Commission Regulation (EC) No 777/2006 of 23 May 2006 amending Annex I to Regulation (EC) No 304/2003 of the European Parliament and of the Council concerning the export and import of dangerous chemicals (Text with EEA relevance)

COMMISSION REGULATION (EC) No 777/2006

of 23 May 2006

amending Annex I to Regulation (EC) No 304/2003 of the European Parliament and of the Council concerning the export and import of dangerous chemicals

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 304/2003 of the European Parliament and of the Council of 28 January 2003 concerning the export and import of dangerous chemicals[(1)], and in particular Article 22(4) and (5) thereof,

After consulting the Committee established by Article 29 of Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances[(2)] for the measures referred to in Article 22(5) of Regulation (EC) No 304/2003,

Whereas:

(1) Regulation (EC) No 304/2003 implements the Rotterdam Convention on the Prior Informed Consent Procedure (PIC procedure) for Certain Hazardous Chemicals and pesticides in International Trade, signed on 11 September 1998 and approved, on behalf of the Community, by Council Decision 2003/106/EC[(3)].

(2) In the light of Commission Regulation (EC) No 2076/2002 of 20 November 2002 extending the time period referred to in Article 8(2) of Council Directive 91/414/EEC and concerning the non-inclusion of certain active substances in Annex I to that Directive and the withdrawal of authorisations for plant protection products containing these substances[(4)] and Commission Decision 2004/129/EC of 30 January 2004 concerning the non-inclusion of certain active substances in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing these substances[(5)], taken within the framework of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market[(6)], a number of the chemicals concerned should be added to the list of chemicals contained in Part 1 of Annex I to Regulation (EC) No 304/2003. The listings should also reflect the fact that none of the chemicals concerned have been notified under the Community review programme for evaluation of existing substances under Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market[(7)], although some of the chemicals had been identified and thus Member States may allow their use in

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 777/2006. (See end of Document for details)*

such products until 1 September 2006 at the latest in accordance with their national legislation.

(3) In the light of Commission Decision 2005/864/EC of 2 December 2005 concerning the non-inclusion of endosulfan in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance[8], and bearing in mind that endosulfan has been identified but not notified for evaluation under Directive 98/8/EC and thus may continue to be authorised by Member States until 1 September 2006, it is severely restricted for pesticide use and thus should be added to the lists of chemicals contained in parts 1 and 2 of Annex I to Regulation (EC) No 304/2003.

(4) At its first meeting in September 2004, the Conference of the Parties to the Rotterdam Convention decided to make a number of amendments to Annex III to the Convention listing the chemicals subject to the PIC procedure, all of which have entered into force by 1 January 2006. The lists of chemicals contained in parts 1, 2 and 3 of Annex I to Regulation (EC) No 304/2003 should therefore be amended accordingly.

(5) Furthermore the existing entries for certain chemicals require updating to take account of regulatory developments since Annex I was last amended. In addition, parts 1 and 2 of Annex I to Regulation (EC) No 304/2003 contain some small errors that require correction.

(6) Regulation (EC) No 304/2003 should therefore be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 29 of Directive 67/548/EEC,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 304/2003 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following 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, 23 May 2006.

For the Commission

Stavros DIMAS

Member of the Commission

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ANNEX

Annex I to Regulation (EC) No 304/2003 is amended as follows[9]:

1. Part 1 is amended as follows:

(a) the following entries are inserted:

Chemical	CAS No	Einecs No	CN code	Subcategory	Use(*) limitation (**)	Countries for which no notification is required
'1,3-dichloropropene (CIS) ((1Z)-1,3-dichloroprop-1-ene)	10061-01-5	233-195-8	2903 29 00	p(1)-p(2)	b-b	
2-aminobutane	13952-84-6	237-732-7	2921 19 80	p(1)-p(2)	b-b	
Acifluorfen	50594-66-6	256-634-5	2916 39 00	p(1)-p(2)	b-b	
Ametryn	834-12-8	212-634-7	2933 69 80	p(1)-p(2)	b-b	
Bensultap	17606-31-4		2930 90 70	p(1)-p(2)	b-b	
Calciferol	50-14-6	200-014-9	2936 29 90	p(1)	b	
Cartap	15263-53-3		2930 20 00	p(1)-p(2)	b-b	
Chinomethionat	2439-01-2	219-455-3	2934 99 90	p(1)-p(2)	b-b	
Chlorfenvinphos	470-90-6	207-432-0	2919 00 90	p(1)-p(2)	b-b	
Chlormephos	24934-91-6	246-538-1	2930 90 70	p(1)-p(2)	b-b	
Cholecalciferol	67-97-0	200-673-2	2936 29 90	p(1)	b	
Coumafuryl	117-52-2	204-195-5	2932 29 80	p(1)-p(2)	b-b	
Crimidine	535-89-7	208-622-6	2933 59 95	p(1)	b	

Cyanazine	21725-46-2	244-544-9	2933 69 80	p(1)-p(2)	b-b	
Dinobuton	973-21-7	213-546-1	2920 90 10	p(1)-p(2)	b-b	
Endosulfan +	115-29-7	204-079-4	2920 90 85	p(1)	b	
Ethion	563-12-2	209-242-3	2930 90 70	p(1)-p(2)	b-b	
Fenpropathrin	39515-41-8	254-485-0	2926 90 95	p(1)-p(2)	b-b	
Flurenol	467-69-6	207-397-1	2918 19 80	p(1)-p(2)	b-b	
Furathiocarb	65907-30-4	265-974-3	2932 99 85	p(1)-p(2)	b-b	
Hexazinone	51235-04-2	257-074-4	2933 69 80	p(1)-p(2)	b-b	
Iminoctadine	13516-27-3	236-855-3	2925 20 00	p(1)-p(2)	b-b	
Isoxathion	18854-01-8	242-624-8	2934 99 90	p(1)	b	
Methidathion	950-37-8	213-449-4	2934 99 90	p(1)-p(2)	b-b	
Metoxuron	19937-59-8	243-433-2	2924 21 90	p(1)-p(2)	b-b	
Monuron	150-68-5	205-766-1	2924 21 90	p(1)	b	
Omethoate	1113-02-6	214-197-8	2930 90 70	p(1)-p(2)	b-b	
Pebulate	1114-71-2	214-215-4	2930 20 00	p(1)-p(2)	b-b	
Scilliroside	507-60-8	208-077-4	2938 90 90	p(1)	b	
Strychnine	57-24-9	200-319-7	2939 99 00	p(1)	b	
Terbufos	13071-79-9	235-963-8	2930 90 70	p(1)-p(2)	b-b	
Thallium sulphate	7446-18-6	231-201-3	2833 29 90	p(1)	b	
Thiocyclam	31895-22-4	250-859-2	2934 99 90	p(1)-p(2)	b-b	