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STATUTORY INSTRUMENTS

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**2004 No. 1810**

**PESTICIDES, ENGLAND AND WALES**

**The Plant Protection Products (Amendment) Regulations 2004**

*Made* - - - - *13th July 2004*  
*Laid before Parliament* *14th July 2004*  
*Coming into force* - - *11th August 2004*

The Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales being designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community, acting jointly (the National Assembly for Wales acting in relation to Wales only), in exercise of the powers conferred upon them by that section, hereby make the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Plant Protection Products (Amendment) Regulations 2004 and come into force on 11th August 2004.

**Amendment to the Plant Protection Products Regulations 2003**

2.—(1) The Plant Protection Products Regulations 2003<sup>(3)</sup> shall be amended in accordance with this regulation.

(2) In regulation 27 (disapplication)—

- (a) in paragraph (1) for “Schedule 3” there shall be substituted “Schedule 4”;
- (b) paragraph (4) shall be omitted.

(3) For the contents of Schedule 1 (instruments amending Council Directive [91/414/EEC](#)) there shall be substituted the contents of the Schedule to these Regulations.

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(1) S.I. [1972/1811](#) and, in the case of the National Assembly for Wales, S.I. [1999/2788](#).  
(2) [1972 c. 68](#).  
(3) S.I. [2003/3241](#).

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Signed on behalf of the National Assembly for Wales

13th July 2004

*D.Elis-Thomas*  
Presiding Officer National Assembly for Wales

10th July 2004

*Alun Michael*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

## SCHEDULE

Regulation 2

## INSTRUMENTS AMENDING COUNCIL DIRECTIVE 91/414/EEC

<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive 93/71/EEC(4);	None
Commission Directive 94/37/EC(5);	None
Commission Directive 94/79/EC(6);	None
Commission Directive 95/35/EC(7);	None
Commission Directive 95/36/EC(8);	None
Commission Directive 96/12/EC(9);	None
Commission Directive 96/46/EC(10);	None
Commission Directive 96/68/EC(11);	None
Council Directive 97/57/EC(12);	None
Commission Directive 2000/80/EC(13);	lambda-cyhalothrin, imazalil, azoxystrobin, kresoxim-methyl, spiroxamine, azimsulfuron, fluroxypyr, metsulfuron-methyl, triasulfuron, esfenvalerate, prohexadione-calcium and bentazone
Commission Directive 2001/21/EC(14);	amitrole, diquat, pyridate and thiabendazole
Commission Directive 2001/28/EC(15);	fenhexamid
Commission Directive 2001/36/EC(16);	None
Commission Directive 2001/47/EC(17);	Paecilomyces fumosoroseus
Commission Directive 2001/49/EC(18);	flupyrsulfuron-methyl
Commission Directive 2001/87/EC(19);	acibenzolar-s-methyl, cyclanilide, ferric phosphate, pymetrozine and pyraflufen-ethyl
Commission Directive 2001/99/EC(20);	glyphosate and thifensulfuron-methyl
Commission Directive 2001/103/EC(21);	2,4-dichlorophenoxy acetic acid

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(4) OJ No. L221, 31.8.93, p. 27 (as read with corrigenda published in OJ No. L170, 25.6.92, p. 40).

(5) OJ No. L194, 29.7.94, p. 65.

(6) OJ No. L354, 31.12.94, p.16 (as read with corrigenda published in OJ No. L280, 23.11.95, p. 58).

(7) OJ No. L172, 22.7.95, p. 6.

(8) OJ No. L172, 22.7.95, p. 8.

(9) OJ No. L65, 15.3.96, p. 20.

(10) OJ No. L214, 23.8.96, p. 18.

(11) OJ No. L277, 30.10.96, p. 25.

(12) OJ No. L265, 27.9.97, p. 87.

(13) OJ No. L309, 9.12.2000, p. 14.

(14) OJ No. L69, 10.3.2001, p. 17.

(15) OJ No. L113, 24.4.2001, p. 5.

(16) OJ No. L164, 20.6.2001, p. 1.

(17) OJ No. L175, 28.6.2001, p. 21.

(18) OJ No. L176, 29.6.2001, p. 61.

(19) OJ No. L276, 19.10.2001, p. 17.

(20) OJ No. L304, 21.11.2001, p. 14.

(21) OJ No. L313, 30.11.2001, p. 37.

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<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive <a href="#">2002/18/EC(22)</a> ;	isoproturon
Commission Directive <a href="#">2002/37/EC(23)</a> ;	ethofumesate
Commission Directive <a href="#">2002/48/EC(24)</a> ;	iprovalicarb, prosulfuron and sulfosulfuron
Commission Directive <a href="#">2002/64/EC(25)</a> ;	cinidon-ethyl, cyhalofop-butyl, famoxadone, florasulam, metalaxyl-M and picolinafen
Commission Directive <a href="#">2002/81/EC(26)</a> ;	flumioxazine
Commission Directive <a href="#">2003/5/EC(27)</a> ;	deltamethrin
Commission Directive <a href="#">2003/23/EC(28)</a> ;	imazamox, oxasulfuron, ethoxysulfuron, foramsulfuron, oxadiargyl, cyazofamid
Commission Directive <a href="#">2003/68/EC(29)</a> ;	trifloxstrobilin, carfentrazone-ethyl, mesotrione, fenamidone, isoxaflutole
Commission Directive <a href="#">2003/82/EC(30)</a> ;	None
Commission Directive <a href="#">2003/31/EC(31)</a> ;	2,4-DB, maleic hydrazide, cyfluthrin, beta-cyfluthrin, iprodione, linuron, pendimethalin
Commission Directive <a href="#">2003/79/EC(32)</a> ;	coniothyrium minitans
Commission Directive <a href="#">2003/84/EC(33)</a> ;	flurtamone, flufenacet, iodosulfuron, dimethenamid-p, picoxystrobin, fosthiazate, silthiofam
Commission Directive <a href="#">2003/39/EC(34)</a> ;	propyzamide, propineb
Commission Directive <a href="#">2003/70/EC(35)</a> ;	mecoprop, mecoprop-P, propiconazole
Commission Directive <a href="#">2003/119/EC(36)</a> ;	mesosulfuron, propoxycarbazone and zoxamide
Commission Directive <a href="#">2004/30/EC(37)</a> ;	benzoic acid, flazasulfuron and pyraclostrobin
Commission Directive <a href="#">2003/81/EC(38)</a> ;	molinate, thiram, ziram
<i>As from 1st October 2004 amended by:</i>	
Commission Directive <a href="#">2004/60/EC(39)</a> ;	quinoxifen
Commission Directive <a href="#">2004/62/EC(40)</a> ;	mepanipyrim

(22) OJ No. L55, 26.2.2002, p. 29.

(23) OJ No. L117, 4.5.2002, p. 10.

(24) OJ No. L148, 6.6.2002, p. 19.

(25) OJ No. L189, 18.7.2002, p. 27.

(26) OJ No. L276, 12.10.2002, p. 28.

(27) OJ No. L8, 14.1.2003, p. 7.

(28) OJ No. L81, 28.3.2003, p. 39.

(29) OJ No. L177, 16.7.2003, p. 12, as amended by Commission Directive [2004/65/EC](#) (OJ No. L125, 28.4.2004, p.43).

(30) OJ No. L228, 12.9.2003, p. 11.

(31) OJ No. L101, 23.4.2003, p. 3.

(32) OJ No. L205, 14.8.2003, p. 16, as amended by Commission Directive [2004/63/EC](#) (OJ No. L125, 28.4.2004, p.41).

(33) OJ No. L247, 30.9.2003, p. 20, as amended by Commission Directive [2004/64/EC](#) (OJ No. L125, 28.4.2004, p.42).

(34) OJ No. L124, 20.5.2003, p. 30.

(35) OJ No. L184, 23.7.2003, p. 9.

(36) OJ No. L325, 12.12.2003, p. 41.

(37) OJ No. L77, 13.3.2004, p. 50.

(38) OJ No. L224, 6.9.2003, p. 29.

(39) OJ No. L120, 24.4.2004, p. 39.

(40) OJ No. L125, 28.4.2004, p. 38.

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<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive <a href="#">2004/71/EC(41)</a> ; <i>As from 1st November 2004 amended by:</i>	Pseudomonas chlororaphis
Commission Directive <a href="#">2003/112/EC(42)</a> ; <i>As from 1st February 2005 amended by:</i>	Paraquat
Commission Directive <a href="#">2004/20/EC(43)</a> ; <i>As from 1st March 2005 amended by:</i>	Chlorpropham
Commission Directive <a href="#">2004/58/EC(44)</a> .	alpha-cypermethrin, benalaxyl, bromoxynil, desmedipham, ioxynil and phenmedipham

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Plant Protection Products Regulations 2003 (S.I.2003/3241) which implement in England and Wales Council Directive [91/414/EEC](#) concerning the placing of plant protection products on the market (OJNo. L230, 19.8.91, p.1 as read with corrigenda published in OJ No. L170, 25.6.92, p.40).

Schedule 1 which sets out the instruments that amend that Directive is replaced by the Schedule to these Regulations, which lists an additional eight Directives that add a further 17 active substances to Annex I. In consequence the list of active substances which can be used in products capable of being approved under regulations 5 and 6 of the 2003 Regulations for placing on the market is extended accordingly.

In addition, drafting corrections are made to regulation 27.

A full regulatory impact assessment has not been prepared in respect of these Regulations as they have no impact on the costs of business.

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(41) OJ No. L127, 29.4.2004, p. 104

(42) OJ No. L321, 6.12.2003, p. 32.

(43) OJ No. L70, 9.3.2004, p. 32.

(44) OJ No. L120, 24.4.2004, p. 26.