COMMISSION IMPLEMENTING REGULATION (EU) 2022/1480

of 7 September 2022

amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 2-phenylphenol (including its salts such as the sodium salt), 8-hydroxyquinoline, amidosulfuron, bensulfuron, bifenox, chlormequat, chlorotoluron, clofentezine, clomazone, daminozide, deltamethrin, dicamba, difenoconazole, diflufenican, dimethachlor, esfenvalerate, etofenprox, fenoxaprop-P, fenpropidin, fenpyrazamine, fludioxonil, flufenacet, flumetralin, fosthiazate, lenacil, MCPA, MCPB, nicosulfuron, paraffin oils, paraffin oil, penconazole, picloram, prohexadione, propaquizafop, prosulfocarb, quizalofop-P-ethyl, quizalofop-P-tefuryl, sodium 5-nitroguaiacolate, sodium o-nitrophenolate, sodium p-nitrophenolate, sulphur, tebufenpyrad, tetraconazole, tri-allate, triflusulfuron and tritosulfuron

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ([1]), and in particular Article 17, first paragraph, thereof,

Whereas:

(1) Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ([2]) sets out the active substances deemed to have been approved under Regulation (EC) No 1107/2009 whereas Part B of that Annex sets out the active substances approved under Regulation (EC) No 1107/2009 and Part E sets out the active substances approved under Regulation (EC) No 1107/2009 as candidates for substitution.

(2) Commission Implementing Regulation (EU) 2021/1449 ([3]) extended the approval period of the active substances chlorotoluron, clomazone, daminozide, deltamethrin, fludioxonil, flufenacet, fosthiazate, MCPA, MCPB and prosulfocarb until 31 October 2022, of the active substances chlormequat, propaquizafop, quizalofop-P-ethyl, quizalofop-P-tefuryl and tritosulfuron until 30 November 2022 and of the active substances 2-phenylphenol, 8-hydroxyquinoline, amidosulfuron, bifenox, clofentezine, dicamba, difenoconazole, diflufenican, dimethachlor, etofenprox, fenoxaprop-P, fenpropidin, lenacil, nicosulfuron, paraffin oils, paraffin oil, penconazole, picloram, sulphur, tetraconazole, tri-allate and triflusulfuron until 31 December 2022. Commission Implementing Regulation (EU) 2017/555 ([4]) extended the approval period of the active substances bensulfuron, sodium 5-nitroguaiacolate,

([1]) OJ L 309, 24.11.2009, p. 1.

([2]) Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

([3]) Commission Implementing Regulation (EU) 2021/1449 of 3 September 2021 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 2-phenylphenol (including its salts such as the sodium salt), 8-hydroxyquinoline, amidosulfuron, bifenox, chlormequat, chlorotoluron, clofentezine, clomazone, cypermethrin, daminozide, deltamethrin, dicamba, difenoconazole, diflufenican, dimethachlor, etofenprox, fenoxaprop-P, fenpropidin, fludioxonil, flufenacet, fosthiazate, indoxacarb, lenacil, MCPA, MCPB, nicosulfuron, paraffin oils, paraffin oil, penconazole, picloram, propaquizafop, prosulfocarb, quizalofop-P-ethyl, quizalofop-P-tefuryl, sulphur, tetraconazole, tri-allate, triflusulfuron and tritosulfuron (OJ L 313, 6.9.2021, p. 20).

([4]) Commission Implementing Regulation (EU) 2017/555 of 24 March 2017 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of several active substances listed in Part B of the Annex to Implementing Regulation (EU) No 686/2012 (AIR IV renewal programme) (OJ L 80, 25.3.2017, p. 1).

sodium o-nitrophenolate, sodium p-nitrophenolate and tebufenpyrad until 31 October 2022. Commission Implementing Regulation (EU) 2019/291 ([5]) extended the approval period of the active substance prohexadione until 31 December 2022.

(3) The approval of the active substance esfenvalerate is set to expire on 31 December 2022 in accordance with Commission Implementing Regulation (EU) 2015/2047 ([6]).

(4) The approval of the active substance fenpyrazamine is set to expire on 31 December 2022 in accordance with Commission Implementing Regulation (EU) No 595/2012 ([7]).

(5) The approval of the active substance flumetralin is set to expire on 11 December 2022 in accordance with Commission Implementing Regulation (EU) 2015/2105 ([8]).

(6) Applications for the renewal of the approval of those active substances were submitted in accordance with Commission Implementing Regulation (EU) No 844/2012 ([9]). Although Implementing Regulation (EU) No 844/2012 was repealed by Commission Implementing Regulation (EU) 2020/1740 ([10]), for the renewal of the approval of those active substances, the provisions of Implementing Regulation (EU) No 844/2012, continue to apply pursuant to Article 17 of Implementing Regulation (EU) 2020/1740.

(7) Due to the fact that the assessment of those active substances has been delayed for reasons beyond the control of the applicants, the approvals of those active substances are likely to expire before a decision has been taken on their renewal. It is therefore necessary to extend their approval periods to provide the time necessary to complete the assessment.

(8) In addition, an extension of the approval period is required for the active substances amidosulfuron, clomazone, daminozide, difenoconazole, diflufenican, fenoxaprop-P, fludioxonil, flufenacet, and tritosulfuron to provide the time necessary to carry out an assessment relating to endocrine disrupting properties of those active substances in accordance with the procedure set out in Articles 13 and 14 of Implementing Regulation (EU) No 844/2012.

(9) As regards cases where the Commission is to adopt a Regulation providing that the approval of an active substance referred to in the Annex to this Regulation is not renewed because the approval criteria are not satisfied, the Commission is to set the expiry date at the same date as before this Regulation or at the date of the entry into force

([5]) Commission Implementing Regulation (EU) 2019/291 of 19 February 2019 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 1-naphthylacetamide, 1-naphthylacetic acid, acrinathrin, azoxystrobin, fluazifop p, fluroxypyr, imazalil, kresoxim-methyl, oxyfluorfen, prochloraz, prohexadione, spiroxamine, tefluthrin and terbuthylazine (OJ L 48, 20.2.2019, p. 17).

([6]) Commission Implementing Regulation (EU) 2015/2047 of 16 November 2015 renewing the approval of the active substance esfenvalerate, as a candidate for substitution, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 300, 17.11.2015, p. 8).

([7]) Commission Implementing Regulation (EU) No 595/2012 of 5 July 2012 approving the active substance fenpyrazamine, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 176, 6.7.2012, p. 46).

([8]) Commission Implementing Regulation (EU) 2015/2105 of 20 November 2015 approving the active substance flumetralin, as a candidate for substitution, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011 (OJ L 305, 21.11.2015, p. 31).

([9]) Commission Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26).

([10]) Commission Implementing Regulation (EU) 2020/1740 of 20 November 2020 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council, and repealing Commission Implementing Regulation (EU) No 844/2012 (OJ L 392, 23.11.2020, p. 20).

of the Regulation providing that the approval of the active substance is not renewed, whichever date is later. As regards cases where the Commission is to adopt a Regulation providing for the renewal of an active substance referred to in the Annex to this Regulation, the Commission will endeavour to set, as appropriate under the circumstances, the earliest possible application date.

(10) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.

(11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 September 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(a) Part A is amended as follows:

(1) in the sixth column, expiration of approval, of row 40, Deltamethrin, the date is replaced by '31 October 2023';

(2) in the sixth column, expiration of approval, of row 65, Flufenacet, the date is replaced by '31 October 2023';

(3) in the sixth column, expiration of approval, of row 69, Fosthiazate, the date is replaced by '31 October 2023';

(4) in the sixth column, expiration of approval, of row 102, Chlorotoluron, the date is replaced by '31 October 2023';

(5) in the sixth column, expiration of approval, of row 104, Daminozide, the date is replaced by '31 October 2023';

(6) in the sixth column, expiration of approval, of row 107, MCPA, the date is replaced by '31 October 2023';

(7) in the sixth column, expiration of approval, of row 108, MCPB, the date is replaced by '31 October 2023';

(8) in the sixth column, expiration of approval, of row 160, Prosulfocarb, the date is replaced by '31 October 2023';

(9) in the sixth column, expiration of approval, of row 161, Fludioxonil, the date is replaced by '31 October 2023';

(10) in the sixth column, expiration of approval, of row 162, Clomazone, the date is replaced by '31 October 2023';

(11) in the sixth column, expiration of approval, of row 169, Amidosulfuron, the date is replaced by '31 December 2023';

(12) in the sixth column, expiration of approval, of row 170, Nicosulfuron, the date is replaced by '31 December 2023';

(13) in the sixth column, expiration of approval, of row 171, Clofentezine, the date is replaced by '31 December 2023';

(14) in the sixth column, expiration of approval, of row 172, Dicamba, the date is replaced by '31 December 2023';

(15) in the sixth column, expiration of approval, of row 173, Difenoconazole, the date is replaced by '31 December 2023';

(16) in the sixth column, expiration of approval, of row 176, Lenacil, the date is replaced by '31 December 2023';

(17) in the sixth column, expiration of approval, of row 178, Picloram, the date is replaced by '31 December 2023';

(18) in the sixth column, expiration of approval, of row 180, Bifenox, the date is replaced by '31 December 2023';

(19) in the sixth column, expiration of approval, of row 181, Diflufenican, the date is replaced by '31 December 2023';

(20) in the sixth column, expiration of approval, of row 182, Fenoxaprop-P, the date is replaced by '31 December 2023';

(21) in the sixth column, expiration of approval, of row 183, Fenpropidin, the date is replaced by '31 December 2023';

(22) in the sixth column, expiration of approval, of row 186, Tritosulfuron, the date is replaced by '30 November 2023';

(23) in the sixth column, expiration of approval, of row 271, Bensulfuron, the date is replaced by '31 October 2023';

(24) in the sixth column, expiration of approval, of row 272, Sodium 5-nitroguaiacolate, the date is replaced by '31 October 2023';

(25) in the sixth column, expiration of approval, of row 273, Sodium o-nitrophenolate, the date is replaced by '31 October 2023';

(26) in the sixth column, expiration of approval, of row 274, Sodium p-nitrophenolate, the date is replaced by '31 October 2023';

(27) in the sixth column, expiration of approval, of row 275, Tebufenpyrad, the date is replaced by '31 October 2023';

(28) in the sixth column, expiration of approval, of row 276, Chlormequat, the date is replaced by '30 November 2023';

(29) in the sixth column, expiration of approval, of row 278, Propaquizafop, the date is replaced by '30 November 2023';

(30) in the sixth column, expiration of approval, of row 279, Quizalofop-P-ethyl and Quizalofop-P-tefuryl, the date is replaced by '30 November 2023';

(31) in the sixth column, expiration of approval, of row 284, Dimethachlor, the date is replaced by '31 December 2023';

(32) in the sixth column, expiration of approval, of row 285, Etofenprox, the date is replaced by '31 December 2023';

(33) in the sixth column, expiration of approval, of row 287, Penconazole, the date is replaced by '31 December 2023';

(34) in the sixth column, expiration of approval, of row 288, Tri-allate, the date is replaced by '31 December 2023';

(35) in the sixth column, expiration of approval, of row 289, Triflusulfuron, the date is replaced by '31 December 2023';

(36) in the sixth column, expiration of approval, of row 292, Sulphur, the date is replaced by '31 December 2023';

(37) in the sixth column, expiration of approval, of row 293, Tetraconazole, the date is replaced by '31 December 2023';

(38) in the sixth column, expiration of approval, of row 294, Paraffin oils, the date is replaced by '31 December 2023';

(39) in the sixth column, expiration of approval, of row 295, Paraffin oil, the date is replaced by '31 December 2023';

(40) in the sixth column, expiration of approval, of row 299, 2-phenylphenol (including its salts such as the sodium salt), the date is replaced by '31 December 2023';

(b) Part B is amended as follows:

(1) in the sixth column, expiration of approval, of row 6, Prohexadione, the date is replaced by '31 December 2023';

(2) in the sixth column, expiration of approval, of row 18, 8-hydroxyquinoline, the date is replaced by '31 December 2023';

(3) in the sixth column, expiration of approval, of row 25, Fenpyrazamine, the date is replaced by '31 December 2023';

(c) Part E is amended as follows:

(1) in the sixth column, expiration of approval, of row 1, Flumetralin, the date is replaced by '11 December 2023';

(2) in the sixth column, expiration of approval, of row 2, Esfenvalerate, the date is replaced by '31 December 2023'.