

GREECE

1. Provisions in place in the Member States on REACH penalties

The table below has been compiled on the basis of the information provided in the legislation sent by Greece in its notification to the European Commission. This table indicates briefly which REACH articles are covered in the national legislation.

Country	Greece
Article	
5	X
6(1)	X
6(2)	X
6(3)	X
7(1)	X
7(2)	X
7(3)	X
7(5)	X
8(1 and 2)	X
9(2)	X
9(6)	X
10	X
11(1 and 3)	X
12(1)	X
12(2)	X
13(1-5)	X
14(1)	X
14(6)	X
14(7)	X
17(1 and 2)	X
18(1 to 3)	X
19(1 and 2)	X
20(2)	
21(1)	X
21(2)	X
21(3)	X
22(1)	X
22(2)	X
24(2)	X
25(1)	
26(1)	
27(1 to 3)	
27(4)	
27(6)	
28(1)	
28(6)	
29(3)	
30(2)	
30(6)	
31(1)	X
31(2-9)	X
32(1)	X
32(2-3)	X
33(1 and 2)	X
34	X
35	X
36(1)	X
36(2)	X
37(2)	X
37(3)	X
37(4)	X
37(5)	X
37(6)	X
37(7)	X
38(1)	X
38(2)	X

Country	Greece
Article	
38(3)	X
38(4)	X
40(4)	X
41(4)	X
46(2)	X
49(a)	X
50(2-3)	X
50(4)	X
53(1) to (3)	
53(4)	
55	
56(1)	X
56(2)	X
60(8)	
60(10)	
61(1)	X
61(3)	X
62 (4 and 5)	
63(3)	X
65	X
66(1)	X
67(1)	X

2. Types of offences related to REACH in Greece

This section gathers information on the REACH offences (administrative and/or criminal ones) pointed by the law in Greece. We divided the offences in four groups:

- Offences related to the registration requirements;
- Offences related to authorisation and restrictions requirements;
- Offences related to the supply chain requirements;
- Offences related to the downstream user requirements;
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	Administrative offences	Criminal offences
Offences related to the registration requirements	<p><i>Major offences:</i></p> <ul style="list-style-type: none"> - Failure to register before the placing on the market of substances, in preparation, articles. (Art 5) - Failure to submit a registration to the Agency (Art 6, 7) - Failure to notify toward the European Chemical Agency and to provide them information and data (Art 7, 6, 24, 30) - Failure to keep up-to-date the information on quantities imported and customers sold to, as well as information on the supply of the latest update of the SDS (Art 8) - Failure to apply the art 23 until 1 December 2008. - Failure to apply the CSR and recommend the risk reduction measures (Art 14) <p><i>Minor offences:</i></p> <ul style="list-style-type: none"> - Failure to notify toward the European Chemical Agency and to provide them information and data (Art 9, 22) - Failure to provide the relevant information and in a correct way for registration. (Art 10, 11, 12, 17, 	N/A

	18, 19) - Failure to stop the manufacture or import of a substance as indicated by the Agency (Art 21) - Failure the downstream user and the registrant to submit information to ECHA and the Agency (Art 40, 41, 46, 49) - Failure the registrants to inform the Agency if manufacture or import or use has ceased (Art 50).	
Offences related to authorisation and restrictions requirements	<i>Minor offences:</i> - Failure to ask for an authorisation before the placing on the market of substances subject to authorisation (Art 56) - Failure the holder of authorization to present a substitution plan to the Commission (Art 61) - Failure to update the information of the original application (Art 63) - Failure to include the authorization number on the label before the holder and downstream users place the substance or preparation on the market (Art 65) - Failure by downstream users to notify ECHA within three months of the first supply (Art 66) - Failure to comply with the conditions of the restrictions on the manufacturing, placing on the market and use of certain dangerous substances, preparations and articles (Art 67)	N/A
Offences related to the supply chain requirements	<i>Minor offences:</i> - Failure by the supplier to provide safety data sheet and indicate true information on it (Art 31) - Failure to respect the provisions relating to the obligation of the members of the supply chain to communicate information (Art 31, 32, 33, 34, 35, 36)	N/A
Offences related to the downstream user requirements	<i>Minor offences:</i> - Failure to comply with the provisions relating to the obligation of the members of the supply chain to communicate information (Art 37, 38) - Failure for the downstream users to comply with the requirements of Art 37 and 38 at the latest 12 months (for Art 37) and 6 months (for Art 38) after receiving a registration number (Art 39)	N/A

3. Sanctions applicable to legal persons in Greece

This table mentions whether or not Greece applies administrative or/and criminal sanctions to legal persons when REACH provisions are infringed.

	Sanctions applicable to legal persons	Criteria	Sanctions applicable to other groups
Greece	Y	Specific to legal persons	N

4. REACH related administrative and criminal penalties in Greece

This section gathers information regarding administrative and/or criminal penalties applicable for the infringement of REACH in Greece. We divided the penalties in four groups:

- Penalties related to infringement of registration requirements;
- Penalties related to infringement of authorisation requirements;
- Penalties related to infringement of the supply chain requirements;

- Penalties related to infringement of the downstream users requirements;

	Administrative penalties	Criminal penalties
Penalties related to infringement of registration requirements	<ul style="list-style-type: none"> • Prohibition of manufacture/distribution/ using a substance and penalty of 3 500 to 35 000 EUR (breach of articles 5, 6, 7, 8, 23), or • Prohibition of manufacture/ distribution/ application and penalty of 1 500 to 15 000 EUR (breach of articles 9, 12, 17, 18, 40, 41, 46), or • Penalty of 2 000 to 20 000 EUR(breach of articles 14, 24, 30), or • Penalty of 500 to 5 000 EUR(breach of articles 10, 11, 21, 49), or • Penalty of 100 to 1 000 EUR(breach of articles 19, 22, 50) • Non compliance with the Decision for prohibition of manufacture/ distribution/ using a substance issued from the Head of the Division of Environment imposes a penalty of 50.000 to 350.000 EUR from the General Director of the General Chemical State Laboratory. In case of multiple infringements, the fines are added up. In case of repetition of infringements the fine is increased by 50%. 	N/A
Penalties related to infringement of authorisation requirements	<ul style="list-style-type: none"> • Prohibition of manufacture/ distribution/ using a substance and penalty of 1 500 to 15 000 EUR (breach of articles 56, 61, 67) , or • Penalty of 100 to 1 000 EUR (breach of articles 63, 65, 66) • Non compliance with the Decision for prohibition of manufacture/ distribution/ application issued from the Head of the Division of Environment imposes a penalty of 50 000 to 350 000 EUR from the General Director of the General Chemical State Laboratory. In case of multiple infringements, the fines are added up. In case of repetition of infringements the fine is increased by 50%. 	N/A
Penalties related to infringement of the supply chain requirements	<ul style="list-style-type: none"> • Penalty of 2 000 to 20 000 EUR (breach of article 36) , or • Penalty of 500 to 5 000 EUR (breach of articles 31 to 34), or • Penalty of 100 to 1 000 EUR (breach of article 35) • Non compliance with the Decision for prohibition of manufacture/ distribution/ application issued from the Head of the Division of Environment imposes a penalty of 50 000 to 350 000 EUR from the General Director of the General Chemical State Laboratory. In case of multiple infringements, the fines are added up. In case of repetition of infringements the fine is increased by 50%. 	N/A
Penalties related to infringement of the downstream users requirements	<ul style="list-style-type: none"> • Penalty of 500 to 5 000 EUR (breach of article 37), or • Penalty of 100 to 1 000 EUR (breach of articles 38-39) • Non compliance with the Decision for prohibition of manufacture/ distribution/ application issued from the Head of the Division of Environment imposes a penalty of 	N/A

	50 000 to 350 000 EUR from the General Director of the General Chemical State Laboratory. In case of multiple infringements, the fines are added up. In case of repetition of infringements the fine is increased by 50%.	
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5. Short description of REACH sanctions and related issues in Greece

REACH Regulation is enforceable in Greece from 18/12/2006. The transposition of REACH in the Greek legislation was carried out by the Ministerial Decision 87/2007, which modified the Decision 378/1994 of the Supreme Chemical Council of the State. Ministerial Decision 3013966/2726/2007 then defined the Competent National Authority for monitoring of REACH implementation. The Ministerial Decision 450/2008 defines the control measures set for the REACH Regulation. Finally, Ministerial Decision 82/2009 defined the sanctions associated with infringements of articles of REACH.

The Greek legislative system does not provide criminal sanctions for infringement of REACH provisions. The General Chemical State Laboratory which is the Competent National Authority for the implementation of REACH does not have the jurisdiction to issue criminal sanctions. The only sanctions provided are administrative. Administrative fines are determined, taking into consideration a number of parameters such as the quantity of the substance concerned, the associated hazard as well as the type of the enterprise concerned (very small, SME, etc.). In case of multiple infringements, the fines are added up. In case of repetition of infringements, the fine is increased by 50%.

Administrative sanctions such as fines, prohibition of production, circulation and use are imposed by the Head of the Division of Environment of the General Chemical State Laboratory. The General Chemical State Laboratory undertakes inspections, controls and samplings with regard to REACH implementation, currently employing a staff of 30 Chemists and Chemical Engineers. The Regional Chemical Services of the General Chemical State Laboratory, under the co-ordination of the Division of Environment, can also undertake routine or ad-hoc inspections.