

Referral to the Coordination Group under Article 35 of Regulation (EU) No 528/2012

Executive summary

Type of referral: Referral to the Coordination Group of a disagreement on Mutual recognition (MR) in accordance with Article 35(2) of the Regulation (EU) No 528/2012 (BPR)

Reference Member State (rMS): AT

Initiating concerned Member States (icMSs): FR, DE

Other concerned Member States (cMSs): BE, CH, DK, ES, IE, IT, LU, NL, NO, PT, SE

Product name in the rMS: Ameisenköder N

Case type: Mutual recognition in sequence (MRS)

Product type: 18

Active substance: Spinosad

Brief summary of the point of disagreement:

In order to avoid residues in food the RMM "*The product should be applied so that pets, food, feedstuff and livestock do not come in contact with the product.*" should be replaced with the RMM "*Place bait stations away from food, drink and feed, as well as from utensils or surfaces that have contact with these.*" in both the PAR and section 5 of the SPC. In addition, a specific RMM should be added to prevent the exposure of children, pets, livestock and other non-target animals.

Outcome of the discussion within the Coordination Group (CG):

The rMS and the cMSs agreed by consensus on 10 November 2023 that:

The RMM "*The product should be applied so that pets, food, feedstuff and livestock do not come in contact with the product.*" will be replaced with the RMMs "*Place bait stations away from food, drink and feed, as well as from utensils or surfaces that have contact with these.*" and "*Place bait stations out of the reach of children, birds, pets, livestock and other non-target animals.*" in both the PAR and section 5 of the SPC.

The product meets the conditions for granting an authorisation under Article 19(1)(b)(iii) of the BPR and thus it will be authorised. This formal referral is therefore closed.