Commission Implementing Regulation (EU) 2019/168 of 31 January 2019 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances abamectin, Bacillus subtilis (Cohn 1872) Strain QST 713, Bacillus thuringiensis subsp. Aizawai, Bacillus thuringiensis subsp. israeliensis, Bacillus thuringiensis subsp. kurstaki, Beauveria bassiana, benfluralin, clodinafop, clopyralid, Cydia pomonella Granulovirus (CpGV), cyprodinil, dichlorprop-P, epoxiconazole, fenpyroximate, fluazinam, flutolanil, fosetyl, Lecanicillium muscarium, mepanipyrim, mepiquat, Metarhizium anisopliae var. Anisopliae, metconazole, metrafenone, Phlebiopsis gigantea, pirimicarb, Pseudomonas chlororaphis strain: MA 342, pyrimethanil, Pythium oligandrum, rimsulfuron, spinosad, Streptomyces K61, thiacloprid, tolclofos-methyl, Trichoderma asperellum, Trichoderma atroviride, Trichoderma gamsii, Trichoderma harzianum, triclopyr, trinexapac, triticonazole, Verticillium albo-atrum and ziram (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/168

of 31 January 2019

amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances abamectin, *Bacillus subtilis* (Cohn 1872) Strain QST 713, *Bacillus thuringiensis* subsp. Aizawai, *Bacillus thuringiensis* subsp. israeliensis, *Bacillus thuringiensis* subsp. kurstaki, *Beauveria bassiana*, benfluralin, clodinafop, clopyralid, *Cydia pomonella Granulovirus* (CpGV), cyprodinil, dichlorprop-P, epoxiconazole, fenpyroximate, fluazinam, flutolanil, fosetyl, *Lecanicillium muscarium*, mepanipyrim, mepiquat, *Metarhizium anisopliae* var. Anisopliae, metconazole, metrafenone, *Phlebiopsis gigantea*, pirimicarb, *Pseudomonas chlororaphis* strain: MA 342, pyrimethanil, *Pythium oligandrum*, rimsulfuron, spinosad, *Streptomyces* K61, thiacloprid, tolclofos-methyl, *Trichoderma asperellum*, *Trichoderma atroviride*, *Trichoderma gamsii*, *Trichoderma harzianum*, triclopyr, trinexapac, triticonazole, *Verticillium albo-atrum* and ziram

(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.

Changes to legislation: *There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/168. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(2) The approval periods of the active substances *Bacillus subtilis* (Cohn 1872) Strain QST 713, clodinafop, clopyralid, cyprodinil, dichlorprop-P, fosetyl, mepanipyrim, metconazole, metrafenone, pirimicarb, *Pseudomonas chlororaphis* strain: MA 342, pyrimethanil, rimsulfuron, spinosad, thiacloprid, tolclofos-methyl, triclopyr, trinexapac, triticonazole and ziram were last extended by Commission Implementing Regulation (EU) 2018/524[(3)]. The approval periods of those substances will expire on 30 April 2019.

(3) The approval periods of the active substances benfluralin, fluazinam, flutolanil and mepiquat will expire on 28 February 2019.

(4) The approval periods of the active substances abamectin, *Bacillus thuringiensis* subsp. Aizawai, *Bacillus thuringiensis* subsp. israeliensis, *Bacillus thuringiensis* subsp. kurstaki, *Beauveria bassiana*, *Cydia pomonella Granulovirus* (CpGV), epoxiconazole, fenpyroximate, *Lecanicillium muscarium*, *Metarhizium anisopliae* var. Anisopliae, *Phlebiopsis gigantea*, *Pythium oligandrum*, *Streptomyces* K61, *Trichoderma asperellum*, *Trichoderma atroviride*, *Trichoderma gamsii*, *Trichoderma harzianum* and *Verticillium albo-atrum* will expire on 30 April 2019.

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

(6) Due to the fact that the assessment of those substances has been delayed for reasons beyond the control of the applicants, the approval of those active substances are likely to expire before a decision on the renewal of the approval has been taken. It is therefore necessary to postpone the expiry of the approval periods.

(7) In view of the aim of the first paragraph of Article 17 of Regulation (EC) No 1107/2009, as regards cases where the Commission will 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 will 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 will 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.

(8) Taking into account that the approval periods of the active substances benfluralin, fluazinam, flutolanil and mepiquat expire on 28 February 2019, this Regulation should enter into force as soon as possible.

(9) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.

(10) 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:

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/168. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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 third 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, 31 January 2019.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/168. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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 74, Ziram, the date is replaced by '30 April 2020';

(2) in the sixth column, expiration of approval, of row 89, *Pseudomonas chlororaphis* strain: MA 342, the date is replaced by '30 April 2020';

(3) in the sixth column, expiration of approval, of row 90, Mepanipyrim, the date is replaced by '30 April 2020';

(4) in the sixth column, expiration of approval, of row 92, Thiacloprid, the date is replaced by '30 April 2020';

(5) in the sixth column, expiration of approval, of row 123, Clodinafop, the date is replaced by '30 April 2020';

(6) in the sixth column, expiration of approval, of row 124, Pirimicarb, the date is replaced by '30 April 2020';

(7) in the sixth column, expiration of approval, of row 125, Rimsulfuron, the date is replaced by '30 April 2020';

(8) in the sixth column, expiration of approval, of row 126, Tolclofos-methyl, the date is replaced by '30 April 2020';

(9) in the sixth column, expiration of approval, of row 127, Triticonazole, the date is replaced by '30 April 2020';

(10) in the sixth column, expiration of approval, of row 129, Clopyralid, the date is replaced by '30 April 2020';

(11) in the sixth column, expiration of approval, of row 130, Cyprodinil, the date is replaced by '30 April 2020';

(12) in the sixth column, expiration of approval, of row 131, Fosetyl, the date is replaced by '30 April 2020';

(13) in the sixth column, expiration of approval, of row 132, Trinexapac, the date is replaced by '30 April 2020';

(14) in the sixth column, expiration of approval, of row 133, Dichlorprop-P, the date is replaced by '30 April 2020';

(15) in the sixth column, expiration of approval, of row 134, Metconazole, the date is replaced by '30 April 2020';

(16) in the sixth column, expiration of approval, of row 135, Pyrimethanil, the date is replaced by '30 April 2020';

(17) in the sixth column, expiration of approval, of row 136, Triclopyr, the date is replaced by '30 April 2020';

(18) in the sixth column, expiration of approval, of row 137, Metrafenone, the date is replaced by '30 April 2020';