

EMERGENCY AUTHORISATION OF A PLANT PROTECTION PRODUCT

PLANT PROTECTION PRODUCTS REGULATION (EC) No. 1107/2009

Product name: Cuprokylt

Active ingredient: a wettable powder formulation containing 87.8 % w/w copper oxychloride details of which are specified in the 'Confidential Conditions' section (Appendix 3) of this authorisation.

MAPP number: 17079

Product authorisation holder: Industrias Quimicas Del Valles, S.A., Av Rafael Casanova 81, 08100 Mollet del Valles, Barcelona, Spain.
(Registered company number: 30226)

Marketing company: Certis Europe BV

This Emergency Authorisation ends: 30 November 2018

If the authorisation of the above product is withdrawn or amended before the end date above, this Emergency Authorisation will end on the same date as the authorisation for the product. This Emergency Authorisation will be withdrawn or amended before its end date if a decision is taken to withdraw or amend this Emergency Authorisation under Regulation (EC) No 1107/2009 on any other grounds.

Extent of Emergency Authorisation: United Kingdom



Signed by: Elliot Dale Blair
Signing time: Wednesday, October 31 2018, 11:39:44 GMT
Location: CRD York
Reason to sign: For the Health and Safety Executive

HSE Digital Signature

This and the attached Appendices 1 and 2 are signed by the Health and Safety Executive ("HSE") for and on behalf of the Secretary of State, the Welsh Ministers, the Scottish Ministers and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland.

Date of issue: 31 October 2018

EXPLANATORY NOTES

1. This is Emergency Authorisation number 3037 of 2018.
2. This Emergency Authorisation will be published on the website of the Chemicals Regulation Division of the HSE.
3. Application reference number: COP 2018/02165.
4. Persons using the product to which this Emergency Authorisation applies should acquaint themselves with and observe all requirements contained in the Regulation (EC) No 1107/2009, including the duty on the holder of any Emergency Authorisation to notify information on potentially dangerous effects, a contravention of which is a criminal offence under those Regulations.
5. Neither the effectiveness nor the phytotoxicity of the product for which this Emergency Authorisation has been granted has been assessed and, as such, the user bears the risk in respect of failures concerning its effectiveness and phytotoxicity.

ADVISORY INFORMATION

IMPORTANT: When applying this product under the terms of this Emergency Authorisation, comply with any resistance guidance or restrictions stated on the product label.

This Emergency Authorisation relates to the use of 'Cuprokylt' (MAPP 17079) as a fungicide for post-harvest use on outdoor apple and pear to control *Nectria* canker. Application is to be made by broadcast air assisted sprayer in a minimum water volume of 400 litres/ha.

If Cuprokylt is to be utilised for the control of scab in organic apple and pear trees under another authorisation, the maximum dose applied for the control of canker must be reduced such that the overall total dose applied to any apple or pear trees does not exceed 8kg product/ha/yr.

The Emergency Authorisation will expire on 30 November 2018.

APPENDIX 1: CONDITIONS OF EMERGENCY AUTHORISATION

The conditions below are obligatory. They must be complied with when the use occurs. Failure to comply with the following conditions will result in the withdrawal or amendment of the Emergency Authorisation under Regulation (EC) No 1107/2009 and may result in other enforcement action, including prosecution.

Use:

Field of use: **ONLY AS A FUNGICIDE**

User: Professional

Crops/situations:	Maximum individual dose: (kg product / ha)	Maximum total dose:	Maximum number of treatments: (per year)	Latest time of application:
Outdoor crops of Apple, Pear	2	-	4	30 November 2018

Operator protection:

- (1) Spray equipment must only be used where the operator's normal working position is within a closed cab on a tractor or on a self-propelled sprayer when making broadcast air-assisted applications.
- (2) Other engineering control of operator exposure must also be used where reasonably practicable in addition to the following personal protective equipment:
 - (a) Operators must wear suitable protective gloves and suitable respiratory protective equipment* when handling the product. *Disposable filtering facepiece respirator to at least EN149 FFP3 or equivalent.
 - (b) Operators must wear suitable protective gloves when handling contaminated surfaces.
- (3) However, other engineering controls in addition to those specified above may replace personal protective equipment if a COSHH assessment shows they provide an equal or higher standard of protection.

Environmental protection:

- (1) Since there is a risk to aquatic life from use, users not applying the statutory buffer zone must either themselves carry out, or ensure that someone else has carried out a Local Environment Risk Assessment for Pesticides (LERAP) on their behalf before each spraying operation from a broadcast air-assisted sprayer. Users must not allow direct spray from such sprayers to fall within 50m of the top of the bank of any static or flowing waterbody or within 5m of a ditch which is dry at the time of application (these distances to be measured as set out in the booklet 'Local Environment Risk Assessment for Pesticides - Broadcast Air-assisted Sprayers' - and any amendments that are made to it) unless:
 - (a) The LERAP indicates that a narrower buffer zone will be sufficient; and
 - (b) Any measures indicated by the LERAP as justifying the narrower buffer zone are complied with in full and in accordance with any conditions applicable to them.

Spray must be aimed away from water.

- (2) The results of the LERAP must be recorded in written form and must be available for a period of three years for inspection to any person entitled to exercise enforcement powers under or in connection with the Plant Protection Products Regulations 2011 or the Plant Protection Products (Sustainable Use) Regulations 2012. (An electronic record will satisfy the requirement for a written record, providing it is similarly available for inspection and can be copied).
- (3) Detailed guidance on LERAPs and how to conduct a LERAP are contained in the booklet 'Local Environment Risk Assessment for Pesticides - Broadcast Air-Assisted Sprayers', available from HSE Chemicals Regulation Division's website. All LERAPs must be carried out in accordance with this Guidance and any amendments that are made to it.

Other specific restrictions:

- (1) This product must only be applied in accordance with the terms of this extension of authorisation, the product label and/or leaflet and any additional guidance on extensions of authorisation.

- (2) This product qualifies for inclusion within the Local Environment Risk Assessment for Pesticides (LERAP) scheme for broadcast air-assisted sprayers. Before each spraying operation from a broadcast air-assisted sprayer, either a LERAP must be carried out in accordance with the 'Local Environment Risk Assessment for Pesticides Broadcast Air-Assisted Sprayers' booklet available from the HSE Chemicals Regulation Division's website or the statutory buffer zone must be maintained. The results of the LERAP must be recorded and kept available for three years.
- (3) This product must not be applied via hand-held equipment.
- (4) A minimum interval of 7 days must be observed between applications.
- (5) Application must only be made in accordance with advice from a BASIS registered agronomist. A record of the factors that influenced the decision to treat must be recorded. This must consider the susceptibility of the variety and any forecasting system used to predict the likelihood of infection.

APPENDIX 2: GENERAL CONDITIONS FOR AN EMERGENCY AUTHORISATION

Failure to comply with the following conditions will result in the withdrawal or amendment of the Emergency Authorisation under Regulation (EC) No 1107/2009 and may result in other enforcement action, including prosecution.

Adverse effects:

The authorisation holder must immediately notify the Secretary of State, the Scottish Ministers and the Department of Agriculture and Rural Development in Northern Ireland (care of the Health and Safety Executive), if they have any new information on the potentially adverse effects of the authorised product, or of residues of an active substance in that product when used in accordance with the conditions of this Emergency Authorisation. For those products authorised under Regulation (EC) No 1107/2009 authorisation holders must also tell the other relevant competent authorities of the EC Member States (a list of which is available from the Health and Safety Executive) and the EC Commission. Failure to comply with this requirement is an offence.

Provision of information:

The authorisation holder must comply with all requests for information required by, or on behalf of, the Secretary of State, the Scottish Ministers or the Department of Agriculture and Rural Development in Northern Ireland in accordance with Regulation (EC) No 1107/2009.