

COMMISSION DECISION**of 26 April 2004****recognising in principle the completeness of the dossiers submitted for detailed examination in view of the possible inclusion of ethaboxam in Annex I to Council directive 91/414/EEC***(notified under document number C(2004) 1526)***(Text with EEA relevance)**

(2004/409/EC)

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 on the market¹, and in particular Article 6(3) thereof,

Whereas:

- (1) Directive 91/414/EEC provides for the development of a Community list of active substances authorised for incorporation in plant protection products.
- (2) A dossier for the active substance ethaboxam was submitted by LG Life Sciences Ltd. to the authorities of the United Kingdom on 30 September 2003 with an application to obtain its inclusion in Annex I to Directive 91/414/EEC.
- (3) The authorities of the United Kingdom have indicated to the Commission that, on preliminary examination, the dossier for the active substance concerned appears to satisfy the data and information requirements set out in Annex II to Directive 91/414/EC. The

¹ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2004/20/EC (OJ L 70, 9.3.2004, p. 32).

dossier submitted appears also to satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance concerned. In accordance with Article 6(2) of Directive 91/414/EC, the dossier was subsequently forwarded by the applicant to the Commission and other Member States, and was referred to the Standing Committee on the Food Chain and Animal Health.

- (4) By this Decision it should be formally confirmed at Community level that the dossier is considered as satisfying in principle the data and information requirements provided for in Annex II and, for at least one plant protection product containing the active substance concerned, the requirements set out in Annex III to Directive 91/414/EEC.
- (5) This Decision should not prejudice the right of the Commission to request the applicant to submit further data or information to the Member State designated as Rapporteur in respect of a given substance in order to clarify certain points in the dossier.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The dossier concerning the active substance identified in the Annex to this Decision, which was submitted to the Commission and the Member States with a view to obtaining the inclusion of that substance in Annex I to Directive 91/414/EEC, satisfies in principle the data and information requirements set out in Annex II to Directive 91/414/EEC.

The dossier also satisfies the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance, taking into account the uses proposed.

Article 2

The rapporteur Member State shall pursue the detailed examination for the dossier concerned and shall report the conclusion of this examination accompanied by any recommendations on the inclusion or non-inclusion of the active substance concerned in

Annex I of Directive 91/414/EEC and any conditions related thereto to the Commission as soon as possible, and by 30 April 2005 at the latest.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 26 April 2004.

For the Commission
David BYRNE
Member of the Commission

ANNEX**ACTIVE SUBSTANCE CONCERNED BY THIS DECISION**

No	Common Name, CIPAC Identification Number	Applicant	Date of application	Rapporteur Member State
1	Ethaboxam CIPAC-No. not yet available	LG Life Sciences Ltd.	30.09.2003	UK