

Committee on Sanitary and Phytosanitary Measures

NOTIFICATION

1.	Member to Agreement notifying: <u>NETHERLANDS</u> If applicable, name of local government involved:
2.	Agency responsible: Ministry of Agriculture, Nature Management and Fisheries
3.	Products covered (tariff item number(s) as specified in national schedules deposited with the WTO. ICS numbers may be provided in addition, where applicable): Biocides
4.	Title and number of pages of the notified document: Decree on Section 1, paragraph 4 of the 1962 Pesticides Act (3 pages)
5.	<p>Description of content: The Pesticides Act of 1962 prohibits, among other things, the trade and use of unauthorised pesticides (Section 2, paragraph 1). The definition of pesticides in the Act includes chemicals for crop protection as well as non-agricultural chemicals (biocides). Council Directive 91/414/EC concerning the placing of plant protection products on the market (OJ L 1991, 23) is in effect for pesticides. Pesticides are authorised after a dossier evaluation. Evaluation criteria mainly concern the effect of a substance (its active ingredients) as well as the absence of (unacceptable) consequences for public health, working conditions or the environment. In addition, packaging and labelling (Section 3, paragraphs 1 and 2 of the Act). The Act (first drawn up in 1962) applies to pesticides insofar as these contain active ingredients or preparations containing at least one active ingredient to combat or repel harmful organisms in specifically cited situations (Section 1, paragraph 1 g and h). The Act also allows for expansion of its scope by means of orders in council (Section 1, paragraph 4). Thus the substances concerned shall also have to meet the requirements for authorisation stated in the Act and shall be evaluated with respect to the above-mentioned criteria.</p> <p>The scope of the law is expanded in the (Draft) Decree on Section 1, paragraph 4, of the 1962 Pesticides Act. In this Decree, the following substances are considered pesticides:</p> <ul style="list-style-type: none">(a) disinfectants to be used by parties other than the waterworks to combat or repel organisms (animal or plant organisms, micro organisms, including viruses and bacteriophages) for the purpose of securing drinking water;(b) substances to be orally administered to animals to combat or repel pesky or harmful insects that occur on or develop in the manure of these animals (feedthrough substances).

6.	Objective and rationale: Public health
7.	An international standard, guideline or recommendation does not exist [X]. If an international standard, guideline or recommendation exists, whenever possible, identify deviations:
8.	Relevant documents and language(s) in which these are available: Pesticides Act of 1962, article 1, paragraph 4; article 2, paragraph 1 and article 3 Regulation on the admission of pesticides; article 19
9.	Proposed date of adoption: December 1997
10.	Proposed date of entry into force: December 1997
11.	Final date for comments: 7 December 1997 Agency or authority designated to handle comments:
12.	Texts available from: National enquiry point [X] or address, telefax number and E-mail address (if available) of other body: