

COMMISSION IMPLEMENTING REGULATION (EU) 2022/814**of 20 May 2022****amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval period of the active substance heptamaloxyloglucan****(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) 2021/745 ⁽³⁾ extended the approval period of the active substance heptamaloxyloglucan until 31 May 2022.
- (3) Application for the renewal of the approval of that active substance was submitted in accordance with Commission Implementing Regulation (EU) No 844/2012 ⁽⁴⁾. Although Commission Implementing Regulation (EU) No 844/2012 was repealed by Commission Implementing Regulation (EU) 2020/1740 ⁽⁵⁾, the provisions concerning the renewal of the approval of those active substances, laid down in Implementing Regulation (EU) No 844/2012, continue to apply in accordance with Article 17 of Implementing Regulation (EU) 2020/1740.
- (4) Due to the fact that the assessment of the active substance heptamaloxyloglucan has been delayed for reasons beyond the control of the applicant, the approval of that active substance is likely to expire before a decision has been taken on its renewal. It is therefore necessary to extend its approval period to provide the time necessary to complete the assessment.

⁽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) 2021/745 of 6 May 2021 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances aluminium ammonium sulphate, aluminium silicate, beflubutamid, bentiavalicarb, bifenazate, boscalid, calcium carbonate, captan, carbon dioxide, cymoxanil, dimethomorph, ethephon, extract from tea tree, famoxadone, fat distillation residues, fatty acids C7 to C20, flumioxazine, fluoxastrobin, flurochloridone, folpet, formetanate, gibberellic acid, gibberellins, heptamaloxyloglucan, hydrolysed proteins, iron sulphate, metazachlor, metribuzin, milbemectin, Paecilomyces lilacinus strain 251, phenmedipham, phosmet, pirimiphos-methyl, plant oils/rape seed oil, potassium hydrogen carbonate, propamocarb, prothioconazole, quartz sand, fish oil, repellents by smell of animal or plant origin/sheep fat, S-metolachlor, Straight Chain Lepidopteran Pheromones, tebuconazole and urea (OJ L 160, 7.5.2021, p. 89).

⁽⁴⁾ 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).

⁽⁵⁾ 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).

- (5) As regards cases where the Commission is to adopt a Regulation providing that the approval of the 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 the 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.
- (6) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (7) Given the urgency of the matter in the light of the near expiry of the current approval on 31 May 2022, this Regulation should enter into force as soon as possible.
- (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 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, 20 May 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Part A of the Annex to Implementing Regulation (EU) No 540/2011, in the sixth column, expiration of approval, of row 298, Heptamaloxyloglucan, the date is replaced by '31 May 2023'.
