COMMISSION IMPLEMENTING REGULATION (EU) 2020/869

of 24 June 2020

amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances beflubutamid, benalaxyl, benthiavalicarb, bifenazate, boscalid, bromoxynil, captan, cyazofamid, dimethomorph, ethephon, etoxazole, famoxadone, fenamiphos, flumioxazine, fluoxastrobin, folpet, formetanate, metribuzin, milbemectin, *Paecilomyces lilacinus* strain 251, phenmedipham, phosmet, pirimiphos-methyl, propamocarb, prothioconazole and S-metolachlor

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ([1]), and in particular the first paragraph of Article 17 thereof,

Whereas:

(1) Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ([2]) sets out the active substances deemed to have been approved under Regulation (EC) No 1107/2009.

(2) Commission Implementing Regulation (EU) 2019/707 ([3]) extended the approval periods of the active substances famoxadone and flumioxazine until 30 June 2020 and the approval periods of the active substances beflubutamid, benalaxyl, benthiavalicarb, bifenazate, boscalid, bromoxynil, captan, cyazofamid, dimethomorph, ethephon, etoxazole, fenamiphos, fluoxastrobin, folpet, formetanate, metribuzin, milbemectin, Paecilomyces lilacinus strain 251, phenmedipham, phosmet, pirimiphos-methyl, propamocarb, prothioconazole and S-metolachlor until 31 July 2020.

(3) Applications for the renewal of the approval of those substances were submitted in accordance with Commission Implementing Regulation (EU) No 844/2012 ([4]).

(4) Due to the fact that the assessment of all those substances has been delayed for reasons beyond the control of the applicants, the approvals of those active substances are likely to expire before a decision has been taken on their renewal. It is therefore necessary to extend their approval periods.

(5) Furthermore, an extension of the approval period is required for the active substances boscalid, captan, dimethomorph, ethephon, folpet, formetanate, milbemectin, phenmedipham, phosmet, pirimiphos-methyl and propamocarb to allow the time necessary to carry out an assessment relating to endocrine disrupting properties in accordance with the procedure set out in Articles 13 and 14 of Implementing Regulation (EU) No 844/2012.

([1]) OJ L 309, 24.11.2009, p. 1.

([2]) Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

([3]) Commission Implementing Regulation (EU) 2019/707 of 7 May 2019 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances alpha-cypermethrin, beflubutamid, benalaxyl, benthiavalicarb, bifenazate, boscalid, bromoxynil, captan, cyazofamid, desmedipham, dimethoate, dimethomorph, diuron, ethephon, etoxazole, famoxadone, fenamiphos, flumioxazine, fluoxastrobin, folpet, foramsulfuron, formetanate, metalaxyl-m, methiocarb, metribuzin, milbemectin, Paecilomyces lilacinus strain 251, phenmedipham, phosmet, pirimiphos-methyl, propamocarb, prothioconazole, s-metolachlor and tebuconazole (OJ L 120, 8.5.2019, p. 16).

([4]) Commission Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26).

(6) As regards cases where a Regulation is to be adopted providing that the approval of an active substance referred to in the Annex to this Regulation is not renewed because the approval criteria are not satisfied, the expiry date should be set at the same date as before this Regulation was adopted or at the date of the entry into force of the Regulation providing that the approval of the active substance is not renewed, whichever date is later. Where a Regulation is adopted providing for the renewal of an active substance referred to in the Annex to this Regulation, it is appropriate to set, as possible under the circumstances, the earliest possible application date.

(7) Taking into account that some of the approvals of the active substances expire on 30 June 2020, this Regulation should enter into force as soon as possible.

(8) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 24 June 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Part A of the Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(1) in the sixth column, expiration of approval, of row 35, Famoxadone, the date is replaced by '30 June 2021';

(2) in the sixth column, expiration of approval, of row 39, Flumioxazine, the date is replaced by '30 June 2021';

(3) in the sixth column, expiration of approval, of row 46, Cyazofamid, the date is replaced by '31 July 2021';

(4) in the sixth column, expiration of approval, of row 84, Benalaxyl, the date is replaced by '31 July 2021';

(5) in the sixth column, expiration of approval, of row 85, Bromoxynil, the date is replaced by '31 July 2021';

(6) in the sixth column, expiration of approval, of row 88, Phenmedipham, the date is replaced by '31 July 2021';

(7) in the sixth column, expiration of approval, of row 97, S-metolachlor, the date is replaced by '31 July 2021';

(8) in the sixth column, expiration of approval, of row 99, Etoxazole, the date is replaced by '31 July 2021';

(9) in the sixth column, expiration of approval, of row 109, Bifenazate, the date is replaced by '31 July 2021';

(10) in the sixth column, expiration of approval, of row 110, Milbemectin, the date is replaced by '31 July 2021';

(11) in the sixth column, expiration of approval, of row 141, Fenamiphos, the date is replaced by '31 July 2021';

(12) in the sixth column, expiration of approval, of row 142, Ethephon, the date is replaced by '31 July 2021';

(13) in the sixth column, expiration of approval, of row 145, Captan, the date is replaced by '31 July 2021';

(14) in the sixth column, expiration of approval, of row 146, Folpet, the date is replaced by '31 July 2021';

(15) in the sixth column, expiration of approval, of row 147, Formetanate, the date is replaced by '31 July 2021';

(16) in the sixth column, expiration of approval, of row 150, Dimethomorph, the date is replaced by '31 July 2021';

(17) in the sixth column, expiration of approval, of row 152, Metribuzin, the date is replaced by '31 July 2021';

(18) in the sixth column, expiration of approval, of row 153, Phosmet, the date is replaced by '31 July 2021';

(19) in the sixth column, expiration of approval, of row 154, Propamocarb, the date is replaced by '31 July 2021';

(20) in the sixth column, expiration of approval, of row 156, Pirimiphos-methyl, the date is replaced by '31 July 2021';

(21) in the sixth column, expiration of approval, of row 158, Beflubutamid, the date is replaced by '31 July 2021';

(22) in the sixth column, expiration of approval, of row 163, Benthiavalicarb, the date is replaced by '31 July 2021';

(23) in the sixth column, expiration of approval, of row 164, Boscalid, the date is replaced by '31 July 2021';

(24) in the sixth column, expiration of approval, of row 166, Fluoxastrobin, the date is replaced by '31 July 2021';

(25) in the sixth column, expiration of approval, of row 167, *Paecilomyces lilacinus* strain 251, the date is replaced by '31 July 2021';

(26) in the sixth column, expiration of approval, of row 168, Prothioconazole, the date is replaced by '31 July 2021'.