



7 June 2021

(21-4639)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved:
2. Agency responsible: European Commission, Health and Food Safety Directorate-General
3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable): Phosmet (pesticide active substance)
4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5. Title of the notified document: Draft Commission Implementing Regulation concerning the non-renewal of approval of the active substance phosmet, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011. Language(s): English. Number of pages: 5 https://members.wto.org/crnattachments/2021/SPS/EEC/21_3911_00_e.pdf
6. Description of content: This draft Commission Implementing Regulation provides that the approval of the active substance phosmet is not renewed in accordance with Regulation (EC) No 1107/2009. Member states shall withdraw authorisations for plant protection products containing phosmet as an active substance. The non-renewal of approval is based on the first evaluation of the substance for use as a pesticide active substance in the European Union under Regulation (EC) No 1107/2009. The substance was formerly assessed and approved under Directive 91/414/ EEC. This decision only concerns the placing on the market of this substance and plant protection products containing it. Following non-approval and the expiry of all grace periods for stocks of products containing this substance, separate action will be taken on MRLs and a separate notification will be made in accordance with SPS procedures. This draft Commission Implementing Regulation was also notified under the TBT Agreement in notice G/TBT/N/EU/790.
7. Objective and rationale: <input checked="" type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input checked="" type="checkbox"/> protect territory from other damage from pests.
8. Is there a relevant international standard? If so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): <input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):

<p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
<p>9. Other relevant documents and language(s) in which these are available:</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 June 2011, p. 1-186) http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1442928512004&uri=CELEX:32011R0540 - Conclusion on the peer review of the pesticide risk assessment of the active substance phosmet (EFSA Journal 2021;19(3):6237) https://www.efsa.europa.eu/en/efsajournal/pub/6237
<p>10. Proposed date of adoption (dd/mm/yy): 2nd quarter 2021</p> <p>Proposed date of publication (dd/mm/yy): 2nd quarter 2021</p>
<p>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): Seven days following publication in the Official Journal of the European Union.</p> <p><input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): Not applicable. Comments are only to be addressed to the TBT Enquiry Point on notice G/TBT/N/EU/790 and on TBT aspects of the notified draft legislation.</p> <p>Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (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>13. Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (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>