
Status: Point in time view as at 31/12/2002.

Changes to legislation: There are currently no known outstanding effects for the The Plant Protection Products (Amendment) (No. 3) Regulations 2002 (revoked). (See end of Document for details)

STATUTORY INSTRUMENTS

2002 No. 2874

PESTICIDES, ENGLAND AND WALES

**The Plant Protection Products
(Amendment) (No. 3) Regulations 2002**

Made - - - - 21st November 2002
Laid before Parliament 21st November 2002
Coming into force - - 31st December 2002

The Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales, being designated^{M1} for the purposes of section 2(2) of the European Communities Act 1972^{M2} 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 upon them by that section, 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 2002, extend to England and Wales, and come into force on 31st December 2002.

Amendment to the Plant Protection Products Regulations 1995

2.—(1) In so far as they extend to England and Wales, the Plant Protection Products Regulations 1995^{M3} shall be amended in accordance with this regulation.

(2) In regulation 2(1) the following definition shall be substituted for the definition of “the Directive”—

““the Directive” means Council Directive [91/414/EEC](#)^{M4} concerning the placing of plant protection products on the market as amended by the instruments listed in Schedule AA1;”.

(3) After paragraph (5) of regulation 7 the following paragraph shall be inserted—

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“(5A) The Secretary of State may additionally allow a provisional approval to continue in effect for a product following the inclusion of an active substance contained in that product in Annex I by a Directive specified in column 1 of Schedule A1—

- (a) in the case of a product that contains only one active substance, until either the date when a standard approval is granted for that product, or the date listed in column 3 of Schedule A1 for that active substance, whichever is the earlier; or
- (b) in the case of a product that contains more than one active substance, until either the date when a standard approval is granted for that product, or the date listed in column 3 of Schedule A1 for the later of the active substances in that product to be placed in Annex 1, whichever is the earlier.”.

(4) Regulation 27(4) shall be deleted.

(5) Before Schedule 1 there shall be added the provisions of the Schedule to these Regulations.

(6) For paragraph 2(b) of Schedule 1 there shall be substituted—

“(b) Council Directive [1999/45/EC](#) concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations ^{M5}.”.

(7) For sub-paragraph 1(c) of Schedule 2 (labelling) there shall be substituted—

“(c) the name and the amount of each active substance; the name must be—

- (i) the same as that listed in Annex I to the Council Directive [67/548/EEC](#)^{M6}, if any;
- (ii) the common name given by the International Organization for Standardization ^{M7}, if any; or
- (iii) its chemical designation according to the rules of the International Union of Pure and Applied Chemistry contained in the Nomenclature of Organic Chemistry, 1979 Recommendations ^{M8} and 1993 Recommendations ^{M9}.”.

(8) For sub-paragraph 1(f) of Schedule 2 there shall be substituted—

“(f) the particulars required for the product in Articles 10–12 of Council Directive [1999/45/EC](#) concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations and information on first aid;”.

Marginal Citations

M3 [S.I. 1995/887](#) as amended by [S.I. 1997/7](#), 1997/2499, 1999/3430 and, as regards England and Wales 2002/1460, (the last being revoked by these Regulations).

M4 OJ No. L230, 19.8.91, p. 1.

M5 OJ No. L200, 30.7.1999, p. 1.

M6 OJ No. P196, 16.8.1967, p. 1.

M7 The International Organization for Standardization address is 1, rue de Varembe, Case postale 56, CH-1211, Geneva 20, Switzerland. The website address is: <http://www.iso.org>.

M8 Nomenclature of Organic Chemistry, “IUPAC” Sections A,B, C, D, E, F and H, Pergamon Press, Oxford, 1979, ISBN 0080223699. Also available as published by Advanced Chemistry Development, Inc, on the worldwide website address: www.acdlabs.com/iupac/nomenclature.

M9 A Guide to IUPAC Nomenclature of Organic Compounds (Recommendations 1993), Blackwell Scientific publications ISBN 0632034882.

Revocation

3. The Plant Protection Products (Amendment)(No. 2) Regulations 2002 ^{M10} are revoked.

Marginal Citations

M10 [S.I. 2002/1460](#).

Signed on behalf of the National Assembly for Wales

20th November 2002

D. Elis-Thomas
Presiding Officer, National Assembly for Wales

21st November 2002

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

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SCHEDULE

Regulation 2(5)

“SCHEDULE AA1

Regulation 2

INSTRUMENTS AMENDING COUNCIL DIRECTIVE 1991/414/EEC

INSTRUMENTS	ACTIVE SUBSTANCES ADDED TO ANNEX I
Commission Directive 93/71/EEC M11	None
;	
Commission Directive 94/37/EC M12	None
;	
Commission Directive 94/79/EC M13	None
;	
Commission Directive 95/35/EC M14	None
;	
Commission Directive 95/36/EC M15	None
;	
Commission Directive 96/12/EC M16	None
;	
Commission Directive 96/46/EC M17	None
;	
Commission Directive 96/68/EC M18	None
;	
Council Directive 97/57/EC M19	None
;	
Commission Directive 2000/80/EC M20	lambda-cyhalothrin, imazalil, azoxystrobin, kresoxim-methyl, spiroxamine, azimsulfuron, fluroxypyr, metsulfuron-methyl, triasulfuron, esfenvalerate, prohexadione-calcium and bentazone
;	
Commission Directive 2001/21/EC M21	amitrole, diquat, pyridate and thiabendazole
;	

Commission Directive 2001/28/EC M22	fenhexamid
;	
Commission Directive 2001/36/EC M23	None
;	
Commission Directive 2001/47/EC M24	Paecilomyces fumosoroseus
;	
Commission Directive 2001/49/EC M25	flupyrsulfuron-methyl
;	
Commission Directive 2001/87/EC M26	acibenzolar-s-methyl, cyclanilide, ferric phosphate, pymetrozine and pyraflufen-ethyl
;	
Commission Directive 2001/99/EC M27	glyphosate and thifensulfuron-methyl
;	
Commission Directive 2001/103/EC M28	2,4-dichlorophenoxy acetic acid
;	
Commission Directive 2002/18/EC M29	isoproturon
;	
Commission Directive 2002/48/EC M30	iprovalicarb, prosulfuron and sulfosulfuron
;	
Commission Directive 2002/64/EC M31	cinidon-ethyl, cyhalofop-butyl, famoxadone, florasulam, metalaxyl-m and picolinafen
;	
Commission Directive 2002/81/EC M32	flumioxazine
;	
<i>And as from 1st March 2003 amended by:</i>	
Commission Directive 2002/37/EC M33	ethofumesate

SCHEDULE A1

Regulation 7(5A)

DATES FOR EXTENSIONS OF PROVISIONAL APPROVALS

Column 1	Column 2	Column 3
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Implementing Directive or Decision	Active Substance	Date before which regulation 5 approvals must be granted
Commission Directive 2001/87/EC	acibenzolar-s-methyl and pymetrozine	31st March 2003
Commission Directive 2002/48/EC	Sulfosulfuron and prosulfuron	31st December 2003
Commission Directive 2002/64/EC	cinidon-ethyl, florasulam, picolinafen, famoxadone and metalaxyl-M	31st March 2004”

Marginal Citations

- M11** OJ No. L221, 31.8.93, p. 27, (as read with corrigenda published in OJ No. L170, 25.6.92, p. 40).
M12 OJ No. L194, 29.7.94, p. 65.
M13 OJ No. L354, 31.12.94, p.16, (as read with corrigenda published in OJ No. L280, 23.11.95, p. 58).
M14 OJ No. L172, 22.7.95, p. 6.
M15 OJ No. L172, 22.7.95, p. 8.
M16 OJ No. L65, 15.3.96, p. 20.
M17 OJ No. L214, 23.8.96, p. 18.
M18 OJ No. L277, 30.10.96, p. 25.
M19 OJ No. L265, 27.9.97, p. 87.
M20 OJ No. L309, 9.12.2000, p. 14.
M21 OJ No. L69, 10.3.2001, p. 17.
M22 OJ No. L113, 24.4.2001, p. 5.
M23 OJ No. L164, 20.6.2001, p. 1.
M24 OJ No. L175, 28.6.2001, p. 21.
M25 OJ No. L176, 29.6.2001, p. 61.
M26 OJ No. L276, 19.10.2001, p. 17.
M27 OJ No. L304, 21.11.2001, p. 14.
M28 OJ No. L313, 30.11.2001, p. 37.
M29 OJ No. L55, 26.2.2002, p. 29.
M30 OJ No. L148, 6.6.2002, p. 19.
M31 OJ No. L189, 18.7.2002, p. 27.
M32 OJ No. L276, 12.10.2002, p. 28.
M33 OJ No. L117, 4.5.2002, p. 10.

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M14 OJ No. L172, 22.7.95, p. 6.
M15 OJ No. L172, 22.7.95, p. 8.
M16 OJ No. L65, 15.3.96, p. 20.
M17 OJ No. L214, 23.8.96, p. 18.
M18 OJ No. L277, 30.10.96, p. 25.
M19 OJ No. L265, 27.9.97, p. 87.
M20 OJ No. L309, 9.12.2000, p. 14.
M21 OJ No. L69, 10.3.2001, p. 17.

- M22** OJ No. L113, 24.4.2001, p. 5.
- M23** OJ No. L164, 20.6.2001, p. 1.
- M24** OJ No. L175, 28.6.2001, p. 21.
- M25** OJ No. L176, 29.6.2001, p. 61.
- M26** OJ No. L276, 19.10.2001, p. 17.
- M27** OJ No. L304, 21.11.2001, p. 14.
- M28** OJ No. L313, 30.11.2001, p. 37.
- M29** OJ No. L55, 26.2.2002, p. 29.
- M30** OJ No. L148, 6.6.2002, p. 19.
- M31** OJ No. L189, 18.7.2002, p. 27.
- M32** OJ No. L276, 12.10.2002, p. 28.
- M33** OJ No. L117, 4.5.2002, p. 10.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations extend to England and Wales and 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).

Regulation 2 (2) and (5) simplify the definition provision for the Directive by creating a new Schedule AA1 which lists the instruments that amend the definition of the Directive in Regulation 2 of these Regulations following the listing of active substances in Annex I to the Directive. Regulation 2 (3) amends regulation 7 (provisional approvals) by adding a new regulation 7 (5A) to indicate the date by which time the provisional approvals containing active substances that have been included in Annex I to the Directive must be either amended to a standard approval or withdrawn. Regulation 2 (5) creates a new Schedule A1 that lists the dates mentioned in the implementing EC instruments for extensions of provisional approvals.

These Regulations implement for the first time certain Directives which have added the following active substances in Annex I: Commission Directive [2002/48/EC](#) (which adds the active substances iprovalicarb, prosulfuron and sulfosulfuron to the Annex on 1st July 2002), Commission Directive [2002/64/EC](#) (which adds cinidon-ethyl, cyhalofop-butyl, famoxadone, florasulam, metalaxyl-m and picolinafen to the Annex on 1st October 2002), Commission Directive [2002/81/EC](#) (which adds flumioxazine to the Annex on 1st January 2003) and amends the definition further on 1st March 2003 when these Regulations implement Commission Directive [2002/37/EC](#) (to add ethofumesate to the Annex on that date).

Council Directive [1999/45/EC](#) (OJ No. L200, 30.7.99, p. 1) concerning the approximation of the laws, regulations and administrative provisions of Member States relating to classification, packaging and labelling of dangerous preparations has been implemented by the Chemicals (Hazard Information and Packaging for Supply) Regulations 2002 (S.I. 2002/1689). As a result of revocation of the earlier Chemicals (Hazard Information and Packaging for Supply) Regulations 1994 (S.I. 1994/3247) regulation 27(4) is deleted (regulation 2(4)).

Certain labelling provisions in paragraph 1 of Schedule 2 have been amended by regulation 2(7) and (8) to reflect the repeal of Directive [78/631/EEC](#) (OJ No. L 206 29.7.1978, p. 13) by Council Directive [1999/45/EC](#). This repeal is also now reflected with a reference to the 1999 Directive in paragraph 2(b) of Schedule 1 (regulation 2(6)).

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