COMMISSION IMPLEMENTING REGULATION (EU) 2022/378

of 4 March 2022

amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances abamectin, *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348, *Beauveria bassiana* strains ATCC 74040 and GHA, clodinafop, *Cydia pomonella* Granulovirus (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, malathion, mepanipyrim, metconazole, metrafenone, pirimicarb, *Pseudomonas chlororaphis* strain MA342, pyrimethanil, *Pythium oligandrum* M1, rimsulfuron, spinosad, *Trichoderma asperellum* (formerly *T. harzianum*) strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram

(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.

(2) Commission Implementing Regulation (EU) 2021/566 ([3]) extended the approval period of the active substances abamectin, *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348, *Beauveria bassiana* strains ATCC 74040 and GHA, clodinafop, *Cydia pomonella* Granulovirus (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, mepanipyrim, metconazole, metrafenone, pirimicarb, *Pseudomonas chlororaphis* strain MA342, pyrimethanil, *Pythium oligandrum* M1, rimsulfuron, spinosad, *Trichoderma asperellum* (formerly '*T. harzianum*') strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly '*T. harzianum*') strain T11, *Trichoderma gamsii* (formerly '*T. viride*') strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram until 30 April 2022. Commission Implementing Regulation (EU) 2017/1527 ([4]) extended the approval period of the active substance malathion until 30 April 2022.

([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) 2021/566 of 30 March 2021 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances abamectin, *Bacillus subtilis* (Cohn 1872) strain QST 713, *Bacillus thuringiensis* subsp. Aizawai strains ABTS-1857 and GC-91, *Bacillus thuringiensis* subsp. Israeliensis (serotype H-14) strain AM65-52, *Bacillus thuringiensis* subsp. Kurstaki strains ABTS 351, PB 54, SA 11, SA12 and EG 2348, *Beauveria bassiana* strains ATCC 74040 and GHA, clodinafop, clopyralid, *Cydia pomonella* Granulovirus (CpGV), cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, mepanipyrim, *Metarhizium anisopliae* (var. anisopliae) strain BIPESCO 5/F52, metconazole, metrafenone, pirimicarb, *Pseudomonas chlororaphis* strain MA342, pyrimethanil, *Pythium oligandrum* M1, rimsulfuron, spinosad, Streptomyces K61 (formerly '*S. griseoviridis*'), *Trichoderma asperellum* (formerly '*T. harzianum*') strains ICC012, T25 and TV1, *Trichoderma atroviride* (formerly '*T. harzianum*') strain T11, *Trichoderma gamsii* (formerly '*T. viride*') strain ICC080, *Trichoderma harzianum* strains T-22 and ITEM 908, triclopyr, trinexapac, triticonazole and ziram (OJ L 118, 7.4.2021, p. 1).

([4]) Commission Implementing Regulation (EU) 2017/1527 of 6 September 2017 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances cyflufenamid, fluopicolide, heptamaloxyloglucan and malathion (OJ L 231, 7.9.2017, p. 3).

(3) Applications for the renewal of the approval of those substances were submitted in accordance with Commission Implementing Regulation (EU) No 844/2012 ([5]). Although Implementing Regulation (EU) No 844/2012 was repealed by Commission Implementing Regulation (EU) 2020/1740 ([6]), the provisions concerning the renewal of the approval of those active substances laid down in that Regulation continue to apply in accordance with Article 17 of Implementing Regulation (EU) 2020/1740.

(4) 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.

(5) In addition, an extension of the approval period is required for the active substances clodinafop, cyprodinil, dichlorprop-P, fenpyroximate, fosetyl, mepanipyrim, metconazole, metrafenone, pirimicarb, pyrimethanil, spinosad, triclopyr, trinexapac, triticonazole and ziram 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.

(6) 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 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. The proposed extension is limited to the period stipulated to complete the evaluation.

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

(8) 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*.

([5]) 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).

([6]) 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).

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

Done at Brussels, 4 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Part A of the Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(1) in the sixth column, expiration of approval, of row 74, Ziram, the date is replaced by '30 April 2023';

(2) in the sixth column, expiration of approval, of row 89, Pseudomonas chlororaphis strain MA 342, the date is replaced by '30 April 2023';

(3) in the sixth column, expiration of approval, of row 90, Mepanipyrim, the date is replaced by '30 April 2023';

(4) in the sixth column, expiration of approval, of row 123, Clodinafop, the date is replaced by '30 April 2023';

(5) in the sixth column, expiration of approval, of row 124, Pirimicarb, the date is replaced by '30 April 2023';

(6) in the sixth column, expiration of approval, of row 125, Rimsulfuron, the date is replaced by '30 April 2023';

(7) in the sixth column, expiration of approval, of row 127, Triticonazole, the date is replaced by '30 April 2023';

(8) in the sixth column, expiration of approval, of row 130, Cyprodinil, the date is replaced by '30 April 2023';

(9) in the sixth column, expiration of approval, of row 131, Fosetyl, the date is replaced by '30 April 2023';

(10) in the sixth column, expiration of approval, of row 132, Trinexapac, the date is replaced by '30 April 2023';

(11) in the sixth column, expiration of approval, of row 133, Dichlorprop-P, the date is replaced by '30 April 2023';

(12) in the sixth column, expiration of approval, of row 134, Metconazole, the date is replaced by '30 April 2023';

(13) in the sixth column, expiration of approval, of row 135, Pyrimethanil, the date is replaced by '30 April 2023';

(14) in the sixth column, expiration of approval, of row 136, Triclopyr, the date is replaced by '30 April 2023';

(15) in the sixth column, expiration of approval, of row 137, Metrafenone, the date is replaced by '30 April 2023';

(16) in the sixth column, expiration of approval, of row 138, *Bacillus subtilis* (Cohn 1872) strain QST 713, the date is replaced by '30 April 2023';

(17) in the sixth column, expiration of approval, of row 139, Spinosad, the date is replaced by '30 April 2023';

(18) in the sixth column, expiration of approval, of row 193, *Bacillus thuringiensis* subsp. aizawai strain ABTS-1857 and strain GC-91, the date is replaced by '30 April 2023';

(19) in the sixth column, expiration of approval, of row 194, *Bacillus thuringiensis* subsp. israeliensis (serotype H-14) strain AM65-52, the date is replaced by '30 April 2023';

(20) in the sixth column, expiration of approval, of row 195, *Bacillus thuringiensis* subsp. kurstaki strain ABTS 351, strain PB 54, strain SA 11, strain SA 12, strain EG 2348, the date is replaced by '30 April 2023';

(21) in the sixth column, expiration of approval, of row 197, *Beauveria bassiana* strain ATCC 74040, strain GHA, the date is replaced by '30 April 2023';

(22) in the sixth column, expiration of approval, of row 198, *Cydia pomonella* Granulovirus (CpGV), the date is replaced by '30 April 2023';

(23) in the sixth column, expiration of approval, of row 202, *Pythium oligandrum* strain M1, the date is replaced by '30 April 2023';

(24) in the sixth column, expiration of approval, of row 204, *Trichoderma atroviride* (formerly *T. harzianum*) strain T11, the date is replaced by '30 April 2023';

(25) in the sixth column, expiration of approval, of row 206, *Trichoderma harzianum* strain T-22, strain ITEM 908, the date is replaced by '30 April 2023';

(26) in the sixth column, expiration of approval, of row 207, *Trichoderma asperellum* (formerly *T. harzianum*) strain ICC012, strain T25, strain TV1, the date is replaced by '30 April 2023';

(27) in the sixth column, expiration of approval, of row 208, *Trichoderma gamsii* (formerly *T. viride*) strain ICC080, the date is replaced by '30 April 2023';

(28) in the sixth column, expiration of approval, of row 210, Abamectin, the date is replaced by '30 April 2023';

(29) in the sixth column, expiration of approval, of row 213, Fenpyroximate, the date is replaced by '30 April 2023';

(30) in the sixth column, expiration of approval, of row 300, Malathion, the date is replaced by '30 April 2023'.