



STATUTORY INSTRUMENTS.

S.I. No. 278 of 2010



EUROPEAN COMMUNITIES (AUTHORIZATION, PLACING ON THE
MARKET, USE AND CONTROL OF PLANT PROTECTION
PRODUCTS) (AMENDMENT) (NO. 2) REGULATIONS 2010

(Prn. A10/0829)

EUROPEAN COMMUNITIES (AUTHORIZATION, PLACING ON THE
MARKET, USE AND CONTROL OF PLANT PROTECTION
PRODUCTS) (AMENDMENT) (NO. 2) REGULATIONS 2010

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 2009/160/EU of 17 December 2009¹, Commission Directive 2010/2/EU of 27 January 2010², Commission Directive 2010/14/EU of 3 March 2010³, Commission Directive 2010/15/EU of 8 March 2010⁴, Commission Directive 2010/17/EU of 9 March 2010⁵, Commission Directive 2010/20/EU of 9 March 2010⁶, Commission Directive 2010/21/EU of 12 March 2010⁷, Commission Directive 2010/25/EU of 18 March 2010⁸ and Commission Decision 2009/874/EC of 30 November 2009⁹, 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 2010.

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) Regulations 2010 (S.I. No. 16 of 2010)) the following—

“ ‘Directive of 1991’ means Council Directive No. 91/414/EEC of 15 July 1991¹⁰ and taking into account Commission Directive 93/71/EEC of 27 July 1993¹¹, Commission Directive 94/37/EC of 22 July 1994¹², Commission Directive 94/43/EC of 27 July 1994¹³, Commission Directive 94/79/EC of 21 December 1994¹⁴, Commission Directive 95/35/EC of 14 July 1995¹⁵, Commission Directive 95/36/EC of 14 July 1995¹⁶, Commission Directive

¹O.J. No. L338 of 19.12.2009, p.83

²O.J. No. L24 of 28.01.2010, p.11

³O.J. No. L53 of 04.03.2010, p.7

⁴O.J. No. L58 of 09.03.2010, p.5

⁵O.J. No. L60 of 10.03.2010, p.17

⁶O.J. No. L60 of 10.03.2010, p.20

⁷O.J. No. L65 of 13.03.2010, p.27

⁸O.J. No. L69 of 19 03.2010, p.11

⁹O.J. No. L315 of 02.12.2009, p.24

¹⁰O.J. No. L230 of 19.08.1991, p.1

¹¹O.J. No. L221 of 31.08.1993, p.27

¹²O.J. No. L194 of 29.07.1994, p.65

¹³O.J. No. L227 of 01.09.1994, p.31

¹⁴O.J. No. L354 of 31.12.1994, p.16

¹⁵O.J. No. L172 of 22.07.1995, p.6

¹⁶O.J. No. L172 of 22.07.1995, p.8

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th June, 2010.*

96/12/EC of 8 March 1996¹⁷, Commission Directive 96/46/EC of 16 July 1996¹⁸, Commission Directive 96/68/EC of 21 October 1996¹⁹, Council Directive 97/57/EC of 22 September 1997²⁰, Commission Directive 97/73/EC of 15 December 1997²¹, Commission Directive 98/47/EC of 25 June 1998²², Commission Directive 99/1/EC of 21 January 1999²³, Commission Directive 99/73/EC of 19 July 1999²⁴, Commission Directive 1999/80/EC of 28 July 1999²⁵, Commission Directive 2000/10/EC of 1 March 2000²⁶, Commission Directive 2000/49/EC of 26 July 2000²⁷, Commission Directive 2000/50/EC of 26 July 2000²⁸, Commission Directive 2000/66/EC of 23 October 2000²⁹, Commission Directive 2000/67/EC of 23 October 2000³⁰, Commission Directive 2000/68/EC of 23 October 2000³¹, Commission Directive 2000/80/EC of 4 December 2000³², Commission Directive 2001/21/EC of 5 March 2001³³, Commission Directive 2001/28/EC of 20 April 2001³⁴, Commission Directive 2001/36/EC of 16 May 2001³⁵, Commission Directive 2001/47/EC of 25 June 2001³⁶, Commission Directive 2001/49/EC of 28 June 2001³⁷, Commission Directive 2001/87/EC of 12 October 2001³⁸, Commission Directive 2001/99/EC of 20 November 2001³⁹, Commission Directive 2001/103/EC of 28 November 2001⁴⁰, Commission Directive 2002/18/EC of 22 February 2002⁴¹, Commission Directive 2002/37/EC of 3 May 2002⁴², Commission Directive 2002/48/EC of 30 May 2002⁴³, Commission Directive 2002/64/EC of 15 July 2002⁴⁴, Commission Directive 2002/81/EC of 10 October 2002⁴⁵, Commission Directive 2003/5/EC of 10 January 2003⁴⁶, Commission Directive 2003/23/EC of 25 March 2003⁴⁷, Commission Directive 2003/31/EC of 11 April 2003⁴⁸, Council Regulation (EC) No.

¹⁷O.J No. L65 of 15.03.1996, p.20

¹⁸O.J No. L214 of 23.08.1996, p.18

¹⁹O.J No. L277 of 30.10.1996, p.25

²⁰O.J No. L265 of 27.09.1997, p.87

²¹O.J No. L353 of 24.12.1997, p.26

²²O.J No. L191 of 07.07.1998, p.50

²³O.J No. L21 of 28.01.1999, p.21

²⁴O.J No L206 of 05.08.1999, p.16

²⁵O.J. No. L210 of 10.08.1999, p.13

²⁶O.J. No. L57 of 02.03.2000, p.28.

²⁷O.J. No. L197 of 03.08.2000, p.32

²⁸O.J. No. L198 of 04.08.2000, p.39

²⁹O.J. No. L276 of 28.10.2000, p.35

³⁰O.J. No. L276 of 28.10.2000, p.38

³¹O.J. No. L276 of 28.10.2000, p.41

³²O.J. No. L309 of 09.12.2000, p.14

³³O.J. No. L69 of 10.03.2001, p.17

³⁴O.J. No. L113 of 24.04.2001, p.5

³⁵O.J. No. L164 of 20.06.2001, p.1

³⁶O.J. No. L175 of 28.06.2001, p.21

³⁷O.J. No. L176 of 29.06.2001, p.61

³⁸O.J. No. L276 of 19.10.2001, p.17

³⁹O.J. No. L304 of 21.11.2001, p.14

⁴⁰O.J. No. L313 of 30.11.2001, p.37

⁴¹O.J. No. L55 of 26.02.2002, p.29

⁴²O.J. No. L117 of 04.05.2002, p.10

⁴³O.J. No. L148 of 06.06.2002, p.19

⁴⁴O.J. No. L189 of 18.07.2002, p.27

⁴⁵O.J. No. L276 of 12.10.2002, p.28

⁴⁶O.J. No. L8 of 14.01.2003, p.7

⁴⁷O.J. No. L81 of 28.03.2003, p.39

⁴⁸O.J. No. L101 of 23.04.2003, p.3.

806/2003 of 14 April 2003⁴⁹, Commission Directive 2003/39/EC of 15 May 2003⁵⁰, Commission Directive 2003/68/EC of 11 July 2003⁵¹, Commission Directive 2003/70/EC of 17 July 2003⁵², Commission Directive 2003/79/EC of 13 August 2003⁵³, Commission Directive 2003/81/EC of 5 September 2003⁵⁴, Commission Directive 2003/82/EC of 11 September 2003⁵⁵, Commission Directive 2003/84/EC of 25 September 2003⁵⁶, Commission Directive 2003/112/EC of 1 December 2003⁵⁷, Commission Directive 2003/119/EC of 5 December 2003⁵⁸, Commission Directive 2004/20/EC of 2 March 2004⁵⁹, Commission Directive 2004/30/EC of 10 March 2004⁶⁰, Commission Directive 2004/58/EC of 23 April 2004⁶¹, Commission Directive 2004/60/EC of 23 April 2004⁶², Commission Directive 2004/62/EC of 26 April 2004⁶³, Council Directive 2004/66/EC of 26 April 2004⁶⁴, Commission Directive 2004/71/EC of 28 April 2004⁶⁵, Commission Directive 2004/99/EC of 1 October 2004⁶⁶, Commission Directive 2005/2/EC of 19 January 2005⁶⁷, Commission Directive 2005/3/EC of 19 January 2005⁶⁸, Council Directive 2005/25/EC of 14 March 2005⁶⁹, Commission Directive 2005/34/EC of 17 May 2005⁷⁰, Commission Directive 2005/53/EC of 16 September 2005⁷¹, Commission Directive 2005/54/EC of 19 September 2005⁷², Commission Directive 2005/57/EC of 21 September 2005⁷³, Commission Directive 2005/58/EC of 21 September 2005⁷⁴, Commission Directive 2005/72/EC of 21 October 2005⁷⁵, Commission Directive 2006/5/EC of 17 January 2006⁷⁶, Commission Directive 2006/6/EC of 17 January 2006⁷⁷, Commission Directive 2006/10/EC of 27 January 2006⁷⁸, Commission Directive 2006/16/EC of 7 February 2006⁷⁹, Commission Directive 2006/19/EC of 14

⁴⁹O.J. No. L122 of 16.05.2003, p.1

⁵⁰O.J. No. L124 of 20.05.2003, p.30

⁵¹O.J. No. L177 of 16.07.2003, p.12

⁵²O.J. No. L184 of 23.07.2003, p.9

⁵³O.J. No. L205 of 14.08.2003, p.16

⁵⁴O.J. No. L224 of 06.09.2003, p.29

⁵⁵O.J. No. L228 of 12.09.2003, p.11

⁵⁶O.J. No. L247 of 30.09.2003, p.20

⁵⁷O.J. No. L321 of 06.12.2003, p.32

⁵⁸O.J. No. L325 of 12.12.2003, p.41

⁵⁹O.J. No. L70 of 09.03.2004, p.32

⁶⁰O.J. No. L77 of 13.03.2004, p.50

⁶¹O.J. No. L120 of 24.04.2004, p.26

⁶²O.J. No. L120 of 24.04.2004, p.39

⁶³O.J. No. L125 of 28.04.2004, p.38

⁶⁴O.J. No. L168 of 01.05.2004, p.35

⁶⁵O.J. No. L127 of 29.04.2004, p.104

⁶⁶O.J. No. L309 of 06.10.2004, p.6

⁶⁷O.J. No. L20 of 22.01.2005, p.15

⁶⁸O.J. No. L20 of 22.01.2005, p.19

⁶⁹O.J. No. L90 of 08.04.2005, p.1

⁷⁰O.J. No. L125 of 18.05.2005, p.5

⁷¹O.J. No. L241 of 17.09.2005, p.51

⁷²O.J. No. L244 of 20.09.2005, p.21

⁷³O.J. No. L246 of 22.09.2005, p.14

⁷⁴O.J. No. L246 of 22.09.2005, p.17

⁷⁵O.J. No. L279 of 22.10.2005, p.63

⁷⁶O.J. No. L12 of 18.01.2006, p.17

⁷⁷O.J. No. L12 of 18.01.2006, p.21

⁷⁸O.J. No. L25 of 28.01.2006, p.24

⁷⁹O.J. No. L36 of 08.02.2006, p.37

February 2006⁸⁰, Commission Directive 2006/39/EC of 12 April 2006⁸¹, Commission Directive 2006/45/EC of 16 May 2006⁸², Commission Directive 2006/74/EC of 21 August 2006⁸³, Commission Directive 2006/75/EC of 11 September 2006⁸⁴, Commission Directive 2006/76/EC of 22 September 2006⁸⁵, Commission Directive 2006/41/EC of 7 July 2006⁸⁶, Commission Directive 2006/131/EC of 11 December 2006⁸⁷, Commission Directive 2006/132/EC of 11 December 2006⁸⁸, Commission Directive 2006/133/EC of 11 December 2006⁸⁹, Commission Directive 2006/134/EC of 11 December 2006⁹⁰, Commission Directive 2006/135/EC of 11 December 2006⁹¹, Commission Directive 2006/136/EC of 11 December 2006⁹², Commission Directive 2006/64/EC of 18 July 2006⁹³, Commission Directive 2006/85/EC of 23 October 2006⁹⁴, Commission Directive 2007/6/EC of 14 February 2007⁹⁵, Commission Directive 2007/21/EC of 10 April 2007⁹⁶, Commission Directive 2007/5/EC of 7 February 2007⁹⁷, Commission Directive 2007/25/EC of 23 April 2007⁹⁸, Commission Directive 2007/31/EC of 31 May 2007⁹⁹, Commission Decision 2007/452/EC of 29 June 2007¹⁰⁰, Commission Directive 2007/50/EC of 2 August 2007¹⁰¹, Commission Directive 2007/52/EC of 16 August 2007¹⁰², Commission Directive 2007/76/EC of 20 December 2007¹⁰³, Commission Directive 2008/40/EC of 28 March 2008¹⁰⁴, Commission Directive 2008/41/EC of 31 March 2008¹⁰⁵, Commission Directive 2008/44/EC of 4 April 2008¹⁰⁶, Commission Directive 2008/45/EC of 4 April 2008¹⁰⁷, Commission Directive 2008/91/EC of 29 September 2008¹⁰⁸, Commission Directive 2008/70/EC of 11 July 2008¹⁰⁹, Commission Directive 2008/66/EC of 30 June 2008¹¹⁰, Commission Directive 2008/69/EC of 1 July 2008¹¹¹, Commission Directive 2009/51/EC of 25 May 2009¹¹², Commission

⁸⁰O.J. No. L44 of 15.02.2006, p.15

⁸¹O.J. No. L104 of 13.04.2006, p.30

⁸²O.J. No. L130 of 18.05.2006, p.27

⁸³O.J. No. L235 of 30.08.2006, p.17

⁸⁴O.J. No. L248 of 12.09.2006, p.3

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⁸⁶O.J. No. L187 of 08.07.2006, p.24

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⁹¹O.J. No. L349 of 12.12.2006, p.37

⁹²O.J. No. L349 of 12.12.2006, p.42

⁹³O.J. No. L206 of 27.07.2006, p.107

⁹⁴O.J. No. L293 of 24.10.2006, p.3

⁹⁵O.J. No. L43 of 15.02.2007, p.13

⁹⁶O.J. No. L97 of 12.04.2007, p.42

⁹⁷O.J. No. L35 of 08.02.2007, p.11

⁹⁸O.J. No. L106 of 24.04.2007, p.34

⁹⁹O.J. No. L140 of 01.06.2007, p.44

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¹⁰¹O.J. No. L202 of 03.08.2007, p.15

¹⁰²O.J. No. L214 of 17.08.2007, p.3.

¹⁰³O.J. No. L337 of 21.12.2007, p.100

¹⁰⁴O.J. No. L87 of 29.03.2008, p.5

¹⁰⁵O.J. No. L89 of 01.04.2008, p.12

¹⁰⁶O.J. No. L94 of 05.04.2008, p.13

¹⁰⁷O.J. No. L94 of 05.04.2008, p.21

¹⁰⁸O.J. No. L262 of 01.10.2008, p.31

¹⁰⁹O.J. No. L185 of 12.07.2008, p.40

¹¹⁰O.J. No. L171 of 01.07.2008, p.9

¹¹¹O.J. No. L172 of 02.07.2008, p.9

¹¹²O.J. No. L127 of 26.05.2009, p.5

Directive 2009/25/EC of 2 April 2009¹¹³, Commission Directive 2008/108/EC of 26 November 2008¹¹⁴, Commission Directive 2008/107/EC of 25 November 2008¹¹⁵, Commission Directive 2008/113/EC of 8 December 2008¹¹⁶, Commission Directive 2008/116/EC of 15 December 2008¹¹⁷, Commission Directive 2009/152/EC of 30 November 2009¹¹⁸, Commission Directive 2009/115/EC of 31 August 2009¹¹⁹, Commission Directive 2009/155/EC of 30 November 2009¹²⁰, Commission Directive 2008/125/EC of 19 December 2008¹²¹, Commission Directive 2008/127/EC of 18 December 2008¹²², Commission Directive 2009/146/EC of 26 November 2009¹²³, Commission Directive 2009/153/EC of 30 November 2009¹²⁴, Commission Directive 2009/11/EC of 18 February 2009¹²⁵, Commission Directive 2009/37/EC of 23 April 2009¹²⁶, Commission Directive 2009/70/EC of 25 June 2009¹²⁷, Commission Directive 2009/77/EC of 1 July 2009¹²⁸, Council Directive 2009/82/EC of 13 July 2009¹²⁹, Council Directive 2009/116/EC of 25 June 2009¹³⁰, Council Directive 2009/117/EC of 25 June 2009¹³¹, Commission Directive 2009/154/EC of 30 November 2009¹³², Commission Directive 2009/160/EU of 17 December 2009, Commission Directive 2010/2/EU of 27 January 2010, Commission Directive 2010/17/EU of 9 March 2010, Commission Directive 2010/14/EU of 3 March 2010, Commission Directive 2010/15/EU of 8 March 2010, Commission Directive 2010/20/EU of 9 March 2010, Commission Directive 2010/21/EU of 12 March 2010, (from 1 August 2010) Commission Directive 2010/25/EU of 18 March 2010 and Commission Decision 2009/874/EC of 30 November 2009;”.

3. The European Communities (Authorization, Placing on the Market, Use and Control of Plant Protection Products) (Amendment) Regulations 2010 (S.I. No. 16 of 2010) are revoked.

¹¹³O.J. No. L91 of 03.04.2009, p.20

¹¹⁴O.J. No. L317 of 26.11.2008, p.6

¹¹⁵O.J. No. L316 of 26.11.2008, p.4

¹¹⁶O.J. No. L330 of 09.12.2008, p.6

¹¹⁷O.J. No. L337 of 16.12.2008, p.86

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¹²⁰O.J. No. L314 of 01.12.2009, p.72

¹²¹O.J. No. L344 of 20.12.2008, p.78

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¹²³O.J. No. L312 of 27.11.2009, p.55

¹²⁴O.J. No. L314 of 01.12.2009, p.67

¹²⁵O.J. No. L48 of 19.02.2009, p.5

¹²⁶O.J. No. L104 of 24.04.2009, p.23

¹²⁷O.J. No. L164 of 26.06.2009, p.59

¹²⁸O.J. No. L172 of 02.07.2009, p.23

¹²⁹O.J. No. L196 of 28.07.2009, p.10

¹³⁰O.J. No. L237 of 09.09.2009, p.7

¹³¹O.J. No. L237 of 09.09.2009, p.11

¹³²O.J. No. L314 of 01.12.2009, p.69



GIVEN under my Official Seal,
3 June 2010.

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 as regards an extension of the use of the active substance chlormequat, the removal of tolylfluanid as active substance and the withdrawal of authorisations for plant protection products containing that substance and by including the following active substances into that Annex:

2-phenylphenol, imazamox, oxasulfuron, ethoxysulfuron, foramsulfuron, oxadiargyl, cyazofamid, heptamaloxylglucan, fluopicolide, malathion, penoxsulam, proquinazid and spirodiclofen.

These substances are pesticides.

These Regulations also amend Annex I as regards the specific provisions relating to clothianidin, thiamethoxam, fipronil and imidacloprid and correct Commission Directive 2003/23/EC of 25 March 2003 amending Council Directive 91/414/EEC.

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