STATUTORY RULES OF NORTHERN IRELAND

2003 No. 79

PESTICIDES

Plant Protection Products (Amendment) Regulations (Northern Ireland) 2003

Made - - - - 17th February 2003

Coming into operation 7th April 2003

The Department of Agriculture and Rural Development, being a Department designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy of the European Community, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Plant Protection Products (Amendment) Regulations (Northern Ireland) 2003 and shall come into operation on 7th April 2003.

(2) The Interpretation Act (Northern Ireland) 1954(**3**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Amendment of the Plant Protection Products Regulations (Northern Ireland) 1995

2.—(1) The Plant Protection Products Regulations (Northern Ireland) 1995(**4**) shall be amended in accordance with this regulation.

(2) In regulation 2(1) the following definition shall be substituted for the definition of "the Directive" –

> ""the Directive" means Council Directive 91/414/EEC concerning the placing of plant protection products on the market(**5**), as amended by the instruments listed in Schedule AA1;".

(3) After paragraph (5) of regulation 7 the following paragraph shall be inserted –

(**1**) S.I. 2000/2812
(**2**) 1972 c. 68
(**3**) 1954 c. 33 (N.I.)
(**4**) S.R. 1995 No. 371, amended by S.R. 1997 Nos. 471 and 507 and S.R. 2002 No. 289 (S.R. 2002 No. 289 is revoked by the present Regulations)
(**5**) O.J. No. L230, 19.8.91, p. 1 (to be read with Corrigenda published in O.J. No. L170, 25.6.92, p. 40)

"(5A) The Department may additionally allow a provisional approval to continue in effect for a product following the inclusion of an active substance contained in that product in Annex I by a Directive specified in column 1 of Schedule A1 –

(a) in the case of a product that contains only one active substance, until either the date when a standard approval is granted for that product, or the date specified in column 3 of Schedule A1 in relation to that active substance, whichever is the earlier; or

(b) in the case of a product that contains more than one active substance, until either the date when a standard approval is granted for that product, or the date specified in column 3 of Schedule A1 in relation to the later of the active substances in that product to be placed in Annex I, whichever is the earlier.".

(4) Regulation 27(3) shall be deleted.

(5) Before Schedule 1 there shall be added the Schedules set out in the Schedule to these Regulations.

(6) For paragraph 2(b) of Schedule 1 there shall be substituted –

"(b) Council Directive 1999/45/EC concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations(**6**).".

(7) For paragraph 1(c) of Schedule 2 (labelling requirements) there shall be substituted –

"(c) the name and the amount of each active substance; the name must be –

(i) the same as that listed in Annex I to the Council Directive 67/548/EEC(**7**), if any;

(ii) the common name given by the International Organisation for Standardisation(**8**), if any; or

(iii) its chemical designation according to the rules of the International Union of Pure and Applied Chemistry contained in the Nomenclature of Organic Chemistry, 1979 Recommendations(**9**) and 1993 Recommendations(**10**).".

(8) For paragraph 1(f) of Schedule 2 there shall be substituted –

"(f) the particulars required for the product in Articles 10 to 12 of Council Directive 1999/45/EC concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations and information on first aid;".

Revocation

4. The Plant Protection Products (Amendment) (No. 3) Regulations (Northern Ireland) 2002(**11**) are hereby revoked.

(**6**) O.J. No. L200, 30.7.1999, p. 1
(**7**) O.J. No. L196, 16.8.67, p. 1 (OJ/SE 1967 p. 234)
(**8**) The International Organization for Standardization address is 1, rue de Varembe, Case postale 56, CH-1211, Geneva 20, Switzerland. The website address is: http://www.iso.org
(**9**) Nomenclature of Organic Chemistry, 'IUPAC' Sections A, B, C, D, E, F and H, Pergamon Press, Oxford, 1979, ISBN 0080223699. Also available as published by Advanced Chemistry Development, Inc, on the worldwide website address: www.acdlabs.com/iupac/nomenclature
(**10**) A Guide to IUPAC Nomenclature of Organic Compounds (Recommendations 1993), Blackwell Scientific Publications ISBN 0632034882
(**11**) S.R. 2002 No. 289

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 17th February 2003.

D. Small
A senior officer of the
Department of Agriculture and Rural
Development