

Official Journal of the European Union

L 143



English edition

Legislation

Volume 63

6 May 2020

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⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2020/616

of 5 May 2020

renewing the approval of the active substance foramsulfuron 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

(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 20(1) thereof,

Whereas:

- (1) Commission Directive 2003/23/EC ⁽²⁾ included foramsulfuron as an active substance in Annex I to Council Directive 91/414/EEC ⁽³⁾.
- (2) Active substances included in Annex I to Directive 91/414/EEC are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁴⁾.
- (3) The approval of the active substance foramsulfuron, as set out in Part A of the Annex to Implementing Regulation (EU) No 540/2011, expires on 31 July 2020.
- (4) An application for the renewal of the approval of the active substance foramsulfuron as a herbicide on maize was submitted in accordance with Article 1 of Commission Implementing Regulation (EU) No 844/2012 ⁽⁵⁾ within the time period provided for in that Article.
- (5) The applicant submitted the supplementary dossiers required in accordance with Article 6 of Implementing Regulation (EU) No 844/2012. The application was found to be complete by the rapporteur Member State.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2003/23/EC of 25 March 2003 amending Council Directive 91/414/EEC to include imazamox, oxasulfuron, ethoxysulfuron, foramsulfuron, oxadiargyl and cyazofamid as active substances (OJ L 81, 28.3.2003, p. 39).

⁽³⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽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).

⁽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).

- (6) The rapporteur Member State prepared a renewal assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority ('the Authority') and the Commission on 26 March 2015.
- (7) The Authority communicated the renewal assessment report to the applicant and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the supplementary summary dossier available to the public.
- (8) On 26 February 2016, the Authority communicated to the Commission its conclusion ⁽⁶⁾ on whether foramsulfuron can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009. The Commission presented an initial draft renewal report and the draft Regulation for foramsulfuron to the Standing Committee on Plants, Animals, Food and Feed on 11 July 2016 and a revised version on 22 October 2019.
- (9) As regards the criteria to identify endocrine disrupting properties introduced by Commission Regulation (EU) 2018/605 ⁽⁷⁾, the conclusion of the Authority indicates that, based on the scientific evidence, it is highly unlikely that foramsulfuron is an endocrine disrupter via the estrogenic, androgenic, thyroidogenic and steroidogenic modalities. Therefore the Commission concludes that foramsulfuron is not to be considered as having endocrine disrupting properties.
- (10) The Commission invited the applicant to submit its comments on the conclusion of the Authority and on the renewal report, in accordance with the third paragraph of Article 14(1) of Implementing Regulation (EU) No 844/2012. The applicant submitted its comments, which have been carefully examined.
- (11) It has been established with respect to one or more representative uses of at least one plant protection product containing the active substance foramsulfuron that the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 are satisfied.
- (12) The risk assessment for the renewal of the approval of the active substance foramsulfuron is based on a limited number of representative uses, which however do not restrict the uses for which plant protection products containing foramsulfuron may be authorised.
- (13) It is therefore appropriate to renew the approval of foramsulfuron.
- (14) In accordance with Article 14(1) of Regulation (EC) No 1107/2009, in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge it is, however, necessary to provide for certain conditions and restrictions. It is, in particular, appropriate to require further confirmatory information as regards the effect of water treatment processes on the nature of residues of both the active substance and its identified metabolites potentially present in surface and groundwater, when surface water or groundwater are abstracted for drinking water.
- (15) In accordance with Article 20(3) of Regulation (EC) No 1107/2009, in conjunction with Article 13(4) thereof, the Annex to Implementing Regulation (EU) No 540/2011 should be amended accordingly.
- (16) Commission Implementing Regulation (EU) 2019/707 ⁽⁸⁾ extended the approval period of foramsulfuron to 31 July 2020 in order to allow the renewal process to be completed before the expiry of the approval period of that active substance. However, given that a decision on renewal of the approval is taken ahead of the expiry of that extended approval period, this Regulation shall apply from 1 June 2020.

⁽⁶⁾ *EFSA Journal* 2016;14(3):4421, 119 pp. Available online: www.efsa.europa.eu

⁽⁷⁾ Commission Regulation (EU) 2018/605 of 19 April 2018 amending Annex II to Regulation (EC) No 1107/2009 by setting out scientific criteria for the determination of endocrine disrupting properties (OJ L 101, 20.4.2018, p. 33).

⁽⁸⁾ Commission Implementing Regulation (EU) 2019/707 of 7 May 2019 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances alpha-cypermethrin, beflubutamid, benalaxyl, benthialicarb, bifenazate, boscalid, bromoxynil, captan, cyazofamid, desmedipham, dimethoate, dimethomorph, diuron, ethephon, etoxazole, famoxadone, fenamiphos, flumioxazine, fluoxastrobin, folpet, foramsulfuron, formetanate, metalaxyl-m, methiocarb, metribuzin, milbemectin, Paecilomyces lilacinus strain 251, phenmedipham, phosmet, pirimiphos-methyl, propamocarb, prothioconazole, s-metolachlor and tebuconazole (OJ L 120, 8.5.2019, p. 16).

- (17) 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

Renewal of the approval of the active substance

The approval of the active substance foramsulfuron is renewed as set out in Annex I.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

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

Article 3

Entry into force and date of application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 June 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 May 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Foramsulfuron CAS No 173159-57-4 CIPAC No 659	1-(4,6-dimethoxypyrimidin-2-yl)-3-[2-(dimethylcarbamoyl)-5-formamidophenylsulfonyl]urea	≥ 973 g/kg	1 June 2020	31 May 2035	<p>For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the renewal report on foramsulfuron, and in particular Appendices I and II thereto, shall be taken into account.</p> <p>In this overall assessment Member States shall pay particular attention to:</p> <ul style="list-style-type: none"> — the risk to consumers and operators, — the risk to aquatic organisms and non-target plants. <p>Conditions of use shall include risk mitigation measures, where appropriate.</p> <p>The applicant shall submit confirmatory information as regards the effect of water treatment processes on the nature of residues present in surface water and groundwater, when surface water or groundwater is abstracted for drinking water, within two years after adoption of a guidance document on evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater.</p>

⁽¹⁾ Further details on the identity and the specification of the active substance are provided in the renewal report

ANNEX II

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

- (1) in Part A, entry 44 on foramsulfuron is deleted;
 (2) in Part B, the following entry is added:

Number	Common Name, Identification Numbers	IUPAC Name	Purity (1)	Date of approval	Expiration of approval	Specific provisions
'141	Foramsulfuron CAS No 173159-57-4 CIPAC No 659	1-(4,6-dimethoxypyrimidin-2-yl)-3-[2-(dimethylcarbamoyl)-5-formamidophenylsulfonyl]urea	≥ 973 g/kg	1 June 2020	31 May 2035	For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the renewal report on foramsulfuron, and in particular Appendices I and II thereto, shall be taken into account. In this overall assessment Member States shall pay particular attention to: — the risk to consumers and operators, — the risk to aquatic organisms and non-target plants. Conditions of use shall include risk mitigation measures, where appropriate. The applicant shall submit confirmatory information as regards the effect of water treatment processes on the nature of residues present in surface water and groundwater, when surface water or groundwater is abstracted for drinking water, within two years after adoption of a guidance document on evaluation of the effect of water treatment processes on the nature of residues present in surface and groundwater.'

(1) Further details on the identity and the specification of the active substance are provided in the renewal report.

COMMISSION IMPLEMENTING REGULATION (EU) 2020/617**of 5 May 2020****renewing the approval of the active substance metalaxyl-M, and restricting the use of seeds treated with plant protection products containing it, 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****(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 20(1) and 49(2) thereof,

Whereas:

- (1) Commission Directive 2002/64/EC ⁽²⁾ included metalaxyl-M as an active substance in Annex I to Council Directive 91/414/EEC ⁽³⁾.
- (2) Active substances included in Annex I to Directive 91/414/EEC are deemed to have been approved under Regulation (EC) No 1107/2009 and are listed in Part A of the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽⁴⁾.
- (3) The approval of the active substance metalaxyl-M, as set out in Part A of the Annex to Implementing Regulation (EU) No 540/2011, expires on 30 June 2020.
- (4) An application for the renewal of the inclusion of metalaxyl-M in Annex I to Directive 91/414/EEC was submitted in accordance with Article 4 of Commission Regulation (EU) No 1141/2010 ⁽⁵⁾ within the time period provided for in that Article.
- (5) The applicant submitted the supplementary dossiers required in accordance with Article 9 of Regulation (EU) No 1141/2010. The application was found to be complete by the rapporteur Member State.
- (6) The rapporteur Member State prepared a renewal assessment report in consultation with the co-rapporteur Member State and submitted it to the European Food Safety Authority ('the Authority') and the Commission on 13 November 2013.
- (7) The Authority communicated the renewal assessment report to the applicant and to the Member States for comments and forwarded the comments received to the Commission. The Authority also made the supplementary summary dossier available to the public.
- (8) On 30 January 2015, the Authority communicated to the Commission its conclusion ⁽⁶⁾ on whether metalaxyl-M can be expected to meet the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009. The Commission presented an initial draft review report for metalaxyl-M to the Standing Committee on Plants, Animals, Food and Feed on 14 July 2015 and a revised version on 16 July 2019.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Commission Directive 2002/64/EC of 15 July 2002 amending Council Directive 91/414/EEC to include cinidon-ethyl, cyhalofop butyl, famoxadone, florasulam, metalaxyl-M and picolinafen as active substances (OJ L 189, 18.7.2002, p. 27).

⁽³⁾ Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ L 230, 19.8.1991, p. 1).

⁽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).

⁽⁵⁾ Commission Regulation (EU) No 1141/2010 of 7 December 2010 laying down the procedure for the renewal of the inclusion of a second group of active substances in Annex I to Council Directive 91/414/EEC and establishing the list of those substances (OJ L 322, 8.12.2010, p. 10).

⁽⁶⁾ EFSA (European Food Safety Authority), 2015. Conclusion on the peer review of the pesticide risk assessment of the active substance metalaxyl-M. *EFSA Journal* 2015;13(3):3999, 105 pp. doi:10.2903/j.efsa.2015.3999.

- (9) The applicant was given the opportunity to submit comments on the draft review report.
- (10) It has been established with respect to one or more representative uses of at least one plant protection product containing metalaxyl-M that the approval criteria provided for in Article 4 of Regulation (EC) No 1107/2009 are satisfied.
- (11) It is therefore appropriate to renew the approval of metalaxyl-M.
- (12) In accordance with Article 14(1) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is, however, necessary to include certain conditions and restrictions.
- (13) Risks for birds and mammals from consumption of treated seeds have been identified by the Authority. Taking into consideration those risks, the use of seeds treated with plant protection products containing metalaxyl-M should be restricted. It is therefore appropriate that seeds treated with plant protection products containing metalaxyl-M should only be sown in greenhouses.
- (14) The Commission considers that metalaxyl-M does not have endocrine disrupting properties based on the available scientific information summarised in the conclusion of the Authority. However, in order to increase the confidence in this conclusion, the applicant should provide an updated assessment, in accordance with point 2.2(b) of Annex II to Regulation (EC) No 1107/2009, of the criteria laid down in points 3.6.5 and 3.8.2 of Annex II to Regulation (EC) No 1107/2009, as amended by Regulation (EU) 2018/605, and in accordance with the guidance for the identification of endocrine disruptors ⁽⁷⁾.
- (15) The risk assessment for the renewal of the approval of metalaxyl-M is based on a limited number of representative uses, which however do not restrict the uses for which plant protection products containing metalaxyl-M may be authorised. It is therefore appropriate not to maintain the restriction to uses as a fungicide.
- (16) Implementing Regulation (EU) No 540/2011 should therefore be amended accordingly.
- (17) The restriction to the use of treated seeds should apply as of 1 June 2021 in order to allow for a sufficient period of transition.
- (18) 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

Renewal of the approval of the active substance

The approval of the active substance metalaxyl-M is renewed as set out in Annex I.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

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

⁽⁷⁾ Guidance for the identification of endocrine disruptors in the context of Regulations (EU) No 528/2012 and (EC) No 1107/2009. *EFSA Journal* 2018;16(6):5311, 135 pp. <https://efsa.onlinelibrary.wiley.com/doi/10.2903/j.efsa.2018.5311>

*Article 3***Restriction to the use of treated seeds**

Seeds treated with plant protection products containing metalaxyl-M shall only be sown in greenhouses.

*Article 4***Entry into force and date of application**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 June 2020.

However, Article 3 shall apply as of 1 June 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 5 May 2020.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Expiration of approval	Specific provisions
Metalaxyl-M CAS No 70630-17-0 (R) CIPAC No 580	methyl N-(methoxyacetyl)-N-(2,6-xylyl)-D-alaninate	≥ 920 g/kg The following impurities are of toxicological concern and must not exceed the following levels in the technical material: 2,6-dimethylphenylamine: max. content 0,5 g/kg 4-methoxy-5-methyl-5H-[1,2]oxathiole 2,2-dioxide: max. content 1 g/kg 2-[(2,6-dimethyl-phenyl)-(2-methoxyacetyl)-amino]-propionic acid 1-methoxycarbonyl-ethyl ester: max. content 0,18 g/kg	1 June 2020	31 May 2035	When used for seed treatment, only the treatment of seeds intended to be sown in greenhouses may be authorised. For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on metalaxyl-M, and in particular Appendices I and II thereto, shall be taken into account. In this overall assessment Member States shall pay particular attention to: <ul style="list-style-type: none"> — the specification of the technical material as commercially manufactured; — the protection of operators and workers, ensuring that the conditions of use prescribe the use of adequate personal protective equipment, where appropriate; — the protection of groundwater, when the substance is applied in regions with vulnerable soil and/or climatic conditions; — the protection of non-target arthropods, birds and mammals. Conditions of use shall include risk mitigation measures, where appropriate. The applicant shall submit to the Commission, the Member States and the Authority an updated assessment of the information submitted and, where relevant, further information to confirm the absence of endocrine activity in accordance with points 3.6.5 and 3.8.2 of Annex II to Regulation (EC) No 1107/2009, as amended by Commission Regulation (EU) 2018/605 ⁽²⁾ by 26 May 2022.

⁽¹⁾ Further details on the identity and the specification of the active substance are provided in the review report.

⁽²⁾ Commission Regulation (EU) 2018/605 of 19 April 2018 amending Annex II to Regulation (EC) No 1107/2009 by setting out scientific criteria for the determination of endocrine disrupting properties (OJ L 101, 20.4.2018, p. 33).

ANNEX II

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

- (1) in Part A, entry 37 on metalaxyl-M is deleted;
 (2) in Part B, the following entry is added:

No	Common Name, Identification Numbers	IUPAC Name	Purity (¹)	Date of approval	Expiration of approval	Specific provisions
140	Metalaxyl-M CAS No 70630-17-0 (R) CIPAC No 580	methyl N-(methoxyacetyl)-N-(2,6-xylyl)-D-alaninate	≥ 920 g/kg The following impurities are of toxicological concern and must not exceed the following levels in the technical material: 2,6-dimethylphenylamine: max. content 0,5 g/kg 4-methoxy-5-methyl-5H-[1,2]oxathiole 2,2-dioxide: max. content 1 g/kg 2-[(2,6-dimethyl-phenyl)-(2-methoxyacetyl)-amino]-propionic acid 1-methoxycarbonyl-ethyl ester: max. content 0,18 g/kg	1 June 2020	31 May 2035	When used for seed treatment, only the treatment of seeds intended to be sown in greenhouses may be authorised. For the implementation of the uniform principles, as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on metalaxyl-M, and in particular Appendices I and II thereto, shall be taken into account. In this overall assessment Member States shall pay particular attention to: — the specification of the technical material as commercially manufactured; — the protection of operators and workers, ensuring that the conditions of use prescribe the use of adequate personal protective equipment, where appropriate; — the protection of groundwater, when the substance is applied in regions with vulnerable soil and/or climatic conditions; — the protection of non-target arthropods, birds and mammals. Conditions of use shall include risk mitigation measures, where appropriate. The applicant shall submit to the Commission, the Member States and the Authority an updated assessment of the information submitted and, where relevant, further information to confirm the absence of endocrine activity in accordance with points 3.6.5 and 3.8.2 of Annex II to Regulation (EC) No 1107/2009, as amended by Regulation (EU) 2018/605 by 26 May 2022.

(¹) Further details on the identity and the specification of the active substance are provided in the review report.

DECISIONS

COUNCIL DECISION (EU) 2020/618

of 30 April 2020

appointing the Secretary-General of the Council of the European Union for the period from 1 July 2020 to 30 June 2025

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 240(2) thereof,

Whereas the Secretary-General of the Council should be appointed for the period from 1 July 2020 to 30 June 2025,

HAS ADOPTED THIS DECISION:

Article 1

Mr Jeppe TRANHOLM-MIKKELSEN is hereby appointed Secretary-General of the Council of the European Union for the period from 1 July 2020 to 30 June 2025.

Article 2

This Decision shall be notified to Mr Jeppe TRANHOLM-MIKKELSEN by the President of the Council.

It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 30 April 2020.

For the Council
The President
G. GRLIĆ RADMAN

ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

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