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Principles and Rules on the re-organization of the operation and the development of main trade and market sectors, Issues of the Ministry of Development

Article 11

1. Without prejudice to the provisions of the National Customs Code (l. 2960/2001, Official Gazette 265 A), all kinds of commodities traded in the market in any way whatsoever, without the person selling them being holder of the necessary seller's license, in accordance with the provisions of l. 2323/1995 (Official Gazette 145 A), or any commodities constituting illegal imitation of legally marketed products or products marketed in breach of the provisions of the Code on Accounting Books and Records (p.d. 186/1992, Official Gazette 84 A), will be seized and destroyed or distributed to legal entities fulfilling social welfare purposes and to charitable institutions.

2. The seizure of products is enforced by the Control Units of article 7a, l. 2323/1995 or by the officers of the Municipal Police or the officers of the Special Control Service.

3. The aforementioned bodies prepare a seizure protocol, which is forwarded to their supervising authority and to the General Secretariat of Commerce of the Ministry of Development. The seizure protocol is posted in the main office of the Municipality where the seizure was enforced and in the office of the General Secretariat of Commerce of the Ministry of Development.

4. Upon the competent Mayor's decision a committee is formed, consisted of one (1) representative of the Directorate of Commerce of the relevant Prefecture, one (1) representative of the Municipality and one (1) representative of the respective Tax Office. This committee is responsible for the assessment of the seized products value.

5. Upon the competent Mayor's decision, the violators are obliged to pay a multiple charge, equal to the tenfold of the seized products value, as such value is assessed by the committee of the previous paragraph. This decision is served to the persons specified in paragraph 1 and to the address such persons designate during the product seizure, within three (3) days from the issuance of the mayor's decision. The multiple charge is an asset of the relevant Municipality.

6. If the person on whom the multiple charge was imposed fails to pay his debt within five (5) working days from the service of the decision stipulated in the previous paragraph, the destruction of the seized products or their distribution to the legal person designated in paragraph 1 is ordered upon the competent mayor's decision.

7. A decision issued by the Minister of Development regulates the issues regarding the procedure of the seizure, destruction or distribution of products, the remuneration of the members of the committee specified in paragraph 4, as well as any other necessary detail.