorities issue permits to spread plant protection products in specific areas, such as gardens close to apartment buildings, school- and nursery schoolyards, public playgrounds, at planning- and construction sites etc. The number of issued permits in 2015 were 465.

### Notification to spread plant protection products on land not used for agriculture, horticulture or forestry

The local authorities handle notifications to spread plant protection products on embankments and recreational facilities and areas greater than 1,000 m<sup>2</sup> where the public has free access, with the exception of arable land. The number of notifications in 2015 was 218.

### Training of distributors and professional users

In 2015/2016, 92 distributors and 5,096 professional users were trained and awarded with certificate, according to Article 5 of Directive 2009/128/EC.

### Notified cases of poisoning

The Swedish Poisons Information Centre (GIC) is a central authority responsible for information on risks and symptoms of different types of acute poisoning and gives advice on appropriate treatment. The authority also provides information regarding health service efforts.

In 2015, GIC received about 1,264 enquiries concerning pesticides. In some cases, GIC recommended hospital contact or that the health service contacted GIC for treatment guidelines. In 2015, 274 inquiries were referred to the hospital. In the cases where the health service contacted GIC, no cases were marked as serious. Enquiries can come from individuals or from hospitals. Several enquiries can therefore concern the same person or patient.

## 6. References

This report is based on information in the Swedish Chemicals Agency's register and on a questionnaire that the Swedish Chemicals Agency sent out to all Swedish municipalities. Of the 290 municipalities, 281 responded (97%) either individually or together with other municipalities (as an Environmental Association). The Swedish Poisons Information Centre and the Swedish Board of Agriculture have contributed with some information to the report.





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