

# Legislative Mapping: Pesticides

Project Ref. EEA/HSR/RO/19/001

**Summary Document**

prepared for

**European Environment Agency (EEA)**

31 January 2020



**RPA**  
Risk & Policy Analysts

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Europe



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31 January 2020

Summary Document

Quality Assurance	
Project reference / title	J1061/ EEA HBM4EU Policy Briefs 2.0
Report status	Summary Document
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Date of issue	31 January 2020



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# 1 Introduction

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This document provides a summary of the legislative status of pesticides under the European Chemicals legislative framework and International Conventions on chemical risk in order to provide an overview of relevant requirements for placing on the market, use and handling.

This document provides a tabulated summary of relevant legislation grouped by legislative area. It is to be used as an indication of those pieces of legislation which are applicable to the substances within this group. In order to provide more detailed information in an easier to read format, this document is supported by an excel database.

## 1.1 How to use the excel database

The Excel database provides detailed information, with links where appropriate, on the specific Article, Annex or Appendix which is applicable to the substance concerned. Substance identification information is provided for all substances including name, CAS number, EC number, HBM4EU category, and whether the substance is considered of high or medium priority by the HBM4EU Chemical Group Leads. All pieces of legislation are linked to the legal text on Eur-Lex. The database contains fourteen tabs which relate to groups of legislation or processes. The tabs are as follows:

- Table 1 – Links to information pages for each substance. This provides links to the Substance Information Pages, Brief Profiles (where applicable), and the CLI inventory on the ECHA website.
- Public consultations – summary of the status on public consultations for relevant regulatory processes. Includes Restriction intentions and SVHC intentions under REACH, CLH intentions, OELs.
- Table 2 – Legislative map. An overview of the applicable individual pieces of legislation. Where a piece of legislation is applicable to an individual substance it is marked by a Y (indicating yes). At the top of each section there is a link, which when clicked on will take you to the more detailed table found in subsequent tabs.
- Table 3 – POPs Regulation and PIC Regulation. Status and explicit provision.
- Table 4 – REACH Restriction process. Outlines specific entry within Annex XVII and the status of a Restriction intention.
- Table 5 – REACH SVHC/ Authorisation process. Outlines the specific entry in Annex XIV, whether a substance appears on the Candidate List and the status of an SVHC intention.
- Table 6 – REACH Evaluation process. Outlines the status on the PACT List and the CoRAP.
- Table 7 – CLP Harmonised Classification process. Current harmonised classification and the status of submitted CLH intentions.
- Table 8 – REACH Registration and Biocides. Outlines the Registered uses under REACH and the current status under the Biocidal Products Regulation.
- Table 9 – OELs on CAD/CMD. Status of OEL activity list status.
- Table 10 – other limit values. This provides the DNEL list of the DGUV, limit values under the Drinking Water Directive, Environmental Quality Standards, Groundwater limit values.
- Table 11 – Professional and Consumer legislation. Identifies the specific Article or Annex which is applicable to certain substances.
- Table 12 – OSH and Waste legislation. Specific Articles or Annexes applicable to certain substances.
- Table 13 – Environmental legislation. Specific Articles or Annexes applicable to certain substances.

## 1.2 Outline of this Summary Document

The summary information on legislative status presented in the Summary Document has been split by legislative group.

- Section 2 – International Conventions and Implementing EU Legislation.
- Section 3 – Cross Regulation Activities
- Section 4 – REACH Regulation
- Section 5 – CLP Regulation
- Section 6 – OSH Legislation
- Section 7 – Professional and Consumer Legislation
- Section 8 – Waste Legislation
- Section 9 – Environmental Legislation

As mentioned in the introduction, the information is tabulated and presents a tick-box style matrix, where a “Y” indicates the legislation is of relevance to the substance. Brief summaries are provided of the purpose of the relevant legislation. The tables indicate the substance identification information (name, CAS number) and indicates the HBM4EU category. Substances deemed of high importance to the HBM4EU Chemical Group Leads are highlighted in green and those of medium importance are highlighted in yellow. The categorisation of substances under HBM4EU is:

- Category A – substances for which HBM4EU data are sufficient to provide an overall picture of exposure levels across Europe, and interpretation of biomonitoring results in terms of health risks is possible. Improvement of knowledge for these substances will therefore focus on policy-related research questions and evaluation of the effectiveness of existing regulatory measures.
- Category B - substances for which HBM data exists, but not sufficiently to have a clear picture across Europe. Also, knowledge on the extend of exposure, levels and impact on the human health should be improved, in order to give policy makers relevant and strategic data to establish appropriate regulations and improve chemical risk management. Analytical method and capacities to monitor the substances across Europe might have to be improved.
- Category C - substances are substances for which HBM data scarcely or doesn't exists. Efforts to develop an analytical method to obtain relevant HBM results need to be done Hazardous properties of the substances are identified, yet greater knowledge on toxicological characteristics and effects on the human health is needed. Interpretation of HBM data is not possible, due to the lack of HBM guidance values.
- Category D - substances are substances for which a toxicological concern exists but HBM data are not available. HBM4EU research may be focused on the development of suspect screening approaches permitting to generate a first level of data enabling to document the reality of human exposure and better justify further investment in a full quantitative and validated method development.
- Category E - substances are substances not yet identified as of toxicological concern and for which no HBM data are available. A bottom-up strategy will be applied, consisting to non-targeted screening approaches coupled to identification of unknowns capabilities for revealing, and further identifying, new (i.e. not yet known) markers of exposure related to chemicals of concern for HBM (parent compound or metabolite).<sup>1</sup>

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<sup>1</sup> HBM4EU (no date) Categorisation of Substances. Available at: <https://www.hbm4eu.eu/categorisation-of-substances/> [Accessed 28/10/2019]



## 2 Summary of pesticides legislation

The below table summarises how pesticides are regulated.

Table 2-1: Simplified Summary Pesticides																			
Substance Name	CAS No.	Rotterdam Convention/ PIC Regulation	REACH	CLP	PACT	CoRAP	Signs at Work Directive	CAD	Young Workers Directive	Plant Protection products Regulation	Biocidal Regulation	Cosmetic Regulation	Maximum Residue levels of pesticides Regulation	Pressure Equipment Directive	Waste Directive	Waste Shipments Directive	Water Directive	Environmental Quality Standards	Emissions Industrial Directive
Permethrin (proposed lead substance)	52645-53-1	Y		Y	Y		Y	Y	Y	<u>Y</u>	Y		<u>Y</u>	Y	Y	Y			
Acrinathrin	101007-06-1									Y			<u>Y</u>						
Allethrin	584-79-2			Y						Y		Y	<u>Y</u>						
Alpha-cypermethrin (alphamethrin)	67375-30-8			Y						Y	Y		<u>Y</u>						
Bifenthrin	82657-04-3			Y	Y					<u>Y</u>	Y		<u>Y</u>						
Cyfluthrin	68359-37-5	Y		Y	Y					<u>Y</u>	Y		<u>Y</u>						
Cypermethrin	52315-07-8			Y	Y		Y	Y	Y	<u>Y</u>	Y		<u>Y</u>	Y	Y	Y			

Zeta-cypermethrin	52315-07-5								<u>Y</u>		<u>Y</u>							
Cyphenothrin	39515-40-7									Y								
D-allethrin	231937-89-6			Y	Y					Y								
Deltamethrin	52918-63-5			Y			Y	Y	Y	<u>Y</u>	Y	Y	<u>Y</u>	Y	Y	Y		
d-Tetramethrin	1166-46-7			Y	Y					Y								
Empenthrin	54406-48-3									Y								
Epsilon-momfluorothrin	106512-4-65-3			Y	Y					Y								
esbiothrin	260359-57-7			Y	Y					Y								
Esfenvalerate	66230-04-4			Y	Y				<u>Y</u>	Y		<u>Y</u>						
Etofenprox	80844-07-1		Y	Y	Y				<u>Y</u>	Y		<u>Y</u>						
Fenpropathrin	39515-41-8	Y		Y					<u>Y</u>			<u>Y</u>						
Fenvalerate	51630-58-1	Y							<u>Y</u>			<u>Y</u>						
Imiprothrin	72963-72-5		Y	Y	Y					Y								
Lambda-cyhalothrin	91465-08-6		Y	Y					<u>Y</u>	Y		<u>Y</u>						
Gamma-cyhalothrin	76703-62-3								<u>Y</u>			<u>Y</u>						

Metofluthrin	240494-71-7			Y	Y					Y								
Prallethrin	23031-36-9			Y						Y								
Tau-fluvalinate	102851-06-9			Y					<u>Y</u>			<u>Y</u>						
Tefluthrin	79538-32-2			Y	Y				<u>Y</u>			<u>Y</u>						
Tetramethrin	7696-12-0			Y	Y				<u>Y</u>	Y	Y	<u>Y</u>						
transfluthrin	118712-89-3			Y	Y					Y								
1R-trans-phenothrin (or D-phenothrin)	26046-85-5									Y								
Piperonyl butoxide (coformulant, synergist)	51-03-6		Y	Y	Y	Y				Y	Y							
Chlorpyrifos (OP)	2921-88-2			Y	Y	Y	Y	Y	<u>Y</u>			<u>Y</u>	Y	Y	Y	Y	Y	Y
Dimethoate (OP)	60-51-5			Y								<u>Y</u>						
Fipronil	120068-37-3	Y	Y	Y	Y				<u>Y</u>	Y		<u>Y</u>						
Glyphosate (To be banned in DE, 2023)	1071-83-6			Y	Y		Y		<u>Y</u>			<u>Y</u>		Y	Y			
POE Tallowamine	61791-26-2								Y		Y							

## 3 International Conventions and Implementing EU Legislation

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### 3.1 Rotterdam Convention & PIC

Legislative act: [Regulation \(EU\) No 649/2012 concerning the export and import of hazardous chemicals](#)

This Regulation implements the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. It aims to promote shared responsibility and cooperative efforts in international movement of hazardous substances in order to protect human health and the environment. This Regulation applies to certain hazardous chemicals that are subject to the prior informed consent under the Rotterdam Convention and certain hazardous chemicals that are banned or severely restricted within the Union or a Member State. Annex I provides the list of chemicals that are subject to the export notification procedure, the list of chemicals that qualify for PIC notification, and the list of chemicals subject to the PIC procedure. Annex V provides the list of chemicals and articles that are subject to the export ban referred to in Article 15.

Table 3-1 below indicates how pesticides are regulated under international conventions.

Table 3-1: International Conventions			
Cat.	Substance Name	CAS No.	PIC Status
B	Permethrin (proposed lead substance)	52645-53-1	Y
B	Cyfluthrin	68359-37-5	Y
B	Fenpropathrin	39515-41-8	Y
B	Fenvalerate	51630-58-1	Y
C	Fipronil	120068-37-3	Y

## 4 Cross Regulation Activities

### 4.1 PACT List

The Public Activities Coordination Tool (PACT) provides an overview of the substance-specific activities being undertaken by authorities under the REACH Regulation and the CLP Regulation. The activities under the PACT List are carried out in line with ECHA's Integrated Regulatory Strategy.

The PACT List provides up-to-date information on ECHA's and/or Member State Competent Authority's (MSCA) planned, ongoing or completed activities for a given substance in the following areas:

- Data generation and assessment – dossier evaluation, substance evaluation, informal hazard assessment (PBT/vPvB/ED);
- Regulatory Management Option Analysis (RMOA);
- Regulatory risk management – harmonised classification and labelling (CLH), SVHC identification, restriction.<sup>2</sup>

### 4.2 CoRAP

The Community Rolling Action Plan (CoRAP) identifies the substances which shall be evaluated by Member States in the next three years and it is updated annually in March. Substance evaluation aims to clarify the initial concern that the manufacture and/or use of the substances could pose a risk to human health or the environment. These initial concerns tend to relate to potential persistency, bioaccumulation, toxicity (PBT), endocrine disruption, carcinogenicity, mutagenicity or reprotoxicity (CMR), in combination with wide dispersive use or consumer use of the substance.

Member States may focus their evaluation on the area of initial concern, but this does not have to be limit of the scope of the evaluation. Following evaluation, if additional data is required to clarify a suspected risk then further information may be requested from registrants of the substance, or it may be concluded that the substance does not constitute a risk and no further data is required.

Table 4-1 below indicates how pesticides are regulated under cross regulation activities.

Cat.	Substance Name	CAS No.	PACT List	CoRAP
B	Permethrin (proposed lead substance)	52645-53-1	Y	
B	Bifenthrin	82657-04-3	Y	
B	Cyfluthrin	68359-37-5	Y	
B	Cypermethrin	52315-07-8	Y	
B	D-allethrin	231937-89-6	Y	
B	d-Tetramethrin	1166-46-7	Y	

<sup>2</sup> ECHA (no date) Public activities coordination tool. Available at: <https://echa.europa.eu/pact> [Accessed: 28/10/2019]

B	Epsilon-momfluorothrin	1065124-65-3	Y	
B	esbiothrin	260359-57-7	Y	
B	Esfenvalerate	66230-04-4	Y	
B	Etofenprox	80844-07-1	Y	
B	Imiprothrin	72963-72-5	Y	
B	Metofluthrin	240494-71-7	Y	
B	Tefluthrin	79538-32-2	Y	
B	Tetramethrin	7696-12-0	Y	
B	transfluthrin	118712-89-3	Y	
B	Piperonyl butoxide (coformulant, synergist)	51-03-6	Y	Y
B	Chlorpyrifos (OP)	2921-88-2	Y	
C	Fipronil	120068-37-3	Y	
B	Glyphosate (To be banned in DE, 2023)	1071-83-6	Y	

## 5 REACH Regulation

### 5.1 REACH

Legislative Act: [Regulation \(EC\) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals \(REACH\), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation \(EEC\) No 793/93 and Commission Regulation \(EC\) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC](#)

Staged over three phases, the 2008 REACH Regulation requires manufacturers and importers (MIs) of chemicals to register all chemical substances manufactured or imported and used in quantities of >1t per year per MI. All substances manufactured or imported in quantities of >100 t per year per MI and all known CMRs 1A/1B/PBT/vPvB over 1t per MI per year have completed registration. The final REACH Registration deadline was 1 June 2018 for substances manufactured or imported in quantities of 1-100 tonnes per MI per year. It should be noted that Biocides and Plant Protection Products are not subject to REACH Registration, where Registration dossiers exist, this is related to their uses outside of the Biocidal Products Regulation and Plant Protection Products Regulation.

Through ‘Restriction and Authorisation’ the REACH regulation has provisions to ensure that the risks from substances of very high concern (SVHC) are controlled and substances are progressively replaced by suitable alternative substances or technologies.

For all substances, information must be generated, and classifications made according to CLP. Even where Restriction/Authorisation provisions are not applied, hazard classifications can trigger parallel community legislation and information must be passed to downstream users using safety data sheets. Substances manufactured or imported at >10t per year per MI must also conduct a chemical safety assessment for all identified uses, where this must demonstrate adequate control of any identified risks.

Tables 5-1 below and 5-2 overleaf indicate how pesticides are registered under REACH registration and their registered uses.

Cat.	Substance Name	CAS No.	FULL REACH Registration	NONS REACH Registration	Registered Uses
B	Etofenprox	80844-07-1		Y	
B	Imiprothrin	72963-72-5		Y	
B	Lambda-cyhalothrin	91465-08-6		Y	
B	Piperonyl butoxide (coformulant, synergist)	51-03-6	Y		Y
C	Fipronil	120068-37-3		Y	

**Table 5-2: REACH Registered uses**

Cat.	Substance Name	CAS No.	Consumer uses	Article services life	Widespread uses by workworn	Formulation or repackaging	Uses at industrial sites	Manufacture	Intermediate only
B	Permethrin (proposed lead substance)	52645-53-1	Y	-	Y	Y	Y	Y	-
B	Alpha-cypermethrin (alphamethrin)	67375-30-8	Y	-	Y	Y	Y	Y	-
B	Bifenthrin	82657-04-3	Y	Y	Y	Y	Y	Y	-
B	Cyfluthrin	68359-37-5	-	-	Y	Y	Y	Y	-
B	Cypermethrin	52315-07-8	-	-	Y	-	Y	Y	-
B	Cyphenothrin	39515-40-7	-	Y	Y	Y	Y	Y	-
B	D-allethrin	231937-89-6	Y	Y	Y	Y	Y	Y	-
B	Deltamethrin	52918-63-5	Y	Y	-	Y	Y	Y	-



## 6 CLP Regulation

Legislative act: [Regulation \(EC\) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation \(EC\) No 1907/2006](#)

This Regulation harmonises the criteria for classification of substances and mixtures, and the rules for labelling and packaging of these hazardous substances and mixtures. It outlines the obligations of:

- manufacturers, importers and downstream users to classify substances and mixtures before they can be placed on the market;
- suppliers to label and package substances and mixtures before placing on the market;
- and manufacturers, producers of articles and importers to classify those substances not placed on the market that are registered or notified under REACH.

There are two types of classification under CLP. Harmonised classification is the classification of a substance that has been agreed by independent experts at European level, and this classification is then legally binding. Harmonised classifications are listed in Annex VI of CLP. Mixtures are not subject to harmonised classification. Self-classification is carried out by a supplier who classifies the chemicals directly, where no harmonised classification exists. This is also necessary for mixtures.

The classification of a substance can have impacts on vertical legislative requirements, for example cut-off criteria under PPPR and BPR for substances that have a harmonised classification for CMR 1A or 1B. OSH legislation tends to apply to both self-classified substances and those with a harmonised classification.

Table 6-1 below indicates how pesticides are regulated under CLP legislation.

Cat.	Substance Name	CAS No.	Harmonised classifications in force from 1 May 2020 after ATP 13	Registry of submitted CLH
B	Permethrin (proposed lead substance)	52645-53-1	Y	Y
B	Allethrin	584-79-	Y	
B	Alpha-cypermethrin (alphamethrin)	67375-30-8	Y	
B	Bifenthrin	82657-	Y	Y
B	Cyfluthrin	68359-	Y	Y
B	Cypermethrin	52315-	Y	Y
B	D-allethrin	231937		Y
B	Deltamethrin	52918-	Y	
B	d-Tetramethrin	1166-	Y	Y
B	Epsilon-momfluorothrin	106512-4-65-3	Y	Y

B	esbiothrin	260359		Y
B	Esfenvalerate	66230-	Y	Y
B	Etofenprox	80844-	Y	Y
B	Fenpropathrin	39515-	Y	
B	Imiprothrin	72963-	Y	Y
B	Lambda-cyhalothrin	91465-	Y	
B	Metofluthrin	240494	Y	Y
B	Prallethrin	23031-	Y	
B	Tau-fluvalinate	102851	Y	
B	Tefluthrin	79538-	Y	Y
B	Tetramethrin	7696-	Y	Y
B	transfluthrin	118712	Y	Y
B	Piperonyl butoxide (coformulant, synergist)	51-03-6		Y
B	Chlorpyrifos (OP)	2921-	Y	
C	Dimethoate (OP)	60-51-5	Y	
C	Fipronil	120068	Y	Y
B	Glyphosate (To be banned in DE, 2023)	1071- 83-6	Y	Y

## 7 OSH Legislation

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### 7.1 Signs at work

Legislative act: [Council Directive 92/58/EEC of 24 June 1992 on the minimum requirements for the provision of safety and/or health signs at work](#)

This Directive is the ninth individual Directive within the meaning of Article 16 of the OSH Framework Directive. It lays down the minimum requirements for the provision of health and safety signs at work. Employers are required to provide health and safety signs where hazards cannot be avoided or reduced. The Annexes outline the minimum requirements for health and safety signs.

### 7.2 CAD

Legislative act: [Council Directive 98/24/EC of 7 April 1998 on the protection of the health and safety of workers from the risks related to chemical agents at work](#)

This Directive is the fourteenth individual Directive within the meaning of Article 16 of the OSH Framework Directive. It outlines the minimum requirements for the protection of workers health and safety arising, or likely to arise, from the effects of chemical agents in the workplace or the use of chemical agents at work. It applies where hazardous chemical agents are present or may be present at the workplace. Indicative occupational exposure limit values (IOELVs) are set at Community level. Member States are required to introduce a national occupational exposure limit value that takes into account the IOELV. Binding biological limit values (BBLVs) may be drawn up at Community level. Member States must establish a corresponding national binding biological limit value. There are a number of obligations for employers, including carrying out an assessment of the risk to health and safety arising from the presence of chemical agents and specific protection and prevention measures. The definition of a hazardous chemical agent is where it meets the criteria for classification under the Dangerous Substances Directive (67/548/EEC) or the Dangerous Preparations Directive (88/379/EEC). These classifications have been translated into CLP.

### 7.3 Young Workers

Legislative act: [Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work](#)

This Directive requires Member States to ensure that work by adolescents is strictly restricted and that children are prohibited from working. Employers are required to carry out an assessment of the hazards to young workers before they start work, this includes the nature, degree and duration of exposure to physical, biological and chemical agents. Further requirements exist in areas such as night work, rest periods, working time and breaks. The classifications of chemical agents are based on the Dangerous Substances Directive (67/548/EEC) but these are now translated to those of CLP.

Table 7-1 overleaf indicates how pesticides are regulated under OSH legislation.

**Table 7-1: Relevant OSH legislation**

Cat.	Substance Name	CAS No.	Signs at work	CAD	Young Workers
B	Permethrin (proposed lead substance)	52645-53-1	Y	Y	Y
B	Cypermethrin	52315-07-8	Y	Y	Y
B	Deltamethrin	52918-63-5	Y	Y	Y
B	Chlorpyrifos (OP)	2921-88-2	Y	Y	Y
B	Glyphosate (To be banned in DE, 2023)	1071-83-6		Y	

## 8 Professional and Consumer Legislation

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### 8.1 Plant Protection Products Regulation

Legislative act: [Regulation \(EC\) No 1107/2009 concerning the placing of plant protection products on the market \(formerly 91/414/EEC\)](#)

This Regulation outlines the rules for the authorisation of plant protection products in commercial form and for their placing on the market, use and control within the Community. The procedure for approval of active substances, safeners and synergists is also outlined, which is the preliminary step before a plant protection product can be placed on the market.

Approval criteria, including cut-off criteria, are outlined in parts 2 and 3 of Annex II. Active substances, safeners and synergists are not considered eligible for approval if they have a harmonised classification for CMR 1A or 1B, POP, PBT or vPvB, or and endocrine disruptor. Exemptions exist for C1A and 1B or R1A or 1B.

### 8.2 Cosmetics Regulation

Legislative Act: [Regulation \(EC\) No 1223/2009 on cosmetic products \(formerly 76/768/EEC\)](#)

This Regulation lays out the rules that cosmetic products must comply with if they are to be made available on the market. The Cosmetic Products Regulation does not have to comply with the requirements of CLP, packaging and labelling requirements are instead outlined in the Cosmetic Products Regulation. Article 15 is the only area that has a link to CLP. This outlines the prohibition of CMRs in cosmetic products. Annex II lists the substances that are prohibited for use in cosmetics, these are not necessarily CMRs.

### 8.3 Maximum residue levels of pesticides in or on food and feed of plant and animal origin

Legislative act: [Regulation \(EC\) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC.](#)

This Regulation harmonises and simplifies pesticide MRLs, setting a common EU assessment scheme for all agricultural products for food and feed. It covers pesticides currently or formerly used in agriculture in or outside the EU.

### 8.4 Pressure equipment

Legislative act: [Directive 2014/68/EU of the European Parliament and of the Council of 15 May 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment](#)

This Directive applies to the design, manufacture and conformity assessment of pressure equipment and assemblies that have a maximum allowable pressure PS greater than 0.5 bar. It outlines the obligations of manufacturers, authorised representatives, importers and distributors. The

classification of fluids are divided into two groups based on the CLP classification. Annex I sets out the essential safety requirements.

## 8.5 Biocidal Products Regulation

Legislative act: [Regulation \(EU\) No 528/2012 concerning the making available on the market and use of biocidal products](#)

This Regulation harmonises the rules for the making available on the market and the use of biocidal products. It applies to biocidal products and treated articles. The approval procedure for active substances and the authorisation of biocidal products is outlined in this Regulation, including any exclusion criteria, which are defined in Article 5. Active substances that have a harmonised classification for CMR 1A or 1B, or meet the criteria for endocrine disruptors or PBT/vPvB shall not be approved unless they meet one of the derogation criteria outlined in Article 5(2). There are also criteria for candidates for substitution.

Table 8-1 below indicates how pesticides are regulated under professional and consumer legislation.

Cat.	Substance Name	CAS No.	Plant Protection Products	Cosmetic Products	Maximum Residue Levels	Pressure Equipment	Biocidal Products
B	Permethrin (proposed lead substance)	52645-53-1		Y	Y	Y	Y
B	Acrinathrin	101007-06-1	Y		Y		
B	Allethrin	584-79-2		Y	Y		
B	Alpha-cypermethrin (alphamethrin)	67375-30-8	Y		Y		Y
B	Bifenthrin	82657-04-3			Y		Y
B	Cyfluthrin	68359-37-5			Y		Y
B	Cypermethrin	52315-07-8	Y		Y	Y	Y
B	Zeta-cypermethrin	52315-07-5	Y		Y		Y
B	Deltamethrin	52918-63-5	Y	Y	Y	Y	Y
B	Esfenvalerate	66230-04-4	Y		Y		Y
B	Etofenprox	80844-07-1	Y		Y		Y
B	Fenpropathrin	39515-41-8			Y		
B	Fenvalerate	51630-58-1			Y		
B	Lambda-cyhalothrin	91465-08-6	Y		Y		Y
B	Gamma-cyhalothrin	76703-62-3	Y		Y		Y
B	Tau-fluvalinate	102851-06-9	Y		Y		
B	Tefluthrin	79538-32-2	Y		Y		
B	Tetramethrin	7696-12-0		Y	Y		Y

B	Piperonyl butoxide (coformulant, synergist)	51-03-6	Y	Y			Y
B	Chlorpyrifos (OP)	2921-88-2	Y		Y	Y	
C	Dimethoate (OP)	60-51-5	Y		Y		
C	Fipronil	120068-37-3	Y		Y		Y
B	Glyphosate (To be banned in DE, 2023)	1071-83-6			Y		
C	POE Tallowamine	61791-26-2		Y			

## 9 Waste Legislation

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### 9.1 Waste Framework Directive

Legislative Acts:

- [Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives](#)
- [Directive \(EU\) 2018/851 of the European Parliament and of the Council of 30 May 2018 amending Directive 2008/98/EC on waste](#)

This framework Directive lays down the measures to prevent or reduce the adverse impacts of the generation and management of waste by reducing resource use and improving efficiency of use. There are certain wastes excluded from the requirements of this Directive, such as radioactive waste. These are outlined in Article 2. The Waste Framework Directive presents a waste hierarchy which applies as a priority order in waste prevention and management legislation and policy. Requirements of this Directive are outlined for prevention of waste, recovery, reuse and recycling, and disposal. The properties of waste which render it hazardous are outlined in Annex III.

### 9.2 Waste shipments

Legislative act: [Regulation \(EC\) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste](#)

This Regulation establishes the procedures and control regimes for the shipment of waste, depending on the origin, destination and route of the shipment, the type of waste shipped and the type of treatment to be applied to the waste at its destination. The requirements of this Regulation apply to shipments of waste between Member States; imported into the Community from third countries; exported from the Community to third countries; in transit through the Community between third countries.

Certain wastes are subject to the procedure of prior written notification and consent, these are outlined in Article 3. The notification procedure is explained in Chapter 1, which includes the contract, financial guarantee, transmission of notification and consents by the competent authorities of destination, dispatch and transit. This Regulation also outlines the additional provisions for interim recovery and disposal operations. The following Annexes provide lists of waste for which there are particular measures:

- Annex III - the list of wastes subject to the general information requirements laid down in Article 18.
- Annex IV - the list of wastes subject to the procedure of prior written notification and consent.

Annex V – waste subject to the export prohibition in Article 36

Table 9-1 below indicates how pesticides are regulated under waste legislation.



**Table 9-1: Applicable Waste Legislation**

Cat.	Substance Name	CAS No.	Waste Framework Directive	Waste shipments Directive
B	Permethrin (proposed lead substance)	52645-53-1	Y	Y
B	Cypermethrin	52315-07-8	Y	Y
B	Deltamethrin	52918-63-5	Y	Y
B	Chlorpyrifos (OP)	2921-88-2	Y	Y
B	Glyphosate (To be banned in DE, 2023)	1071-83-6	Y	Y

## 10 Environmental Legislation

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### 10.1 Water Framework Directive

Legislative act: [Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy](#)

This Directive aims to establish a framework for the protection of inland waters, transitional waters, coastal waters and groundwaters. The priorities are to: prevent further deterioration and enhance the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands directly dependant on aquatic ecosystems; promote sustainable water use; enhance protection and improvement of the aquatic environment through the reduction of discharges, emissions and losses of priority substances; enhancing the progressive reduction of pollution of groundwater and preventing further pollution; and to contribute to mitigating the effects of floods and droughts.

### 10.2 Environmental Quality Standards

Legislative act: [Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council](#)

This Directive sets out the environmental quality standards (EQS) for priority substances and certain other pollutants in line with Article 15 of the Water Framework Directive in order to achieve good surface water chemical status. Member States must apply the EQS that are laid down in Annex I for surface water. Member States must also establish an inventory, including maps, of emission, discharges and losses of all priority substances for each river basin district or part of a river basin district that lies within their territory. This should include their concentrations in sediment and biota, as appropriate. The reference period for this inventory should be one year between 2008 and 2010.

### 10.3 Industrial Emissions Directive

Legislative Act: [Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions \(integrated pollution prevention and control\)](#)

The IED lays down the rules on integrated prevention and control of pollution that arises from industrial activities. It aims to prevent, or where this is not possible, to reduce emissions to air, water and land and to prevent the generation of waste. This Directive applies to industrial activities that are referred to in Chapters II to VI, which are listed in Annex I. Annex II provides a list of polluting substances for air and water.

### 10.4 Import and Export of Hazardous Chemicals

Legislative act: [Regulation \(EU\) No 649/2012 concerning the export and import of hazardous chemicals](#)

This Regulation implements the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. It aims to promote shared responsibility and cooperative efforts in international movement of hazardous substances in order to protect human health and the environment. This Regulation applies to certain hazardous chemicals

that are subject to the prior informed consent under the Rotterdam Convention and certain hazardous chemicals that are banned or severely restricted within the Union or a Member State. Annex I provides the list of chemicals that are subject to the export notification procedure, the list of chemicals that qualify for PIC notification, and the list of chemicals subject to the PIC procedure. Annex V provides the list of chemicals and articles that are subject to the export ban referred to in Article 15.

## 10.5 Drinking Water Directive

Legislative Act: [Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption](#)

This Directive aims to protect human health from the adverse effects of any contamination of water that is intended for human consumption by laying out the requirements to ensure that it is clean. One of the requirements is for Member States to set quality standard values for the parameters that are set in Annex I, be that microbial or chemical. Regular monitoring is a requirement of this Directive, as is remedial action.

Table 10-1 below indicates how pesticides are affected by environmental legislation.

Table 10-1: Applicable Environmental Legislation							
Cat.	Substance Name	CAS No.	Water Framework Directive	Environmental Quality Standards	Industrial Emissions Directive	Import & Export of Hazardous Chemicals	Drinking water directive
B	Permethrin (proposed lead substance)	52645-53-1				Y	Y
B	Acrinathrin	101007-06-1					Y
B	Allethrin	584-79-2					Y
B	Alpha-cypermethrin (alphamethrin)	67375-30-8					Y
B	Bifenthrin	82657-04-3					Y
B	Cyfluthrin	68359-37-5				Y	Y
B	Cypermethrin	52315-07-8					Y
B	Zeta-cypermethrin	52315-07-5					Y
B	Cyphenothrin	39515-40-7					Y
B	D-allethrin	231937-89-6					Y
B	Deltamethrin	52918-63-5					Y
B	d-Tetramethrin	1166-46-7					Y
B	Empenthrin	54406-48-3					Y
B	Epsilon-momfluorothrin	1065124-65-3					Y

Pesticides

B	esbiothrin	260359-57-7					Y
B	Esfenvalerate	66230-04-4					Y
B	Etofenprox	80844-07-1					Y
B	Fenpropathrin	39515-41-8				Y	Y
B	Fenvalerate	51630-58-1				Y	Y
B	Imiprothrin	72963-72-5					Y
B	Lambda-cyhalothrin	91465-08-6					Y
B	Gamma-cyhalothrin	76703-62-3					Y
B	Metofluthrin	240494-71-7					Y
B	Prallethrin	23031-36-9					Y
B	Tau-fluvalinate	102851-06-9					Y
B	Tefluthrin	79538-32-2					Y
B	Tetramethrin	7696-12-0					Y
B	transfluthrin	118712-89-3					Y
B	1R-trans-phenothrin (or D-phenothrin)	26046-85-5					Y
B	Piperonyl butoxide (coformulant, synergist)	51-03-6					Y
B	Chlorpyrifos (OP)	2921-88-2	Y	Y	Y		Y
C	Dimethoate (OP)	60-51-5					Y
C	Fipronil	120068-37-3				Y	Y
B	Glyphosate (To be banned in DE, 2023)	1071-83-6					Y
C	POE Tallowamine	61791-26-2					Y



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