DECISIONS

COMMISSION DECISION

of 24 August 2010

recognising in principle the completeness of the dossier submitted for detailed examination in view of the possible inclusion of penthiopyrad in Annex I to Council Directive 91/414/EEC

(notified under document C(2010) 5556)

(Text with EEA relevance)

(2010/466/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [1], and in particular Article 6(3) thereof,

Whereas:

(1) Directive 91/414/EEC provides for the development of a European Union list of active substances authorised for incorporation in plant protection products.

(2) The dossier for the active substance penthiopyrad was submitted by LKC Ltd to the authorities of the United Kingdom on 10 December 2009 with the application to obtain its inclusion in Annex I to Directive 91/414/EEC.

(3) The authorities of the United Kingdom have indicated to the Commission that, on preliminary examination, the dossier for the active substance concerned appears to satisfy the data and information requirements set out in Annex II to Directive 91/414/EEC. The dossier submitted appears also to satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance concerned. In accordance with Article 6(2) of Directive 91/414/EEC, the dossier was subsequently forwarded by the applicant to the Commission and other Member States, and was referred to the Standing Committee on the Food Chain and Animal Health.

(4) By this Decision it should be formally confirmed at European Union level that the dossier is considered as satisfying in principle the data and information requirements set out in Annex II and, for at least one plant protection product containing the active substance concerned, the requirements set out in Annex III to Directive 91/414/EEC.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The dossier concerning the active substance identified in the Annex to this Decision, which was submitted to the Commission and the Member States with a view to obtaining the inclusion of that substance in Annex I to Directive 91/414/EEC, satisfies in principle the data and information requirements set out in Annex II to that Directive.

The dossier also satisfies the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant protection product containing the active substance, taking into account the uses proposed.

Article 2

The rapporteur Member State shall pursue the detailed examination for the dossier referred to in Article 1 and shall communicate to the Commission the conclusions of its examination accompanied by any recommendations on the inclusion or non-inclusion in Annex I to Directive 91/414/EEC of the active substance referred to in Article 1 and any conditions for that inclusion as soon as possible and by 31 August 2011 at the latest.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 24 August 2010.

For the Commission
John DALLI
Member of the Commission

[1] OJ L 230, 19.8.1991, p. 1.

ANNEX

ACTIVE SUBSTANCE CONCERNED BY THIS DECISION

Common name, CIPAC identification number	Applicant	Date of application	Rapporteur Member State
Penthiopyrad CIPAC No 824	LKC Ltd	10.12.2009	UK