Commission Implementing Regulation (EU) No 542/2011 of 1 June 2011 amending Implementing Regulation (EU) No 540/2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances to take into account Directive 2011/58/EU amending Council Directive 91/414/EEC to renew the inclusion of carbendazim as active substance (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 542/2011

of 1 June 2011

amending Implementing Regulation (EU) No 540/2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances to take into account Directive 2011/58/EU amending Council Directive 91/414/EEC to renew the inclusion of carbendazim as active substance

(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 78(3) thereof,

After consulting the Standing Committee on the Food Chain and Animal Health,

Whereas:

(1) Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011[(2)] contains the list of active substances included in Annex I to Council Directive 91/414/EEC[(3)].

(2) Annex I to Directive 91/414/EEC has been amended by Commission Directive 2011/58/EU[(4)].

(3) Regulation (EU) No 540/2011 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Part A of 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 day following that of its publication in the *Official Journal of the European Union*.

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 542/2011. 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*

It shall apply from 14 June 2011.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 1 June 2011.

For the Commission

The President

José Manuel BARROSO

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 542/2011. 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

In Part A of the Annex to Implementing Regulation (EU) No 540/2011, row 144 is replaced by the following:

Number	Common Name, identification numbers	IUPAC Name	Purity[a]	Date of approval	Expiration of approval	Specific provisions
‘144	Carbendazim CAS N° 10605-21-7 CIPAC N° 263	Methyl benzimidazol-2-ylcarbamate	≥ 980 g/kg Relevant impurities 2-amino-3-hydroxyphenazine (AHP): not more than 0,0005 g/kg 2,3-diaminophenazine (DAP): not more than 0,003 g/kg	1 June 2011	30 November 2014	PART A Only uses as fungicide on the following crops may be authorised: — cereals — rape seed — sugar and fodder beet — maize at rates not exceeding — 0,25 kg active substance per hectare per application for cereals and rape seed; — 0,075 kg active substance per hectare per application for sugar and fodder beet

a Further details on identity and specification of active substance are provided in the review report.

Changes to legislation: *There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 542/2011. 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*

						— 0,1 kg active substance per hectare per application for maize. The following uses must not be authorised: — air application; — knapsack and handheld applications neither by amateur nor by professional users; — home gardening. Member States shall ensure that all appropriate risk mitigation measures are applied. Particular attention must be paid to the protection of: — aquatic organisms. Appropriate drift mitigation measures must be

a Further details on identity and specification of active substance are provided in the review report.

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) No 542/2011. 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*

						—	applied to minimise the exposure of surface water bodies. This should include keeping a distance between treated areas and surface water bodies alone or in combination with the use of drift-reducing techniques or devices; — earthworms and other soil macro-organisms. Conditions of authorisation shall include risk mitigation measures, such as the

a Further details on identity and specification of active substance are provided in the review report.