

COMMISSION IMPLEMENTING REGULATION (EU) 2021/726

of 4 May 2021

amending Implementing Regulation (EU) No 540/2011 as regards the approval periods of the active substances *Adoxophyes orana granulovirus* and flutriafol

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular the first paragraph of Article 17 thereof,

Whereas:

- (1) Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽²⁾ sets out the active substances deemed to have been approved under Regulation (EC) No 1107/2009.
- (2) The approval period of the active substance flutriafol was extended from 31 May 2021 until 31 May 2024 by Commission Implementing Regulation (EU) 2018/1266 ⁽³⁾ and additionally until 31 August 2024 by Commission Implementing Regulation (EU) 2020/2007 ⁽⁴⁾. The approval period of the active substance *Adoxophyes orana granulovirus* was extended from 31 January 2023 until 31 January 2024 by Implementing Regulation (EU) 2020/2007.
- (3) Applications for the renewal of the approval of the active substances concerned were submitted in accordance with Article 1 of Commission Implementing Regulation (EU) No 844/2012 ⁽⁵⁾. However, for the active substances *Adoxophyes orana granulovirus* and flutriafol, the applicants have confirmed that they no longer support the application for renewal of approval.
- (4) In view of the aim of the first paragraph of Article 17 of Regulation (EC) No 1107/2009, the extensions of the approval periods of those active substances, provided for by Implementing Regulation (EU) 2020/2007, are no longer justified. It is therefore appropriate to provide that the approvals of *Adoxophyes orana granulovirus* and flutriafol expire at the dates they would expire without the extension.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ 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).

⁽³⁾ Commission Implementing Regulation (EU) 2018/1266 of 20 September 2018 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 1-decanol, 6-benzyladenine, aluminium sulfate, azadirachtin, bupirimate, carboxin, clethodim, cycloxydim, dazomet, diclofop, dithianon, dodine, fenazaquin, fluometuron, flutriafol, hexythiazox, hymexazol, indolylbutyric acid, isoxaben, lime sulphur, metaldehyde, paclobutrazol, pencycuron, sintofen, tau-fluvalinate and tebufenozide (OJ L 238, 21.9.2018, p. 81).

⁽⁴⁾ Commission Implementing Regulation (EU) 2020/2007 of 8 December 2020 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 1-decanol, 1,4-dimethylnaphthalene, 6-benzyladenine, acequinocyl, *Adoxophyes orana granulovirus*, aluminium sulfate, amisulbrom, *Aureobasidium pullulans* (strains DSM 14940 and DSM 14941), azadirachtin, *Bacillus pumilus* QST 2808, benalaxyl-M, bixafen, bupirimate, *Candida oleophila* strain O, chlorantraniliprole, disodium phosphonate, dithianon, dodine, emamectin, flubendiamide, fluometuron, fluxapyroxad, flutriafol, hexythiazox, imazamox, ipconazole, isoxaben, L-ascorbic acid, lime sulphur, orange oil, *Paecilomyces fumosoroseus* strain FE 9901, pendimethalin, penflufen, penthiopyrad, potassium phosphonates, prosulfuron, *Pseudomonas* sp. strain DSMZ 13134, pyridalyl, pyriofenone, pyroxsulam, quinmerac, S-abscisic acid, sedaxane, sintofen, sodium silver thiosulfate, spinetoram, spirotetramat, *Streptomyces lydicus* strain WYEC 108, tau-fluvalinate, tebufenozide, tembotrione, thiencarbazon, valifenalate, zinc phosphide (OJ L 414, 9.12.2020, p. 10).

⁽⁵⁾ Commission Implementing Regulation (EU) No 844/2012 of 18 September 2012 setting out the provisions necessary for the implementation of the renewal procedure for active substances, as provided for in Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market (OJ L 252, 19.9.2012, p. 26).

- (5) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 540/2011 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third day following that of 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, 4 May 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Part A of the Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

- (1) in the sixth column, expiration of approval, of row 26, *Adoxophyes orana granulovirus*, the date is replaced by '31 January 2023';
 - (2) in the sixth column, expiration of approval, of row 353, flutriafol, the date is replaced by '31 May 2021'.
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