Commission Regulation (EC) No 2024/2006 of 22 December 2006 laying down transitional measures derogating from Regulation (EC) No 2076/2002 and Decisions 98/270/EC, 2002/928/EC, 2003/308/EC, 2004/129/EC, 2004/141/EC, 2004/247/EC, 2004/248/EC, 2005/303/EC and 2005/864/EC as regards the continued use of plant protection products containing certain active substances not included in Annex I to Directive 91/414/EEC by reason of the accession of Romania (Text with EEA relevance)

COMMISSION REGULATION (EC) No 2024/2006

of 22 December 2006

laying down transitional measures derogating from Regulation (EC) No 2076/2002 and Decisions 98/270/EC, 2002/928/EC, 2003/308/EC, 2004/129/EC, 2004/141/EC, 2004/247/EC, 2004/248/EC, 2005/303/EC and 2005/864/EC as regards the continued use of plant protection products containing certain active substances not included in Annex I to Directive 91/414/EEC by reason of the accession of Romania

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of Bulgaria and Romania, and in particular Article 4(3) thereof,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 42 thereof,

Whereas:

(1) Commission Regulation (EC) No 2076/2002[(1)] and Decisions 98/270/EC[(2)], 2002/928/EC[(3)], 2003/308/EC[(4)], 2004/129/EC[(5)], 2004/141/EC[(6)], 2004/247/EC[(7)], 2004/248/EC[(8)], 2005/303/EC[(9)] and 2005/864/EC[(10)] contain provisions for the non-inclusion of certain active substances in Annex I to Council Directive 91/414/EEC[(11)] and for the withdrawal by Member States of all authorizations for plant protection products containing those active substances.

(2) Since existing authorisations have to be withdrawn in Romania by 31 December 2006, Romania applied for transitional measures permitting it to grant a grace period for some of those active substances to allow existing stocks to be used up.

(3) Romania should take the appropriate measures to ensure that the continued uses have neither harmful effect on human or animal health nor unacceptable influence on the environment and that all necessary risk mitigation measures are taken.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 2024/2006. 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

By way of derogation from Article 1 of Commission Decision 98/270/EC, any period of grace granted by Romania, in accordance with Article 4(6) of Directive 91/414/EEC, for the disposal, storage, placing on the market and use of existing stocks of plant protection products containing the active substance fenvalerate, shall be as short as possible and shall expire not later than 30 June 2008.

Article 2

By way of derogation from Article 3 of Commission Decision 2002/928/EC, any period of grace granted by Romania, in accordance with Article 4(6) of Directive 91/414/EEC, for the disposal, storage, placing on the market and use of existing stocks of plant protection products containing the active substance benomyl shall be as short as possible and shall expire not later than 31 December 2007.

Article 3

By way of derogation from Article 3 of Commission Regulation (EC) No 2076/2002, any period of grace granted by Romania, in accordance with Article 4(6) of Directive 91/414/EEC, for the disposal, storage, placing on the market and use of existing stocks of plant protection products containing the active substances acifluorfen, bensultap, bromopropylate, fenpropathrin, fomesafen, imazapyr, nonylphenol ethoxylate, oxadixyl, prometryne, quinalphos, terbufos or triforine shall be as short as possible and shall expire not later than 30 June 2008.

[F1]Article 4

. . . . . .

Textual Amendments

F1 Deleted by Commission Regulation (EC) No 1313/2007 of 8 November 2007 amending Regulations (EC) No 2076/2002 as regards the extension of the time period referred to in Article 8(2) of Council Directive 91/414/EEC with respect to metalaxyl and (EC) No 2024/2006 as regards the deletion of the derogation concerning metalaxyl (Text with EEA relevance).

Article 5

By way of derogation from Article 3 of Commission Decision 2004/129/EC, any period of grace granted by Romania, in accordance with Article 4(6) of Directive 91/414/EEC, for the disposal, storage, placing on the market and use of existing stocks of plant protection products containing the active substances boric acid, imazethapyr, methidathion or triadimefon shall be as short as possible and shall expire not later than 30 June 2008.

Article 6

By way of derogation from Article 3 of Commission Decision 2004/141/EC, any period of grace granted by Romania, in accordance with Article 4(6) of Directive 91/414/EEC, for the disposal, storage, placing on the market and use of existing stocks of plant protection products containing the active substance amitraz shall be as short as possible and shall expire not later than 31 December 2007.