

2008 No. 85

PESTICIDES

Plant Protection Products (Amendment) Regulations (Northern Ireland) 2008

Made - - - - *5th March 2008*

Coming into operation - *17th April 2008*

The Department of Agriculture and Rural Development, being a Department 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, in exercise of the powers conferred by the said section 2(2), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Plant Protection Products (Amendment) Regulations (Northern Ireland) 2008 and shall come into operation on 17th April 2008.

(2) The Interpretation Act (Northern Ireland) 1954^(c) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Plant Protection Products Regulations (Northern Ireland) 2005

2.—(1) The Plant Protection Products Regulations (Northern Ireland) 2005^(d) shall be amended in accordance with this regulation.

(2) For Schedule 1 (instruments amending Council Directive 91/414/EEC) there shall be substituted the Schedule to these Regulations.

Revocation

3. The Plant Protection Products (Amendment) Regulations (Northern Ireland) 2007^(e) are revoked.

(a) S.I. 2000/2812

(b) 1972 c. 68; section 2 is subject to Schedule 2 to that Act and is to be read with S.I. 1984/703 (N.I. 3) and S.R. 1984 No. 253

(c) 1954 c. 33 (N.I.)

(d) S.R. 2005 No. 526 as amended by S.R. 2007 No. 251 (S.R. 2007 No. 251 is revoked by the present Regulations)

(e) S.R. 2007 No. 251

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 5th March 2008.



J.W. Speers

A senior officer of the Department of Agriculture and Rural Development.

SCHEDULE

Regulation 2(2)

“SCHEDULE 1

Regulation 2

INSTRUMENTS AMENDING COUNCIL DIRECTIVE 91/414/EEC

Part I

Instruments in force

<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);	Azimsulfuron, azoxystrobin, bentazone esfenvalerate, fluroxypyr, imazalil, kresoxim- methyl, lambda-cyhalothrin, metsulfuron- methyl, prohexadione-calcium, spiroxamine and triasulfuron
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);	<i>Paecilomyces fumosoroseus</i>
Commission Directive 2001/49/EC(o);	Flupyr-sulfuron-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

- (a) O.J. No. L221, 31.8.93, p. 27 (to be read with Corrigenda published in O.J. No. L4, 6.1.96, p. 16)
 (b) O.J. No. L194, 29.7.94, p. 65
 (c) O.J. No. L354, 31.12.94, p. 16 (to be read with Corrigenda published in O.J. No. L280, 23.11.95, p. 58)
 (d) O.J. No. L172, 22.7.95, p. 6
 (e) O.J. No. L172, 22.7.95, p. 8
 (f) O.J. No. L65, 15.3.96, p. 20
 (g) O.J. No. L214, 23.8.96, p. 18
 (h) O.J. No. L277, 30.10.96, p. 25
 (i) O.J. No. L265, 27.9.97, p. 87
 (j) O.J. No. L309, 9.12.2000, p. 14
 (k) O.J. No. L69, 10.3.2001, p. 17
 (l) O.J. No. L113, 24.4.2001, p. 5
 (m) O.J. No. L164, 20.6.2001, p. 1
 (n) O.J. No. L175, 28.6.2001, p. 21
 (o) O.J. No. L176, 29.6.2001, p. 61
 (p) O.J. No. L276, 19.10.2001, p. 17
 (q) O.J. No. L304, 21.11.2001, p. 14
 (r) O.J. No. L313, 30.11.2001, p. 37

<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive 2002/18/EC(a); Commission Directive 2002/37/EC(b); Commission Directive 2002/48/EC(c); Commission Directive 2002/64/EC(d);	Isoproturon Ethofumesate Iprovalicarb, prosulfuron and sulfosulfuron Cinidon-ethyl, cyhalofop-butyl, famoxadone, florasulam, metalaxyl-M and picolinafen
Commission Directive 2002/81/EC(e); Commission Directive 2003/5/EC(f); Commission Directive 2003/23/EC(g);	Flumioxazine Deltamethrin Cyazofamid, ethoxysulfuron, foramsulfuron, imazamox, oxadiargyl and oxasulfuron
Commission Directive 2003/31/EC(h);	2,4-DB, beta-cyfluthrin, cyfluthrin, iprodisone, linuron, maleic hydrazide, and pendimethalin
Council Regulation (EC) No. 806/2003(i); Commission Directive 2003/39/EC(j); Commission Directive 2003/68/EC(k);	None Propyzamide and propineb Carfentrazone-ethyl, fenamidone, isoxaflutole, mesotrione and trifloxystrobin
Commission Directive 2003/70/EC(l); Commission Directive 2003/79/EC(m); Commission Directive 2003/81/EC(n); Commission Directive 2003/82/EC(o); Commission Directive 2003/84/EC(p);	Mecoprop, mecoprop-P and propiconazole <i>Coniothyrium minitans</i> Molinate, thiram and ziram None Dimethenamid-p, flufenacet, flurtamone, fosthiazate, iodosulfuron, picoxystrobin and silthiofam
Commission Directive 2003/112/EC(q); Commission Directive 2003/119/EC(r);	Paraquat Mesosulfuron, propoxycarbazone and zoxamide
Commission Directive 2004/20/EC(s); Commission Directive 2004/30/EC(t);	Chlorpropham Benzoic acid, flazasulfuron and pyraclostrobin
Commission Directive 2004/58/EC(u);	Alpha-cypermethrin, benalaxyl, bromoxynil, desmedipham, ioxynil and phenmedipham
Commission Directive 2004/60/EC(v); Commission Directive 2004/62/EC(w); Council Directive 2004/66/EC(x);	Quinoxifen Mepanipyrim None

- (a) O.J. No. L55, 26.2.2002, p. 29
(b) O.J. No. L117, 4.5.2002, p. 10
(c) O.J. No. L148, 6.6.2002, p. 19
(d) O.J. No. L189, 18.7.2002, p. 27
(e) O.J. No. L276, 12.10.2002, p. 28
(f) O.J. No. L8, 14.1.2003, p. 7
(g) O.J. No. L81, 28.3.2003, p. 39
(h) O.J. No. L101, 23.4.2003, p. 3
(i) O.J. No. L122, 16.5.2003, p. 1 (to be read with Corrigenda published in O.J. No. 138, 5.6.2003, p. 49)
(j) O.J. No. L124, 20.5.2003, p. 30
(k) O.J. No. L177, 16.7.2003, p. 12 as amended by Directive 2004/65/EC published in O.J. No. L125, 28.4.2004, p. 43
(l) O.J. No. L184, 23.7.2003, p. 9
(m) O.J. No. L205, 14.8.2003, p. 16 as amended by Directive 2004/63/EC published in O.J. No. L125, 28.4.2004, p. 41
(n) O.J. No. L224, 6.9.2003, p. 29
(o) O.J. No. L228, 12.9.2003, p. 11
(p) O.J. No. L247, 30.9.2003, p. 20 as amended by Directive 2004/64/EC published in O.J. No. L125, 28.4.2004, p. 42
(q) O.J. No. L321, 6.12.2003, p. 32
(r) O.J. No. L325, 12.12.2003, p. 41
(s) O.J. No. L70, 9.3.2004, p. 32
(t) O.J. No. L77, 13.3.2004, p. 50
(u) O.J. No. L120, 24.4.2004, p. 26
(v) O.J. No. L120, 24.4.2004, p. 39 as amended by Directive 2004/97/EC published in O.J. No. L301, 28.9.2004, p. 53
(w) O.J. No. L125, 28.4.2004, p. 38
(x) O.J. No. L168, 1.5.2004, p. 35

<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive 2004/71/EC(a); Commission Directive 2004/99/EC(b); Commission Directive 2005/2/EC(c);	<i>Pseudomonas chlororaphis</i> Acetamiprid and thiacloprid <i>Ampelomyces quisqualis</i> and <i>gliocladium catenulatum</i>
Commission Directive 2005/3/EC(d);	Imazosulfuron, laminarin, methoxyfenozide and s-metolachlor
Council Directive 2005/25/EC(e); Commission Directive 2005/34/EC(f); Commission Directive 2005/53/EC(g);	None Etoxazole and tepraloxydim Chlorothalonil, chlorotoluron cypermethrin, daminozide and thiophanate-methyl
Commission Directive 2005/54/EC(h); Commission Directive 2005/57/EC(i); Commission Directive 2005/58/EC(j); Commission Directive 2005/72/EC(k);	Tribenuron MCPA and MCPB Bifenazate and milbemectin Chlorpyrifos, chlorpyrifos-methyl, mancozeb, maneb and metiram
Commission Directive 2006/5/EC(l); Commission Directive 2006/6/EC(m); Commission Directive 2006/10/EC(n); Commission Directive 2006/16/EC(o); Commission Directive 2006/19/EC(p); Commission Directive 2006/39/EC(q);	Warfarin Tolyfluanid Forchlorfenuron and indoxacarb Oxamyl 1-methylcyclopropene Clodinafop, pirimicarb, rimsulfuron, tolclofos-methyl and triticonazole
Commission Directive 2006/41/EC(r); Commission Directive 2006/45/EC(s); Commission Directive 2006/64/EC(t); Commission Directive 2006/74/EC(u);	Clothianidin and pethoxamid None Clopyralid, cyprodinil, fosetyl and trinexapac Dichlorprop-P, metconazole, pyrimethanil and triclopyr
Commission Directive 2006/75/EC(v); Commission Directive 2006/85/EC(w); Commission Directive 2006/131/EC(x); Commission Directive 2006/132/EC(y); Commission Directive 2006/133/EC(z);	Dimoxystrobin Fenamiphos and ethephon Methamidophos Procymidone Flusilazole

- (a) O.J. No. L127, 29.4.2004, p. 104
(b) O.J. No. L309, 6.10.2004, p. 6
(c) O.J. No. L20, 22.1.2005, p. 15
(d) O.J. No. L20, 22.1.2005, p. 19
(e) O.J. No. L90, 8.4.2005, p. 1
(f) O.J. No. L125, 18.5.2005, p. 5
(g) O.J. No. L241, 17.9.2005, p. 51 as amended by Directive 2006/76/EC published in O.J. No. L263, 23.9.2006, p. 9
(h) O.J. No. L244, 20.9.2005, p. 21
(i) O.J. No. L246, 22.9.2005, p. 14
(j) O.J. No. L246, 22.9.2005, p. 17
(k) O.J. No. L279, 22.10.2005, p. 63
(l) O.J. No. L12, 18.1.2006, p. 17
(m) O.J. No. L12, 18.1.2006, p. 21
(n) O.J. No. L25, 28.1.2006, p. 24
(o) O.J. No. L36, 8.2.2006, p. 37
(p) O.J. No. L44, 15.2.2006, p. 15
(q) O.J. No. L104, 13.4.2006, p. 30
(r) O.J. No. L187, 8.7.2006, p. 24
(s) O.J. No. L130, 15.5.2006, p. 27
(t) O.J. No. L206, 27.7.2006, p. 107
(u) O.J. No. L235, 30.8.2006, p. 17
(v) O.J. No. L248, 12.9.2006, p. 3
(w) O.J. No. L293, 24.10.2006, p. 3
(x) O.J. No. L349, 12.12.2006, p. 17
(y) O.J. No. L349, 12.12.2006, p. 22
(z) O.J. No. L349, 12.12.2006, p. 27

<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive 2006/134/EC(a); Commission Directive 2006/135/EC(b); Commission Directive 2006/136/EC(c); Commission Directive 2007/5/EC(d); Commission Directive 2007/6/EC(e);	Fenarimol Carbendazim Dinocap Captan, folpet, formetanate and methiocarb Metrafenone, <i>Bacillus subtilis</i> , spinosad and thiamethoxam
Commission Directive 2007/21/EC(f); Commission Directive 2007/25/EC(g);	None Dimethoate, dimethomorph, glufosinate, metribuzin, phosmet and propamocarb
Commission Directive 2007/31/EC(h); Commission Directive 2007/50/EC(i) (provisions applying from 1st June 2008); Commission Directive 2007/52/EC(j);	None Beflubutamid and <i>spodoptera exigua</i> NPV Ethoprophos, pirimiphos-methyl and fipronil

Part II

Instruments coming into force

<i>Instruments</i>	<i>Active substances added to Annex I</i>
<i>From 1st November 2008</i>	
Commission Directive 2007/76/EC(k) (provisions applying from 1st May 2009)	Fludioxonil, clomazone and prosulfocarb.”

- (a) O.J. No. L349, 12.12.2006, p. 32
(b) O.J. No. L349, 12.12.2006, p. 37
(c) O.J. No. L349, 12.12.2006, p. 42
(d) O.J. No. L35, 8.2.2007, p. 11
(e) O.J. No. L43, 15.2.2007, p. 13
(f) O.J. No. L97, 12.4.2007, p. 42
(g) O.J. No. L106, 24.4.2007, p. 34
(h) O.J. No. L140, 1.6.2007, p. 44
(i) O.J. No. L202, 3.8.2007, p. 15
(j) O.J. No. L214, 17.8.2007, p. 3
(k) O.J. No. L337, 21.12.2007, p. 100

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Protection Products Regulations (Northern Ireland) 2005 (S.R. 2005 No. 526) (“the principal Regulations”) which implement in Northern Ireland Council Directive 91/414/EEC (O.J. No. L230, 19.8.91, p. 1 to be read with the Corrigenda published in O.J. No. L170, 25.6.92, p. 40) concerning the placing of plant protection products on the market (“the Directive”), as amended.

Schedule 1 which sets out the instruments that amend that Directive is replaced by the Schedule to these Regulations, which lists an additional 4 Directives that add a further 14 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 principal Regulations for placing on the market is extended accordingly.

The Regulations also include Directive 2007/31/EC as regards the specific provisions set for the use of the active substance Fosthiazate which was added to Schedule 1 by Directive 2003/84/EC.