

L.N. 347 of 2013

**PESTICIDES CONTROL ACT
(CAP. 430)**

Biocides (Amendment No. 3) Regulations, 2013

IN exercise of the powers conferred by articles 4 and 5 of the Pesticides Control Act, the Minister for Sustainable Development, the Environment and Climate Change, in consultation with the Minister for Health, has made the following regulations:-

1. (1) The title of these regulations is the Biocides (Amendment No. 3) Regulations, 2013, and these regulations shall be read and construed as one with the Biocides Regulations, hereinafter referred to as "the principal regulations".

Citation, scope
and
commencement.
S.L. 430.03

(2) The scope of these regulations is to transpose Commission Directive 2013/41/EU of 18 July 2013 amending Directive 98/8/EC of the European Parliament and of the Council to include 1R-trans phenothrin as an active substance in Annex I thereto.

(3) These regulations shall come into force as from 1st September 2015.

2. Immediately after item 64 in Part A of Schedule I to the principal regulations, there shall be added the following new item:

Amends
Schedule I to
the principal
regulations.

B 4234

No	Common Name	IUPAC Name Identification Numbers	Minimum purity of the active substance in the biocidal product as placed on the market	Date of inclusion	Deadline for compliance with Article 16(3) (except for products containing more than one active substance, for which the deadline to comply with Article 16(3) shall be the one set out in the last of the inclusion decisions relating to its active substances)	Expiry date of inclusion	Product type	Specific provisions (*)
"65	1R-trans phenothrin	1R-trans phenothrin IUPAC name: 3-phenoxybenzyl(1R,3R)-2,2-dimethyl-3-(2-methylprop-1-enyl)cyclopropanecarboxylate EC No: 247-431-2 CAS No: 26046-85-5	89% w/w of 1R-trans phenothrin	1 September 2015	31 August 2017	31 August 2025	18	The Union level risk assessment did not address all potential uses and exposure scenarios. When assessing the application for authorisation of a product in accordance with Article 5 and Annex VI, Member States shall assess, where relevant for the particular product, those uses or exposure scenarios and those risks to human populations and to environmental compartments that have not been representatively addressed in the Union level risk assessment. Member States shall ensure that authorisations are subject to the following conditions:

		Sum of all isomers: IUPAC name: (3-Phenoxy-phenyl) methyl 2,2-dimethyl-3-(2-methyl-prop-1-enyl) cyclopropane-1-carboxylate EC No: 247-404-5 CAS No: 26002-80-2	95,5% w/w for the sum of all isomers				<p>(1) safe operational procedures shall be established for ultra low volume (ULV) application, and products shall be used with appropriate personal protective equipment, unless it can be demonstrated in the application for product authorisation that risks can be reduced to an acceptable level by other means;</p> <p>(2) for products containing 1R-trans phenothrin that may lead to residues in food or feed, Member States shall verify the need to set new or to amend existing maximum residue levels (MRLs) according to Regulation (EC) No 470/2009 or Regulation (EC) No 396/2005, and take any appropriate risk mitigation measures ensuring that the applicable MRLs are not exceeded;</p> <p>(3) where appropriate, measures shall be taken to protect honey bees."</p>
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