
STATUTORY INSTRUMENTS

1997 No. 189

**The Plant Protection Products (Basic
Conditions) Regulations 1997**

Meaning of “prescribed plant protection product”

3.—(1) In these Regulations “prescribed plant protection product” means any plant protection product (as that expression is defined in regulation 2(1) of the Plant Protection Products Regulations)

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- (a) the placing on the market and use of which are subject to the prohibitions specified in regulation 3(1) and (2) of the Plant Protection Products Regulations(1), or which is approved under regulation 9 of those Regulations(2), and
 - (b) which is a substance, preparation or micro-organism to which paragraph (2) below applies.
- (2) This paragraph applies to any substance, preparation or micro-organism—
- (a) prepared or used for destroying any pest;
 - (b) prepared or used for protecting plants or plant products from harmful organisms or for rendering harmful creatures harmless;
 - (c) prepared or used for regulating the growth of plants.
- (3) In this regulation—
- “pest” means—
- (a) any organism harmful to plants or plant products;
 - (b) any undesired plant; and
 - (c) any harmful creature;
- “preparation” means a mixture or solution composed of two or more substances.

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- (1) In principle the prohibitions specified in regulation 3(1) and (2) (which provide that no person may place on the market and use any plant protection product within Great Britain unless that product has been approved under those Regulations) apply to all plant protection products but Schedule 3 to those Regulations contains transitional provisions whereby plant protection products containing active substances which were on the market of the member States of the European Community and other States of the European Economic Area on or before the dates specified in the definition of “old active substance” in regulation 2(1) of those Regulations do not become subject to the prohibitions specified in regulation 3(1) and (2) until it has been decided, under Article 6 of the Directive, whether the active substances concerned should, or should not, be included in Annex I to the Directive. Until such a decision has been taken such products are subject to the Control of Pesticides Regulations 1986 (S.I.1986/1510).
- (2) Regulation 9 prohibits the carrying out of any experiment or test for research or development purposes involving the release into the environment of a plant protection product which has not been approved under the Plant Protection Products Regulations unless an approval for trial purposes has been granted by the Ministers under that regulation; under regulation 3(4) a plant protection product which is so approved is exempted from the prohibitions specified in regulation 3(1) and (2).