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Subject: Update on asulam
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Dear interested party

I am writing to you as I am aware you have previously expressed an interest in the use of asulam.

As you will most likely be aware, the EU Appeal Committee last week decided to refuse the current application for approval of the herbicide asulam.

The UK Government pushed hard for approval. Although there were some weaknesses in the data supplied by the applicant company, the UK considered that the correct decision within the EU rules would have been approval with confirmatory data requirements. We also highlighted the important role for asulam in the effective control of bracken in the UK and particularly in protecting habitats of high conservation value. Seven other countries supported us but this was not enough to win the day.

The result is that the final date for products containing asulam to be sold or supplied is 31 December 2011. A grace period of one year – ending 31 December 2012 – is then permitted for the storage and use of the product. Those wishing to use asulam next year will need to make sure that they have made the necessary arrangements to obtain a supply of the product on or before 31 December 2011.

Any questions on the exact operation of the grace periods for marketing and use of stocks can be addressed to the Communications Branch at the Chemicals Regulation Directorate of HSE: telephone 01904 455775, or by email to pesticides@hse.gsi.gov.uk.

The Government hopes that the company will submit a fresh application for EU approval of asulam, addressing the concerns raised by the European Food Safety Authority which persuaded the Commission that asulam should not be approved. However, it will not be possible for a new application to be made and processed in Europe before the end of 2012, as the whole process from receipt of application to approval will take several years.

The Government has made it clear that it would be very prepared to consider applications for emergency authorisations to help bridge the gap between the expiry of the current approval and the eventual granting of a new one. Officials are actively considering how this can best be taken forward so that the process is as simple as possible. We will issue advice as soon as possible. In the meantime, there will be no need for any applications for emergency authorisation to come forward in the near future. Those interested in the continuing use of asulam need take no action at this point.

Please feel free to pass on this information to anyone else who might be interested.

Best wishes

David

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