

2004 No. 411

PESTICIDES

**Plant Protection Products (Amendment) Regulations
(Northern Ireland) 2004**

Made - - - - - *28th September 2004*

Coming into operation *10th November 2004*

The Department of Agriculture and Rural Development, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Plant Protection Products (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 10th November 2004.

(2) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Plant Protection Products Regulations (Northern Ireland) 2004

2.—(1) The Plant Protection Products Regulations (Northern Ireland) 2004(d) shall be amended in accordance with this regulation.

(2) In regulation 27 (disapplication) paragraph (4) shall be deleted.

(3) For the contents of Schedule 1 (instruments amending Council Directive 91/414/EEC) there shall be substituted the contents of the Schedule to these Regulations.

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 28th September 2004.

(L.S.)

D. Small

A senior officer of the Department of Agriculture and Rural Development

(a) S.I. 2000/2812
(b) 1972 c. 68
(c) 1954 c. 33 (N.I.)
(d) S.R. 2004 No. 126

SCHEDULE

Regulation 2(3)

“SCHEDULE 1

Regulation 2

INSTRUMENTS AMENDING COUNCIL DIRECTIVE 91/414/EEC

<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive 93/71/EEC(a);	None
Commission Directive 94/37/EC(b);	None
Commission Directive 94/79/EC(c);	None
Commission Directive 95/35/EC(d);	None
Commission Directive 95/36/EC(e);	None
Commission Directive 96/12/EC(f);	None
Commission Directive 96/46/EC(g);	None
Commission Directive 96/68/EC(h);	None
Council Directive 97/57/EC(i);	None
Commission Directive 2000/80/EC(j);	Azimsulfuron, azoxystrobin, bentazone esfenvalerate, fluroxypyr, imazalil, kresoxim- methyl, lambda-cyhalothrin, metsulfuron-methyl, prohexadione-calcium, spiroxamine and triasulfuron
Commission Directive 2001/21/EC(k);	Amitrole, diquat, pyridate and thiabendazole
Commission Directive 2001/28/EC(l);	Fenhexamid
Commission Directive 2001/36/EC(m);	None
Commission Directive 2001/47/EC(n);	Paecilomyces fumosoroseus
Commission Directive 2001/49/EC(o);	Flupyr-sulfuron-methyl
Commission Directive 2001/87/EC(p);	Acibenzolar-s-methyl, cyclanilide, ferric phosphate, pymetrozine and pyraflufen-ethyl
Commission Directive 2001/99/EC(q);	Glyphosate and thifensulfuron-methyl
Commission Directive 2001/103/EC(r);	2,4-dichlorophenoxy acetic acid
Commission Directive 2002/18/EC(s);	Isoproturon
Commission Directive 2002/37/EC(t);	Ethofumesate
Commission Directive 2002/48/EC(u);	Iprovalicarb, prosulfuron and sulfosulfuron

- (a) O.J. No. L221, 31.8.93, p. 27 (to be read with Corrigenda published in O.J. No. L4, 6.1.96, p. 16)
- (b) O.J. No. L194, 29.7.94, p. 65
- (c) O.J. No. L354, 31.12.94, p. 16 (to be read with Corrigenda published in O.J. No. L280, 23.11.95, p. 58)
- (d) O.J. No. L172, 22.7.95, p. 6
- (e) O.J. No. L172, 22.7.95, p. 8
- (f) O.J. No. L65, 15.3.96, p. 20
- (g) O.J. No. L214, 23.8.96, p. 18
- (h) O.J. No. L277, 30.10.96, p. 25
- (i) O.J. No. L265, 27.9.97, p. 87
- (j) O.J. No. L309, 9.12.2000, p.14
- (k) O.J. No. L69, 10.3.2001, p.17
- (l) O.J. No. L113, 24.4.2001, p. 5
- (m) O.J. No. L164, 20.6.2001, p. 1
- (n) O.J. No. L175, 28.6.2001, p. 21
- (o) O.J. No. L176, 29.6.2001, p. 61
- (p) O.J. No. L276, 19.10.2001, p. 17
- (q) O.J. No. L304, 21.11.2001, p. 14
- (r) O.J. No. L313, 30.11.2001, p. 37
- (s) O.J. No. L55, 26.2.2002, p. 29
- (t) O.J. No. L117, 4.5.2002, p. 10
- (u) O.J. No. L148, 6.6.2002, p. 19

<i>Instruments</i>	<i>Active substances added to Annex I</i>
Commission Directive 2002/64/EC(a);	Cinidon-ethyl, cyhalofop-butyl, famoxadone, florasulam, metalaxyl-M and picolinafen
Commission Directive 2002/81/EC(b);	Flumioxazine
Commission Directive 2003/5/EC(c);	Deltamethrin
Commission Directive 2003/23/EC(d);	Cyazofamid, ethoxysulfuron, foramsulfuron, imazamox, oxadiargyl and oxasulfuron
Commission Directive 2003/31/EC(e);	2,4-DB, beta-cyfluthrin, cyfluthrin, iprodione, linuron, maleic hydrazide and pendimethalin
Commission Directive 2003/39/EC(f);	Propyzamide and propineb
Commission Directive 2003/68/EC(g);	Carfentrazone-ethyl, fenamidone, isoxaflutole, mesotrione and trifloxstrobil
Commission Directive 2003/70/EC(h);	Mecoprop, mecoprop-P and propiconazole
Commission Directive 2003/79/EC(i);	Coniothyrium minitans
Commission Directive 2003/81/EC(j);	Molinate, thiram and ziram
Commission Directive 2003/82/EC(k);	None
Commission Directive 2003/84/EC(l);	Dimethenamid-p, flufenacet, flurtamone, fosthiazate, iodosulfuron, picoxystrobin and silthiofam
Commission Directive 2003/119/EC(m);	Mesosulfuron, propoxycarbazone and zoxamide
Commission Directive 2004/30/EC(n);	Benzoic acid, flazasulfuron and pyraclostrobin
<i>As from 1st October 2004</i>	
Commission Directive 2004/60/EC(o);	Quinoxifen
Commission Directive 2004/62/EC(p);	Mepanipyrim
Commission Directive 2004/71/EC(q);	Pseudomonas chlororaphis
<i>As from 1st November 2004</i>	
Commission Directive 2003/112/EC(r);	Paraquat
<i>As from 1st February 2005</i>	
Commission Directive 2004/20/EC(s);	Chlorpropham
<i>As from the 1st March 2005</i>	
Commission Directive 2004/58/EC(t);	alpha-cypermethrin, benalaxyl, bromoxynil, desmedipham, ioxynil and phenmedipham”

- (a) O.J. No. L189, 18.7.2002, p. 27
(b) O.J. No. L276, 12.10.2002, p. 28
(c) O.J. No. L8, 14.1.2003, p. 7
(d) O.J. No. L81, 28.3.2003, p. 39
(e) O.J. No. L101, 23.4.2003, p. 3
(f) O.J. No. L124, 20.5.2003, p. 30
(g) O.J. No. L177, 16.7.2003, p. 12 as amended by Directive 2004/65/EC published in O.J. No. L125, 28.4.2004, p. 43
(h) O.J. No. L184, 23.7.2003, p. 9
(i) O.J. No. L205, 14.8.2003, p. 16 as amended by Directive 2004/63/EC published in O.J. No. L125, 28.4.2004, p. 41
(j) O.J. No. L224, 6.9.2003, p. 29
(k) O.J. No. L228, 12.9.2003, p. 11
(l) O.J. No. L247, 30.9.2003, p. 20 as amended by Directive 2004/64/EC published in O.J. No. L125, 28.4.2004, p. 42
(m) O.J. No. L325, 12.12.2003, p. 41
(n) O.J. No. L77, 13.3.2004, p. 50
(o) O.J. No. L120, 24.4.2004, p. 39
(p) O.J. No. L125, 28.4.2004, p. 38
(q) O.J. No. L127, 29.4.2004, p. 104
(r) O.J. No. L321, 6.12.2003, p. 32
(s) O.J. No. L70, 9.3.2004, p. 32
(t) O.J. No. L120, 24.4.2004, p. 26

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Plant Protection Products Regulations (Northern Ireland) 2004 (S.R. 2004 No. 126) (“the principal Regulations”) which implement in Northern Ireland Council Directive 91/414/EEC (O.J. No. L230, 19.8.91, p. 1 to be read with the Corrigenda published in O.J. No. L170, 25.6.92, p. 40) concerning the placing of plant protection products on the market (“the Directive”), as amended.

Schedule 1 which sets out the instruments that amend that Directive is replaced by the Schedule to these Regulations, which lists an additional eight Directives that add a further 17 active substances to Annex I. In consequence the list of active substances which can be used in products capable of being approved under regulations 5 and 6 of the 2004 Regulations for placing on the market is extended accordingly.

In addition, a drafting correction is made to regulation 27.

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