

BORiN.510.9.2023.2

Warsaw, 4 August 2023

### DECISION NO. 10/2023

Pursuant to Article 155 of the Act of 14 June 1960 - Code of Administrative Procedure (Journal of Laws of 2023, item 775, as amended) in conjunction with Article 17 paragraph 8 item 2 of the Act of 8 March 2013 on plant protection products (Journal of Laws of 2023, item 340, as amended), having considered the application of Ms Anna Huszcza-Podgórska conducting business activity under the name of Green & Property Consulting Anna Huszcza-Podgórska (Na stoku 6/6; 26-601 Radom) of 19 April 2022, supplemented by explanations provided electronically on 30 June and 2 August 2023, regarding the change in the scope of the authorization to conduct tests on the effectiveness of plant protection products, I hereby amend the Decision No. 13/2021 of 2 August 2021 in this case, amended by Decisions No. 14/2021 of 12 August 2021 and No. 7/2022 of 12 May 2022, in so far as it shall read as follows:

**"I authorize Ms Anna Huszcza-Podgórska running a business under the name of Green & Property Consulting Anna Huszcza-Podgórska (Na stoku 6/6; 26-601 Radom) to conduct tests on the effectiveness of plant protection products from the group of fungicides, herbicides, insecticides, growth regulators and bactericides in field crops of cereals (*spring and winter wheat, spring and winter barley, spring and winter triticale, winter rye, oats*), maize, winter rape, sunflower, soybeans, hops, tobacco, root crops (*potato, sugar beet*), in vegetable crops in the ground and under cover (*tomato, cucumber, lettuce (various species), broccoli, cauliflower, carrot, parsley, celery, radish, horseradish, squash, zucchini, leek, asparagus, onion, garlic, peas, beans, broad beans, cabbage lettuce*), in fruit crops (*apple tree, pear tree, cherry, sweet cherry, plum, peach, apricot, strawberry, raspberry, vine*), in ornamental crops in the ground and under shelters (*annual, biennial, perennial, deciduous and coniferous ornamental trees and shrubs*) and on land not used for agriculture."**

### Justification

By application of 19 June 2023, supplemented by explanations provided electronically on 30 June and 2 August 2023, Ms Anna Huszcza-Podgórska conducting business activity under the name of Green & Property Consulting Anna Huszcza-Podgórska (Na stoku 6/6; 26-601 Radom) asked the Chief Inspector for Plant Protection and Seeds to change the scope of authorization to conduct tests on the effectiveness of plant protection products resulting from decision No. 13/2021 (of 02.08.2021), as amended by Decisions No. 14/2021 (of 12.08.2021) and No. 7/2022 (of 12.05.2022). The proposed amendments concern the possibility of conducting such tests in field crops of sunflower, soybean, hops, tobacco, in growing vegetables in the ground and under cover (tomato, cucumber, lettuce (various species), broccoli, cauliflower, carrots,

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parsley, celery, radish, horseradish, squash, zucchini, leek, asparagus, onion, garlic, peas, beans, broad beans), in fruit crops (peach, apricot, vine) and in ornamental crops in the ground and under cover (annual, biennial, perennial, deciduous and coniferous ornamental trees and shrubs).

On 18 July 2023, pursuant to Article 17(6) in conjunction with Article 8(2) of the Act on plant protection products, an inspection was carried out in the scope of compliance with the requirements of good experimental practice within the meaning of Article 3(20) of 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 (Journal of Laws) UE L 309, 24.11.2009, p. 1 as amended) by Ms Anna Huszcza-Podgórska conducting business activity under the name of Green & Property Consulting Anna Huszcza-Podgórska. The Chief Inspector for Plant Protection and Seeds was informed about the implementation of post-inspection recommendations by the party electronically on 29 July 2023.

In view of the above, it should be considered that the party meets the requirements of good experimental practice.

Therefore, it is adjudicated as in the decision.

### **Instruction**

This Decision shall not be subject to appeal. A party dissatisfied with the decision may apply to the Chief Inspector for Plant Protection and Seeds with a request to reconsider the case, within 14 days from the date of delivery of the decision, in accordance with Article 127 § 3 of the Code of Civil Procedure.

During the time limit for submitting the application for reconsideration, the party may waive this right against the public administration body that issued the decision. On the day of delivery to the Chief Inspector for Plant Protection and Seed of the statement on waiving the right to submit an application for reconsideration of the case, the decision becomes binding and final, which means that the decision is subject to immediate enforcement and there is no possibility of appealing against the decision to the Provincial Administrative Court.

If a party does not consider that the decision is consistent with its application and does not want to exercise the right to request reconsideration of the case, it may lodge a complaint with the Provincial Administrative Court in Warsaw against the decision within 30 days from the date of delivery of the decision to the party. The complaint shall be lodged through the Chief Inspector for Plant Protection and Seeds.

Pursuant to § 2 sec. 1 item 2 of the Regulation of the Council of Ministers of 16 December 2003 on the amount and detailed rules for collecting an entry in proceedings before administrative courts (Journal of Laws of 2021, item 535), a permanent entry, regardless of the subject of the challenged act or actions in cases of complaints against acts or activities in the field of public administration regarding rights or obligations arising from legal provisions, amounts to PLN 200.

On application by a party before or during court proceedings, a party may be granted the right to assistance in whole or in part with exemption from court costs and the appointment of a lawyer if the party proves that he or she is unable to meet any or full costs of the proceedings.

Stamp duty of PLN 1,000 was charged.

#### To be served upon:

- 1) Ms Anna Huszcza-Podgórska  
 ul. Na stoku 6/6  
 26-601 Radom
- 2) a/a

*Index No. 3497/2023. Radom, 24 August 2023. 6658 zzs. Certified to be a true translation of the original document issued in Polish – Paweł Majchrzyk – sworn translator of English.*

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