

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1177**of 16 July 2021****amending Implementing Regulation (EU) 2015/408 as regards the deletion of propoxycarbazone from the list of active substances to be considered as candidates for substitution****(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 Article 78(2) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2015/408 ⁽²⁾ established a list of active substances which satisfy the criteria set out in point 4 of Annex II to Regulation (EC) No 1107/2009 for being considered as candidates for substitution. Propoxycarbazone was included in that list because it was considered to fulfil two out of the three criteria to be considered as a persistent, bioaccumulative and toxic ('PBT') substance, in accordance with point 4, second indent of Annex II to Regulation (EC) No 1107/2009.
- (2) Commission Implementing Regulation (EU) 2017/1115 ⁽³⁾ renewed the approval of propoxycarbazone as an active substance, however, not as a candidate for substitution. Indeed, the new assessment did not confirm the persistency of the substance, which led to that substance no longer meeting two of the criteria to be considered as a PBT substance. It was therefore included in the Annex, part B, of Commission Implementing Regulation (EU) No 540/2011 ⁽⁴⁾.
- (3) As propoxycarbazone is no longer to be considered as a candidate for substitution, to avoid confusion it should also be removed from the Annex to Implementing Regulation (EU) 2015/408, which lists active substances to be considered as candidates for substitution.
- (4) Implementing Regulation (EU) 2015/408 should therefore be amended accordingly.
- (5) 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) 2015/408 is amended in accordance with the Annex to this Regulation.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2015/408 of 11 March 2015 on implementing Article 80(7) of Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market and establishing a list of candidates for substitution (OJ L 67, 12.3.2015, p. 18).

⁽³⁾ Commission Implementing Regulation (EU) 2017/1115 of 22 June 2017 renewing the approval of the active substance propoxycarbazone 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 (OJ L 162, 23.6.2017, p. 38).

⁽⁴⁾ 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).

Article 2

This Regulation shall enter into force on the twentieth 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, 16 July 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In the Annex to Commission Implementing Regulation (EU) 2015/408, the entry for propoxycarbazone is deleted.
