

**SHORT REPORT
OF THE MEETING OF THE STANDING COMMITTEE ON PLANT
HEALTH
HELD ON 7 DECEMBER 2001 IN BRUXELLES**

President : G. Del Bino

All Member States were present.

- 1 Examination and possible vote on a draft Commission Decision recognising the completeness of the dossier submitted for detailed examination with a view to the possible inclusion of nicobifen, tritosulfuron and bifenazate in Annex I to Council Directive 91/414/EEC (SANCO/3712/2001 rev 1).**

Vote : favourable opinion by unanimity.

The Decision will allow Member States to grant provisional authorisations for a period of four years, until the review concerning Annex I inclusion is finalised.

- 2 Examination and possible vote on a draft Commission Decision making it possible for Member States to extend provisional authorisations granted for the new active substances carfentrazone, cinidon-ethyl, cyhalofop-butyl, ethoxysulfuron, famoxadone, flazasulfuron, flufenacet, flumioxazine, flurtamone, fosthiazate, isoxaflutole, metalaxyl-M, *Pseudomonas chlororaphis*, quinoxifen, *Spodoptera exigua* nuclear polyhedrosis virus and sulfosulfuron (SANCO/3963/2001 rev 6).**

The following declarations were made:

Austria: Austria has already in the past, for principal reasons, taken an opposing position on any extensions of provisional authorisations and has referred on these occasions to future problems, which may arise. The current document confirms the concerns raised earlier. It is suggested to review the current procedures to avoid such decisions in the future.

Sweden: Sweden supports a decision of non-inclusion of quinoxifen in Annex I to Directive 91/414/EEC. The possible environmental impact of quinoxifen cannot be shown to be acceptable with sufficient security. This is due to the high persistence, high potential for bioaccumulation and indicated potential for long-range transport. Substances like quinoxifen may accumulate in various environmental compartments, including biota, and the effects of such accumulation are unpredictable. The Swedish opinion is that whatever the final results of the additional, ongoing study on organic matter breakdown may be, those results cannot be sufficient to demonstrate an acceptable impact.

Commission: The Commission notes that the review of quinoxifen is not yet concluded and further data are being evaluated. The Commission notes furthermore that this decision does not extend the provisional authorisations but only gives the Member States the possibility to do so.

Vote : favourable opinion by qualified majority (8 votes against).

The Decision will allow Member States to extend provisional authorisations for an additional period of two years, until the review concerning Annex I inclusion is finalised.

3 Examination and possible vote on a draft Commission Directive concerning the inclusion of isoproturon in Annex 1 to Council Directive 91/414/EEC (SANCO/3253/2001 rev 2; Review Report SANCO/3045/99-rev. 2).

The following declarations were made:

Denmark: Denmark declares its disagreement with the ADI and AOEL values defined in the list of endpoints of the review report.

Commission: At the adoption of the Uniform Principles by Council in 1997, the Council and Commission agreed to the following declaration:

“The Council and the Commission note that application of this Directive is without prejudice to the legislation in force concerning the protection of workers. The Council and the Commission state that this principle will be unequivocally clarified in Directive 91/414/EEC on the occasion of the first amendment of that Directive. The Commission intends to submit a proposal for such amendment within one year from the date of notification of this Directive.”

The Commission can for its part confirm its agreement with this declaration (subject to adequate adaptation of the deadline in the declaration).

The Commission presented the draft Directive.

Vote : favourable opinion by qualified majority (3 votes against)

The substance is an existing active substance used as herbicide.

4 Examination and possible vote on a draft Commission Decision concerning the non-inclusion of fentin acetate in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance (SANCO/3230/2001 rev 3; Review Report 5046/VI/97-rev. 2).

Vote : unanimous favourable opinion

The decision will withdraw the active substance from the market after a grace period to sell out existing stocks.

5 Examination and possible vote on a draft Commission Decision concerning the non-inclusion of fentin hydroxide in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing this active substance (SANCO/3229/2001 rev 3; Review Report 5048/VI/97-rev. 2).

Vote : unanimous favourable opinion

The decision will withdraw the active substance from the market after a grace period to sell out existing stocks.

6 Examination of a guidance document concerning the parallel trade with plant protection products (SANCO/223/2000 rev.9).

The following declarations were made:

Germany: Germany finds that the document provides useful information. However, the provisions for establishing identity of a product, the definition of the obligations of importers and Member States are not suitable to be dealt with in a guidance document. The Commission should cease further work on the guidance document and instead provide a proposal for an amendment of the Directive as soon as possible, which will regulate parallel imports. DE will not take note of the document.

Austria: Austria takes note of the document but considers it only as a first step towards the harmonisation of Community rules concerning parallel imports. A legally binding, direct regulation by an amendment of Council Directive 91/414/EEC is considered necessary. Austria refers to the conclusions of the Council on the report of the Commission to Council and Parliament concerning the review of active substances of plant protection products and asks the Commission to make as soon as possible proposals for an amendment of Directive 91/414/EEC which should include a legally binding regulation of parallel imports of plant protection products.

The Committee with the exception of Germany, took note of the Guidance document, which will be made available to interested parties and published on the internet site of the Directorate General Health and Consumer Protection.

7 Examination of a guidance document providing instruction for industry on dossier submission (Sanco/3989/2001).

The Committee took note of the Guidance document, which will be made available to interested parties and published on the internet site of the Directorate General Health and Consumer Protection.

8 Other business

8.1 Denmark

Denmark invites delegations to hold the working group legislation and Standing Committee for Plant Health on December 5 and 6, 2002 in Copenhagen. The Commission and the Member States thank for the invitation.

8.2 Spain

Spain invites the working group Legislation and SCPH to Madrid in June 2002. The Commission and the Member States thank for the invitation.

8.3 Portugal

Portugal asks the Commission to reconsider its rule to invite only one delegate per Member State to the meetings of the working groups. Spain supports this initiative and reminds to the complex and heavy agenda, which was covered once again in this meeting.

The Commission notes that it will be very difficult to make an exemption to this general rule, which is applied to all working groups of the Commission.

The measures on which the Committee has given its opinion are subject to the appropriate procedures for formal adoption by the Commission.

A CHECCHI LANG

Liste des participants à joindre au compte rendu succinct

Comité

Comité phytosanitaire - legislation

Date: 7 December 2001

Etat Membre	Ministère ou Organisme	Nombre de personnes
BE	Ministry of Agriculture	1
DK	Ministry of Environment and Danisk environmental agency	2
DE	Bundesministerium für Verbraucherschutz, Ernährung und Landwirtschaft/Ministry of Environment/Kmueltbundesamt	3
EL	Ministry of Agriculture	1
ES	Ministerio Agricultura	1
FR	Ministry of Agriculture	1
IRL	Pesticide Control Service	1
IT	Ministero della Sanita	1
L	Ministere de l'agriculture – ASTA	1
NL	Ministerie van LNV	1
A	Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft	1
PT	Ministry of Agriculture	2
FIN	Plant Protection Inspection Centre	1
SV	National Chemicals Inspection	3
UK	Pesticides Safety Directorate	2
COM		6
N	Norwegian Agricultural Inspection Service	-