

## EMERGENCY AUTHORISATION OF A PLANT PROTECTION PRODUCT

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

Product name: Cuprokylt

Active ingredient: 87.8 % w/w copper oxychloride

MAPP number: 17079

Product authorisation holder: Industrias Quimicas Del Valles, S.A. (Registered Company no. 30226)

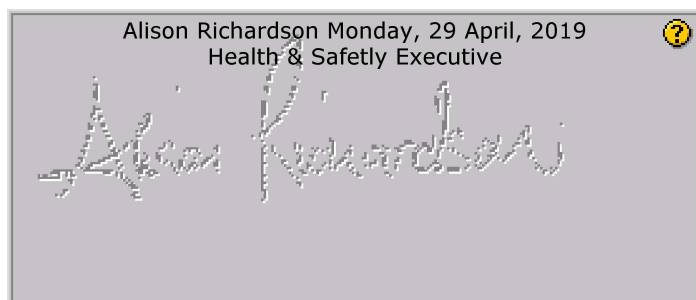
Marketing company: Certis Europe BV

This emergency authorisation ends: 01 August 2019

This Emergency Authorisation will be withdrawn or amended before its end date if a decision is taken to withdraw or amend this Emergency Authorisation under Regulation (EC) No 1107/2009 on any other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 authorisation: United Kingdom

HSE Digital Signature



Alison Richardson Monday, 29 April, 2019  
Health & Safety Executive

The image shows a digital signature box with a grey background. At the top, it reads "Alison Richardson Monday, 29 April, 2019" and "Health & Safety Executive". Below this is a stylized, handwritten signature in a light grey color. In the top right corner of the box, there is a small yellow circular icon containing a question mark.

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: 29 April 2019

## EXPLANATORY NOTES

1. This is Emergency authorisation number 1895 of 2019..
2. This Emergency authorisation will be published on the website of the Chemicals Regulation Division of the HSE.
3. Application reference number: COP 2018/03053
4. Persons using the product to which this Extension of 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 Extension of authorisation to notify information on potentially dangerous effects, a contravention of which is a criminal offence under those Regulations.
5. Neither the efficacy nor the phytotoxicity of the product for which this Extension of authorisation has been granted has been assessed and, as such, the user bears the risk in respect of failures concerning its efficacy 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.

If Cuprokyt has been utilised for the control of canker in organic apple and pear trees under another authorisation, the maximum dose applied for the control of scab must be such that the overall total dose applied to any apple or pear trees does not exceed 4kg product/ha/yr.

This Emergency Authorisation relates to the use of 'Cuprokyt' (MAPP 17079) as a fungicide for use on organic apple and pear to control *Venturia inaequalis* (scab). Application is to be made by broadcast air assisted sprayer in a minimum water volume of 400 litres/ha.

## APPENDIX 1: CONDITIONS OF EXTENSION OF AUTHORISATION

The conditions below are obligatory. They must be complied with when the Extension of authorisation occurs. Failure to comply with the following conditions will result in the withdrawal or amendment of the Extension of authorisation under Regulation (EC) No 1107/2009 and may result in other enforcement action, including prosecution. For the purposes of this Extension of authorisation only, the conditions and/or requirements shown below supersede any corresponding conditions and/or requirements set out on the label or otherwise provided for under the product authorisation **which would otherwise apply**.

### Use:

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

User: Professional

Crops/situations:	Maximum individual dose: (kg product / ha)	Maximum total dose: (kg product / ha / year)	Maximum number of treatments:	Latest time of application:
Outdoor crops of apple, pear	2	4	-	BBCH 69 (end of flowering)

### 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) Engineering control of operator exposure must be used where reasonably practicable in addition to the following personal protective equipment:

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.

- (3) However, engineering controls may replace personal protective equipment if a COSHH assessment shows that 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' (Ref: PB6533), 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 emergency, 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) A minimum interval of 7 days must be observed between applications.
- (4) The maximum total dose of 4 kg product/ha/year must not be exceeded.
- (5) Cuprokylt is only to be used by apple and pear growers that are registered with an approved UK organic control and certification body

## **APPENDIX 2: GENERAL CONDITIONS FOR AN EXTENSION OF AUTHORISATION**

Failure to comply with the following conditions will result in the withdrawal or amendment of the Extension of 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, Environment and Rural Affairs 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 Extension of 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, Environment and Rural Affairs in Northern Ireland in accordance with Regulation (EC) No 1107/2009.