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STATUTORY INSTRUMENTS

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**2019 No. 1410**

**The Pesticides (Amendment) (EU Exit) Regulations 2019**

**PART 2**

**Amendment and revocation of retained direct EU legislation**

**Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market**

2.—(1) Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market is amended as follows.

(2) In Article 12(3)(c) (as renumbered by regulation 4(14)(d) of the Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019(1)), for “Regulation (EC) No 882/2004” substitute “Regulation (EU) 2017/625”.

**Commission Implementing Regulation (EU) No 844/2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market**

3.—(1) Commission Implementing Regulation (EU) No 844/2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market is amended as follows.

(2) In Article 13(4), for “Regulation (EC) No 882/2004 of the European Parliament and of the Council” substitute “Regulation (EU) 2017/625 of the European Parliament and of the Council”.

(3) Omit Article 13a.

**Revocations and savings: retained direct EU legislation**

4.—(1) The retained direct EU legislation listed in the Schedule is revoked.

(2) A grace period contained within a Regulation listed in the Schedule which expires after exit day continues to have effect, and is to be treated as if it has been set by each competent authority in relation to its constituent territory in accordance with Article 21(6)(b) of Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market(2).

(3) In paragraph (2), “competent authority” and “constituent territory” are to be interpreted in accordance with Article 3A of Regulation (EC) No 1107/2009(3).

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(1) S.I. 2019/556, to which there are amendments not relevant to these Regulations.

(2) Article 21 is substituted by S.I. 2019/556.

(3) Article 3A is inserted by S.I. 2019/556.

(4) Sub-paragraph (5) applies where, immediately before exit day, a Regulation listed in the Schedule includes provision which continues to apply Regulation (EC) No 396/2005 as it had effect before that Regulation applied in respect of the pesticide residue of an active substance in or on one or more products lawfully produced before a specified date (a “transitional measure”).

(5) In respect of the pesticide residue and the product or products to which the transitional measure applies, paragraphs 3 to 6 of Part 2 of Schedule 1 to the Pesticides (Maximum Residue Levels) (Amendment etc.) (EU Exit) Regulations 2019(4) apply as if a reference in those paragraphs to Regulation (EC) No 396/2005 as it had effect immediately before exit day were a reference to Regulation (EC) No 396/2005 as it had effect before the specified date.

(6) For the purposes of sub-paragraphs (4) and (5), a date is “specified” if it is specified in the transitional measure.

**Revocation: EEA Agreement**

5. In Annex 2 to the EEA Agreement—

- (a) in Chapter 12 (foodstuffs), omit the adaptations in point 150 (Commission Implementing Regulation (EU) 2018/555);
- (b) in Chapter 15 (dangerous substances), omit points 13zzzzzzzo (Commission Implementing Regulation (EU) 2018/296) to 13zzzzzzzzzn (Commission Implementing Regulation (EU) 2018/1865).

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(4) S.I. 2019/557, to which there are amendments not relevant to these Regulations.