Commission Implementing Regulation (EU) No 880/2014 of 12 August 2014 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance Cydia pomonella Granulovirus (CpGV) (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 880/2014

of 12 August 2014

amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance *Cydia pomonella* Granulovirus (CpGV)

(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 Article 13(2)(c) thereof,

Whereas:

(1) The active substance *Cydia pomonella* Granulovirus (CpGV) was included in Annex I to Council Directive 91/414/EEC[(2)] by Commission Directive 2008/113/EC[(3)] in accordance with the procedure provided for in Article 24b of Commission Regulation (EC) No 2229/2004[(4)]. Since the replacement of Directive 91/414/EEC by Regulation (EC) No 1107/2009, this substance is deemed to have been approved under that Regulation and is listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011[(5)].

(2) In accordance with Article 25a of Regulation (EC) No 2229/2004, the European Food Safety Authority, hereinafter 'the Authority', presented to the Commission its view on the draft review report for *Cydia pomonella* Granulovirus (CpGV) on 4 April 2012[(6)]. The Authority communicated its view on *Cydia pomonella* Granulovirus(CpGV) to the notifier. The Commission invited the notifier to submit comments on the draft review report. The draft review report and the view of the Authority were reviewed by the Member States and the Commission. The draft review report was finalised within the Standing Committee on Plants, Animals, Food and Feed on 11 July 2014 in the format of the Commission review report for *Cydia pomonella* Granulovirus (CpGV).

(3) It is confirmed that the active substance *Cydia pomonella* Granulovirus (CpGV) is to be deemed to have been approved under Regulation (EC) No 1107/2009.

(4) In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, in particular the recently published guidance on microbial contaminant limits for microbial

Changes to legislation: *There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 880/2014. 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*

plant protection products[7], it is necessary to amend the conditions of approval, in particular the minimum degree of purity of the active substance and the nature and maximum content of certain impurities.

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

(6) 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

Amendment to Implementing Regulation (EU) No 540/2011

In the column 'Purity' of row 198, *Cydia pomonella* Granulovirus (CpGV), of Part A of the Annex to Implementing Regulation (EU) No 540/2011, the words 'Contaminating micro-organisms (Bacillus cereus) $< 1 \times 10^6$', are replaced by 'Minimum concentration: 1×10^{13} OB/l (occlusion bodies/l) and Contaminating microorganisms (*Bacillus cereus*) in the formulated product $< 1 \times 10^7$ CFU/g'.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth 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, 12 August 2014.

For the Commission

The President

José Manuel BARROSO