



23 November 2021

(21-8834)

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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> Sulfoxaflor (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"/> All trading partners <input type="checkbox"/> Specific regions or countries:
<b>5. Title of the notified document:</b> Draft Commission Implementing Regulation amending Implementing Regulations (EU) No 2015/1295 and No 540/2011 as regards the conditions of approval of the active substance sulfoxaflor (Text with EEA relevance). <b>Language(s):</b> English. <b>Number of pages:</b> 5+2 (Annexes) <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_7283_00_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_7283_00_e.pdf</a> <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_7283_01_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_7283_01_e.pdf</a>
<b>6. Description of content:</b> This draft Commission Implementing Regulation provides that the approval conditions of the active substance sulfoxaflor are amended in accordance with Regulation (EC) No 1107/2009 based on the evaluation of confirmatory data as required in Regulation (EU) 2015/1295 of 27 July 2015 approving the active substance sulfoxaflor for use in the European Union. Existing authorised plant protection products containing sulfoxaflor will be reviewed in accordance with the restriction set in this act.  This decision however only concerns the placing on the market of this substance. Following restriction of the approval and the consequent expiry of all grace periods for stocks of products, separate legal action will likely be taken on Maximum Residue Levels and a separate notification will be made in accordance with SPS procedures in due time.  This draft Commission Implementing Regulation was also notified under the TBT Agreement in notice G/TBT/N/EU/853.
<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 type="checkbox"/> protect humans from animal/plant pest or disease, <input 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"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): <input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):

<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> <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 (OJ L 153, 11 June 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></li> <li>- EFSA (European Food Safety Authority), 2018. Technical report on the outcome of the consultation with Member States, the applicant and EFSA on the pesticide risk assessment of confirmatory data for sulfoxaflor in light of confirmatory data. EFSA supporting publication 2018:EN-1474. 73 pp. <a href="https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/sp.efsa.2018.EN-1474">https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/sp.efsa.2018.EN-1474</a></li> <li>- EFSA (European Food Safety Authority), 2019. Conclusion on the peer review of the pesticide risk assessment for the active substance sulfoxaflor in light of confirmatory data submitted. EFSA Journal 2019;17(3):5633, 14 pp. <a href="https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2019.5633">https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2019.5633</a></li> <li>- EFSA (European Food Safety Authority), 2020. Conclusion on the peer review of the pesticide risk assessment for the active substance sulfoxaflor in light of confirmatory data submitted. EFSA Journal 2020;18(3):6056, 15 pp. <a href="https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2020.6056">https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2020.6056</a></li> </ul>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> 1<sup>st</sup> quarter 2022</p> <p><b>Proposed date of publication (dd/mm/yy):</b> 1<sup>st</sup> quarter 2022</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 welcomed on TBT related issues and to be addressed to the TBT Enquiry Point on notice G/TBT/N/EU/853.</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>

**13. Text(s) available from:  National Notification Authority,  National Enquiry Point. Address, fax number and e-mail address (if available) of other body:**

European Commission  
EU-TBT Enquiry Point  
Fax: +(32) 2 299 80 43  
E-mail: grow-eu-tbt@ec.europa.eu