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A.L. 127 ta' l-2011

**ATT DWAR IL-KONTROLL TAL-PESTIĊIDI  
(KAP. 430)**

**Regolamenti ta' l-2011 li jemendaw ir- Regolamenti dwar  
il-Bijocidi (Emenda Nru. 2)**

BIS-SAHHA tas-setgħat mogħtija bl-artikoli 4 u 5 ta' l-Att dwar il-Kontroll tal-Pestiċidi, il-Ministru għar-Riżorsi u Affarijiet Rurali, wara li kkonsulta lill-Prim Ministru u lill-Ministru għas-Saħħa, l-Anzjani u Kura fil-Komunità, għamel dawn ir-regolamenti li ġejjin:-

1. (1) It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2011 li jemendaw ir-Regolamenti dwar il-Bijocidi (Emenda Nru. 2), u għandhom jinqraw u jiftiehm u waħda mar-Regolamenti ta' l-2010 dwar il-Bijocidi, hawn iżjed 'il quddiem imsejħin "ir-regolamenti prinċipali".

Titolu u skop.

A.L. 525 ta' l-2010.

(2) L-iskop ta' dawn ir-regolamenti hu li jitrassponu d-Direttiva tal-Kummissjoni 2011/10/EU tat-8 ta' Frar 2011 li temenda d-Direttiva 98/8/KE tal-Parlament Ewropew u tal-Kunsill biex il-*bifentrin* ikun inkluż bħala sustanza attiva fl-Anness I għaliha, Direttiva tal-Kummissjoni 2011/11/EU tat-8 ta' Frar 2011 li temenda d-Direttiva 98/8/KE tal-Parlament Ewropew u tal-Kunsill biex l-*acetat ta' (Z,E)-tetradeka-9,12-dienil* ikun inkluż bħala sustanza attiva fl-Anness I u IA għaliha, Direttiva tal-Kummissjoni 2011/12/UE tat-8 ta' Frar 2011 li temenda d-Direttiva 98/8/KE tal-Parlament Ewropew u tal-Kunsill biex biex il-fenossikarb ikun inkluż bħala sustanza attiva fl-Anness I għaliha, Direttiva tal-Kummissjoni 2011/13/UE tat- 8 ta' Frar 2011 li temenda d-Direttiva 98/8/KE tal-Parlament Ewropew u tal-Kunsill biex tinkludi l-*aċidu nonanoiku* bħala sustanza attiva fl-Anness I li hemm magħha.

2. Skeda I li tinsab mar-regolamenti prinċipali, għandha tiġi emendata kif ġej:

Jemenda Skeda I li tinsab mar-regolamenti prinċipali.

(a) fit-Taqsima A tagħha, minnufih wara l-partita Nru. 37 tagħha, għandhom jiżdiedu dawn il-partiti godda li ġejjin:-

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 (*)
38	Bifenthrin	IUPAC name: 2-methylbiphenyl-3-ylmethyl (1R)-cis-3-[(Z)-2-chloro-3,3,3-trifluoroprop-1-enyl]-2,2-dimethylcyclopropanecarboxylate EC No: n.a. CAS No: 82657-04-3	911 g/kg	1 February 2013	31 January 2015	31 January 2023	8	<p>When assessing the application for authorisation of a product in accordance with Article 5 and Annex VI, Member States shall assess, when relevant for the particular product, those uses or exposure scenarios and those risks to environmental compartments and populations that have not been representatively addressed in the Union level risk assessment.</p> <p>Member States shall ensure that authorisations are subject to the following conditions:</p> <ul style="list-style-type: none"> <li>— Products shall be authorised only for industrial or professional use, unless it is demonstrated in the application for product authorisation that risks to non-professional users can be reduced to acceptable levels in accordance with Article 5 and Annex VI.</li> <li>— Products authorised for industrial or professional use</li> </ul>

<p>must be used with appropriate personal protective equipment, unless it can be demonstrated in the application for product authorisation that risks to industrial or professional users can be reduced to an acceptable level by other means.</p>							
<p>— Appropriate risk mitigation measures shall be taken to protect the soil and aquatic compartments. In particular, labels and, where provided, safety data sheets of products authorised shall indicate that freshly treated timber shall be stored after treatment under shelter or on impermeable hardstanding, or both, to prevent direct losses to soil or water, and that any losses from the application of the product shall be collected for reuse or disposal.</p>							
<p>— Products shall not be authorised for the <i>in situ</i> treatment of wood outdoors, or for treatment of wood that will be either continually exposed to the weather or protected from the weather but subject to frequent wetting, unless data have been submitted demonstrating that the product will meet the requirements of Article 5 and Annex VI, if necessary by the application of</p>							

39	(Z,E)- tetradeca-9, 12-dienyl acetate	(9Z,12E)-Tetradeca-9, 12- dien-1-yl acetate EC No: n.a. CAS No: 30507-70-1	977 g/kg	1 February 2013	31 January 2015	31 January 2023	19	appropriate risk mitigation measures.  When assessing the application for authorisation of a product in accordance with Article 5 and Annex VI, Member States shall assess, when relevant for the particular product, those uses or exposure scenarios and those risks to environmental compartments and populations that have not been representatively addressed in Union level risk assessment.  Member States shall ensure that authorisations are subject to the following condition:  — Labels for biocidal products containing (Z,E)- tetradeca-9,12- dienyl acetate shall indicate that those products shall not be used in spaces where un-packaged food or feed is kept.
40	Fenoxycarb	IUPAC name: Ethyl [2-(4- phenoxyphenoxy) ethyl]carbamate EC No: 276-696-7 CAS No: 72490-01-8	960 g/kg	1 February 2013	31 January 2015	31 January 2023	8	When assessing the application for authorisation of a product in accordance with Article 5 and Annex VI, Member States shall assess, when relevant for the particular product, those uses or exposure scenarios and those risks to environmental compartments and populations that have not been representatively addressed in the Union level risk assessment.  Member States shall ensure that authorisations are subject to the following conditions:  — Appropriate risk mitigation measures shall be taken to protect the soil and aquatic

<p>compartments. In particular, labels and, where provided, safety data sheets of products authorised shall indicate that freshly treated timber shall be stored after treatment under shelter or on impermeable hardstanding under roof, or both, to prevent direct losses to soil or water, and that any losses from the application of the product shall be collected for reuse or disposal.</p>	<p>— Products shall not be authorised for treatment of wood that will be used in outdoor constructions near or above water, unless data is submitted demonstrating that the product will meet the requirements of Article 5 and Annex VI, if necessary by the application of appropriate risk mitigation measures.</p>																
<p>41</p>	<p>Nonanoic acid, Pelargonic acid</p>	<p>IUPAC name: Nonanoic acid EC No: 203-931-2 CAS No: 112-05-0</p>	<p>896 g/kg</p>	<p>1 February 2013</p>	<p>31 January 2015</p>	<p>31 January 2023</p>	<p>19</p>										

(a) fit-Taqsima B tagħha, minnufih wara l-partita Nru. 1, għanda tidhol din il-partita ġdida li ġejja:-

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 (*)
"2	Z,E)-tetradeca-9,12-dienyl acetate	(9Z,12E)-tetradeca-9,12-dien-1-yl acetate EC No: n.a. CAS No: 30507-70-1	977 g/kg	1 February 2013	31 January 2015	31 January 2023	19	Member States shall ensure that registrations are subject to the following conditions: — Only for traps containing a maximum of 2 mg of (Z,E)-Tetradeca-9,12-dienyl acetate for indoor use, — Labels for biocidal products containing (Z,E)-tetradeca-9,12-dienyl acetate shall indicate that those products shall only be used indoors, and shall not be used in spaces where un-packaged food or feed is kept."

**L.N. 127 of 2011**

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

**Biocides (Amendment) (No. 2) Regulations, 2011**

IN exercise of the powers conferred by articles 4 and 5 of the Pesticides Control Act, the Minister for Resources and Rural Affairs, in consultation with the Prime Minister and with the Minister for Health, the Elderly and Community Care, has made the following regulations:-

**1.** (1) The title of these regulations is the Biocides (Amendment) (No. 2) Regulations, 2011 and they shall be read and construed as one with Biocides Regulations, 2010, hereinafter referred to as “the principal regulations”.

Title and scope.

L.N. 525 of 2010.

(2) The scope of these regulations is to transpose Commission Directive 2011/10/EU of 8 February 2011 amending Directive 98/8/EC of the European Parliament and of the Council to include bifenthrin as an active substance in Annex I thereto, Commission Directive 2011/11/EU of 8 February 2011 amending Directive 98/8/EC of the European Parliament and of the Council to include (Z,E)-tetradeca-9,12-dienyl acetate as an active substance in Annex I and IA thereto, Commission Directive 2011/12/EU of 8 February 2011 amending Directive 98/8/EC of the European Parliament and of the Council to include fenoxycarb as an active substance in Annex I thereto, Commission Directive 2011/13/EU of 8 February 2011 amending Directive 98/8/EC of the European Parliament and of the Council to include nonanoic acid as an active substance in Annex I thereto.

**2.** Schedule I to the principal regulations shall be amended as follows:-

Amends Schedule I to the principal regulations.

(a) in Part A thereof, immediately after item No. 37 thereof, there shall be added the following new items:

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 (*)
"38	Bifenthrin	IUPAC name: 2-methylbiphenyl-3-ylmethyl (1RS)-cis-3-[(Z)-2-chloro-3,3,3-trifluoroprop-1-enyl]-2,2-dimethylcyclopropanecarboxylate EC No: n.a. CAS No: 82657-04-3	911 g/kg	1 February 2013	31 January 2015	31 January 2023	8	<p>When assessing the application for authorisation of a product in accordance with Article 5 and Annex VI, Member States shall assess, when relevant for the particular product, those uses or exposure scenarios and those risks to environmental compartments and populations that have not been representatively addressed in the Union level risk assessment.</p> <p>Member States shall ensure that authorisations are subject to the following conditions:</p> <ul style="list-style-type: none"> <li>— Products shall be authorised only for industrial or professional use, unless it is demonstrated in the application for product authorisation that risks to non-professional users can be reduced to acceptable levels in accordance with Article 5 and Annex VI.</li> <li>— Products authorised for industrial or professional use</li> </ul>

<p>must be used with appropriate personal protective equipment, unless it can be demonstrated in the application for product authorisation that risks to industrial or professional users can be reduced to an acceptable level by other means.</p>	<p>— Appropriate risk mitigation measures shall be taken to protect the soil and aquatic compartments. In particular, labels and, where provided, safety data sheets of products authorised shall indicate that freshly treated timber shall be stored after treatment under shelter or on impermeable hardstanding, or both, to prevent direct losses to soil or water, and that any losses from the application of the product shall be collected for reuse or disposal.</p>	<p>— Products shall not be authorised for the <i>in situ</i> treatment of wood outdoors, or for treatment of wood that will be either continually exposed to the weather or protected from the weather but subject to frequent wetting, unless data have been submitted demonstrating that the product will meet the requirements of Article 5 and Annex VI, if necessary by the application of</p>

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40	Fenoxycarb	IUPAC name: Ethyl [2-(4-phenoxyphenoxy)ethyl]carbamate EC No: 276-696-7 CAS No: 72490-01-8	960 g/kg	1 February 2013	31 January 2015	31 January 2023	8	<p>When assessing the application for authorisation of a product in accordance with Article 5 and Annex VI, Member States shall assess, when relevant for the particular product, those uses or exposure scenarios and those risks to environmental compartments and populations that have not been representatively addressed in the Union level risk assessment.</p> <p>Member States shall ensure that authorisations are subject to the following conditions:</p> <p>— Appropriate risk mitigation measures shall be taken to protect the soil and aquatic</p>

<p>compartments. In particular, labels and, where provided, safety data sheets of products authorised shall indicate that freshly treated timber shall be stored after treatment under shelter or on impermeable hardstanding under roof, or both, to prevent direct losses to soil or water, and that any losses from the application of the product shall be collected for reuse or disposal.</p> <p>— Products shall not be authorised for treatment of wood that will be used in outdoor constructions near or above water, unless data is submitted demonstrating that the product will meet the requirements of Article 5 and Annex VI, if necessary by the application of appropriate risk mitigation measures.</p>										
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(b) in Part B thereof, immediately after item No. 1, there shall be added the following new item:

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"2	Z,E)-tetradeca-9,12-dienyl acetate	(9Z,12E)-tetradeca-9,12-dien-1-yl acetate EC No: n.a. CAS No: 30507-70-1	977 g/kg	1 February 2013	31 January 2015	31 January 2023	19	Member States shall ensure that registrations are subject to the following conditions: — Only for traps containing a maximum of 2 mg of (Z,E)-Tetradeca-9,12-dienyl acetate for indoor use, — Labels for biocidal products containing (Z,E)-tetradeca-9,12-dienyl acetate shall indicate that those products shall only be used indoors, and shall not be used in spaces where un-packaged food or feed is kept."

