

## SCHEDULE 2

Regulation 13(3)

### ADJUVANTS

1. An adjuvant is authorised for use with an authorised plant protection product if it is included in a list of adjuvants published by the Department from time to time (in this Schedule referred to as “the list”) or, if not included in the list, if it is used with an authorised plant protection product for the sole purpose of research and development. A person may apply to the Department for an adjuvant to be included on the list.
2. The Department may, in relation to any adjuvant for which an application has been made for inclusion on the list or which is included in the list, at any time—
  - (a) determine data requirements (concerning human safety or environmental protection) to which the inclusion, or the continued inclusion, of that adjuvant in the list shall be subject;
  - (b) determine requirements to which the use of that adjuvant with authorised plant protection products shall be subject; and
  - (c) for reasons of human safety or environmental protection, or with the consent of the applicant, amend any requirement which has been determined under sub-paragraph (a) or (b).
3. The Department shall, in relation to any adjuvant included in the list, also include in that list any requirements which have been determined under paragraph 2(b) and any amendments to such requirements that have been made under paragraph 2(c).
4. The Department may, in relation to any adjuvant included in the list, remove that adjuvant from the list—
  - (a) if it appears to the Department that the applicant has failed to comply with any data requirement which has been determined in relation to that adjuvant under paragraph 2(a) or amended under paragraph 2(c);
  - (b) if it appears to the Department that any literature relating to the adjuvant is not in accordance with any requirement to which the use of that adjuvant is subject, as determined under paragraph 2(b) or amended under paragraph 2(c);
  - (c) if it appears to the Department that—
    - (i) any literature relating to the adjuvant refers to a plant protection product; and
    - (ii) the use of that adjuvant with that plant protection product is not in accordance with the conditions of the authorisation given in relation to that plant protection product;
  - (d) for reasons of human safety or environmental protection; or
  - (e) at the request of the applicant.
5. The Department shall, upon a decision to remove an adjuvant from the list, include in the list—
  - (a) that decision; and
  - (b) the date on which, and any conditions in accordance with which, the removal is to take effect.
6. In paragraph 4(c)(i), “literature relating to the adjuvant” means—
  - (a) the labelling of the packaging in which the adjuvant is contained;
  - (b) any leaflet accompanying that package; or
  - (c) any other material in writing produced by, or on behalf of, the applicant describing the adjuvant or how to use it.

**Status:** *This is the original version (as it was originally made).*

7. In paragraph 4(c)(ii) “authorisation” means any authorisation or permission granted, or deemed to be granted, in accordance with Regulation 1107/2009 and in paragraphs 1 and 2(b) “authorised” shall be construed accordingly.