

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^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) 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^(c) 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.

^(a) S.I. 1972/1811 and, in the case of the National Assembly for Wales, S.I. 1999/2788.

^(b) 1972 c.68.

^(c) S.I. 2003/3241.

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(a); | None |
| Commission Directive 94/37/EC(b); | None |
| Commission Directive 94/79/EC(c); | None |
| Commission Directive 95/35/EC(d); | None |
| Commission Directive 95/36/EC(e); | None |
| Commission Directive 96/12/EC(f); | None |
| Commission Directive 96/46/EC(g); | None |
| Commission Directive 96/68/EC(h); | None |
| Council Directive 97/57/EC(i); | None |
| Commission Directive 2000/80/EC(j); | lambda-cyhalothrin, imazalil, azoxystrobin, kresoxim-methyl, spiroxamine, azimsulfuron, fluroxypyr, metsulfuron-methyl, triasulfuron, esfenvalerate, prohexadione-calcium and bentazone |
| Commission Directive 2001/21/EC(k); | amitrole, diquat, pyridate and thiabendazole |
| Commission Directive 2001/28/EC(l); | fenhexamid |
| Commission Directive 2001/36/EC(m); | None |
| Commission Directive 2001/47/EC(n); | Paecilomyces fumosoroseus |
| Commission Directive 2001/49/EC(o); | flupyrsulfuron-methyl |
| Commission Directive 2001/87/EC(p); | acibenzolar-s-methyl, cyclanilide, ferric phosphate, pymetrozine and pyraflufen-ethyl |
| Commission Directive 2001/99/EC(q); | glyphosate and thifensulfuron-methyl |
| Commission Directive 2001/103/EC(r); | 2,4-dichlorophenoxy acetic acid |
| Commission Directive 2002/18/EC(s); | isoproturon |
| Commission Directive 2002/37/EC(t); | ethofumesate |
| Commission Directive 2002/48/EC(u); | iprovalicarb, prosulfuron and sulfosulfuron |
| Commission Directive 2002/64/EC(v); | cinidon-ethyl, cyhalofop-butyl, famoxadone, florasulam, metalaxyl-M and picolinafen |
| Commission Directive 2002/81/EC(w); | flumioxazine |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

| | |
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| Commission Directive 2003/5/EC(a); Commission Directive 2003/23/EC(b); | deltamethrin imazamox, oxasulfuron, ethoxysulfuron, foramsulfuron, oxadiargyl, cyazofamid |
| Commission Directive 2003/68/EC(c); | trifloxstrobin, carfentrazone-ethyl, mesotrione, fenamidone, isoxaflutole |
| Commission Directive 2003/82/EC(d); Commission Directive 2003/31/EC(e); | None 2,4-DB, maleic hydrazide, cyfluthrin, beta- cyfluthrin, iprodione, linuron, pendimethalin |
| Commission Directive 2003/79/EC(f); Commission Directive 2003/84/EC(g); | coniothyrium minitans flurtamone, flufenacet, iodosulfuron, dimethenamid-p, picoxystrobin, fosthiazate, silthiofam |
| Commission Directive 2003/39/EC(h); Commission Directive 2003/70/EC(i); Commission Directive 2003/119/EC(j); | propyzamide, propineb mecoprop, mecoprop-P, propiconazole mesosulfuron, propoxycarbazone and zoxamide |
| Commission Directive 2004/30/EC(k); | benzoic acid, flazasulfuron and pyraclostrobin |
| Commission Directive 2003/81/EC(l); | molinate, thiram, ziram |
| <i>As from 1st October 2004 amended by:</i> | |
| Commission Directive 2004/60/EC(m); Commission Directive 2004/62/EC(n); Commission Directive 2004/71/EC(o); | quinoxifen mepanipyrim Pseudomonas chlororaphis |
| <i>As from 1st November 2004 amended by:</i> | |
| Commission Directive 2003/112/EC(p); | Paraquat |
| <i>As from 1st February 2005 amended by:</i> | |
| Commission Directive 2004/20/EC(q); | Chlorpropham |
| <i>As from 1st March 2005 amended by:</i> | |
| Commission Directive 2004/58/EC(r). | alpha-cypermethrin, benalaxyl, bromoxynil, desmedipham, ioxynil and phenmedipham |

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- (a) OJ No. L8, 14.1.2003, p. 7.
(b) OJ No. L81, 28.3.2003, p. 39.
(c) OJ No. L177, 16.7.2003, p. 12, as amended by Commission Directive 2004/65/EC (OJ No. L125, 28.4.2004, p.43).
(d) OJ No. L228, 12.9.2003, p. 11.
(e) OJ No. L101, 23.4.2003, p. 3.
(f) OJ No. L205, 14.8.2003, p. 16, as amended by Commission Directive 2004/63/EC (OJ No. L125, 28.4.2004, p.41).
(g) OJ No. L247, 30.9.2003, p. 20, as amended by Commission Directive 2004/64/EC (OJ No. L125, 28.4.2004, p.42).
(h) OJ No. L124, 20.5.2003, p. 30.
(i) OJ No. L184, 23.7.2003, p. 9.
(j) OJ No. L325, 12.12.2003, p. 41.
(k) OJ No. L77, 13.3.2004, p. 50.
(l) OJ No. L224, 6.9.2003, p. 29.
(m) OJ No. L120, 24.4.2004, p. 39.
(n) OJ No. L125, 28.4.2004, p. 38.
(o) OJ No. L127, 29.4.2004, p. 104
(p) OJ No. L321, 6.12.2003, p. 32.
(q) OJ No. L70, 9.3.2004, p. 32.
(r) OJ No. L120, 24.4.2004, p. 26.

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 (OJ No. 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.

STATUTORY INSTRUMENTS

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The Plant Protection Products (Amendment) Regulations 2004

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