

Chemicals Regulation Directorate

**Mark Hawkins**

Bella Mistry  
United Phosphorus Ltd  
Chadwick House  
Birchwood Park  
**Warrington**  
Cheshire  
WA3 6AE

Mallard House  
Kings Pool  
3 Peasholme Green  
York YO1 7PX  
United Kingdom

Tel: (+44) (0)1904 455759  
Fax: (+44) (0) 1904 455763  
mark.hawkins@hse.gsi.gov.uk

<http://www.hse.gov.uk/>

Date 5 October 2011

Reference

Dear Bella

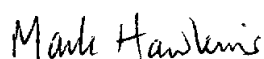
## **ASULAM: EMERGENCY AUTHORISATIONS**

I understand that a question arose at the meeting you held for stakeholders in York on 29 September as to whether repeat emergency authorisations are possible under Regulation (EU) No 1107/2009.

The provisions for emergency authorisations are laid down in Article 53 of the Regulation and allow member States to issue them repeatedly. Indeed, the Regulation is more accommodating of repeat authorisations than was the previous Directive, because it no longer requires that they relate to an 'unforeseeable' danger. Each authorisation would require an application, which would be assessed by the Advisory Committee on Pesticides in light of guidance in place at the time. It may be reviewed by the Commission which can, if necessary, intervene (although it has done so only exceptionally in the past).

I am copying this letter to George Winn-Darley (Moorlands Association), Simon Thorp (Heather Trust), Rachel Webster and Andrew Clark (NFU), Andrew Bauer (NFUS) and Colin Palmer (ConFor). Given the widespread concern on this point, perhaps all recipients would pass it on as they see fit?

Yours sincerely



**Mark Hawkins**  
**Policy Development Team**