

**2005 No. 3197**

**PESTICIDES, ENGLAND AND WALES**

**The Plant Protection Products (Amendment) Regulations 2005**

*Made* - - - - *15th November 2005*

*Laid before Parliament* *17th November 2005*

*Coming into force* - - *12th December 2005*

The Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales being designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to the common agricultural 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, hereby make the following Regulations:

**Title and commencement**

1. These Regulations may be cited as the Plant Protection Products (Amendment) Regulations 2005 and come into force on 12th December 2005.

**Amendment to the Plant Protection Products Regulations 2005**

2.—(1) The Plant Protection Products Regulations 2005<sup>(c)</sup> shall be amended in accordance with this regulation.

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

“ “the Directive” means Council Directive 91/414/EEC concerning the placing of plant protection products on the market<sup>(d)</sup>, as amended by the instruments listed in Schedule 1;”.

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

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(a) S.I. 1972/1811 and, in the case of the National Assembly for Wales, S.I. 2005/2766.

(b) 1972 c.68.

(c) S.I. 2005/1435.

(d) OJ No. L230, 19.8.91, p.1.

Signed on behalf of the National Assembly for Wales

15th November 2005

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

12th November 2005

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

## SCHEDULE

Regulation 2(3)

### INSTRUMENTS AMENDING COUNCIL DIRECTIVE 91/414/EEC

<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive 93/71/EEC <b>(a)</b> ;	None
Commission Directive 94/37/EC <b>(b)</b> ;	None
Commission Directive 94/79/EC <b>(c)</b> ;	None
Commission Directive 95/35/EC <b>(d)</b> ;	None
Commission Directive 95/36/EC <b>(e)</b> ;	None
Commission Directive 96/12/EC <b>(f)</b> ;	None
Commission Directive 96/46/EC <b>(g)</b> ;	None
Commission Directive 96/68/EC <b>(h)</b> ;	None
Council Directive 97/57/EC <b>(i)</b> ;	None
Commission Directive 2000/80/EC <b>(j)</b> ;	lambda-cyhalothrin, imazalil, azoxystrobin, kresoxim-methyl, spiroxamine, azimsulfuron, fluroxypyr, metsulfuron-methyl, triasulfuron, esfenvalerate, prohexadione-calcium and bentazone
Commission Directive 2001/21/EC <b>(k)</b> ;	amitrole, diquat, pyridate and thiabendazole
Commission Directive 2001/28/EC <b>(l)</b> ;	fenhexamid
Commission Directive 2001/36/EC <b>(m)</b> ;	None
Commission Directive 2001/47/EC <b>(n)</b> ;	<i>Paecilomyces fumosoroseus</i>
Commission Directive 2001/49/EC <b>(o)</b> ;	flupyrsulfuron-methyl
Commission Directive 2001/87/EC <b>(p)</b> ;	acibenzolar-s-methyl, cyclanilide, ferric phosphate, pymetrozine and pyraflufen-ethyl
Commission Directive 2001/99/EC <b>(q)</b> ;	glyphosate and thifensulfuron-methyl
Commission Directive 2001/103/EC <b>(r)</b> ;	2,4-dichlorophenoxy acetic acid
Commission Directive 2002/18/EC <b>(s)</b> ;	isoproturon
Commission Directive 2002/37/EC <b>(t)</b> ;	ethofumesate

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- (a) OJ No. L221, 31.8.93, p. 27, (as read with corrigenda published in OJ No. L4, 6.1.96, p. 16).  
 (b) OJ No. L194, 29.7.94, p. 65.  
 (c) OJ No. L354, 31.12.94, p. 16, (as read with corrigenda published in OJ No. L280, 23.11.95, p. 58).  
 (d) OJ No. L172, 22.7.95, p. 6.  
 (e) OJ No. L172, 22.7.95, p. 8.  
 (f) OJ No. L65, 15.3.96, p. 20.  
 (g) OJ No. L214, 23.8.96, p. 18.  
 (h) OJ No. L277, 30.10.96, p. 25.  
 (i) OJ No. L265, 27.9.97, p. 87.  
 (j) OJ No. L309, 9.12.2000, p. 14.  
 (k) OJ No. L69, 10.3.2001, p. 17.  
 (l) OJ No. L113, 24.4.2001, p. 5.  
 (m) OJ No. L164, 20.6.2001, p. 1.  
 (n) OJ No. L175, 28.6.2001, p. 21.  
 (o) OJ No. L176, 29.6.2001, p. 61.  
 (p) OJ No. L276, 19.10.2001, p. 17.  
 (q) OJ No. L304, 21.11.2001, p. 14.  
 (r) OJ No. L313, 30.11.2001, p. 37.  
 (s) OJ No. L55, 26.2.2002, p. 29.  
 (t) OJ No. L117, 4.5.2002, p. 10.

Commission Directive 2002/48/EC <b>(a)</b> ; Commission Directive 2002/64/EC <b>(b)</b> ;	iprovalicarb, prosulfuron and sulfosulfuron cinidon-ethyl, cyhalofop-butyl, famoxadone, florasulam, metalaxyl-M and picolinafen
Commission Directive 2002/81/EC <b>(c)</b> ; Commission Directive 2003/5/EC <b>(d)</b> ; Commission Directive 2003/23/EC <b>(e)</b> ;	flumioxazine deltamethrin imazamox, oxasulfuron, ethoxysulfuron, foramsulfuron, oxadiargyl, cyazofamid
Commission Directive 2003/31/EC <b>(f)</b> ;	2,4-DB, maleic hydrazide, cyfluthrin, beta- cyfluthrin, iprodione, linuron, pendimethalin
Council Regulation (EC) No. 806/2003 <b>(g)</b> ; Commission Directive 2003/39/EC <b>(h)</b> ; Commission Directive 2003/68/EC <b>(i)</b> ;	None propyzamide, propineb trifloxystrobin, carfentrazone-ethyl, mesotrione, fenamidone, isoxaflutole
Commission Directive 2003/70/EC <b>(j)</b> ; Commission Directive 2003/79/EC <b>(k)</b> ; Commission Directive 2003/81/EC <b>(l)</b> ; Commission Directive 2003/82/EC <b>(m)</b> ; Commission Directive 2003/84/EC <b>(n)</b> ;	mecoprop, mecoprop-P, propiconazole <i>Coniothyrium minitans</i> molinate, thiram, ziram None flurtamone, flufenacet, iodofenbutin, dimethenamid-p, picoxystrobin, fosthiazate, siltiofam
Commission Directive 2003/112/EC <b>(o)</b> ; Commission Directive 2003/119/EC <b>(p)</b> ;	paraquat mesosulfuron, propoxycarbazone and zoxamide
Commission Directive 2004/20/EC <b>(q)</b> ; Commission Directive 2004/30/EC <b>(r)</b> ;	chlorpropham benzoic acid, flazasulfuron and pyraclostrobin
Commission Directive 2004/58/EC <b>(s)</b> ;	alpha-cypermethrin, benalaxyl, bromoxynil, desmedipham, ioxynil and phenmedipham
Commission Directive 2004/60/EC <b>(t)</b> ; Commission Directive 2004/62/EC <b>(u)</b> ; Council Directive 2004/66/EC <b>(v)</b> ; Commission Directive 2004/71/EC <b>(w)</b> ; Commission Directive 2004/99/EC <b>(x)</b> ; Council Directive 2005/25/EC <b>(y)</b> ;	quinoxifen mepanipyrim None <i>Pseudomonas chlororaphis</i> acetamiprid and thiacloprid None

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- (a) OJ No. L148, 6.6.2002, p. 19.  
(b) OJ No. L189, 18.7.2002, p. 27.  
(c) OJ No. L276, 12.10.2002, p. 28.  
(d) OJ No. L8, 14.1.2003, p. 7.  
(e) OJ No. L81, 28.3.2003, p. 39.  
(f) OJ No. L101, 23.4.2003, p. 3.  
(g) OJ No. L122, 16.5.2003, p. 1, (as read with corrigenda published in OJ No. L138, 5.6.2003, p. 49).  
(h) OJ No. L124, 20.5.2003, p. 30.  
(i) OJ No. L177, 16.7.2003, p. 12 (as amended by Commission Directive 2004/65/EC, OJ No. L125, 28.4.2004, p. 43).  
(j) OJ No. L184, 23.7.2003, p. 9.  
(k) OJ No. L205, 14.8.2003, p. 16 (as amended by Commission Directive 2004/63/EC, OJ No. L125, 28.4.2004, p. 41).  
(l) OJ No. L224, 6.9.2003, p. 29.  
(m) OJ No. L228, 12.9.2003, p. 11.  
(n) OJ No. L247, 30.9.2003, p. 20 (as amended by Commission Directive 2004/64/EC, OJ No. L125, 28.4.2004, p. 42).  
(o) OJ No. L321, 6.12.2003, p. 32.  
(p) OJ No. L325, 12.12.2003, p. 41.  
(q) OJ No. L70, 9.3.2004, p. 32.  
(r) OJ No. L77, 13.3.2004, p. 50.  
(s) OJ No. L120, 24.4.2004, p. 26.  
(t) OJ No. L120, 24.4.2004, p. 39 (as amended by Commission Directive 2004/97/EC, OJ No. L301, 28.9.2004, p. 53).  
(u) OJ No. L125, 28.4.2004, p. 38.  
(v) OJ No. L168, 1.5.2004, p. 35.  
(w) OJ No. L127, 29.4.2004, p. 104.  
(x) OJ No. L309, 6.10.2004, p. 6.  
(y) OJ No. L90, 8.4.2005, p. 1.

Commission Directive 2005/2/EC(a);	<i>Ampelomyces quisqualis</i> and <i>Gliocladium catenulatum</i>
Commission Directive 2005/3/EC(b);	imazosulfuron, laminarin, methoxyfenozide and s-metolachlor
Commission Directive 2005/34/EC(c).	etoxazole and tepraloxydim

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(a) OJ No. L20, 22.1.2005, p. 15.  
(b) OJ No. L20, 22.1.2005, p. 19.  
(c) OJ No. L125, 18.5.2005, p. 5.

## **EXPLANATORY NOTE**

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

These Regulations amend the Plant Protection Products Regulations 2005 (S.I. 2005/1435) which implement in England and Wales 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 corrigenda published in OJ No. L170, 25.6.92, p.40).

Schedule 1, which sets out the instruments that amend that Directive, is replaced by the Schedule to these Regulations, which lists an additional Directive that adds a further two 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 2005 Regulations for placing on the market and use is extended accordingly.

A full regulatory impact assessment has not been prepared in respect of these Regulations as they have no impact on the costs of business.

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