
A.L. 282 ta' l-2010

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

**Regolamenti ta' l-2010 li jemendaw ir-Regolamenti dwar
Prodott għall-Harsien tal-Pjanti (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 mal-Prim Ministru u mal-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-2010 li jemendaw ir-Regolamenti dwar Prodotti għall-Harsien tal-Pjanti (Emenda Nru. 2), u dawn għandhom jinqraw u jiftiehm bħala haġa waħda mar-Regolamenti ta' l-2009 dwar Prodotti għall-Harsien tal-Pjanti, hawn iżjed 'il quddiem imsejħin "ir-regolamenti prinċipali".

Titolu u skop.

A.L. 358 ta' l-2009.

(2) L-iskop ta' dawn ir-regolamenti hu li jiġu trasposti Direttiva tal-Kummissjoni 2010/14/UE tat- 3 ta' Marzu 2010 li temenda d-Direttiva tal-Kunsill 91/414/KEE għall-inklużjoni tal-*heptamaloxyloglucan* bħala sustanza attiva, Direttiva tal-Kummissjoni 2010/15/UE tat-8 ta' Marzu 2010 li temenda d-Direttiva tal-Kunsill 91/414/KEE biex jiġi inkluż il-*fluopicolide* bħala sustanza attiva, Direttiva tal-Kummissjoni 2010/17/UE tad-9 ta' Marzu 2010 li temenda d-Direttiva tal-Kunsill 91/414/KEE biex tinkludi l-*malatajon* bħala sustanza attiva u Direttiva tal-Kummissjoni 2010/20/UE tad-9 ta' Marzu 2010 li temenda d-Direttiva tal-Kunsill 91/414/KEE biex jitneħħa t-*tolyfluanid* bħala sustanza attiva u dwar l-irtirar tal-awtorizzazzjonijiet għall-prodotti li jiproteġu l-pjanti li fihom dik is-sustanza.

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

Jemenda Skeda I li tinsab mar-regolamenti prinċipali.

(a) il-partita 122, dwar it-*tolyfluanid*, għandha tiħassar;

(b) minnufih wara l-partita 302 "*Cyflufenamid*" għandhom jiżdiedu dawn il-partiti godda li ġejjin:

Numru	Isem komuni, numri ta' identifikazzjoni	Isem IUPAC	Purita*	Dhul fis-sehh	Skadenza ta' l-inkluzjoni	Dispożizzjonijiet speċifiċi
"303	<i>Fluopicolide</i> CAS No 239110-15-7 CIPAC No 787	2,6-dichloro-N-[3-chloro-5-(trifluoromethyl)-2-pyridylmethyl]benzamide	≥ 970 g/kg The impurity toluene must not exceed 3 g/kg in the technical material.	1 June 2010	31 May 2020	<p>PART A Only uses as fungicide may be authorised.</p> <p>PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on fluopicolide, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 27 November 2009 shall be taken into account. In this overall assessment, Member States must pay particular attention to:</p> <ul style="list-style-type: none"> — the protection of aquatic organisms, — the protection of groundwater when the active substance is applied in regions with vulnerable soil and/or climatic conditions, — to the risk to operators during application, — the potential for long range transport via air. <p>Conditions of authorisation shall include risk mitigation measures and monitoring programmes shall be initiated to verify potential accumulation and exposure in vulnerable areas, where appropriate.</p> <p>The Member States concerned shall ensure that the notifier submits to the Commission further information on the relevance of the metabolite M15 for groundwater by 30 April 2012 at the latest.</p>

* Further details on identity and specification of active substances are provided in the review report.

304	<i>Heptamaloxylo-glucan</i> CAS N° 870721-81-6 CIPAC N° Not available	Full IUPAC name in footnote ¹ Xyl p : xylopyranosyl Glc p : glucopyranosyl Fuc p : fucopyranosyl Gal p : galactopyranosyl Glc-ol : glucitol	≥780g/kg The impurity Patulin must not exceed 50 µg/kg in the technical material.	1 June 2010	31 May 2020	PART A Only uses as plant growth regulator may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on heptamaloxyloglucan, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 27 November 2009 shall be taken into account.”; u
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(c) minnufluh wara l-partita 305 “2-phenylphenol” ghandhom jizziedu dawn il-partiti godda li għejjin:

Numru	Isem komuni, numri ta' identifikazzjoni	Isem IUPAC	Purita*	Dhul fis-sehh	Skadenza ta' l-inkluzjoni	Dispożizzjonijiet speċifiċi
“306	<i>Malathion</i> CAS No: 121-75-5 CIPAC No: 12	diethyl (dimethoxyphosphinothioylthio)succinate or S-1,2-bis(ethoxycarbonyl)ethyl O,O-dimethyl phosphorodithioate racemate	≥ 950 g/kg Impurities: Isomalathion: not more than 2 g/kg	1 May 2010	30 April 2020	PART A Only uses as insecticide may be authorised. Authorisations shall be limited to professional users. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on malathion, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 22 January 2010 shall be taken



* Further details on identity and specification of active substances are provided in the review report.

Numru	Isem komuni, numri ta' identifikazzjoni	Isem IUPAC	Purita*	Dhul fis-sehh	Skadenza ta' l-inkluzjoni	Dispożizzjonijiet speċifiċi
						<p>into account.</p> <p>In this overall assessment Member States shall pay particular attention to:</p> <ul style="list-style-type: none"> - the operator and worker safety: conditions of use shall prescribe the use of adequate personal protective equipment; - the protection of aquatic organisms: conditions of authorisation shall include risk mitigation measures, where appropriate, such as adequate buffer zones; - the protection of insectivorous birds and honey bees: conditions of authorisation shall include risk mitigation measures, where appropriate. As regards bees, the necessary indications shall be provided on the labelling and the accompanying instructions as to avoid exposure. <p>Member States shall ensure that malathion-based formulations are accompanied by the necessary instructions to avoid any risk of formation of isomalathion in excess of the permitted maximum quantities during storage and transport.</p> <p>Where appropriate, conditions of authorisation shall include further risk mitigation measures.</p> <p>The Member States concerned shall ensure that the notifier presents to the Commission :</p> <ul style="list-style-type: none"> - information confirming the consumer risk assessment and the acute and long-term risk assessment for insectivorous birds; - information on the quantification of the different potency of malaoxon and malathion.”

L.N. 282 of 2010

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

**Plant Protection Products (Amendment) (No. 2) Regulations,
2010**

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 Plant Protection Products (Amendment) (No. 2) Regulations, 2010 and they shall be read and construed as one with Plant Protection Products Regulations, 2009, hereinafter referred to as “the principal regulations”.

Title and scope.

L.N. 358 of 2009.

(2) The scope of these regulations is to transpose Commission Directive 2010/14/EU of 3 March 2010 amending Council Directive 91/414/EEC to include heptamaloxyloglucan as active substance, Commission Directive 2010/15/EU of 8 March 2010 amending Council Directive 91/414/EEC to include fluopicolide as active substance, Commission Directive 2010/17/EU of 9 March 2010 amending Council Directive 91/414/EEC to include malathion as active substance and Commission Directive 2010/20/EU of 9 March 2010 amending Council Directive 91/414/EEC to remove tolylfluanid as active substance and on the withdrawal of authorisations for plant protection products containing that substance.

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

Amends Schedule I to the principal regulation.

(a) row 122, concerning tolylfluanid, shall be deleted;

(b) immediately after item 302 “Cyflufenamid” there shall be added the following new items:

No	Common Name, Identification Numbers	IUPAC Name	Purity*	Entry into force	Expiration of inclusion	Specific provisions
"303	Fluopicolide CAS No 239110-15-7 CIPAC No 787	2,6-dichloro-N-[3-chloro-5-(trifluoromethyl)-2-pyridylmethyl]benzamide	≥ 970 g/kg The impurity toluene must not exceed 3 g/kg in the technical material.	1 June 2010	31 May 2020	<p>PART A Only uses as fungicide may be authorised.</p> <p>PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on fluopicolide, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 27 November 2009 shall be taken into account. In this overall assessment, Member States must pay particular attention to:</p> <ul style="list-style-type: none"> — the protection of aquatic organisms, — the protection of groundwater when the active substance is applied in regions with vulnerable soil and/or climatic conditions, — to the risk to operators during application, — the potential for long range transport via air. <p>Conditions of authorisation shall include risk mitigation measures and monitoring programmes shall be initiated to verify potential accumulation and exposure in vulnerable areas, where appropriate.</p> <p>The Member States concerned shall ensure that the notifier submits to the Commission further information on the relevance of the metabolite M15 for groundwater by 30 April 2012 at the latest.</p>

* Further details on identity and specification of active substances are provided in the review report.

304	Heptamaloxyloglucan CAS N° 870721-81-6 CIPAC N° Not available	Full IUPAC name in footnote ¹ Xyl p : xylopyranosyl Glc p : glucopyranosyl Fuc p : fucopyranosyl Gal p : galactopyranosyl Glc-ol : glucitol	≥780g/kg The impurity Patulin must not exceed 50 µg/kg in the technical material.	1 June 2010	31 May 2020	PART A Only uses as plant growth regulator may be authorised. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on heptamaloxyloglucan, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 27 November 2009 shall be taken into account.”; and
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(c) immediately after item 305 “2-phenylphenol” there shall be added the following new item:

No	Common Name, Identification Numbers	IUPAC Name	Purity ²	Entry into force	Expiration of inclusion	Specific provisions
“306	Malathion CAS No: 121-75-5 CIPAC No: 12	diethyl (dimethoxyphosphinothi oylthio)succinate or S-1,2- bis(ethoxycarbonyl)ethyl O,O-dimethyl phosphorodithioate racemate	≥ 950 g/kg Impurities: Isomalathion: not more than 2 g/kg	1 May 2010	30 April 2020	PART A Only uses as insecticide may be authorised. Authorisations shall be limited to professional users. PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on malathion, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 22 January 2010 shall be taken into account. In this overall assessment Member States shall pay

¹ $\left\{ \left[\alpha - D - Xyl p - (1 \rightarrow 6) \right] - \beta - D - Glc p - (1 \rightarrow 4) \right\} \left\{ \left[\alpha - L - Fuc p - (1 \rightarrow 2) - \beta - D - Gal p - (1 \rightarrow 2) - \alpha - D - Xyl p - (1 \rightarrow 6) \right] \right\}$
 $- \beta - D - Glc p - (1 \rightarrow 4) \left\} D - Glc - ol$

² Further details on identity and specification of active substance are provided in the review report.

No	Common Name, Identification Numbers	IUPAC Name	Purity ²	Entry into force	Expiration of inclusion	Specific provisions
						<p>particular attention to:</p> <ul style="list-style-type: none"> - the operator and worker safety: conditions of use shall prescribe the use of adequate personal protective equipment; - the protection of aquatic organisms: conditions of authorisation shall include risk mitigation measures, where appropriate, such as adequate buffer zones; - the protection of insectivorous birds and honey bees: conditions of authorisation shall include risk mitigation measures, where appropriate. As regards bees, the necessary indications shall be provided on the labelling and the accompanying instructions as to avoid exposure. <p>Member States shall ensure that malathion-based formulations are accompanied by the necessary instructions to avoid any risk of formation of isomalathion in excess of the permitted maximum quantities during storage and transport.</p> <p>Where appropriate, conditions of authorisation shall include further risk mitigation measures.</p> <p>The Member States concerned shall ensure that the notifier presents to the Commission :</p> <ul style="list-style-type: none"> - information confirming the consumer risk assessment and the acute and long-term risk assessment for insectivorous birds; - information on the quantification of the different potency of malaoxon and malathion.”.

