COMMISSION IMPLEMENTING REGULATION (EU) 2021/52

of 22 January 2021

amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances benfluralin, dimoxystrobin, fluazinam, flutolanil, mecoprop-P, mepiquat, metiram, oxamyl and pyraclostrobin

(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 the first paragraph of Article 17 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) 2019/2094 ([3]) extended the approval period of the active substances dimoxystrobin, mecoprop-P, metiram, oxamyl and pyraclostrobin until 31 January 2021, and the approval period of the active substances benfluralin, fluazinam, flutolanil and mepiquat until 28 February 2021.

(3) Applications for the renewal of the approval of those substances were submitted in accordance with Commission Implementing Regulation (EU) No 844/2012 ([4]).

(4) Due to the fact that the assessment of those 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) Furthermore, an extension of the approval period is required for the active substances flutolanil, mepiquat and pyraclostrobin to allow 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.

([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) 2019/2094 of 29 November 2019 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances benfluralin, dimoxystrobin, fluazinam, flutolanil, mancozeb, mecoprop-P, mepiquat, metiram, oxamyl and pyraclostrobin (OJ L 317, 9.12.2019, p. 102).

([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).

(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 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, 22 January 2021.

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 57, Mecoprop-P, the date is replaced by '31 January 2022';

(2) in the sixth column, expiration of approval, of row 81, Pyraclostrobin, the date is replaced by '31 January 2022';

(3) in the sixth column, expiration of approval, of row 115, Metiram, the date is replaced by '31 January 2022';

(4) in the sixth column, expiration of approval, of row 116, Oxamyl, the date is replaced by '31 January 2022';

(5) in the sixth column, expiration of approval, of row 128, Dimoxystrobin, the date is replaced by '31 January 2022';

(6) in the sixth column, expiration of approval, of row 187, Flutolanil, the date is replaced by '28 February 2022';

(7) in the sixth column, expiration of approval, of row 188, Benfluralin, the date is replaced by '28 February 2022';

(8) in the sixth column, expiration of approval, of row 189, Fluazinam, the date is replaced by '28 February 2022';

(9) in the sixth column, expiration of approval, of row 191, Mepiquat, the date is replaced by '28 February 2022'.