
STATUTORY INSTRUMENTS

2020 No. 1376

The Pesticides (Amendment) (EU Exit) Regulations 2020

PART 3

Amendment of secondary legislation

CHAPTER 1

Amendment of secondary legislation related to EU exit

The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019

3.—(1) The Plant Protection Products (Miscellaneous Amendments) (EU Exit) Regulations 2019⁽¹⁾ are amended as follows.

(2) In regulation 1—

(a) for the heading, substitute—

“Citation, commencement, extent and interpretation”;

(b) after paragraph (1), insert—

“(1A) Regulation 28 and Schedule 1 extend to Great Britain.”.

(3) In regulation 3—

(a) in paragraphs (2)(a) and 4(c)(i)—

(i) for ““Community” substitute “the Community”;

(ii) for “United Kingdom” substitute “Great Britain”;

(b) in paragraph (4)—

(i) in subparagraphs (c)(ii) and (h)(ii), for “the United Kingdom” substitute “Great Britain”;

(ii) in subparagraph (j), in the inserted text, omit paragraph 31A;

(c) in paragraph (5), in inserted Article 3A omit paragraphs 5, 6(d) and 7(c).

(4) In regulation 4—

(a) in paragraph (2)(d), in inserted paragraph 8, omit paragraph 8(d);

(b) in paragraph (20), in substituted Article 13, omit paragraphs 4(c) and 7(d);

(c) in paragraphs (25)(d) and (26)(e), in inserted paragraph 5, omit paragraph 5(c);

(d) in paragraph (27)—

(i) in substituted Article 20—

(aa) for Article 20(2)(a), substitute—

(1) [S.I. 2019/556](#), amended by [S.I. 2019/1410](#); there are other amending instruments but none is relevant.

- “(a) the conclusion of the assessing competent authority and the opinion of the Agency, if any, referred to in Article 37(4) of Regulation (EC) No 1272/2008;”;
- (ii) omit Articles 20(6)(c) and 21(9)(c);
- (e) in paragraph (29)(e), in substituted paragraph 5F, omit paragraph 5F(c);
- (f) in paragraph (30), in inserted Article 23A, omit paragraph 7(c).
- (5) In regulation 5—
 - (a) in paragraph (2)(b)(ii)—
 - (i) in paragraph (aa), for “the United Kingdom” substitute “Great Britain”;
 - (ii) in paragraph (cc), after “United Kingdom” insert “or, where the product is intended for use in Northern Ireland, is transported to Northern Ireland”;
 - (b) in paragraph (3)(a)(v) and (3)(b), for “the United Kingdom” substitute “Great Britain”;
 - (c) in paragraph (16)(c), in inserted Article 40A, for “exit day” substitute “IP completion day” in each place it occurs;
 - (d) in paragraph (16)(d), for “exit day” substitute “IP completion day” in each place it occurs;
 - (e) in paragraph (18)(c), for “exit day” substitute “IP completion day”;
 - (f) in paragraph (21), in the title of inserted Subsection 3A, for “the UK” substitute “Great Britain”;
 - (g) in paragraph (23)(d), in the inserted text, omit paragraphs 5(e) and 7(a)(v);
 - (h) in paragraph (26)—
 - (i) in subparagraph (a)(ii), omit “or Article 8(1) of the Genetically Modified Organisms (Northern Ireland) Order 1991”;
 - (ii) in subparagraph (b), in inserted paragraph 3, omit sub-paragraph (d);
 - (i) in paragraph (28)(b)(ii), for “the United Kingdom” substitute “Great Britain”;
 - (j) in paragraph 30(b), (d) and (e), for “exit day” substitute “IP completion day” in each place it occurs;
 - (k) in paragraphs (31)(c)(ii) and (32)(c), omit “or Article 8(1) of the Genetically Modified Organisms (Northern Ireland) Order 1991”.
- (6) In regulation 6(2), in the substituted text, in paragraph 1, omit “or Schedule 2 to the Plant Protection Products Regulations (Northern Ireland) 2011”.
- (7) In regulation 7(2)(a)(iii), for “the United Kingdom” substitute “Great Britain”.
- (8) For regulation 10(3) substitute—
 - “(3) For Article 68 substitute—

“Article 68

Monitoring and controls

A competent authority shall publish by 31 August each year a report, for the previous year, on the scope and the outcome of the official controls performed in order to verify compliance with this Regulation.”.

- (9) In regulation 11(2), in substituted Article 69, omit paragraph 9(c).
- (10) In regulation 12—
 - (a) for paragraph (3) substitute—

- “(3) In Article 73, for “the Member States” substitute “Great Britain”.”;
- (b) in paragraph (6), in the substituted text, omit Articles 77(4)(c) and 78A(3) and (7).
- (11) In regulation 13(2), in the inserted paragraphs 1G, 2 and 2F, for “exit day” substitute “IP completion day” in each place it occurs.
- (12) In regulation 15—
- (a) in paragraph (2), in substituted Article 1(2)(a), (3) and (4)(a), and
- (b) in paragraph (4) in inserted Article 2A(6),
- for “exit day” substitute “IP completion day”.
- (13) In regulation 16(2) in inserted Article A1, for “exit day” substitute “IP completion day” in each place it occurs.
- (14) In regulation 16(5)—
- (a) in subparagraph (b)—
- (i) for paragraph (i) substitute—
- “(i) in point 1.1, in the second paragraph, for the words from “the Member State” to “Commission” substitute “Great Britain”.”;
- (ii) for paragraph (ix) substitute—
- “(ix) in point 7.1, in the fourth paragraph, for “EU regions” substitute “regions of Great Britain”.”;
- (b) in subparagraph (c)—
- (i) for paragraph (i) substitute—
- “(i) in point 1.1, in the second paragraph, for the words from “the Member State” to “Commission” substitute “Great Britain”.”;
- (ii) for paragraph (v) substitute—
- “(v) in point 7.1.1, for “EU regions” substitute “regions of Great Britain”.”.
- (15) In regulation 17—
- (a) in paragraph (2), in inserted Article A1, for “exit day” substitute “IP completion day” in each place it occurs;
- (b) for paragraph (6)(e), substitute—
- “(e) in point 2.2, in the seventh indent, for “the Union” substitute “Great Britain”.”;
- (c) in paragraphs (7)(a) and (8)(a)—
- (i) for “Member State” substitute “the Member State”;
- (ii) for “United Kingdom” substitute “Great Britain”.
- (16) In regulation 20—
- (a) in paragraph (7)(a)(i), for “the United Kingdom” substitute “Great Britain”;
- (b) in paragraph (11)(f), in inserted paragraph 5A, for “12” substitute “13”;
- (c) for paragraph (13)(b), substitute—
- “(b) in paragraph 1—
- (i) in the first subparagraph—
- (aa) for “Committee for Risk Assessment” substitute “Agency” in both places it occurs;
- (bb) for “37(4)” substitute “37A(4)”;

- (cc) for “Authority” substitute “assessing competent authority” in the first place it occurs; and
 - (dd) for the second sentence, substitute—
 - “The assessing competent authority may obtain independent scientific advice where it considers it appropriate to do so.”;
 - (ee) in the third sentence, for “, the Member States and the Commission” substitute “and the other competent authorities”;
 - (ii) omit the second subparagraph”.
- (17) In regulation 21(5)—
- (a) in subparagraph (b)—
 - (i) in paragraph (vii)(ee), for “the UK” substitute “Great Britain”;
 - (ii) in paragraph (ix)(aa) and (bb), for “the United Kingdom” substitute “Great Britain”;
 - (iii) in paragraph (xi)—
 - (aa) for “Union” substitute “the Union”;
 - (bb) for “United Kingdom” substitute “Great Britain”;
 - (b) for subparagraph (c)(i), substitute—
 - “(i) in point 1.1, in the second paragraph, for the words from “the Member State” to “Commission” substitute “Great Britain”;
- (18) In regulation 22(5)(c)(i)—
- (a) for “Member State” substitute “the Member State”;
 - (b) for “United Kingdom” substitute “Great Britain”.
- (19) In regulation 27(1)(a) and (b), for “exit day” substitute “IP completion day”.
- (20) In regulation 29(2), for “exit day” substitute “IP completion day”.
- (21) In Schedule 1—
- (a) for “exit day” substitute “IP completion day” in each place it occurs;
 - (b) in Part 2—
 - (i) omit paragraph 3(3)(c) and (i) and (4)(u);
 - (ii) paragraph 3 is amended as follows—
 - (aa) after subparagraph (4)(ii), insert—
 - “(jj) in entry 137 (Dimethenamid-P), the seventh column is to be read as if, for the fourth and fifth paragraphs there were substituted—
 - “The applicant must submit to each competent authority confirmatory information as regards the effect of water treatment processes on the nature of residues present in surface and groundwater, when surface water or ground water is abstracted for drinking water.
 - The applicant must submit the requested information within two years from the date of publication of a guidance document on evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater.”;
 - (kk) in entry 139 (Florpyrauxifen-benzyl), the seventh column is to read as if, for the fourth paragraph there were substituted—

“The applicant must submit to each competent authority an updated assessment of the information submitted and, where relevant, further information to confirm the absence of endocrine activity in accordance with points 3.6.5 and 3.8.2 of Annex 2 to Regulation (EC) No 1107/2009 by 24 July 2021.”;

(bb) after subparagraph (5)(d), insert—

“(e) in entry 12 (Alpha-cypermethrin), the seventh column is to be read as if—

(i) in the third paragraph, in the words before point (1), for “the Commission, the Member States and the Authority” there were substituted “each competent authority”;

(ii) for the fourth paragraph there were substituted—

“The applicant must submit the information requested in point (1) by 31 March 2021; the information requested in point (2) within two years from the date of publication of a guidance document on evaluation of isomer mixtures; and the information requested in point (3) within two years from the date of publication of a guidance document on evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater.”;

(iii) for the fifth paragraph there were substituted—

“For the information requested in point (4), the applicant must submit an updated assessment of the information already submitted and, where relevant, further information to confirm the absence of androgenic endocrine activity by 30 October 2021.”;

(c) in Part 3, in the heading to paragraph 10, for “reside” substitute “residue”;

(d) in Part 4, in paragraph 14—

(i) in subparagraph (2), for “the United Kingdom”, in both places it occurs, substitute “in Great Britain”;

(ii) in subparagraph (3), for “the United Kingdom” substitute “Great Britain”.