



9 March 2020

(20-1824)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**NOTIFICATION**

<b>1. Notifying Member:</b> <u>EUROPEAN UNION</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> European Commission, Health and Food Safety Directorate-General
<b>3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Fenamiphos (pesticide active substance)
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
<b>5. Title of the notified document:</b> Draft Commission Implementing Regulation concerning the non-renewal of approval of the active substance fenamiphos, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (Text with EEA Relevance). <b>Language(s):</b> English. <b>Number of pages:</b> 5 <a href="https://members.wto.org/crnattachments/2020/SPS/EEC/20_1857_00_e.pdf">https://members.wto.org/crnattachments/2020/SPS/EEC/20_1857_00_e.pdf</a>
<b>6. Description of content:</b> <p>This draft Commission Implementing Regulation provides that the approval of the active substance fenamiphos is not renewed in accordance with Regulation (EC) No 1107/2009. Member States shall withdraw authorisations for plant protection products containing fenamiphos as active substance. The non-renewal of approval is based on the first evaluation of the substance for use as a pesticide active substance in the EU under Regulation (EC) No 1107/2009. The substance was formerly assessed and approved under Directive 91/414/ EEC.</p> <p>This decision only concerns the placing on the market of this substance and plant protection products containing it. Following non-approval and the expiry of all grace periods for stocks of products containing this substance, separate action will likely be taken on MRLs and a separate notification will be made in accordance with SPS procedures.</p> <p>This draft Commission Implementing Regulation was also notified under the TBT Agreement in notice G/TBT/N/EU/701.</p>
<b>7. Objective and rationale:</b> <input checked="" type="checkbox"/> food safety, <input checked="" type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection, <input checked="" type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.

<p><b>8. Is there a relevant international standard? If so, identify the standard:</b></p> <p><input type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b></p> <p><input type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b></p> <p><input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b></p> <p><input checked="" type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b></p>
<p><b>9. Other relevant documents and language(s) in which these are available:</b></p> <p>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: <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1107&amp;qid=1437730988988&amp;from=EN">http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009R1107&amp;qid=1437730988988&amp;from=EN</a></p> <p>Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1-186). <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1442928512004&amp;uri=CELEX:32011R0540">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1442928512004&amp;uri=CELEX:32011R0540</a></p> <p>Conclusion on the peer review of the pesticide risk assessment of the active substance fenamiphos. EFSA Journal 2019;17(1):5557. <a href="https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2019.5557">https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2019.5557</a></p>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> Third quarter 2020. <b>Proposed date of publication (dd/mm/yy):</b> Third quarter 2020.</p>
<p><b>11. Proposed date of entry into force:</b> <input type="checkbox"/> <b>Six months from date of publication, and/or (dd/mm/yy):</b> 20 days following publication in the Official Journal of the European Union. <input type="checkbox"/> <b>Trade facilitating measure</b></p>
<p><b>12. Final date for comments:</b> <input type="checkbox"/> <b>Sixty days from the date of circulation of the notification and/or (dd/mm/yy):</b> 5 May 2020 Comments are to be addressed to the TBT Enquiry Point.</p> <p><b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> <b>National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>European Commission EU-TBT Enquiry Point Fax: + (32 2) 299 8043 E-mail: grow-eu-tbt@ec.europa.eu</p>
<p><b>13. Text(s) available from:</b> <input checked="" type="checkbox"/> <b>National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>European Commission EU-TBT Enquiry Point Fax: + (32 2) 299 8043 E-mail: grow-eu-tbt@ec.europa.eu</p>