



28 January 2022

(22-0721)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**NOTIFICATION**

<b>1. Notifying Member:</b> <u>EUROPEAN UNION</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> European Commission, Health and Food Safety Directorate-General
<b>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):</b> Bifenazate (pesticide active substance); Pesticides and other agrochemicals (ICS code: 65.100)
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
<b>5. Title of the notified document:</b> Draft Commission Implementing Regulation renewing the approval of the active substance bifenazate 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 (Text with EEA relevance). <b>Language(s):</b> English. <b>Number of pages:</b> 5 and 4 <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_1044_00_e.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_1044_00_e.pdf</a> <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_1044_01_e.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_1044_01_e.pdf</a>
<b>6. Description of content:</b> This draft Commission Implementing Regulation provides that the approval of the active substance bifenazate is renewed in accordance with Regulation (EC) No 1107/2009. It is however, necessary to include certain conditions and restrictions, i.e. to restrict the use of plant protection products containing bifenazate to non-edible crops in permanent greenhouses and to require further confirmatory information.  Existing authorised plant protection products containing bifenazate will be reviewed in accordance with the conditions and restrictions set in this act. The conditions and restrictions are based on the first evaluation of the substance for use as a pesticide active substance in the EU under Regulation (EC) No 1107/2009. The substance was formerly approved under Directive 91/414/EEC.  This decision only concerns the placing on the market of this substance.  Following restriction of the approval and the consequent expiry of all grace periods for stocks of products, separate legal action may be taken on Maximum Residue Levels and a separate notification will be made in accordance with SPS procedures in due time.  This draft Commission Regulation was also notified under the TBT Agreement in notice G/TBT/N/EU/867.
<b>7. Objective and rationale:</b> <input checked="" type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input checked="" type="checkbox"/> protect territory from other damage from pests.

<p><b>8. Is there a relevant international standard? If so, identify the standard:</b></p> <p><input type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b></p> <p><input type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b></p> <p><input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b></p> <p><input checked="" type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b></p>
<p><b>9. Other relevant documents and language(s) in which these are available:</b></p> <p>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: <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1107&amp;qid=1437730988988&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1107&amp;qid=1437730988988&amp;from=EN</a></p> <p>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 (<i>OJ L 153, 11.6.2011, p. 1-186</i>)</p> <p><a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1442928512004&amp;uri=CELEX:32011R0540">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1442928512004&amp;uri=CELEX:32011R0540</a></p> <p>Conclusion on the peer review of the pesticide risk assessment of the active substance bifenazate EFSA Journal 2017;15(1):4693. EFSA Updated peer review of the pesticide risk assessment of the active substance bifenazate EFSA Journal 2021;19(8):6818, available online: <a href="http://www.efsa.europa.eu">www.efsa.europa.eu</a></p>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> Second quarter of 2022.</p> <p><b>Proposed date of publication (dd/mm/yy):</b> Second quarter of 2022.</p>
<p><b>11. Proposed date of entry into force:</b> <input type="checkbox"/> <b>Six months from date of publication, and/or (dd/mm/yy):</b> 20 days following publication in the Official Journal of the EU.</p> <p><input type="checkbox"/> <b>Trade facilitating measure</b></p>
<p><b>12. Final date for comments:</b> <input type="checkbox"/> <b>Sixty days from the date of circulation of the notification and/or (dd/mm/yy):</b> Not applicable. Comments are only welcomed on TBT related issues and to be addressed to the TBT Enquiry Point on notice G/TBT/N/EU/867.</p> <p><b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> <b>National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: <a href="mailto:grow-eu-tbt@ec.europa.eu">grow-eu-tbt@ec.europa.eu</a></p>
<p><b>13. Text(s) available from:</b> <input checked="" type="checkbox"/> <b>National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>European Commission EU-TBT Enquiry Point Fax: + (32) 2 299 80 43 E-mail: <a href="mailto:grow-eu-tbt@ec.europa.eu">grow-eu-tbt@ec.europa.eu</a></p>