

LATVIA

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 Latvia in its notification to the European Commission. This table indicates briefly which REACH articles are covered in the national legislation.

When there is a star (*) next to the country name, it means that the country applies what is called a “catch-all” provision, meaning that there is a provision in the law indicating that any infringement of the REACH Regulation can be sanctioned under national law.

Country	Latvia *
Article	
5	X
6(1)	
6(2)	
6(3)	
7(1)	
7(2)	X
7(3)	
7(5)	
8(1 and 2)	
9(2)	
9(6)	
10	
11(1 and 3)	
12(1)	
12(2)	
13(1-5)	
14(1)	X
14(6)	
14(7)	X
17(1 and 2)	
18(1 to 3)	
19(1 and 2)	
20(2)	
21(1)	
21(2)	
21(3)	
22(1)	X
22(2)	X
24(2)	
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)	
32(1)	X
32(2-3)	
33(1 and 2)	X
34	X
35	
36(1)	X
36(2)	
37(2)	

37(3)	
37(4)	
37(5)	
37(6)	
37(7)	
38(1)	
38(2)	
38(3)	
38(4)	
40(4)	
41(4)	
46(2)	
49(a)	
50(2-3)	
50(4)	
53(1) to (3)	
53(4)	
55	
56(1)	
56(2)	X
60(8)	
60(10)	
61(1)	
61(3)	
62 (4 and 5)	
63(3)	
65	
66(1)	
67(1)	

2. Types of offences related to REACH in Latvia

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;

	Administrative offences	Criminal offences
Offences related to the registration requirements	Failure to comply with all obligations of REACH	N/A
Offences related to authorisation and restrictions requirements	Failure to comply with all obligations of REACH	N/A
Offences related to the supply chain requirements	Failure to comply with all obligations of REACH	N/A
Offences related to the downstream user requirements	Failure to comply with all obligations of REACH	N/A

3. Sanctions applicable to legal persons in Latvia

This table mentions whether or not Latvia 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
Latvia	Y	Specific to legal persons (higher fine)	N

4. REACH related administrative and criminal penalties in Latvia

This section gathers information regarding administrative and/or criminal penalties applicable for the infringement of REACH in Latvia. 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"> • A fine of 20 to 300 LVL (28 – 427 EUR)¹ for natural persons; • A fine of 250 to 1 000 LVL (356 – 1 423 EUR) for legal persons • A fine of 300 to 700 LVL (427 – 996 EUR) for legal persons for infringements of the provisions concerning the updating of the registration and information provided to the Agency (Article 22) 	N/A
Penalties related to infringement of authorisation requirements	<ul style="list-style-type: none"> • A fine of 20 to 300 LVL (28 – 427 EUR) for natural persons; • A fine of 250 to 1 000 LVL (356 – 1 423 EUR) for legal persons; • A fine of 1 000 to 3 000 LVL (1 423 – 4 269 EUR) for legal persons for failure to ask for an authorisation before the placing on the market of substances subject to authorisation (Article 56 (1) and (2)) 	N/A
Penalties related to infringement of the supply chain requirements	<ul style="list-style-type: none"> • A fine of 20 to 300 LVL (28 – 427 EUR) for natural persons; • A fine of 250 to 1 000 LVL (356 – 1 423 EUR) for legal persons; • A fine of 500 to 1 000 LVL (711 – 1 423 EUR) for legal persons for failure to indicate information or to indicate true information on the safety data sheet (Article 31) • A fine of to 500 to 1 000 LVL (711 – 1 423 EUR) for legal persons for failure to respect the provisions relating to the obligation of the members of the supply chain to communicate 	N/A

¹ Calculated on the bases of the rate 1 LVL = 0.702804 EUR as on 25 August 2009

	and update information (Article 32, Article 32(2),(3), Article 33(1), Article 33(2), Article 34, Article 36(1))	
Penalties related to infringement of the downstream users requirements	<ul style="list-style-type: none"> • A fine of 20 to 300 LVL (28 – 427 EUR)² for natural persons; • A fine of 250 to 1 000 LVL (356 – 1 423 EUR) for legal persons; 	N/A

5. Short description of REACH sanctions and related issues in Latvia

In Latvia, there are no criminal sanctions for the infringement of REACH obligations. Latvia provides for administrative sanctions as this procedure is considered faster and more effective than the criminal procedure.

The Ministry of Health and the supervisory and control institutions which are subordinate thereto, as specified in regulatory enactments, shall control activities relating to the trade of chemical substances, chemical preparations and biocidal preparations and shall supervise the compliance of such activities with laws and other regulatory enactments in the field of protection of human life and health.

The Ministry of Welfare and the supervisory and control authorities which are subordinate thereto shall control activities relating to chemical substances, chemical preparations and biocidal preparations in the working environment and shall supervise the compliance of such activities with laws and other regulatory enactments in the field of protection of life and health of the employees.

The Ministry of Environment and the supervisory and control authorities which are subordinate thereto shall control activities relating to chemical substances, chemical preparations and biocidal preparations and their impact on the environment and shall supervise the compliance of such activities with environmental laws and other regulatory enactments. The State Environmental Service shall issue administrative acts related to the registration, temporary registration of chemical substances or chemical preparations, including biocidal preparations or issue of permits.

² Calculated on the bases of the rate 1 LVL = 0.702804 EUR as on 25 August 2009