



STATUTORY INSTRUMENTS.

S.I. No. 16 of 2010

EUROPEAN COMMUNITIES (AUTHORIZATION, PLACING ON THE
MARKET, USE AND CONTROL OF PLANT PROTECTION
PRODUCTS) (AMENDMENT) REGULATIONS 2010

(Prn. A10/0099)

EUROPEAN COMMUNITIES (AUTHORIZATION, PLACING ON THE MARKET, USE AND CONTROL OF PLANT PROTECTION PRODUCTS) (AMENDMENT) REGULATIONS 2010

I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving effect to Commission Directive 2009/115/EC of 31 August 2009¹, Commission Directive 2009/146/EC of 26 November 2009², Commission Directive 2009/152/EC of 30 November 2009³, Commission Directive 2009/153/EC of 30 November 2009⁴, Commission Directive 2009/155/EC of 30 November 2009⁵, Commission Directive 2009/70/EC of 25 June 2009⁶, Commission Directive 2009/77/EC of 1 July 2009⁷, Council Directive 2009/82/EC of 13 July 2009⁸, Commission Directive 2009/116/EC of 25 June 2009⁹, Council Directive 2009/117/EC of 25 June 2009¹⁰ and Commission Directive 2009/154/EC of 30 November 2009¹¹, hereby make the following Regulations:

1. (1) These Regulations may be cited as the European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) Regulations 2010.

(2) The reference to Commission Directive 2009/154/EC of 30 November 2009 shall not enter into force until 1 April 2010.

2. The European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) Regulations 2003 (S.I. No. 83 of 2003) are amended, in Regulation 2(1), by substituting for the definition of “Directive of 1991” (inserted by the European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 3) Regulations 2009 (S.I. No. 222 of 2009)) the following—

“ ‘Directive of 1991’ means Council Directive No 91/414/EEC of 15 July 1991¹² and taking into account Commission Directive 93/71/EEC of 27 July

¹O.J. No. L228 of 01.09.2009, p.17

²O.J. No. L312 of 27.11.2009, p.55

³O.J. No. L314 of 01.12.2009, p.66

⁴O.J. No. L314 of 01.12.2009, p.67

⁵O.J. No. L314 of 01.12.2009, p.72

⁶O.J. No. L164 of 26.06.2009, p.59

⁷O.J. No. L172 of 02.07.2009, p.23

⁸O.J. No. L196 of 28.07.2009, p.10

⁹O.J. No. L237 of 09.09.2009, p.7

¹⁰O.J. No. L237 of 09.09.2009, p.11

¹¹O.J. No. L314 of 01.12.2009, p.69

¹²O.J. No. L230 of 19.08.1991, p.1

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 29th January, 2010.*

1993¹³, Commission Directive 94/37/EC of 22 July 1994¹⁴, Commission Directive 94/43/EC of 27 July 1994¹⁵, Commission Directive 94/79/EC of 21 December 1994¹⁶, Commission Directive 95/35/EC of 14 July 1995¹⁷, Commission Directive 95/36/EC of 14 July 1995¹⁸, Commission Directive 96/12/EC of 8 March 1996¹⁹, Commission Directive 96/46/EC of 16 July 1996²⁰, Commission Directive 96/68/EC of 21 October 1996²¹, Council Directive 97/57/EC of 22 September 1997²², Commission Directive 97/73/EC of 15 December 1997²³, Commission Directive 98/47/EC of 25 June 1998²⁴, Commission Directive 99/1/EC of 21 January 1999²⁵, Commission Directive 99/73/EC of 19 July 1999²⁶, Commission Directive 1999/80/EC of 28 July 1999²⁷, Commission Directive 2000/10/EC of 1 March 2000²⁸, Commission Directive 2000/49/EC of 26 July 2000²⁹, Commission Directive 2000/50/EC of 26 July 2000³⁰, Commission Directive 2000/66/EC of 23 October 2000³¹, Commission Directive 2000/67/EC of 23 October 2000³², Commission Directive 2000/68/EC of 23 October 2000³³, Commission Directive 2000/80/EC of 4 December 2000³⁴, Commission Directive 2001/21/EC of 5 March 2001³⁵, Commission Directive 2001/28/EC of 20 April 2001³⁶, Commission Directive 2001/36/EC of 16 May 2001³⁷, Commission Directive 2001/47/EC of 25 June 2001³⁸, Commission Directive 2001/49/EC of 28 June 2001³⁹, Commission Directive 2001/87/EC of 12 October 2001⁴⁰, Commission Directive 2001/99/EC of 20 November 2001⁴¹, Commission Directive 2001/103/EC of 28 November 2001⁴², Commission Directive 2002/18/EC of 22 February 2002⁴³, Commission Directive 2002/37/EC of 3 May 2002⁴⁴, Commission Directive 2002/48/EC of 30 May 2002⁴⁵, Commission Directive

¹³O.J. No. L221 of 31.08.1993, p.27

¹⁴O.J. No. L194 of 29.07.1994, p.65

¹⁵O.J. No. L227 of 01.09.1994, p.31

¹⁶O.J. No. 354 of 31.12.1994, p.16

¹⁷O.J. No. L172 of 22.07.1995, p.6

¹⁸O.J. No. L172 of 22.07.1995, p.8

¹⁹O.J. No. L65 of 15.03.1996, p.20

²⁰O.J. No. L214 of 23.08.1996, p.18

²¹O.J. No. L277 of 30.10.1996, p.25

²²O.J. No. L265 of 27.09.1997, p.87

²³O.J. No. L353 of 24.12.1997, p.26

²⁴O.J. No. L191 of 07.07.1998, p.50

²⁵O.J. No. L21 of 28.01.1999, p.21

²⁶O.J. No. L206 of 05.08.1999, p.16

²⁷O.J. No. L210 of 10.08.1999, p.13

²⁸O.J. No. L57 of 02.03.2000, p.28.

²⁹O.J. No. L197 of 03.08.2000, p.32

³⁰O.J. No. L198 of 04.08.2000, p.39

³¹O.J. No. L276 of 28.10.2000, p.35

³²O.J. No. L276 of 28.10.2000, p.38

³³O.J. No. L276 of 28.10.2000, p.41

³⁴O.J. No. L309 of 09.12.2000, p.14

³⁵O.J. No. L69 of 10.03.2001, p.17

³⁶O.J. No. L113 of 24.04.2001, p.5

³⁷O.J. No. L164 of 20.06.2001, p.1

³⁸O.J. No. 175 of 28.06.2001, p.21

³⁹O.J. No. L176 of 29.06.2001, p.61

⁴⁰O.J. No. L276 of 19.10.2001, p.17

⁴¹O.J. No. L304 of 21.11.2001, p.14

⁴²O.J. No. L313 of 30.11.2001, p.37

⁴³O.J. No. L55 of 26.02.2002, p.29

⁴⁴O.J. No. L117 of 04.05.2002, p.10

⁴⁵O.J. No. L148 of 06.06.2002, p.19

2002/64/EC of 15 July 2002⁴⁶, Commission Directive 2002/81/EC of 10 October 2002⁴⁷, Commission Directive 2003/5/EC of 10 January 2003⁴⁸, Commission Directive 2003/23/EC of 25 March 2003⁴⁹, Commission Directive 2003/31/EC of 11 April 2003⁵⁰, Council Regulation (EC) No 806/2003 of 14 April 2003⁵¹, Commission Directive 2003/39/EC of 15 May 2003⁵², Commission Directive 2003/68/EC of 11 July 2003⁵³, Commission Directive 2003/70/EC of 17 July 2003⁵⁴, Commission Directive 2003/79/EC of 13 August 2003⁵⁵, Commission Directive 2003/81/EC of 5 September 2003⁵⁶, Commission Directive 2003/82/EC of 11 September 2003⁵⁷, Commission Directive 2003/84/EC of 25 September 2003⁵⁸, Commission Directive 2003/112/EC of 1 December 2003⁵⁹, Commission Directive 2003/119/EC of 5 December 2003⁶⁰, Commission Directive 2004/20/EC of 2 March 2004⁶¹, Commission Directive 2004/30/EC of 10 March 2004⁶², Commission Directive 2004/58/EC of 23 April 2004⁶³, Commission Directive 2004/60/EC of 23 April 2004⁶⁴, Commission Directive 2004/62/EC of 26 April 2004⁶⁵, Council Directive 2004/66/EC of 26 April 2004⁶⁶, Commission Directive 2004/71/EC of 28 April 2004⁶⁷, Commission Directive 2004/99/EC of 1 October 2004⁶⁸, Commission Directive 2005/2/EC of 19 January 2005⁶⁹, Commission Directive 2005/3/EC of 19 January 2005⁷⁰, Council Directive 2005/25/EC of 14 March 2005⁷¹, Commission Directive 2005/34/EC of 17 May 2005⁷², Commission Directive 2005/53/EC of 16 September 2005⁷³, Commission Directive 2005/54/EC of 19 September 2005⁷⁴, Commission Directive 2005/57/EC of 21 September 2005⁷⁵, Commission Directive 2005/58/EC of 21 September 2005⁷⁶, Commission Directive 2005/72/EC of

⁴⁶O.J. No. L189 of 18.07.2002, p.27

⁴⁷O.J. No. L276 of 12.10.2002, p.28

⁴⁸O.J. No. L8 of 14.01.2003, p.7

⁴⁹O.J. No. L81 of 28.03.2003, p.39

⁵⁰O.J. No. L101 of 23.04.2003, p.3.

⁵¹O.J. No. L122 of 16.05.2003, p.1

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⁵⁹O.J. No. L321 of 06.12.2003, p.32

⁶⁰O.J. No. L325 of 12.12.2003, p.41

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⁷²O.J. No. L125 of 18.05.2005, p.5

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⁷⁵O.J. No. L246 of 22.09.2005, p.14

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21 October 2005⁷⁷, Commission Directive 2006/5/EC of 17 January 2006⁷⁸, Commission Directive 2006/6/EC of 17 January 2006⁷⁹, Commission Directive 2006/10/EC of 27 January 2006⁸⁰, Commission Directive 2006/16/EC of 7 February 2006⁸¹, Commission Directive 2006/19/EC of 14 February 2006⁸², Commission Directive 2006/39/EC of 12 April 2006⁸³, Commission Directive 2006/45/EC of 16 May 2006⁸⁴, Commission Directive 2006/74/EC of 21 August 2006⁸⁵, Commission Directive 2006/75/EC of 11 September 2006⁸⁶, Commission Directive 2006/76/EC of 22 September 2006⁸⁷, Commission Directive 2006/41/EC of 7 July 2006⁸⁸, Commission Directive 2006/131/EC of 11 December 2006⁸⁹, Commission Directive 2006/132/EC of 11 December 2006⁹⁰, Commission Directive 2006/133/EC of 11 December 2006⁹¹, Commission Directive 2006/134/EC of 11 December 2006⁹², Commission Directive 2006/135/EC of 11 December 2006⁹³, Commission Directive 2006/136/EC of 11 December 2006⁹⁴, Commission Directive 2006/64/EC of 18 July 2006⁹⁵, Commission Directive 2006/85/EC of 23 October 2006⁹⁶, Commission Directive 2007/6/EC of 14 February 2007⁹⁷, Commission Directive 2007/21/EC of 10 April 2007⁹⁸, Commission Directive 2007/5/EC of 7 February 2007⁹⁹, Commission Directive 2007/25/EC of 23 April 2007¹⁰⁰, Commission Directive 2007/31/EC of 31 May 2007¹⁰¹, Commission Decision 2007/452/EC of 29 June 2007¹⁰², Commission Directive 2007/50/EC of 2 August 2007¹⁰³, Commission Directive 2007/52/EC of 16 August 2007¹⁰⁴, Commission Directive 2007/76/EC of 20 December 2007¹⁰⁵, Commission Directive 2008/40/EC of 28 March 2008¹⁰⁶, Commission Directive 2008/41/EC of 31 March 2008¹⁰⁷, Commission Directive 2008/44/EC of 4 April 2008¹⁰⁸, Commission Directive 2008/45/EC of 4 April

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¹⁰³O.J. No. L202 of 03.08.2007, p.15

¹⁰⁴O.J. No. L214 of 17.08.2007, p.3.

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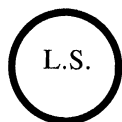
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2008¹⁰⁹, Commission Directive 2008/91/EC of 29 September 2008¹¹⁰, Commission Directive 2008/70/EC of 11 July 2008¹¹¹, Commission Directive 2008/66/EC of 30 June 2008¹¹², Commission Directive 2008/69/EC of 1 July 2008¹¹³, Commission Directive 2009/51/EC of 25 May 2009¹¹⁴, Commission Directive 2009/25/EC of 2 April 2009¹¹⁵, Commission Directive 2008/108/EC of 26 November 2008¹¹⁶, Commission Directive 2008/107/EC of 25 November 2008¹¹⁷, Commission Directive 2008/113/EC of 8 December 2008¹¹⁸, Commission Directive 2008/116/EC of 15 December 2008¹¹⁹, Commission Directive 2009/152/EC of 30 November 2009, Commission Directive 2009/115/EC of 31 August 2009, Commission Directive 2009/155/EC of 30 November 2009, Commission Directive 2008/125/EC of 19 December 2008¹²⁰, Commission Directive 2008/127/EC of 18 December 2008¹²¹, Commission Directive 2009/146/EC of 26 November 2009, Commission Directive 2009/153/EC of 30 November 2009, Commission Directive 2009/11/EC of 18 February 2009¹²², Commission Directive 2009/37/EC of 23 April 2009,¹²³ Commission Directive 2009/70/EC of 25 June 2009, Commission Directive 2009/77/EC of 1 July 2009, Council Directive 2009/82/EC of 13 July 2009, Council Directive 2009/116/EC of 25 June 2009, Council Directive 2009/117/EC of 25 June 2009 and Commission Directive 2009/154/EC of 30 November 2009;”.

3. The European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 3) Regulations 2009 (S.I. No. 222 of 2009) are revoked.



GIVEN under my Official Seal,
19 January 2010.

BRENDAN SMITH,
Minister for Agriculture, Fisheries and Food.

¹⁰⁹O.J. No. L94 of 05.04.2008, p.21

¹¹⁰O.J. No. L262 of 01.10.2008, p.31

¹¹¹O.J. No. L185 of 12.07.2008, p.40

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¹²²O.J. No. L48 of 19.02.2009, p.5

¹²³O.J. No. L104 of 24.04.2009, p.23

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations transpose the amendments to Annex I of Council Directive 91/414/EEC with regard to the purity level required of the active substance metazachlor and as regards the common name and the purity of the active substance hydrolysed proteins.

These Regulations also transpose the amendments to Annex I of Council Directive 91/414/EEC with regard to the expiry date for inclusion in Annex I of the active substance carbendazim and by including the following active substances into that Annex:

Difenacoum, didecyldimethylammonium chloride, sulphur, chlorsulfuron, cyromazine, dimethachlor, etofenprox, lufenuron, penconazole, tri-allate, trifluthiuron, tetraconazole, methomyl, paraffin oils CAS No. 64742-46-7, CAS No. 72623-86-0, CAS No. 97862-82-3 and paraffin oil CAS No. 8042-47-5, aluminium phosphide, calcium phosphide, magnesium phosphide, cymoxanil, dodemorph, 2,5-dichlorobenzoic acid methylester, metamitron, sulcotrione, tebuconazole, triadimenol and cyflufenamid.

These substances are pesticides.

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