



STATUTORY INSTRUMENTS.

S.I. No. 107 of 2009

EUROPEAN COMMUNITIES (AUTHORIZATION, PLACING ON THE
MARKET, USE AND CONTROL OF PLANT PROTECTION
PRODUCTS) (AMENDMENT) REGULATIONS 2009

(Prn. A9/0436)

EUROPEAN COMMUNITIES (AUTHORIZATION, PLACING ON THE
MARKET, USE AND CONTROL OF PLANT PROTECTION
PRODUCTS) (AMENDMENT) REGULATIONS 2009

I, BRENDAN SMITH, Minister for Agriculture, Fisheries and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving effect to Commission Directive 2008/66/EC of 30 June 2008¹, Commission Directive 2008/69/EC of 1 July 2008², Commission Directive 2008/70/EC of 11 July 2008³, Commission Directive 2008/91/EC of 29 September 2008⁴, Commission Directive 2008/107/EC of 25 November 2008⁵, Commission Directive 2008/108/EC of 26 November 2008⁶, Commission Directive 2008/113/EC of 8 December 2008⁷, Commission Directive 2008/116/EC of 15 December 2008⁸, Commission Directive 2008/125/EC of 19 December 2008⁹, Commission Directive 2008/127/EC of 18 December 2008¹⁰ and Commission Directive 2009/11/EC of 18 February 2009¹¹, hereby make the following Regulations:

1. These Regulations may be cited as the European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) Regulations 2009.

2. The European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) Regulations 2003 (S.I. No. 83 of 2003) are amended, in Regulation 2(1), by substituting for the definition of “Directive of 1991” (inserted by the European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 4) Regulations 2007 (S.I. No. 367 of 2008)) the following:

“ ‘Directive of 1991’ means Council Directive No. 91/414/EEC of 15 July 1991¹² and taking into account Commission Directive 93/71/EEC of 27 July 1993¹³, Commission Directive 94/37/EC of 22 July 1994¹⁴, Commission Directive 94/43/EC of 27 July 1994¹⁵, Commission Directive 94/79/EC of 21

¹ O.J. No. L171 of 01.07.2008, p.9

² O.J. No. L172 of 02.07.2008, p.9

³ O.J. No. L185 of 12.07.2008, p.40

⁴ O.J. No. L262 of 01.10.2008, p.31

⁵ O.J. No. L316 of 26.11.2008, p.4

⁶ O.J. No. L317 of 26.11.2008, p.6

⁷ O.J. No. L330 of 09.12.2008, p.6

⁸ O.J. No. L337 of 16.12.2008, p.86

⁹ O.J. No. L344 of 20.12.2008, p.78

¹⁰ O.J. No. L344 of 20.12.2008, p.89

¹¹ O.J. No. L48 of 19.02.2009, p.5

¹² O.J. No. L230 of 19.08.1991, p.1

¹³ O.J. No. L221 of 31.08.1993, p.27

¹⁴ O.J. No. L194 of 29.07.1994, p.65

¹⁵ O.J. No. L227 of 01.09.1994, p.31

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd April, 2009.*

December 1994¹⁶, Commission Directive 95/35/EC of 14 July 1995¹⁷, Commission Directive 95/36/EC of 14 July 1995¹⁸, Commission Directive 96/12/EC of 8 March 1996¹⁹, Commission Directive 96/46/EC of 16 July 1996²⁰, Commission Directive 96/68/EC of 21 October 1996²¹, Council Directive 97/57/EC of 22 September 1997²², Commission Directive 97/73/EC of 15 December 1997²³, Commission Directive 98/47/EC of 25 June 1998²⁴, Commission Directive 99/1/EC of 21 January 1999²⁵, Commission Directive 99/73/EC of 19 July 1999²⁶, Commission Directive 1999/80/EC of 28 July 1999²⁷, Commission Directive 2000/10/EC of 1 March 2000²⁸, Commission Directive 2000/49/EC of 26 July 2000²⁹, Commission Directive 2000/50/EC of 26 July 2000³⁰, Commission Directive 2000/66/EC of 23 October 2000³¹, Commission Directive 2000/67/EC of 23 October 2000³², Commission Directive 2000/68/EC of 23 October 2000³³, Commission Directive 2000/80/EC of 4 December 2000³⁴, Commission Directive 2001/21/EC of 5 March 2001³⁵, Commission Directive 2001/28/EC of 20 April 2001³⁶, Commission Directive 2001/36/EC of 16 May 2001³⁷, Commission Directive 2001/47/EC of 25 June 2001³⁸, Commission Directive 2001/49/EC of 28 June 2001³⁹, Commission Directive 2001/87/EC of 12 October 2001⁴⁰, Commission Directive 2001/99/EC of 20 November 2001⁴¹, Commission Directive 2001/103/EC of 28 November 2001⁴², Commission Directive 2002/18/EC of 22 February 2002⁴³, Commission Directive 2002/37/EC of 3 May 2002⁴⁴, Commission Directive 2002/48/EC of 30 May 2002⁴⁵, Commission Directive 2002/64/EC of 15 July 2002⁴⁶, Commission Directive 2002/81/EC of 10 October 2002⁴⁷, Commission Directive 2003/5/EC of 10 January 2003⁴⁸,

¹⁶ O.J. No. L354 of 31.12.1994, p.16

¹⁷ O.J. No. L172 of 22.07.1995, p.6

¹⁸ O.J. No. L172 of 22.07.1995, p.8

¹⁹ O.J. No. L65 of 15.03.1996, p.20

²⁰ O.J. No. L214 of 23.08.1996, p.18

²¹ O.J. No. L277 of 30.10.1996, p.25

²² O.J. No. L265 of 27.09.1997, p.87

²³ O.J. No. L353 of 24.12.1997, p.26

²⁴ O.J. No. L191 of 07.07.1998, p.50

²⁵ O.J. No. L21 of 28.01.1999, p.21

²⁶ O.J. No. L206 of 05.08.1999, p.16

²⁷ O.J. No. L210 of 10.08.1999, p.13

²⁸ O.J. No. L57 of 02.03.2000, p.28.

²⁹ O.J. No. L197 of 03.08.2000, p.32

³⁰ O.J. No. L198 of 04.08.2000, p.39

³¹ O.J. No. L276 of 28.10.2000, p.35

³² O.J. No. L276 of 28.10.2000, p.38

³³ O.J. No. L276 of 28.10.2000, p.41

³⁴ O.J. No. L309 of 09.12.2000, p.14

³⁵ O.J. No. L69 of 10.03.2001, p.17

³⁶ O.J. No. L113 of 24.04.2001, p.5

³⁷ O.J. No. L164 of 20.06.2001, p.1

³⁸ O.J. No. L175 of 28.06.2001, p.21

³⁹ O.J. No. L176 of 29.06.2001, p.61

⁴⁰ O.J. No. L276 of 19.10.2001, p.17

⁴¹ O.J. No. L304 of 21.11.2001, p.14

⁴² O.J. No. L313 of 30.11.2001, p.37

⁴³ O.J. No. L55 of 26.02.2002, p.29

⁴⁴ O.J. No. L117 of 04.05.2002, p.10

⁴⁵ O.J. No. L148 of 06.06.2002, p.19

⁴⁶ O.J. No. L189 of 18.07.2002, p.27

⁴⁷ O.J. No. L276 of 12.10.2002, p.28

⁴⁸ O.J. No. L8 of 14.01.2003, p.7

Commission Directive 2003/23/EC of 25 March 2003⁴⁹, Commission Directive 2003/31/EC of 11 April 2003⁵⁰, Council Regulation (EC) No. 806/2003 of 14 April 2003⁵¹, Commission Directive 2003/39/EC of 15 May 2003⁵², Commission Directive 2003/68/EC of 11 July 2003⁵³, Commission Directive 2003/70/EC of 17 July 2003⁵⁴, Commission Directive 2003/79/EC of 13 August 2003⁵⁵, Commission Directive 2003/81/EC of 5 September 2003⁵⁶, Commission Directive 2003/82/EC of 11 September 2003⁵⁷, Commission Directive 2003/84/EC of 25 September 2003⁵⁸, Commission Directive 2003/112/EC of 1 December 2003⁵⁹, Commission Directive 2003/119/EC of 5 December 2003⁶⁰, Commission Directive 2004/20/EC of 2 March 2004⁶¹, Commission Directive 2004/30/EC of 10 March 2004⁶², Commission Directive 2004/58/EC of 23 April 2004⁶³, Commission Directive 2004/60/EC of 23 April 2004⁶⁴, Commission Directive 2004/62/EC of 26 April 2004⁶⁵, Council Directive 2004/66/EC of 26 April 2004⁶⁶, Commission Directive 2004/71/EC of 28 April 2004⁶⁷, Commission Directive 2004/99/EC of 1 October 2004⁶⁸, Commission Directive 2005/2/EC of 19 January 2005⁶⁹, Commission Directive 2005/3/EC of 19 January 2005⁷⁰, Regulation (EC) No. 396/2005 of the European Parliament and of the Council of 23 February 2005⁷¹, Council Directive 2005/25/EC of 14 March 2005⁷², Commission Directive 2005/34/EC of 17 May 2005⁷³, Commission Directive 2005/53/EC of 16 September 2005⁷⁴, Commission Directive 2005/54/EC of 19 September 2005⁷⁵, Commission Directive 2005/57/EC of 21 September 2005⁷⁶, Commission Directive 2005/58/EC of 21 September 2005⁷⁷, Commission Directive 2005/72/EC of 21 October 2005⁷⁸, Commission Directive 2006/5/EC of 17 January 2006⁷⁹, Commission Directive 2006/6/EC of 17

⁴⁹ O.J. No. L81 of 28.03.2003, p.39

⁵⁰ O.J. No. L101 of 23.04.2003, p.3.

⁵¹ O.J. No. L122 of 16.05.2003, p.1

⁵² O.J. No. L124 of 20.05.2003, p.30

⁵³ O.J. No. L177 of 16.07.2003, p.12

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⁵⁶ O.J. No. L224 of 06.09.2003, p.29

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⁵⁹ O.J. No. L321 of 06.12.2003, p.32

⁶⁰ O.J. No. L325 of 12.12.2003, p.41

⁶¹ O.J. No. L70 of 09.03.2004, p.32

⁶² O.J. No. L77 of 13.03.2004, p.50

⁶³ O.J. No. L120 of 24.04.2004, p.26

⁶⁴ O.J. No. L120 of 24.04.2004, p.39

⁶⁵ O.J. No. L125 of 28.04.2004, p.38

⁶⁶ O.J. No. L168 of 01.05.2004, p.35

⁶⁷ O.J. No. L127 of 29.04.2004, p.104

⁶⁸ O.J. No. L309 of 06.10.2004, p.6

⁶⁹ O.J. No. L20 of 22.01.2005, p.15

⁷⁰ O.J. No. L20 of 22.01.2005, p.19

⁷¹ O.J. No. L70 of 16.03.2005, p.1

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⁷³ O.J. No. L125 of 18.05.2005, p.5

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January 2006⁸⁰, Commission Directive 2006/10/EC of 27 January 2006⁸¹, Commission Directive 2006/16/EC of 7 February 2006⁸², Commission Directive 2006/19/EC of 14 February 2006⁸³, Commission Directive 2006/39/EC of 12 April 2006⁸⁴, Commission Directive 2006/45/EC of 16 May 2006⁸⁵, Commission Directive 2006/74/EC of 21 August 2006⁸⁶, Commission Directive 2006/75/EC of 11 September 2006⁸⁷, Commission Directive 2006/76/EC of 22 September 2006⁸⁸, Commission Directive 2006/41/EC of 7 July 2006⁸⁹, Commission Directive 2006/131/EC of 11 December 2006⁹⁰, Commission Directive 2006/132/EC of 11 December 2006⁹¹, Commission Directive 2006/133/EC of 11 December 2006⁹², Commission Directive 2006/134/EC of 11 December 2006⁹³, Commission Directive 2006/135/EC of 11 December 2006⁹⁴, Commission Directive 2006/136/EC of 11 December 2006⁹⁵, Commission Directive 2006/64/EC of 18 July 2006⁹⁶, Commission Directive 2006/85/EC of 23 October 2006⁹⁷, Commission Directive 2007/6/EC of 14 February 2007⁹⁸, Commission Directive 2007/21/EC of 10 April 2007⁹⁹, Commission Directive 2007/5/EC of 7 February 2007¹⁰⁰, Commission Directive 2007/25/EC of 23 April 2007¹⁰¹, Commission Directive 2007/31/EC of 31 May 2007¹⁰², Commission Decision 2007/452/EC of 29 June 2007¹⁰³, Commission Directive 2007/50/EC of 2 August 2007¹⁰⁴, Commission Directive 2007/52/EC of 16 August 2007¹⁰⁵, Commission Directive 2007/76/EC of 20 December 2007, (from 1 May 2009)¹⁰⁶, Commission Directive 2008/40/EC of 28 March 2008, (from 30 April 2009)¹⁰⁷, Commission Directive 2008/41/EC of 31 March 2008, (from 30 June 2009)¹⁰⁸, Commission Directive 2008/44/EC of 4 April 2008,¹⁰⁹ Commission Directive 2008/45/EC of 4 April 2008,¹¹⁰ (from 31 March 2009) Commission Directive

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⁸³ O.J. No. L44 of 15.02.2006, p.15

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⁹³ O.J. No. L349 of 12.12.2006, p.32

⁹⁴ O.J. No. L349 of 12.12.2006, p.37

⁹⁵ O.J. No. L349 of 12.12.2006, p.42

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⁹⁷ O.J. No. L293 of 24.10.2006, p.3

⁹⁸ O.J. No. L43 of 15.02.2007, p.13

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¹⁰⁵ O.J. No. L214 of 17.08.2007, p.3.

¹⁰⁶ O.J. No. L337 of 21.12.2007, p.100

¹⁰⁷ O.J. No. L87 of 29.03.2008, p.5

¹⁰⁸ O.J. No. L89 of 01.04.2008, p.12

¹⁰⁹ O.J. No. L94 of 05.04.2008, p.13

¹¹⁰ O.J. No. L94 of 05.04.2008, p.21

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3. The European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 2) Regulations 2008 (S.I. No. 367 of 2008) are revoked.



GIVEN under my Official Seal,
25 March 2009

BRENDAN SMITH,
Minister for Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations transpose the amendments to Annex I of Council Directive 91/414/EEC by including the following active substances into that Annex:

Bifenox, diflufenican, fenoxaprop-P, fenpropidin, quinochloramine, clofentezine, dicamba, difenoconazole, diflubenzuron, imazaquin, lenacil, oxadiazon, picloram, pyriproxyfen, tritosulfuron, diuron, abamectin, epoxiconazole, fenpropimorph, fenpyroximate, tralkoxydim, flutolanil, benfluralin, fluazinam, fuberidazole, mepiquat, aclonifen, imidacloprid, metazachlor, aluminium phosphide, calcium phosphide, magnesium phosphide, cymoxanil, dodemorph, 2,5-dichlorobenzoic acid methylester, metamitron, sulcotrione, tebuconazole, triadimenol, bensulfuron, sodium 5-nitroguaiacolate, sodium o-nitrophenolate, sodium p-nitrophenolate, tebufenpyrad, several active substances and several micro-organisms as active substances.

These substances are pesticides.

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