



STATUTORY INSTRUMENTS

**S.I. No. 367 of 2008**

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EUROPEAN COMMUNITIES (AUTHORIZATION, PLACING ON THE  
MARKET, USE AND CONTROL OF PLANT PROTECTION  
PRODUCTS) (AMENDMENT) (No. 2) REGULATIONS 2008

**(Prn. A8/1445)**

EUROPEAN COMMUNITIES (AUTHORIZATION, PLACING ON THE  
MARKET, USE AND CONTROL OF PLANT PROTECTION  
PRODUCTS) (AMENDMENT) (No. 2) REGULATIONS 2008

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 2008/40/EC of 28 March 2008<sup>1</sup>, Commission Directive 2008/41/EC of 31 March 2008<sup>2</sup>, Commission Directive 2008/44/EC of 4 April 2008<sup>3</sup> and Commission Directive 2008/45/EC of 4 April 2008<sup>4</sup> 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) (No. 2) Regulations 2008.

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. 143 of 2008)) the following—

“ ‘Directive of 1991’ means Council Directive No. 91/414/EEC of 15 July 1991<sup>5</sup> and taking into account Commission Directive 93/71/EEC of 27 July 1993<sup>6</sup>, Commission Directive 94/37/EC of 22 July 1994<sup>7</sup>, Commission Directive 94/43/EC of 27 July 1994<sup>8</sup>, Commission Directive 94/79/EC of 21 December 1994<sup>9</sup>, Commission Directive 95/35/EC of 14 July 1995<sup>10</sup>, Commission Directive 95/36/EC of 14 July 1995<sup>11</sup>, Commission Directive 96/12/EC of 8 March 1996<sup>12</sup>, Commission Directive 96/46/EC of 16 July 1996<sup>13</sup>, Commission Directive 96/68/EC of 21 October 1996<sup>14</sup>, Council Directive 97/57/EC of 22 September 1997<sup>15</sup>, Commission Directive 97/73/EC

<sup>1</sup>O.J. No. L87 of 29.3.2008, p.5.

<sup>2</sup>O.J. No. L89 of 01.04.2008, p.12.

<sup>3</sup>O.J. No L94 of 05.04.2008, p.13.

<sup>4</sup>O.J. No. L94 of 05.04.2008, p.21.

<sup>5</sup>O.J. No. L230 of 19.08.1991, p.1.

<sup>6</sup>O.J. No. L221 of 31.08.1993, p.27.

<sup>7</sup>O.J. No. L194 of 29.07.1994, p.65.

<sup>8</sup>O.J. No. L227 of 01.09.1994, p.31.

<sup>9</sup>O.J. No. L354 of 31.12.1994, p.16.

<sup>10</sup>O.J. No. L172 of 22.07.1995, p.6.

<sup>11</sup>O.J. No. L172 of 22.07.1995, p.8.

<sup>12</sup>O.J. No. L65 of 15.03.1996, p.20.

<sup>13</sup>O.J. No. L214 of 23.08.1996, p.18.

<sup>14</sup>O.J. No. L277 of 30.10.1996, p.25.

<sup>15</sup>O.J. No. L265 of 27.09.1997, p.87.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 19th September, 2008.*

of 15 December 1997<sup>16</sup>, Commission Directive 98/47/EC of 25 June 1998<sup>17</sup>, Commission Directive 99/1/EC of 21 January 1999<sup>18</sup>, Commission Directive 99/73/EC of 19 July 1999<sup>19</sup>, Commission Directive 1999/80/EC of 28 July 1999<sup>20</sup>, Commission Directive 2000/10/EC of 1 March 2000<sup>21</sup>, Commission Directive 2000/49/EC of 26 July 2000<sup>22</sup>, Commission Directive 2000/50/EC of 26 July 2000<sup>23</sup>, Commission Directive 2000/66/EC of 23 October 2000<sup>24</sup>, Commission Directive 2000/67/EC of 23 October 2000<sup>25</sup>, Commission Directive 2000/68/EC of 23 October 2000<sup>26</sup>, Commission Directive 2000/80/EC of 4 December 2000<sup>27</sup>, Commission Directive 2001/21/EC of 5 March 2001<sup>28</sup>, Commission Directive 2001/28/EC of 20 April 2001<sup>29</sup>, Commission Directive 2001/36/EC of 16 May 2001<sup>30</sup>, Commission Directive 2001/47/EC of 25 June 2001<sup>31</sup>, Commission Directive 2001/49/EC of 28 June 2001<sup>32</sup>, Commission Directive 2001/87/EC of 12 October 2001<sup>33</sup>, Commission Directive 2001/99/EC of 20 November 2001<sup>34</sup>, Commission Directive 2001/103/EC of 28 November 2001<sup>35</sup>, Commission Directive 2002/18/EC of 22 February 2002<sup>36</sup>, Commission Directive 2002/37/EC of 3 May 2002<sup>37</sup>, Commission Directive 2002/48/EC of 30 May 2002<sup>38</sup>, Commission Directive 2002/64/EC of 15 July 2002<sup>39</sup>, Commission Directive 2002/81/EC of 10 October 2002<sup>40</sup>, Commission Directive 2003/5/EC of 10 January 2003<sup>41</sup>, Commission Directive 2003/23/EC of 25 March 2003<sup>42</sup>, Commission Directive 2003/31/EC of 11 April 2003<sup>43</sup>, Council Regulation (EC) No. 806/2003 of 14 April 2003<sup>44</sup>, Commission Directive 2003/39/EC of 15 May 2003<sup>45</sup>, Commission Directive 2003/68/EC of 11 July 2003<sup>46</sup>, Commission Directive 2003/70/EC of 17 July 2003<sup>47</sup>, Commission Directive 2003/79/EC of

<sup>16</sup>O.J. No. L353 of 24.12.1997, p.26.

<sup>17</sup>O.J. No. L191 of 07.07.1998, p.50

<sup>18</sup>O.J. No. L21 of 28.01.1999, p.21.

<sup>19</sup>O.J. No. L206 of 05.08.1999, p.16.

<sup>20</sup>O.J. No. L210 of 10.08.1999, p.13.

<sup>21</sup>O.J. No. L57 of 02.03.2000, p.28.

<sup>22</sup>O.J. No. L197 of 03.08.2000, p.32.

<sup>23</sup>O.J. No. L198 of 04.08.2000, p.39.

<sup>24</sup>O.J. No. L276 of 28.10.2000, p.35.

<sup>25</sup>O.J. No. L276 of 28.10.2000, p.38.

<sup>26</sup>O.J. No. L276 of 28.10.2000, p.41.

<sup>27</sup>O.J. No. L309 of 09.12.2000, p.14.

<sup>28</sup>O.J. No. L69 of 10.03.2001, p.17.

<sup>29</sup>O.J. No. L113 of 24.04.2001, p.5.

<sup>30</sup>O.J. No. L164 of 20.06.2001, p.1.

<sup>31</sup>O.J. No. L175 of 28.06.2001, p.21.

<sup>32</sup>O.J. No. L176 of 29.06.2001, p.61.

<sup>33</sup>O.J. No. L276 of 19.10.2001, p.17.

<sup>34</sup>O.J. No. L304 of 21.11.2001, p.14.

<sup>35</sup>O.J. No. L313 of 30.11.2001, p.37.

<sup>36</sup>O.J. No. L55 of 26.02.2002, p.29.

<sup>37</sup>O.J. No. L117 of 04.05.2002, p.10.

<sup>38</sup>O.J. No. L148 of 06.06.2002, p.19.

<sup>39</sup>O.J. No. L189 of 18.07.2002, p.27.

<sup>40</sup>O.J. No. L276 of 12.10.2002, p.28.

<sup>41</sup>O.J. No. L8 of 14.01.2003, p.7.

<sup>42</sup>O.J. No. L81 of 28.03.2003, p.39.

<sup>43</sup>O.J. No. L101 of 23.04.2003, p.3.

<sup>44</sup>O.J. No. L122 of 16.05.2003, p.1.

<sup>45</sup>O.J. No. L124 of 20.05.2003, p.30.

<sup>46</sup>O.J. No. L177 of 16.07.2003, p.12.

<sup>47</sup>O.J. No. L184 of 23.07.2003, p.9.

13 August 2003<sup>48</sup>, Commission Directive 2003/81/EC of 5 September 2003<sup>49</sup>, Commission Directive 2003/82/EC of 11 September 2003<sup>50</sup>, Commission Directive 2003/84/EC of 25 September 2003<sup>51</sup>, Commission Directive 2003/112/EC of 1 December 2003<sup>52</sup>, Commission Directive 2003/119/EC of 5 December 2003<sup>53</sup>, Commission Directive 2004/20/EC of 2 March 2004<sup>54</sup>, Commission Directive 2004/30/EC of 10 March 2004<sup>55</sup>, Commission Directive 2004/58/EC of 23 April 2004<sup>56</sup>, Commission Directive 2004/60/EC of 23 April 2004<sup>57</sup>, Commission Directive 2004/62/EC of 26 April 2004<sup>58</sup>, Council Directive 2004/66/EC of 26 April 2004<sup>59</sup>, Commission Directive 2004/71/EC of 28 April 2004<sup>60</sup>, Commission Directive 2004/99/EC of 1 October 2004<sup>61</sup>, Commission Directive 2005/2/EC of 19 January 2005<sup>62</sup>, Commission Directive 2005/3/EC of 19 January 2005<sup>63</sup>, Regulation (EC) No. 396/2005 of the European Parliament and of the Council of 23 February 2005<sup>64</sup>, Council Directive 2005/25/EC of 14 March 2005<sup>65</sup>, Commission Directive 2005/34/EC of 17 May 2005<sup>66</sup>, Commission Directive 2005/53/EC of 16 September 2005<sup>67</sup>, Commission Directive 2005/54/EC of 19 September 2005<sup>68</sup>, Commission Directive 2005/57/EC of 21 September 2005<sup>69</sup>, Commission Directive 2005/58/EC of 21 September 2005<sup>70</sup>, Commission Directive 2005/72/EC of 21 October 2005<sup>71</sup>, Commission Directive 2006/5/EC of 17 January 2006<sup>72</sup>, Commission Directive 2006/6/EC of 17 January 2006<sup>73</sup>, Commission Directive 2006/10/EC of 27 January 2006<sup>74</sup>, Commission Directive 2006/16/EC of 7 February 2006<sup>75</sup>, Commission Directive 2006/19/EC of 14 February 2006<sup>76</sup>, Commission Directive 2006/39/EC of 12 April 2006<sup>77</sup>, Commission Directive 2006/45/EC of 16 May 2006<sup>78</sup>, Commission Directive 2006/74/EC of 21 August 2006<sup>79</sup>, Commission

- <sup>48</sup>O.J. No. L205 of 14.08.2003, p.16.  
<sup>49</sup>O.J. No. L224 of 06.09.2003, p.29.  
<sup>50</sup>O.J. No. L228 of 12.09.2003, p.11.  
<sup>51</sup>O.J. No. L247 of 30.09.2003, p.20.  
<sup>52</sup>O.J. No. L321 of 06.12.2003, p.32.  
<sup>53</sup>O.J. No. L325 of 12.12.2003, p.41.  
<sup>54</sup>O.J. No. L70 of 09.03.2004 p.32.  
<sup>55</sup>O.J. No. L77 of 13.03.2004, p.50.  
<sup>56</sup>O.J. No. L120 of 24.04.2004, p.26.  
<sup>57</sup>O.J. No. L120 of 24.04.2004, p.39.  
<sup>58</sup>O.J. No. L125 of 28.04.2004, p.38.  
<sup>59</sup>O.J. No. L168 of 01.05.2004, p.35.  
<sup>60</sup>O.J. No. L127 of 29.04.2004, p.104.  
<sup>61</sup>O.J. No. L309 of 06.10.2004, p.6.  
<sup>62</sup>O.J. No. L20 of 22.01.2005, p.15.  
<sup>63</sup>O.J. No. L20 of 22.01.2005, p.19.  
<sup>64</sup>O.J. No. L70 of 16.03.2005, p.1.  
<sup>65</sup>O.J. No. L90 of 08.04.2005, p.1.  
<sup>66</sup>O.J. No. L125 of 18.05.2005, p 5.  
<sup>67</sup>O.J. No. L241 of 17.09.2005, p.51.  
<sup>68</sup>O.J. No. L244 of 20.09.2005, p.21.  
<sup>69</sup>O.J. No. L246 of 22.09.2005, p.14.  
<sup>70</sup>O.J. No. L246 of 22.09.2005, p.17.  
<sup>71</sup>O.J. No. L279 of 22.10.2005, p.63.  
<sup>72</sup>O.J. No. L12 of 18.01.2006, p.17.  
<sup>73</sup>O.J. No. L12 of 18.01.2006, p.21.  
<sup>74</sup>O.J. No. L25 of 28.01.2006, p.24.  
<sup>75</sup>O.J. No. L36 of 08.02.2006, p.37.  
<sup>76</sup>O.J. No. L44 of 15.02.2006, p.15.  
<sup>77</sup>O.J. No. L104 of 13.04.2006, p.30.  
<sup>78</sup>O.J. No. L130 of 18.05.2006, p.27.  
<sup>79</sup>O.J. No. L235 of 30.08.2006, p.17.

Directive 2006/75/EC of 11 September 2006<sup>80</sup>, Commission Directive 2006/76/EC of 22 September 2006<sup>81</sup>, Commission Directive 2006/41/EC of 7 July 2006<sup>82</sup>, Commission Directive 2006/131/EC of 11 December 2006<sup>83</sup>, Commission Directive 2006/132/EC of 11 December 2006<sup>84</sup>, Commission Directive 2006/133/EC of 11 December 2006<sup>85</sup>, Commission Directive 2006/134/EC of 11 December 2006<sup>86</sup>, Commission Directive 2006/135/EC of 11 December 2006<sup>87</sup>, Commission Directive 2006/136/EC of 11 December 2006<sup>88</sup>, Commission Directive 2006/64/EC of 18 July 2006<sup>89</sup>, Commission Directive 2006/85/EC of 23 October 2006<sup>90</sup>, Commission Directive 2007/6/EC of 14 February 2007<sup>91</sup>, Commission Directive 2007/21/EC of 10 April 2007<sup>92</sup>, Commission Directive 2007/5/EC of 7 February 2007<sup>93</sup>, Commission Directive 2007/25/EC of 23 April 2007<sup>94</sup>, Commission Directive 2007/31/EC of 31 May 2007<sup>95</sup>, Commission Directive 2007/50/EC of 2 August 2007<sup>96</sup>, Commission Directive 2007/52/EC of 16 August 2007<sup>97</sup>, Commission Directive 2007/76/EC of 20 December 2007, (from 1 May 2009)<sup>98</sup>, Commission Directive 2008/40/EC of 28 March 2008, (from 30 April 2009), Commission Directive 2008/41/EC of 31 March 2008, (from 30 June 2009), Commission Directive 2008/44/EC of 4 April 2008, (from 31 January 2009), Commission Directive 2008/45/EC of 4 April 2008, Commission Decision 2007/452/EC of 29 June 2007<sup>99</sup>, Commission Decision 2007/628/EC of 19 September 2007<sup>100</sup>, Commission Decision 2007/615/EC of 20 September 2007<sup>101</sup>, Commission Decision 2007/619/EC of 20 September 2007<sup>102</sup>, Commission Decision 2007/629/EC of 20 September 2007<sup>103</sup>; ”.

3. The European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) (No. 4) Regulations 2007 (S.I. No. 143 of 2008) are revoked.

<sup>80</sup>O.J. No. L248 of 12.09.2006, p.3.

<sup>81</sup>O.J. No. L263 of 23.09.2006, p.9.

<sup>82</sup>O.J. No. L187 of 08.07.2006, p.24.

<sup>83</sup>O.J. No. L349 of 12.12.2006, p.17.

<sup>84</sup>O.J. No. L349 of 12.12.2006, p.22.

<sup>85</sup>O.J. No. L349 of 12.12.2006, p.27.

<sup>86</sup>O.J. No. L349 of 12.12.2006, p.32.

<sup>87</sup>O.J. No. L349 of 12.12.2006, p.37.

<sup>88</sup>O.J. No. L349 of 12.12.2006, p.42.

<sup>89</sup>O.J. No. L206 of 27.07.2006, p.107.

<sup>90</sup>O.J. No. L293 of 24.10.2006, p.3.

<sup>91</sup>O.J. No. L43 of 15.02.2007, p.13.

<sup>92</sup>O.J. No. L97 of 12.04.2007, p.42.

<sup>93</sup>O.J. No. L35 of 08.02.2007, p.11.

<sup>94</sup>O.J. No. L106 of 24.04.2007, p.35.

<sup>95</sup>O.J. No. L140 of 01.06.2007, p.44.

<sup>96</sup>O.J. No. L202 of 03.08.2007, p.15.

<sup>97</sup>O.J. No. L214 of 17.08.2007, p.3.

<sup>98</sup>O.J. No. L 337 of 21.12.2007, p.100.

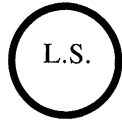
<sup>99</sup>O.J. No. L172 of 30.06.2007, p.83.

<sup>100</sup>O.J. No. L255 of 29.09.2007, p.40.

<sup>101</sup>O.J. No. L246 of 21.09.2007, p.47.

<sup>102</sup>O.J. No. L249 of 25.09.2007, p.11.

<sup>103</sup>O.J. No. L255 of 29.09.2007, p.42.



GIVEN under my Official Seal,  
10 September 2008

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 Council Directive 91/414/EEC which include Amidosulfuron, nicosulfuron, chloridazon, bentiavalicarb, boscalid, carvone, fluoxastrobin, *Paecilomyces lilacinus* and prothioconazole as active substances.

They also transpose the amendments to Council Directive 91/414/EEC as regards an extension of the use of the active substance metconazole.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
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