

RES DEPLOYMENT LEGAL INSIGHTS: AMBROSIA ARTEMISIIFOLIA - STRICTER MEASURES AND PENALTIES

On 11th June 2024 amendments to Methodological Norms for the application of Law No. 62/2018 regarding the ragweed (*Ambrosia artemisiifolia*) control and eradication, approved based on the Governmental decision No. 707/2018 (“**GD No. 707/2018**”) entered into force.

The amendments have been introduced via Governmental Decision No. 609/2024 for the amendment and completion of the GD No. 707/2018, published in the Official Gazette, Part I no. 545 of June 11, 2024. Applicable as of 11th June 2024 (“**GD No. 609/2024**”).

As per the new amendments, the following are applicable to lands infested with ragweed:

1. **Verification and identification of the lands infested with ragweed** – this process starts in spring after the emergence of this weed and ends no later than 20th of May each year, when a vegetative differentiation can be found compared to the other weed species;
2. **Notification to the owners or holders of land** - Based on the centralizer provided, local public administration authorities notify, by 5th of June every year, all owners or holders of land, administrators of public roads, railways, water courses, lakes, irrigation systems and fishponds where outbreaks of ragweed infestation were identified about their obligations;
3. **Obligations to prevent, combat and destroy the ragweed** - After receiving the notice, the owners or holders of land, beneficiaries of construction works, administrators of public roads, railways, water courses, lakes, irrigation systems and fish ponds have the obligation to carry out works to prevent, combat and destroy the ragweed, in the period between the emergence of this plant and the appearance of the first inflorescences, until at the latest on 30th of June every year.

Verification of non-compliance by owners or holders of land, beneficiaries of construction works, administrators of public roads, railways, water courses, lakes, irrigation systems and fish ponds of the provisions of Article 1 of the Law No. 62/2018 and application of sanctions according to the provisions of Article 3 of the Law No. 62/2018 are performed, as follows:

- (i) Through a report of verification, ascertainment and application of the administrative sanction, concluded by local public administration authorities and local police;
- (ii) through a administrative and sanction report, concluded by the officers of the National Environmental Guard.

The recommended methods for preventing, combating and destroying ragweed are:

- (i) repeated manual or mechanical mowing, depending on the place and the infested surface,
- (ii) destruction with agricultural tools, uprooting, in the case of isolated surfaces,
- (iii) deep plowing and work the soil to destroy the weeds, herbicide, as appropriate.

If following the second on-site inspection, as of 16th of July 2024, the owner/holder of the land did not take the necessary measures to prevent, combat and destroy this weed, the owner/holder of the land will be fined:

- (i) from RON 1,000 to RON 5,000 for individuals,
- (ii) from RON 10,000 to RON 20,000, for legal entities/companies.

Further assistance at:

Tatiana FIODOROV
Managing Partner
tatiana.fiodorov@afpartners.ro