



28 January 2021

(21-0784)

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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> Alpha-cypermethrin (pesticide active substance); Pesticides and other agrochemicals (ICS Code: 65.100)
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> <b>All trading partners</b> <input type="checkbox"/> <b>Specific regions or countries:</b>
<b>5. Title of the notified document:</b> Draft Commission Implementing Regulation withdrawing the approval of the active substance alpha-cypermethrin 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 Commission Implementing Regulation (EU) No 540/2011. <b>Language(s):</b> English. <b>Number of pages:</b> 4 <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_0702_00_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_0702_00_e.pdf</a>
<b>6. Description of content:</b> This draft Commission Implementing Regulation provides that the approval of the active substance alpha-cypermethrin is withdrawn in accordance with Regulation (EC) No 1107/2009. EU member States shall withdraw authorisations for plant protection products containing alpha-cypermethrin as an active substance.  This decision only concerns the placing on the market of this substance and plant protection products containing it. Following withdrawal 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.  This draft Commission Implementing Regulation was also notified under the TBT Agreement in notice G/TBT/N/EU/770.
<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 checked="" type="checkbox"/> protect territory from other damage from pests.
<b>8. Is there a relevant international standard? If so, identify the standard:</b> <input type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b> <input type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b> <input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b>

<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"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></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> <ul style="list-style-type: none"> <li>- 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></li> <li>- 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 (<i>OJ L 153, 11 June 2011, p. 1-186</i>) <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></li> <li>- Conclusion on the peer review of the pesticide risk assessment of the active substance alpha-cypermethrin <a href="https://www.efsa.europa.eu/en/efsajournal/pub/5403">https://www.efsa.europa.eu/en/efsajournal/pub/5403</a></li> <li>- Commission Implementing Regulation (EU) 2019/1690 of 9 October 2019 renewing the approval of the active substance alpha-cypermethrin, as a candidate for substitution, 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 <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1570712208665&amp;uri=CELEX:32019R1690">https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1570712208665&amp;uri=CELEX:32019R1690</a></li> </ul>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> 2<sup>nd</sup> quarter 2021</p> <p><b>Proposed date of publication (dd/mm/yy):</b> 2<sup>nd</sup> quarter 2021</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.</p> <p><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> Not applicable. Comments are only to be addressed to the TBT Enquiry Point on notice G/TBT/N/EU/770.</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 80 43 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 80 43 E-mail: grow-eu-tbt@ec.europa.eu</p>