President: G. Del Bino

All Member States were present.


*Vote: unanimous favourable opinion.*

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


The following declaration was made:

**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.”

*Vote: unanimous favourable opinion.*


The following declaration was made:

**Commission:** Same declaration as for mesosulfuron.

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

The following declaration was made:

Commission: Same declaration as for mesosulfuron.

Vote: unanimous favourable opinion.

(5) Examination and possible vote on a draft Commission Decision allowing Member States to extend provisional authorisations granted for the new active substances thiacloprid, thiametoxam, quinoxyfen, flazasulfuron, *Spodoptera exigua* nuclear polyhedroxis virus, spinosad, *Giocladium catenulatum*, *Pseudomonas chlororaphis* and *indoxacarb* (draft Decision Sanco/10477/03-rev. 3).

Vote: favourable opinion by qualified majority (4 votes against, 4 votes abstaining).

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


The following declarations were made:

Commission: Same declaration as for mesosulfuron.

Sweden: Inclusion of paraquat in Annex I of Directive 91/414/EEC is in our view not in line with the precautionary principle. Paraquat is an extremely hazardous substance, which may cause severe and irreversible injuries in humans. Exposure model calculations, as well as field studies, indicate an unacceptably low margin of safety. Due to paraquat’s characteristic toxicity, accidents might result in fatal injuries, which cannot be counteracted by any known antidote. In addition, we are also of the opinion that there is a global responsibility we have to take into consideration resulting from the use in developing countries and the contradictory signals an inclusion of this substance might give rise to. Consequently, Sweden cannot support an inclusion of paraquat into Annex I of Directive 91/414/EEC.”

This declaration is supported by Luxembourg, Denmark and Finland.

Ireland: “We regret the proposed restriction for use only by professional personnel. We believe that the amateur use could well have been maintained if pertinent risk mitigation measures were insisted upon, such as
- product to be formulated as a solid (with Magnesium Carbonate),
- product to be formulated to a maximum concentration of 2.5 %.”

Germany: “The Federal Republic of Germany supports the Commission’s proposal to include the active substance, paraquat, in Annex I to Directive 91/414/EEC, since the proposal takes into account the particular concerns with respect to risks for the user, and possible harmful effects on brown hares, birds and soil organisms when authorising plant protection products which contain this active substance, and subjects similar authorisations in the Member States to detailed monitoring. In conjunction with Syngenta’s obligation:
- to place plant protection products containing paraquat on the world market in formulations which reduce considerably the risk of accidents,
- to submit a report by the beginning of 2004 on the current situation with regards to accidents, suicides and ecotoxicological impact, and following five years on possible damage which has occurred in these areas,
- to develop a plan for monitoring the use of plant protection products containing paraquat, in particular in developing countries, and to submit an annual report to the European Commission, the Member States and the FAO,

it is to be expected that the risks connected with the use of plant protection products containing paraquat will be reduced drastically on a world wide scale, and that the responsibility for the application of critical active substances, especially in developing countries, will be taken account of in an exemplary manner.”

Commission and Member States: The Commission and the Member States understand that the term “authorisation holder” in Annex I also covers parallel importer.

Vote: favourable opinion by qualified majority (16 votes against, 5 abstaining).


The following declarations were made:

Portugal, Greece and Spain: The Scientific Committee on Plants (SCP) was consulted by the Commission for an opinion as to whether the use of atrazine according to the GAP proposed by the applicant leads to an acceptable risk with respect to groundwater contamination. In its opinion SCP referred that “available monitoring data does not demonstrate that concentrations of atrazine or its breakdown products will not exceed 0.1 µg/l and it expects that soil with pH above 6, concentration of atrazine and its breakdown products will not exceed 0.1 µg/l”. Also four FOCUS safe scenarios were found. So, in relation to the levels of atrazine in maize growing areas, different pictures were found in different regions of Europe which require different approaches in line with the intent of Directive 91/414/EEC as well as with the SCP opinion. In our point of view, it is a situation to be left to be managed at the Member State level but imposing, at the Community level, severe restrictions of use and the obligation for the notifier to submit an updated monitoring report, as requirement for authorisation of Plant Protection Products based on atrazine.”

France: "La France s’abstient sur la proposition de la Commission car les Autorités françaises sont en faveur d’une non-inscription de l’atrazine à l’annexe I de la directive 91/414/CEE mais sont opposées aux propositions « d’usages essentiels » associées à cette substance active. La non-inscription d’une substance active signifie qu’aucun usage acceptable n’a été identifié, au sens des articles 4 et 5 de la directive. La France appelle l’attention de la Commission sur le risque de dérive que pourrait présenter une systématisation des « usages essentiels », qui s’apparentent à des dérogations. La France demande à la Commission de clarifier et de justifier cette approche qui consiste à assortir la non-inscription d’une substance active de dérogations.”

This declaration is supported by Luxembourg.
Germany: "Deutschland unterstützt den Kommisionsvorschlag zur Nichtaufnahme von Atrazin in Anhang I der Richtlinie 91/414/EWG grundsätzlich.
- Für Wirkstoffe, deren schädliche Auswirkungen im Rahmen der EU-Wirkstoffprüfung belegt wurden, sollten grundsätzlich keine "unverzichtbaren Anwendungen" gewährt werden.
- Die Gewährung der im Vorschlag vorgesehenen Übergangsfrist bis zum 30. Juli 2007 bei Wirkstoffen, die sich seit langem in der "Warteschleife" der EU-Wirkstoffprüfung befinden und bei denen schädliche Auswirkungen auf die Gesundheit von Mensch und Tier, das Grundwasser oder die Umwelt zu erwarten sind, widerspricht den Zielsetzungen der Richtlinie 91/414/EWG.
- Die Bundesrepublik Deutschland spricht sich daher für eine Verkürzung der vorgesehenen Frist bis zum 30. Juli 2005 aus."

Vote: favourable opinion by qualified majority (5 votes against, 15 abstaining).


The following declaration was made:

France: "La France s’abstient sur la proposition de la Commission car les Autorités françaises sont en faveur d’une non-inscription du simazine à l’annexe I de la directive 91/414/CEE mais sont opposées aux propositions « d’usages essentiels » associées à cette substance active. La non-inscription d’une substance active signifie qu’aucun usage acceptable n’a été identifié, au sens des articles 4 et 5 de la directive. La France appelle l’attention de la Commission sur le risque de dérive que pourrait présenter une systématisation des « usages essentiels », qui s’apparentent à des dérogations. La France demande à la Commission de clarifier et de justifier cette approche qui consiste à assortir la non-inscription d’une substance active de dérogations."

This declaration is supported by Luxembourg.

Vote: favourable opinion by qualified majority (15 votes abstaining).

Guidance document for environmental risk assessments of active substances used on rice in the EU for annex I inclusion (Sanco/1090/2000 rev.1)

The following declaration was made:

Denmark: "Denmark has not made a detailed assessment of this guidance document because we have no expertise in this area and the document as such is not relevant for
Nordic conditions. Denmark takes note of the Guidance Document. In the SCP opinion is stated that there is no scientific justification to lower the protection level in the field. Denmark supports this view and therefore stresses that this guidance shall in no way constitute a precedent for future developments in other areas.”

The Committee took note of the document.

(10) Notification by the Netherlands under Article 8(4) of the Directive – Metalaxyl-M
The Committee took note of the documents sent by the Netherlands.

(11) Notification by the United Kingdom under Article 8(4) of the Directive – Metalaxyl-M
The Committee took note of the documents sent by the United Kingdom.

(12) Notification by Ireland under Article 8(4) of the Directive – Naphthalene acetic acid
The Committee took note of the documents sent by Ireland.

(13) Notification by Germany under Article 8(4) of the Directive – Pymetrozin
The Committee took note of the documents sent by Germany.

(14) Notification by Germany under Article 8(4) of the Directive – Lambda cyhalothrin
The Committee took note of the documents sent by Germany.

(15) Notification by Belgium under Article 8(4) of the Directive – Lambda cyhalothrin
The Committee took note of the documents sent by Belgium.

(16) Notification by the Netherlands under Article 8(4) of the Directive – Deltamethrin
The Committee took note of the documents sent by the Netherlands.

(17) Notification by Belgium under Article 8(4) of the Directive – Deltamethrin
The Committee took note of the documents sent by Belgium.

(18) Notification by the Netherlands under Article 8(4) of the Directive – Methiocarb
The Committee took note of the documents sent by the Netherlands.

(19) Notification by Germany under Article 8(4) of the Directive – Glyphosate
The Committee took note of the documents sent by Germany.
(20) Notification by Spain under Article 8(4) of the Directive – Spinosad
The Committee took note of the documents sent by Spain.

(21) Notification by Belgium under Article 8(4) of the Directive – Zeta cypermethrin
The Committee took note of the documents sent by Belgium.

(22) Notification by Belgium under Article 8(4) of the Directive – Alpha cypermethrin
The Committee took note of the documents sent by Belgium.

The measures on which the Committee has given its opinion (1-8) are subject to the appropriate procedures for formal adoption by the Commission.

Alejandro Checchi Lang
Director
**Liste des participants à joindre au compte-rendu succinct**

**Comité**
Comité permanent de la chaîne alimentaire et de la santé animale - Pesticides

**Date:** 3 Octobre 2003

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