

Commission Directive 2008/45/EC of 4 April 2008 amending  
Council Directive 91/414/EEC as regards an extension of the use  
of the active substance metconazole (Text with EEA relevance)

COMMISSION DIRECTIVE 2008/45/EC

of 4 April 2008

amending Council Directive 91/414/EEC as regards an  
extension of the use of the active substance metconazole

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of  
plant protection products on the market<sup>(1)</sup>, and in particular the second indent of the second  
subparagraph of Article 6(1) thereof,

Whereas:

- (1) By Commission Directive 2006/74/EC<sup>(2)</sup> metconazole was included as active substance  
in Annex I to Directive 91/414/EEC.
- (2) When applying for the inclusion of metconazole its notifier BASF Aktiengesellschaft  
submitted data on uses to control fungi which supported the overall conclusion that  
it may be expected that plant protection products containing metconazole will fulfil  
the safety requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC.  
Therefore, metconazole was included in Annex I to that Directive with the specific  
provisions that Member States may only authorise uses as fungicide.
- (3) In addition to the control of fungi in certain agricultural uses, the notifier now has  
applied for an amendment to those specific provisions as regards the use as a plant  
growth regulator. In order to support such an extension of the use, the notifier submitted  
additional information.
- (4) Belgium evaluated the information and data submitted by the notifier. It informed the  
Commission in October 2007 that it concluded that the requested extension of use  
does not cause any risks in addition to those already taken into account in the specific  
provisions for metconazole in Annex I to Directive 91/414/EEC and in the Commission  
review report for that substance. This is particularly the case since the extension covers  
applications at rates that are lower than those necessary for a use as fungicide while the  
other application parameters as set out in the specific provisions of Annex I to Directive  
91/414/EEC remain unchanged.
- (5) Therefore it is justified to modify the specific provisions for metconazole.
- (6) It is therefore appropriate to amend Directive 91/414/EEC accordingly.

- (7) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

*Article 2*

Member States shall adopt and publish by 5 August 2008 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 6 August 2008.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

*Article 3*

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

*Article 4*

This Directive is addressed to the Member States.

Done at Brussels, 4 April 2008.

*For the Commission*

Androulla VASSILIOU

*Member of the Commission*

In Annex I to Directive 91/414/EEC, row 136 is replaced by the following:

136	Metconazole CAS No 125116-23-6 (unstated stereo- chemistry) CIPAC No 706	(1RS,5RS:1R,5R)-4-(4-chlorobenzyl)-1,2,4-triazol-1-ylmethyl) cyclopentanol	1RS,5SR:1R,5R)-4-(4-chlorobenzyl)-1,2,4-triazol-1-ylmethyl) cyclopentanol (sum of <i>cis</i> - and <i>trans</i> -isomers)	1 June 2007	31 May 2017	Part A Only uses as fungicide and plant growth regulator may be authorised.  Part B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on metconazole, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and
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Animal  
Health  
on  
23  
May  
2006  
shall  
be  
taken  
into  
account.

In this  
overall  
assessment:

— Member  
States  
must  
pay  
particular  
attention  
to  
the  
protection  
of  
aquatic  
organisms,  
birds  
and  
mammals.  
Conditions  
of  
authorisation  
should  
include  
risk  
mitigation  
measures,  
where  
appropriate,  
— Member  
States  
must  
pay  
particular  
attention  
to  
the  
operator  
safety.  
Conditions  
of  
authorisation  
should

						include protective measures, where appropriate.
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*Status: This is the original version (as it was originally adopted).*

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- (1) [OJ L 230, 19.8.1991, p. 1](#). Directive as last amended by Commission Directive 2008/41/EC ([OJ L 89, 1.4.2008, p. 12](#)).
- (2) [OJ L 235, 30.8.2006, p. 17](#).