

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(86) 237 final

Brussels, 30 April 1986

Proposal for a
COUNCIL DIRECTIVE

amending the Annex to Directive 79/117/EEC prohibiting the placing
on the market and use of plant protection products
containing certain active substances

(submitted to the Council by the Commission)

COM(86) 237 final

EXPLANATORY MEMORANDUM

Nitrofen is used as a pre-emergence herbicide on cereal crops and also, to a limited extent, as a pre-emergence treatment of legumes and as an early post-emergence treatment of onions; it has been shown to have toxic properties, which justify for reason of the protection of human health its inclusion in the list of active substances in the annex to Directive 79/117/EEC.

1,2-dibromoethane (EDB) and 1,2-dichloroethane (EDC) are, or have been, used in the Community to protect stored cereals by fumigation and as soil treatment in viticulture and tobacco cultivation. They have been shown to have toxic properties to justify for reason of the protection of health and the environment their inclusions in the List of active substances in the annex to Directive 79/117/EEC.

The three substances concerned have been the subject of opinions given by the Scientific Committee for Pesticides.

This proposal provides for the addition of these three substances to the list of active substances in the Annex to Directive 79/117/EEC.

Proposal for a Council Directive amending the Annex to Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances (1), as last amended by Directive 83/131/EEC (2), and in particular Article 6 (3) thereof,

Having regard to proposal from the Commission,
Whereas that Directive provides for the contents of the Annex to be regularly amended to take account of the developments of scientific and technical knowledge;

Whereas it has been established that the use of nitrofen as a plant protection product, in particular as a herbicide, is likely to give rise to harmful effects on human and animal health;

Whereas it has also been established that the uses of 1,2-dibromoethane and 1,2-dichloroethane as plant protection products, in particular to fumigate plants and soil, are likely to give rise to harmful effects on human and animal health as well as unreasonable adverse influence on the environment;

HAS ADOPTED THIS DIRECTIVE :

Article 1

The Annex to Directive 79/117/EEC is hereby amended as follows to include a Part C 'Other Compounds':

Names of active substances or groups of active substances referred to in Article 3	Cases in which placing on the market or use are permitted in accordance with Article 4
C. Other compounds 1. Nitrofen 2. 1,2-dibromoethane 3. 1,2-dichloroethane	

(1) CJ No. L 33 of 8.2.1979, p. 36

(2) CJ No. L 91 of 9.4.1983, p. 35

Article 2

The Member States shall bring into force the laws, regulations and administrative provisions to comply with this Directive not later than 1 January 1988. They shall immediately inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels,

For the Council,