



STATUTORY INSTRUMENTS

S.I. No. 367 of 2008

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 2008¹, Commission Directive 2008/41/EC of 31 March 2008², Commission Directive 2008/44/EC of 4 April 2008³ and Commission Directive 2008/45/EC of 4 April 2008⁴ 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 1991⁵ and taking into account Commission Directive 93/71/EEC of 27 July 1993⁶, Commission Directive 94/37/EC of 22 July 1994⁷, Commission Directive 94/43/EC of 27 July 1994⁸, Commission Directive 94/79/EC of 21 December 1994⁹, Commission Directive 95/35/EC of 14 July 1995¹⁰, Commission Directive 95/36/EC of 14 July 1995¹¹, Commission Directive 96/12/EC of 8 March 1996¹², Commission Directive 96/46/EC of 16 July 1996¹³, Commission Directive 96/68/EC of 21 October 1996¹⁴, Council Directive 97/57/EC of 22 September 1997¹⁵, Commission Directive 97/73/EC

¹O.J. No. L87 of 29.3.2008, p.5.

²O.J. No. L89 of 01.04.2008, p.12.

³O.J. No. L94 of 05.04.2008, p.13.

⁴O.J. No. L94 of 05.04.2008, p.21.

⁵O.J. No. L230 of 19.08.1991, p.1.

⁶O.J. No. L221 of 31.08.1993, p.27.

⁷O.J. No. L194 of 29.07.1994, p.65.

⁸O.J. No. L227 of 01.09.1994, p.31.

⁹O.J. No. L354 of 31.12.1994, p.16.

¹⁰O.J. No. L172 of 22.07.1995, p.6.

¹¹O.J. No. L172 of 22.07.1995, p.8.

¹²O.J. No. L65 of 15.03.1996, p.20.

¹³O.J. No. L214 of 23.08.1996, p.18.

¹⁴O.J. No. L277 of 30.10.1996, p.25.

¹⁵O.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 1997¹⁶, Commission Directive 98/47/EC of 25 June 1998¹⁷, Commission Directive 99/1/EC of 21 January 1999¹⁸, Commission Directive 99/73/EC of 19 July 1999¹⁹, Commission Directive 1999/80/EC of 28 July 1999²⁰, Commission Directive 2000/10/EC of 1 March 2000²¹, Commission Directive 2000/49/EC of 26 July 2000²², Commission Directive 2000/50/EC of 26 July 2000²³, Commission Directive 2000/66/EC of 23 October 2000²⁴, Commission Directive 2000/67/EC of 23 October 2000²⁵, Commission Directive 2000/68/EC of 23 October 2000²⁶, Commission Directive 2000/80/EC of 4 December 2000²⁷, Commission Directive 2001/21/EC of 5 March 2001²⁸, Commission Directive 2001/28/EC of 20 April 2001²⁹, Commission Directive 2001/36/EC of 16 May 2001³⁰, Commission Directive 2001/47/EC of 25 June 2001³¹, Commission Directive 2001/49/EC of 28 June 2001³², Commission Directive 2001/87/EC of 12 October 2001³³, Commission Directive 2001/99/EC of 20 November 2001³⁴, Commission Directive 2001/103/EC of 28 November 2001³⁵, Commission Directive 2002/18/EC of 22 February 2002³⁶, Commission Directive 2002/37/EC of 3 May 2002³⁷, Commission Directive 2002/48/EC of 30 May 2002³⁸, Commission Directive 2002/64/EC of 15 July 2002³⁹, Commission Directive 2002/81/EC of 10 October 2002⁴⁰, Commission Directive 2003/5/EC of 10 January 2003⁴¹, Commission Directive 2003/23/EC of 25 March 2003⁴², Commission Directive 2003/31/EC of 11 April 2003⁴³, Council Regulation (EC) No. 806/2003 of 14 April 2003⁴⁴, Commission Directive 2003/39/EC of 15 May 2003⁴⁵, Commission Directive 2003/68/EC of 11 July 2003⁴⁶, Commission Directive 2003/70/EC of 17 July 2003⁴⁷, Commission Directive 2003/79/EC of

¹⁶O.J. No. L353 of 24.12.1997, p.26.

¹⁷O.J. No. L191 of 07.07.1998, p.50

¹⁸O.J. No. L21 of 28.01.1999, p.21.

¹⁹O.J. No. L206 of 05.08.1999, p.16.

²⁰O.J. No. L210 of 10.08.1999, p.13.

²¹O.J. No. L57 of 02.03.2000, p.28.

²²O.J. No. L197 of 03.08.2000, p.32.

²³O.J. No. L198 of 04.08.2000, p.39.

²⁴O.J. No. L276 of 28.10.2000, p.35.

²⁵O.J. No. L276 of 28.10.2000, p.38.

²⁶O.J. No. L276 of 28.10.2000, p.41.

²⁷O.J. No. L309 of 09.12.2000, p.14.

²⁸O.J. No. L69 of 10.03.2001, p.17.

²⁹O.J. No. L113 of 24.04.2001, p.5.

³⁰O.J. No. L164 of 20.06.2001, p.1.

³¹O.J. No. L175 of 28.06.2001, p.21.

³²O.J. No. L176 of 29.06.2001, p.61.

³³O.J. No. L276 of 19.10.2001, p.17.

³⁴O.J. No. L304 of 21.11.2001, p.14.

³⁵O.J. No. L313 of 30.11.2001, p.37.

³⁶O.J. No. L55 of 26.02.2002, p.29.

³⁷O.J. No. L117 of 04.05.2002, p.10.

³⁸O.J. No. L148 of 06.06.2002, p.19.

³⁹O.J. No. L189 of 18.07.2002, p.27.

⁴⁰O.J. No. L276 of 12.10.2002, p.28.

⁴¹O.J. No. L8 of 14.01.2003, p.7.

⁴²O.J. No. L81 of 28.03.2003, p.39.

⁴³O.J. No. L101 of 23.04.2003, p.3.

⁴⁴O.J. No. L122 of 16.05.2003, p.1.

⁴⁵O.J. No. L124 of 20.05.2003, p.30.

⁴⁶O.J. No. L177 of 16.07.2003, p.12.

⁴⁷O.J. No. L184 of 23.07.2003, p.9.

13 August 2003⁴⁸, Commission Directive 2003/81/EC of 5 September 2003⁴⁹, Commission Directive 2003/82/EC of 11 September 2003⁵⁰, Commission Directive 2003/84/EC of 25 September 2003⁵¹, Commission Directive 2003/112/EC of 1 December 2003⁵², Commission Directive 2003/119/EC of 5 December 2003⁵³, Commission Directive 2004/20/EC of 2 March 2004⁵⁴, Commission Directive 2004/30/EC of 10 March 2004⁵⁵, Commission Directive 2004/58/EC of 23 April 2004⁵⁶, Commission Directive 2004/60/EC of 23 April 2004⁵⁷, Commission Directive 2004/62/EC of 26 April 2004⁵⁸, Council Directive 2004/66/EC of 26 April 2004⁵⁹, Commission Directive 2004/71/EC of 28 April 2004⁶⁰, Commission Directive 2004/99/EC of 1 October 2004⁶¹, Commission Directive 2005/2/EC of 19 January 2005⁶², Commission Directive 2005/3/EC of 19 January 2005⁶³, Regulation (EC) No. 396/2005 of the European Parliament and of the Council of 23 February 2005⁶⁴, Council Directive 2005/25/EC of 14 March 2005⁶⁵, Commission Directive 2005/34/EC of 17 May 2005⁶⁶, Commission Directive 2005/53/EC of 16 September 2005⁶⁷, Commission Directive 2005/54/EC of 19 September 2005⁶⁸, Commission Directive 2005/57/EC of 21 September 2005⁶⁹, Commission Directive 2005/58/EC of 21 September 2005⁷⁰, Commission Directive 2005/72/EC of 21 October 2005⁷¹, Commission Directive 2006/5/EC of 17 January 2006⁷², Commission Directive 2006/6/EC of 17 January 2006⁷³, Commission Directive 2006/10/EC of 27 January 2006⁷⁴, Commission Directive 2006/16/EC of 7 February 2006⁷⁵, Commission Directive 2006/19/EC of 14 February 2006⁷⁶, Commission Directive 2006/39/EC of 12 April 2006⁷⁷, Commission Directive 2006/45/EC of 16 May 2006⁷⁸, Commission Directive 2006/74/EC of 21 August 2006⁷⁹, Commission

⁴⁸O.J. No. L205 of 14.08.2003, p.16.

⁴⁹O.J. No. L224 of 06.09.2003, p.29.

⁵⁰O.J. No. L228 of 12.09.2003, p.11.

⁵¹O.J. No. L247 of 30.09.2003, p.20.

⁵²O.J. No. L321 of 06.12.2003, p.32.

⁵³O.J. No. L325 of 12.12.2003, p.41.

⁵⁴O.J. No. L70 of 09.03.2004 p.32.

⁵⁵O.J. No. L77 of 13.03.2004, p.50.

⁵⁶O.J. No. L120 of 24.04.2004, p.26.

⁵⁷O.J. No. L120 of 24.04.2004, p.39.

⁵⁸O.J. No. L125 of 28.04.2004, p.38.

⁵⁹O.J. No. L168 of 01.05.2004, p.35.

⁶⁰O.J. No. L127 of 29.04.2004, p.104.

⁶¹O.J. No. L309 of 06.10.2004, p.6.

⁶²O.J. No. L20 of 22.01.2005, p.15.

⁶³O.J. No. L20 of 22.01.2005, p.19.

⁶⁴O.J. No. L70 of 16.03.2005, p.1.

⁶⁵O.J. No. L90 of 08.04.2005, p.1.

⁶⁶O.J. No. L125 of 18.05.2005, p.5.

⁶⁷O.J. No. L241 of 17.09.2005, p.51.

⁶⁸O.J. No. L244 of 20.09.2005, p.21.

⁶⁹O.J. No. L246 of 22.09.2005, p.14.

⁷⁰O.J. No. L246 of 22.09.2005, p.17.

⁷¹O.J. No. L279 of 22.10.2005, p.63.

⁷²O.J. No. L12 of 18.01.2006, p.17.

⁷³O.J. No. L12 of 18.01.2006, p.21.

⁷⁴O.J. No. L25 of 28.01.2006, p.24.

⁷⁵O.J. No. L36 of 08.02.2006, p.37.

⁷⁶O.J. No. L44 of 15.02.2006, p.15.

⁷⁷O.J. No. L104 of 13.04.2006, p.30.

⁷⁸O.J. No. L130 of 18.05.2006, p.27.

⁷⁹O.J. No. L235 of 30.08.2006, p.17.

Directive 2006/75/EC of 11 September 2006⁸⁰, Commission Directive 2006/76/EC of 22 September 2006⁸¹, Commission Directive 2006/41/EC of 7 July 2006⁸², Commission Directive 2006/131/EC of 11 December 2006⁸³, Commission Directive 2006/132/EC of 11 December 2006⁸⁴, Commission Directive 2006/133/EC of 11 December 2006⁸⁵, Commission Directive 2006/134/EC of 11 December 2006⁸⁶, Commission Directive 2006/135/EC of 11 December 2006⁸⁷, Commission Directive 2006/136/EC of 11 December 2006⁸⁸, Commission Directive 2006/64/EC of 18 July 2006⁸⁹, Commission Directive 2006/85/EC of 23 October 2006⁹⁰, Commission Directive 2007/6/EC of 14 February 2007⁹¹, Commission Directive 2007/21/EC of 10 April 2007⁹², Commission Directive 2007/5/EC of 7 February 2007⁹³, Commission Directive 2007/25/EC of 23 April 2007⁹⁴, Commission Directive 2007/31/EC of 31 May 2007⁹⁵, Commission Directive 2007/50/EC of 2 August 2007⁹⁶, Commission Directive 2007/52/EC of 16 August 2007⁹⁷, Commission Directive 2007/76/EC of 20 December 2007, (from 1 May 2009)⁹⁸, 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 2007⁹⁹, Commission Decision 2007/628/EC of 19 September 2007¹⁰⁰, Commission Decision 2007/615/EC of 20 September 2007¹⁰¹, Commission Decision 2007/619/EC of 20 September 2007¹⁰², Commission Decision 2007/629/EC of 20 September 2007¹⁰³; ”.

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.

⁸⁰O.J. No. L248 of 12.09.2006, p.3.

⁸¹O.J. No. L263 of 23.09.2006, p.9.

⁸²O.J. No. L187 of 08.07.2006, p.24.

⁸³O.J. No. L349 of 12.12.2006, p.17.

⁸⁴O.J. No. L349 of 12.12.2006, p.22.

⁸⁵O.J. No. L349 of 12.12.2006, p.27.

⁸⁶O.J. No. L349 of 12.12.2006, p.32.

⁸⁷O.J. No. L349 of 12.12.2006, p.37.

⁸⁸O.J. No. L349 of 12.12.2006, p.42.

⁸⁹O.J. No. L206 of 27.07.2006, p.107.

⁹⁰O.J. No. L293 of 24.10.2006, p.3.

⁹¹O.J. No. L43 of 15.02.2007, p.13.

⁹²O.J. No. L97 of 12.04.2007, p.42.

⁹³O.J. No. L35 of 08.02.2007, p.11.

⁹⁴O.J. No. L106 of 24.04.2007, p.35.

⁹⁵O.J. No. L140 of 01.06.2007, p.44.

⁹⁶O.J. No. L202 of 03.08.2007, p.15.

⁹⁷O.J. No. L214 of 17.08.2007, p.3.

⁹⁸O.J. No. L 337 of 21.12.2007, p.100.

⁹⁹O.J. No. L172 of 30.06.2007, p.83.

¹⁰⁰O.J. No. L255 of 29.09.2007, p.40.

¹⁰¹O.J. No. L246 of 21.09.2007, p.47.

¹⁰²O.J. No. L249 of 25.09.2007, p.11.

¹⁰³O.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, benthiavalicarb, 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
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834/37 nó 1890 213434; Fax: 01 - 6476843 nó 094 - 9378964)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834/37 or 1890 213434; Fax: 01 - 6476843 or 094 - 9378964)
or through any bookseller.

€2.54

ISBN 978-1-4064-4273-1



9 781406 442731