

**2002 No. 279**

**PESTICIDES**

**The Plant Protection Products Amendment (No. 2) (Scotland)  
Regulations 2002**

*Made* 6th June 2002

*Laid before the Scottish Parliament* 7th June 2002

*Coming into force* 1st July 2002

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Plant Protection Products Amendment (No. 2) (Scotland) Regulations 2002 and shall come into force on 1st July 2002.

(2) These Regulations extend to Scotland only.

**Amendment of the Plant Protection Products Regulations 1995**

2. Schedule 4 to the Plant Protection Products Regulations 1995(b) is amended by inserting after the last entry—

|                                  |   |
|----------------------------------|---|
| “Commission Directive 2001/99/EC | O.J. No. L 304, 21.11.01, p.14                            |
| Commission Directive 2001/103/EC | O.J. No. L 313, 30.11.01, p.37 (as from 1st October 2002) |
| Commission Directive 2002/18/EC  | O.J. No. L 55, 26.2.02, p.29 (as from 1st January 2003)”. |

**Amendment of the Plant Protection Products Amendment (No. 3) (Scotland) Regulations 2001**

3. Regulation 6(2) of the Plant Protection Products Amendment (No. 3) (Scotland) Regulations 2001(c) is amended by inserting at the start of sub-paragraph (c)—

“except in the case of a plant protection product which contains that active substance together with another active substance not included in Annex I,”.

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(a) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46), Schedule 8, paragraph 15(3). The functions conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, in so far as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

(b) S.I. 1995/887, amended by S.I. 1997/7 and 2499 and S.S.I. 2001/161 and 454 and 2002/117. Schedule 4 was inserted by S.S.I. 2001/454 and amended by S.S.I. 2002/117.

(c) S.S.I. 2001/454.

**Amendment of the Plant Protection Products Amendment (Scotland) Regulations 2002**

4. Regulation 3(2) of the Plant Protection Products Amendment (Scotland) Regulations 2002(a) is amended by inserting at the start of sub-paragraph (c)–

“except in the case of a plant protection product which contains either or both of those active substances together with another active substance not included in Annex I,”.

Pentland House,  
Edinburgh  
6th June 2002

*ROSS FINNIE*  
A member of the Scottish Executive

## EXPLANATORY NOTE

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

These Regulations, which extend to Scotland only, further amend the Plant Protection Products Regulations 1995 (“the 1995 Regulations”) which implement Council Directive 91/414/EEC concerning the placing of plant protection products on the market (“the Directive”).

Regulation 2 amends the definition of “the Directive” in the 1995 Regulations so as to implement–

- (a) Commission Directive 2001/99/EC (as from 1st July 2002);
- (b) Commission Directive 2001/103/EC (as from 1st October 2002); and
- (c) Commission Directive 2002/18/EC (as from 1st January 2003),

which add the active substances glyphosate, thifensulfuron-methyl, 2, 4-D and isoproturon to Annex I of the Directive.

Regulations 3 and 4 make further transitional provision, in addition to the transitional provision for flupyrsulfuron-methyl, acibenzolar-s-methyl and pymetrozine which were made in the Plant Protection Products Amendment (No. 3) (Scotland) Regulations 2001 and the Plant Protection Products Amendment (Scotland) Regulations 2002.

The effect of these Regulations is that where a plant protection product contains one or more of these substances together with another active substance not on the Annex I list, then the provisional approval or extension of provisional approval does not cease to have effect on the cut-off date but continues until it expires.

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