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## STATUTORY INSTRUMENTS

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# 2001 No. 3814

## PESTICIDES

### The Plant Protection Products (Amendment) (No.3) Regulations 2001

*Made - - - - 30th November 2001*  
*Laid before Parliament 3rd December 2001*  
*Coming into force - - 1st January 2002*

The Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales, being designated<sup>M1</sup> for the purposes of sections 2(2) of the European Communities Act 1972<sup>M2</sup> in relation to the common agriculture policy of the European Community, acting jointly (the National Assembly for Wales acting in relation to Wales only), in exercise of the powers conferred on them by that section 2(2), and of all other powers enabling them in that behalf, make the following Regulations:

#### Marginal Citations

- M1** [S.I. 1972/1811](#) and, in the case of the National Assembly for Wales, [S.I. 1999/2788](#).  
**M2** [1972 c. 68](#).

#### Title, commencement and extent

1. These Regulations may be cited as the Plant Protection Products (Amendment) (No.3) Regulations 2001, extend to England and Wales, and come into force on 1st January 2002.

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

2. In so far as they extend to England and Wales, the Plant Protection Products Regulations 1995<sup>M3</sup> shall be amended by substituting for the definition of “the Directive” in relation 2(1), the following definition—

““the Directive” means Council Directive [91/414/EEC](#) concerning the placing of plant protection products on the market<sup>M4</sup> as amended by—

- (a) Commission Directive [93/71/EEC](#)<sup>M5</sup>
- (b) Commission Directive [94/37/EC](#)<sup>M6</sup>
- (c) Commission Directive [94/79/EC](#)<sup>M7</sup>

**Changes to legislation:** The Plant Protection Products (Amendment) (No.3) Regulations 2001 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (d) Commission Directive [95/35/EC](#)<sup>M8</sup>
- (e) Commission Directive [95/36/EC](#)<sup>M9</sup>
- (f) Commission Directive [96/12/EC](#)<sup>M10</sup>
- (g) Commission Directive [96/46/EC](#)<sup>M11</sup>
- (h) Commission Directive [96/68/EC](#)<sup>M12</sup>
- (i) Council Directive [97/57/EC](#)<sup>M13</sup>
- (j) Commission Directive [2000/80/EC](#)<sup>M14</sup>
- (k) Commission Directive [2001/21/EC](#)<sup>M15</sup>
- (l) Commission Directive [2001/28/EC](#)<sup>M16</sup>
- (m) Commission Directive [2001/36/EC](#)<sup>M17</sup>
- (n) Commission Directive [2001/47/EC](#)<sup>M18</sup>
- (o) Commission Directive [2001/49/EC](#)<sup>M19</sup>

#### Marginal Citations

- M3** [S.I. 1995/887](#) as amended by [S.I. 1997/7](#), 1997/2499, 1999/3430 and, as regards England and Wales 2001/2419, (the last being revoked by these Regulations).
- M4** OJ No. L230, 19.8.91, p.1 (as regard with corrigenda published in OJ No. L170, 25.6.92, p.40).
- M5** OJ No. L221, 31.8.93, p.27 (as read with corrigenda published in OJ No. L170, 25.6.92, p.40).
- M6** OJ No. L194, 29.7.94, p.65.
- M7** OJ No. L354, 31.12.94, p.16 (as read with corrigenda published in OJ No. L280, 23.11.95, p.58).
- M8** OJ No. L172, 22.7.95, p.6.
- M9** OJ No. L172, 22.7.95, p.8
- M10** OJ No. L65, 15.3.96, p.20.
- M11** OJ No. L214, 23.8.96, p.18.
- M12** OJ No. L277, 30.10.96, p.25.
- M13** OJ No. L265, 27.9.97, p.87.
- M14** OJ No. L309, 9.12.2000, p.14.
- M15** OJ No. L69, 10.3.2001, p.17.
- M16** OJ No. L113, 24.4.2001, p.5.
- M17** OJ No. L164, 20.6.2001, p.1.
- M18** OJ No. L175, 28.6.2001, p.21.
- M19** OJ No. L176, 29.6.2001, p.61.

#### Transitional arrangements for provisional approvals

3. In so far as they extend to England and Wales, the Plant Protection Products Regulations 1995 shall be modified so that—

- (a) the inclusion of the active substance flupyrsulfuron-methyl in Annex I shall not make it necessary to revoke any approval granted under regulation 7(1) (provisional approvals), or extended pursuant to regulation 7(5), in respect of any plant protection products containing that active substance, and any such approval shall continue to have effect until the date a decision made on an application for approval under regulation 5(1) (standard approvals) has effect, or 30th November 2002, whichever is the earlier; and
- (b) the inclusion of the active substance fenhexamid in Annex I shall not make it necessary to revoke any approvals issues pursuant to regulation 7(1), or extended under regulation 7(5),

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in respect of any plant protection products containing that active substance, and any such approvals which have expired shall be deemed to have revived until the date a decision made on an application for approval of the product under regulation 5(1) has effect, or 1st August 2002, whichever is the earlier.

## Revocation

4. The Plant Protection Products (Amendment)(No. 2) Regulations 2001 <sup>M20</sup> are revoked.

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### Marginal Citations

M20 [S.I. 2001/2419](#).

## Consequential modification of other regulations

5. The Plant Protection Products (Fees) Regulations 2001 <sup>M21</sup> shall be read in relation to England and Wales as if any reference in them to the Plant Protection Products Regulations 1995 were inserted after the coming into force of these Regulations.

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### Marginal Citations

M21 [S.I. 2001/2477](#).

Signed on behalf of the National Assembly for Wales

29th November 2001

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

30th November 2001

*Whitty*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

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## EXPLANATORY NOTE

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

These Regulations, which extend to England and Wales, further amend the Plant Protection Products Regulations 1995(S.I. 1995/887) which implement in Great Britain 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 OJ No. L170, 25.6.92, p.40).

The Regulations amend the definition of “the Directive” in S.I. 1995/887 so as to implement—

**a)** Commission Directive 2000/80 (which repeals and replaces earlier Directives and adds lambda-cyhalothrin to Annex I to the 1991 Directive);

**b)** the following Directives—

Commission Directive 2001/21

Commission Directive 2001/47

Commission Directive 2001/49 which add amitrol, diquat, pyridate, thiabendazole, Paecilomyces fumosoroseus and flupyr-sulfuron-methyl to Annex I to the 1991 Directive; and

**c)** Commission Directive [2001/36/EC](#), which substantially amends the Annex II dossier requirements for inclusion of an active substance in Annex I, and Annex III dossier requirements for approval of plant protection products.

Transitional arrangements to implement derogations contained in two of the Directives are included in regulation 3 to cover the position of certain existing provisional approvals. Those containing the active substance flupyr-sulfuron-methyl (Commission Directive [2001/49/EC](#)) shall continue, whilst those containing fenhexamid (Commission Directive [2001/28/EC](#)) shall be treated as revived and extended, until later dates mentioned therein.

These Regulations revoke the Plant Protection Products (Amendment)(No. 2) Regulations 2001 which are either spent or consolidated in these Regulations and also consequentially modify the Plant Protection Products (Fees) Regulations 2001.

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- [Instrument rev by S.I. 2002/526 reg 4](#)