

## SCHEDULE 1

### AMENDMENTS TO SUBORDINATE LEGISLATION

#### **Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013**

**28.** In Schedule 2—

- (a) in paragraph 1, in the definition of “Plant protection product”, after “91/414/EEC” insert “as it had effect immediately before exit day”;
- (b) after paragraph 10 insert—

“**11.** For the purposes of regulation 13 of these Regulations, essential use derogations granted by the Commission before exit day (under either Regulation 1062/2014 or its predecessor Regulation 1451/2007 on the second phase of the 10-year work programme referred to in Article 16(2) of [Directive 98/8/EC](#) of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market) are deemed to have been granted by the Secretary of State subject to the same terms and conditions.”