COMMISSION REGULATION (EC) No 1336/2003

of 25 July 2003

amending Regulation (EC) No 2076/2002 as regards the continued use of the substances listed in Annex II

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection products on the market [1], as last amended by Commission Directive 2003/70/EC [2], and in particular the fourth subparagraph of Article 8(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 2076/2002 [3] contains provisions for the non-inclusion of certain active substances in Annex I to Directive 91/414/EEC and for the withdrawal by Member States of all authorisations for plant-protection products containing such active substances. For uses for which additional technical evidence had been provided demonstrating the essential need for further use of the active substance and the absence of an efficient alternative, temporary measures were provided to enable the development of alternatives.

(2) Member States have presented new evidence demonstrating the need for further essential uses. Such information has been evaluated by the Commission with Member State experts. Derogations should be given only for cases which appear justified and which do not give rise to concern and should be restricted to the control of harmful organisms for which no efficient alternatives exist.

(3) Certain active substances are covered both by the third and fourth stage of the programme of work because of their chemical relation or because of their specific use. In order to avoid inconsistencies, the necessary adaptations should be made to Annex II to Regulation (EC) No 2076/2002.

(4) Regulation (EC) No 2076/2002 should therefore be amended accordingly.

(5) 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:

Article 1

Annex II to Regulation (EC) No 2076/2002 is replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 25 July 2003.

For the Commission

David BYRNE

Member of the Commission

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[1] OJ L 230, 19.8.1991, p. 1.
[2] OJ L 184, 23.7.2003, p. 9.
[3] OJ L 319, 23.11.2002, p. 3.

ANNEX

'ANNEX II

List of authorisations referred to in Article 2(3)

Column A	Column B	Column C
Active substance	Member State	Use
2-aminobutane	United Kingdom	Stored seed potato
	Ireland	Stored seed potato
1,3-dichloropropene (cis)	The Netherlands	Flower bulbs, strawberries, vegetables, tree nursery crops, perennials and replanting of orchards
4-CPA (4-chlorophenoxyacetic acid)	Greece	Grape (seedless)
	Spain	Tomato, aubergine
Acifluorfen	Italy	Soybean
Azaconazole	Belgium	Sweet pepper, tomato, wound treatment on trees
	The Netherlands	Tomato
	United Kingdom	Ornamentals
Benfuresate	Spain	Cotton
Bromacil	France	Lavender, lavandin
Bromopropylate	Belgium	Bean
	Italy	Pome fruit, vine
	Spain	Lemon, tomato, pome fruit, vine
Calcium hydroxide (aka slake lime (*))	The Netherlands	Fruit
Cartap	Italy	Pome fruit, stone fruit, tomato, aubergine, pepper, melon, marrow, ornamentals
Chinomethionate	Greece	Melon, water melon
	Spain	*Cucurbitaceae*
Chlorfenvinfos	Denmark	Cabbage
	Germany	Small radish, radish, carrot, onion, celery, cabbage, cucumber, oil seed rape
	Ireland	Carrot, parsnip, cabbage, swede
	France	Mushroom, asparagus, cress, radish, spinach, corn salad, gherkin, courgette, onion, shallot, carrot, celeriac, leek, celery, parsley, garlic, cabbage, turnip
	The Netherlands	Cabbage, onion, carrot, *Brassica* vegetables, swede, turnip, radish, black radish, leek, celeriac
	Sweden	Head cabbage and swedes
	Portugal	*Brassica*
	Spain	*Brassica*
Cyanazine	United Kingdom	Pea, bean, *Brassica*, narcissi, oilseed rape, *Allium*, forestry
	Sweden	Oilseed rape and pickling cucumber
	Ireland	Onion
Dalapon	Italy	Rice