



27 January 2016

(16-0572)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Z,Z,Z,Z-7,13,16,19-docosatetraen-1-yl isobutyrate (pesticide active substance)
5. Title, number of pages and language(s) of the notified document: Draft Commission Implementing Regulation withdrawing the approval of the active substance Z,Z,Z,Z-7,13,16,19-docosatetraen-1-yl isobutyrate, in accordance with Regulation (EC)-No 1107/2009 of the European Parliament and of the Council, and amending Implementing Regulation (EU) No 540/2011 (4 pages, in English)
6. Description of content: This draft Commission Implementing Regulation provides that the active substance Z,Z,Z,Z-7,13,16,19-docosatetraen-1-yl isobutyrate is withdrawn from the list of approved substances in accordance with Regulation (EC) No 1107/2009 and cannot be placed on the market in plant protection products in the EU. Implementing Regulation (EU) No 2015/308 is repealed.
7. Objective and rationale, including the nature of urgent problems where applicable: In compliance with Article 6 of Regulation (EC) No 1107/2009 (concerning the placing of plant protection products on the market), an active substance, complying with set criteria of approval, can be approved subject to conditions. During the evaluation and peer-review of the substance, a number of areas of the risk assessment could not be finalised and further studies were required as a condition of approval in implementing Regulation (EU) No 2015/308. However, the applicant did not submit the required studies within the set deadline and did not provide any justification. As the substance is currently approved in the EU it has to be withdrawn, allowing a period of grace for withdrawal of any possible existing authorisations in compliance with Article 46 of Regulation (EC) No 1107/2009. To date no EU Member State informed the Commission on the current existence of any authorisation issued for a plant protection product containing the substance.

<p>8. Relevant documents:</p> <ul style="list-style-type: none">• 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: http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1107&qid=1437730988988&from=EN• 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. 1–186) http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1442928512004&uri=CELEX:32011R0540• Commission Implementing Regulation (EU) 2015/308 of 26 February 2015 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance Z,Z,Z,Z-7,13,16,19-docosatetraen-1-yl isobutyrate (OJ L 56, 27.2.2015, p. 9–11): http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1442928678752&uri=CELEX:32015R0308
<p>9. Proposed date of adoption: April 2016</p> <p>Proposed date of entry into force: 20 days from publication in the Official Journal of the European Union</p>
<p>10. Final date for comments: 60 days from notification</p>
<p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: grow-eu-tbt@ec.europa.eu</p> <p>The text is available on the Website: http://ec.europa.eu/growth/tools-databases/tbt/ https://members.wto.org/crnattachments/2016/TBT/EEC/16_0331_00_e.pdf</p>