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STATUTORY INSTRUMENTS

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**2019 No. 1410**

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

**PART 3**

Amendment of secondary legislation

**Amendment of the Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019**

**6.—**(1) The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019 are amended as follows.

(2) In regulation 5—

(a) for paragraph (7) substitute—

“(7) After paragraph 4 insert—

“**5.** For the purposes of paragraph 4(c), [Directive 2009/128/EC](#)(1) is to be read as if—

(a) Article 3(10)(b) were omitted;

(b) in Article 14—

(i) obligations on Member States were obligations on the competent authorities;

(ii) paragraph 3 were omitted.””;

(b) in paragraph (30)(d), in the text of new paragraph 6, for point (b) substitute—

“(b) the date two years after the day after the day on which exit day falls.”;

(c) in paragraph (31)(a)(ii)(bb), omit “other”.

(3) In regulation 11(2), in the substituted text of Article 69(10), after “paragraphs 3” insert “, 4”.

(4) In regulation 14(3)—

(a) in sub-paragraph (l), for paragraph (i) substitute—

“(i) in the first paragraph—

(aa) for “Community” substitute “nationally”;

(bb) for “Authority” substitute “competent authority”;

(ia) omit the third and fourth paragraphs;”;

(b) in sub-paragraph (n), for paragraph (i) substitute—

“(i) in the first paragraph, for “Community” substitute “nationally;””.

(5) In regulation 19(7)(c), in the substituted text of point 2.4, in the final indent, for “bags” substitute “bins”.

- (6) For regulation 20(2)(a) substitute—
- “(a) in paragraph 1—
- (i) for the first subparagraph substitute—
- “An application for the renewal of an approval of an active substance must be submitted by a producer of the active substance to a competent authority for a constituent territory in relation to which the active substance is approved (in this Regulation, the “assessing competent authority”) no later than three years before the expiry of the approval.”;
- (ii) omit the fourth to sixth subparagraphs;”.
- (7) Schedule 1 is amended in accordance with paragraph (8) to (9).
- (8) In Part 2—
- (a) in paragraph 2—
- (i) for sub-paragraph (2) substitute—
- “(2) Sub-paragraph (1) does not apply to an entry in a table in the Annex for an approval which expired before exit day.”;
- (ii) in sub-paragraph (4), for “31st March 2022 or earlier” substitute “on or before the date three years after the day after the day on which exit day falls”;
- (b) in paragraph 3—
- (i) in sub-paragraph (3)(n), in the substituted text of the sixth paragraph, for “febuconazole” substitute “fenbuconazole”;
- (ii) in sub-paragraph (4)—
- (aa) in paragraph (z)(ii)(bb), for “Silithiofam” substitute “Silthiofam”;
- (bb) after paragraph (ee) insert—
- “(ff) in entry 132 (Mefentrifluconazole), the seventh column is to be read as if—
- (i) in the fourth paragraph, in the words before point 1, for “the Commission, the Member States and the Authority” there were substituted “each competent authority”;
- (ii) in the fifth paragraph, “, by the Commission,” were omitted;
- (gg) in entry 133 (flutianil), the seventh column is to be read as if—
- (i) in the fourth paragraph, in the words before point 1, for “the Commission, the Member States and the Authority” there were substituted “each competent authority”;
- (ii) in the fifth paragraph, “, from the Commission,” were omitted;
- (hh) in entry 134 (Isoxaflutole), in the seventh column, the fourth paragraph is to be read as if—
- (i) in the first sentence, for “the Commission, the Member States and the Authority” there were substituted “each competent authority”;
- (ii) in the second sentence, “, by the Commission,” were omitted;
- (ii) in entry 135 (carvone), the seventh column is to be read as if—

- (i) in the fourth paragraph, for “the Commission, the Member States and the Authority” there were substituted “each competent authority”;
  - (ii) in the fifth paragraph, “, by the Commission,” were omitted.”;
- (iii) in sub-paragraph (5)—
  - (aa) for paragraph (c)(ii) substitute—
    - “(ii) for the sixth paragraph there were substituted—  
“The applicant must submit to each competent authority the information set out in point (3) within two years after the issuing of a guidance document on evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater.”.”;
  - (bb) after paragraph (c) insert—
    - “(d) in entry 11 (Methoxyfenozide), the seventh column is to be read as if, in the fifth paragraph, in the words before point 1, for “the Commission, the Member States and the Authority” there were substituted “each competent authority”.”.
- (9) In Part 3, in paragraph 10(2)—
  - (a) after “level” insert “as referred to”;
  - (b) after “including” insert “an obligation to provide”.
- (10) In Part 4, for paragraph 14(4)(b) substitute—
  - “(b) the date three years after the day after the day on which exit day falls.”.
- (11) In Schedule 2—
  - (a) in Part 1, in paragraph 151, for “1,4-dimethylnaphthalene” substitute “1,4-dimethylnaphthalene”;
  - (b) in Part 2, in paragraph 391, for “in view of” substitute “with a view to”.

### **Amendment of the Pesticides (Maximum Residue Levels) (Amendment etc.) (EU Exit) Regulations 2019**

7.—(1) The Pesticides (Maximum Residue Levels) (Amendment etc.) (EU Exit) Regulations 2019 are amended as follows.

- (2) For regulation 3(4)(c)(ii)(bb) substitute—
  - “(bb) at the end, insert—
    - “, and for these purposes [Directive 2009/128/EC](#) is to be read as if—
      - (i) Article 3(10)(b) were omitted;
      - (ii) in Article 14—
        - obligations on Member States were obligations on the competent authorities;
        - paragraph 3 were omitted.”.”.
- (3) In Schedule 1—
  - (a) in Part 2—
    - (i) in paragraph 3(6)(b)(i), for “1st January 2020” substitute “the date eight months after the day on which exit day falls”;

- (ii) omit paragraph 4(2)(e) and (3)(a)(v);
- (iii) in paragraph 6(3)(b)(i), for “1st January 2020” substitute “the date eight months after the day on which exit day falls”;
- (b) in Part 4, in paragraph 11(2), for “1st April 2019” substitute “the day after the day on which exit day falls”.