COMMISSION IMPLEMENTING REGULATION (EU) 2022/489

of 25 March 2022

amending Implementing Regulation (EU) No 540/2011 as regards the approval periods of the active substances flubendiamide, L-ascorbic acid, spinetoram and spirotetramat

(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 17, first paragraph, thereof,

Whereas:

(1) Part B of the Annex to Commission Implementing Regulation (EU) No 540/2011 ([2]) sets out the active substances approved under Regulation (EC) No 1107/2009.

(2) Commission Implementing Regulation (EU) 2020/2007 ([3]) extended the approval period of the active substance spirotetramat from 30 April 2024 until 31 July 2024, spinetoram and L-ascorbic acid from 30 June 2024 until 30 September 2024 and flubendiamide from 31 August 2024 until 30 November 2024. The extensions were necessary because Commission Implementing Regulation (EU) 2020/1740 ([4]) advanced the date of submission of the dossiers in support of the renewal of approval by 3 months. Therefore, it was necessary to maintain the date of the dossier submission as required under Commission Implementing Regulation (EU) No 844/2012 ([5]), while giving applicants time to prepare and submit the dossiers in the required format.

(3) As regards flubendiamide, L-ascorbic acid, spinetoram and spirotetramat, no applications for renewal of approval in accordance with Article 5(1) of Implementing Regulation (EU) 2020/1740 were submitted within 3 years before the respective expiry date of approval laid down in the Annex to this Regulation.

(4) 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 these substances 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) 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, thiencarbazone, valifenalate, zinc phosphide (OJ L 414, 9.12.2020, p. 10).

([4]) Commission Implementing Regulation (EU) 2020/1740 of 20 November 2020 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, and repealing Commission Implementing Regulation (EU) No 844/2012 (OJ L 392, 23.11.2020, p. 20).

([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 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, 25 March 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

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

(1) in the sixth column, expiration of approval, of row 60, spirotetramat, the date is replaced by '30 April 2024';

(2) in the sixth column, expiration of approval, of row 66, L-ascorbic acid, the date is replaced by '30 June 2024';

(3) in the sixth column, expiration of approval, of row 67, spinetoram, the date is replaced by '30 June 2024';

(4) in the sixth column, expiration of approval, of row 74, flubendiamide, the date is replaced by '31 August 2024'.