

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⁽¹⁾, and in particular the second indent of the second
subparagraph of Article 6(1) thereof,

Whereas:

- (1) By Commission Directive 2006/74/EC⁽²⁾ 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

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

- (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.