

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 2 August 2007

concerning the non-inclusion of monocarbamide dihydrogensulphate and dimethipin in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing these active substances

(notified under document number C(2007) 3646)

(Text with EEA relevance)

(2007/553/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

programme of work referred to in Article 8(2) of Directive 91/414/EEC.

Having regard to the Treaty establishing the European Community,

(3) Monocarbamide dihydrogensulphate and dimethipin are substances designated in the third stage programme.

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, and in particular the fourth subparagraph of Article 8(2) thereof,

(4) The sole notifiers for monocarbamide dihydrogensulphate and dimethipin informed the Commission on 29 May 2006 and 6 July 2006 respectively, that they no longer wished to participate in the programme of work for these active substances, and therefore further information will not be submitted. As a consequence, these active substances should not be included in the Annex I of Directive 91/414/EEC.

Whereas:

(1) Article 8(2) of Directive 91/414/EEC provides that a Member State may, during a period of 12 years following the notification of that Directive, authorise the placing on the market of plant protection products containing active substances not listed in Annex I of that Directive that are already on the market two years after the date of notification, while those substances are gradually being examined within the framework of a programme of work.

(5) Measures should be taken to ensure that existing authorisations for plant protection products containing monocarbamide dihydrogensulphate or dimethipin are withdrawn within a prescribed period and are not renewed, and that no authorisations for such products are granted.

(2) Commission Regulations (EC) No 451/2000 ⁽²⁾ and (EC) No 1490/2002 ⁽³⁾ lay down the detailed rules for the implementation of the second and third stages of the

(6) For these active substances for which there is only a short period of advance notice for the withdrawal of plant protection products containing such substances, it is reasonable to provide for a period of grace for disposal, storage, placing on the market and use of existing stocks for a period no longer than 12 months to allow existing stocks to be used in no more than one further growing. In cases where a longer advance notice period is provided, such period can be shortened to expire at the end of the growing season.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2007/31/EC (OJ L 140, 1.6.2007, p. 44).

⁽²⁾ OJ L 55, 29.2.2000, p. 25.

⁽³⁾ OJ L 224, 21.8.2002, p. 23.

- (7) This Decision does not prejudice the submission of an application for monocarbamide dihydrogensulphate or dimethipin according to the provisions of Article 6(2) of Directive 91/414/EEC in view of a possible inclusion in its Annex I.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Monocarbamide dihydrogensulphate and dimethipin shall not be included in Annex I to Directive 91/414/EEC.

Article 2

Member States shall ensure that:

- (a) authorisations for plant protection products containing monocarbamide dihydrogensulphate and dimethipin are withdrawn by 2 February 2008;

- (b) from 6 August 2007 no authorisations for plant protection products containing monocarbamide dihydrogensulphate and dimethipin are granted or renewed under the derogation provided for in Article 8(2) of Directive 91/414/EEC.

Article 3

Any period of grace granted by Member States in accordance with Article 4(6) of Directive 91/414/EEC, shall be as short as possible and shall expire not later than 2 February 2009.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 2 August 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission