



GOVERNMENT OFFICE  
OF PEST COUNTY

E/KE/90696/2022

Komárom-Esztergom Megyei Kormányhivatal Növény- és Talajvédelmi Osztály	
Ikt. id.:	
Ikt. szám: 2022 AUG 29.	Előirat:
Mell.:	Ügyintéző:

Your ref.: -

Our ref.: PE/NV/01346-5/2022

18 July 2022

Subject: Certification of Official Recognition of GEP for Plant-Art Research Kft.

Having received the application submitted by **Komárom-Esztergom County Government Office, General Department for Agriculture, Plant Protection and Soil Conservation Department** ( H-2890 Tata, Új út 17. Hungary, *hereinafter: the client*), for conducting a certification procedure of concerning the official recognition of efficacy test facility i.e. Good Experimental Practices (*hereinafter: GEP*), I acting as the competent authority, has made the following

**DECISION:**

**I hereby issue the client's GEP certificate for trial site for carrying out efficacy trials for authorisation purposes.**

The GEP certificate is effective for 5 years from the date on which my decision becomes final by communication.

The client's GEP certificate is given for the following categories of products and cultivation:

**product categories:** herbicides, fungicides and bactericides, zoocides, plant growth regulators and yield enhancing substances, additives

**cultivation categories:** field crops, vegetables, fruits, grapevines, ornamentals public places and others (storage crops, trials for soil pesticides as well as pesticide resistance)

I inform you that the present certification is without prejudice to either the licences concerning the operation/follow-up of activity laid down in other provisions of legislation or the client's obligation for obtaining them.

The client is obliged to notify the competent authority, within 15 days, of any important changes concerning the certified activity of the testing facility.

I call your attention that respect of the provisions laid down in the legislation on GEP certification and in this Decision shall be randomly controlled by my competent authority. If during the official inspection it is stated that the testing facility does not meet the relevant GEP requirements, the competent authority may suspend the activity related to the category specified in this Decision for maximum 2 months or may revoke the GEP certificate.

If during the official inspection it is found that some details are missing in relation to a particular trial, the competent authority responsible for authorization may exclude the trial, depending on the extent of missing data, from those that may be accepted for authorization.

The fee of the present procedure is 250.000 HUF (i.e. two hundred and fifty thousand Hungarian Forints) and was established in accordance with point 8.19.2. of Annex 1 to the *Decree 63/2012. (VII.2.) VM on the extent of the administrative servicing fees due for the procedures by the agricultural administrative bodies of the National Food Chain Safety Office and the county government offices and on the rules of paying the administrative servicing fees.* The client is exempted from paying the fee based on *Article 67 (2) of Act XCIII of 1990 on Duties.*

There is no appeal against this decision during the administrative procedure, though with reference to infringement of law, judicial review of the present decision may be requested at the Capital Court within 30 days from the communication of the Decision. The application shall be submitted to the Government Office of Pest County, Department of Food Chain safety, Animal Health, Plant Protection and Soil Conservation (H-1135 Budapest, Lehel u. 43-47. Hungary) through electronic administration.

## J U S T I F I C A T I O N

In its letter of 17 May 2022, the client submitted an application to the competent authority for obtaining GEP certification.

As a follow-up to this application, the competent authority made a local inspection at the client's facility on 21 June 2022. Statements made during the local inspection are reported in the protocol Nr. PE/NV/01346-2/2022.

Based on the results of the local inspection the competent authority concluded that the client's testing facility does not meet the requirements concerning the efficacy trials specified in Article 22 of the *Decree 89/2004 (V. 15.) FVM on the authorization of placing on the market and use, as well as on the packaging, labelling, storage and transport of plant protection products (hereinafter: Decree 89/2004)* and in the Decision Nr. PE/NV/01346-3/2022 it calls the client to remedy the deficiencies noted.

Client rectified the deficiencies and reported on it in the letter of 12 July 2022, therefore I made the Decision as specified in the first part.

**Therefore I stated that conditions for issuing the certificate specified above were met, so I made the Decision as specified in the first part.**

*Article 22 (5) of Decree 89/2004 - Based on request, the competent authority shall make local inspections at the testing facility and decide on the GEP qualification of the testing facility. The decision shall include the product categories and the cultivation categories for which the testing facility obtained the GEP-certificate.*

*(6) The validity of GEP-certification is 2 years in case of the first request and maximum 5 years in case of renewal of the certification.*

*(7) A fee laid down in specific legislation shall be paid for the GEP-certification procedure.*

*(8) The testing facility having GEP-certification shall notify the competent authority, within 15 days, about any important changes concerning the certified activity of the testing facility.*

*(9) The competent authority shall randomly control the testing facility having GEP-certification. If it is found that the testing facility does not meet the relevant GEP requirements, the competent authority may suspend the activity related to the category specified in this Decision for maximum 2 months or may revoke the GEP-certificate. If during the official inspection it is established that some details are missing in relation to a trial, the competent authority responsible for authorization may exclude the trial, depending on the extent of missing data, from those that may be accepted for authorization."*

Present procedure is not subject to the *Act LVIII of 2020 on certain rules relating to terminating of state of danger and to the epidemiological measure (hereinafter: Act LVIII of 2020)*

Article 398 paragraph (2) of Act LVIII of 2020 states that:

*“Scope of this Chapter does not cover:*

*b) those cases where right applied can be exercised only with holding an authorization which are based on the relevant international legal obligations of Hungary and binding acts of the European Union.*

*d) authorisations that are concerned with determining the amount of an entitlement.”*

I made this Decision within my jurisdiction laid down in Article 19 of *Government Decree 383/2016 (XII.2.) concerning the designation of boards performing agricultural regulatory* and in Decree 33 point e) of *Act XLVI of 2008 on the food chain and regulatory supervision (hereinafter: Act XLVI of 2008)*.

The possibility of appealing against this decision is excluded by Article 116 paragraph (1) and paragraph (4) point (d) of *Act CL of 2016 on the General Administrative Order*. Information on the possibility of judicial review based on the Article 112 paragraph (1) and Article 114 paragraph (1) of *Act CL of 2016 on the General Administrative Order*.

The possibility and rules of the submitting of judicial review and application laid down in Article 39/A of *Act XLVI of 2008*; Article 28 paragraphs (1)-(2), Article 29 paragraph (1), Articles 38, 39, 50, 52, 77 and Article 157 paragraph (1) of *Act I of 2017 on Administrative Procedure*; Article 21 paragraph (6) of *Act CLXI of 2011 on organization and administration of courts*; Article 605 of *Act CXXX of 2016 on the Code of Civil Procedure as well as Article 9 paragraph (1) of Act CCXXII of 2015 on general rules of electronic administration and confidential services*.

on behalf of

**Dr. Richárd Tarnai**  
government commissioner

**Dr. Eleonóra Vincze**  
head of department

1. Client
2. Archives

*Clause: 29 August 2022*

*Translation of the decision Nr. PE/NV/01346-5/2022 was prepared by the issuing authority.*

on behalf of

**Dr. Richárd Tarnai**  
government commissioner

**Dr. Eleonóra Vincze**  
head of department

