REGISTRATION REPORT

Part A

Risk Management

Product code: IBE 4063

Product name: KUSABI MAX

Active substances:

tebuconazole, 240 g/L

pyriofenone, 180 g/L

COUNTRY: FRANCE

Southern Zone

Zonal Rapporteur Member State: France

NATIONAL ASSESSMENT FRANCE

(New application)

Applicant: ISK Biosciences Europe N.V.

Date: 23/10/2018

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PART A – Risk Management

The company ISK Biosciences Europe N.V. has requested marketing authorisation in France for the product KUSABI MAX (product code: IBE 4063), containing 240g/L tebuconazole and 180g/L pyriofenone for use as a fungicide.

The risk assessment conclusions are based on the information, data and assessments provided in Registration Report, Part B Sections 1-7 and Part C, and where appropriate the addenda for France. The information, data and assessments provided in Registration Report, Part B include assessment of further data or information as required at national registration by the EU peer review. It also includes assessment of data and information relating to KUSABI MAX (IBE 4063) where those data have not been considered in the EU peer review process. Otherwise assessments for the safe use of KUSABI MAX (IBE 4063) have been made using endpoints agreed in the EU peer review(s) of both tebuconazole and pyriofenone.

This document describes the specific conditions of use and labelling required for France for the registration of KUSABI MAX (IBE 4063).

Appendix 1 of this document provides a copy of the French Decision.

Appendix 2 of this document is a copy of the draft product label as proposed by the applicant.

Appendix 3 of this document is a copy of the letter(s) of Access.

1 DETAILS OF THE APPLICATION

1.1 Application background

The present registration report concerns the evaluation of ISK Biosciences Europe N.V.'s application to market KUSABI MAX (IBE 4063) in France as a fungicide (product uses described under point 2.3). France acted as a zonal Rapporteur Member State (zRMS) for this request and assessed the application submitted for the first authorisation of this product in France and in other MSs of the Southern zone.

1.2 Active substance approval

Tebuconazole

Commission Implementing Regulation (EU) No 921/2014 of 25 August 2014 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance tebuconazole.
Specific provisions of Regulation (EU) No 921/2014were as follows: PART A Only uses as fungicide and plant growth regulator may be authorised. PART B For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on tebuconazole, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 28 October 2008 shall be taken into account. In this overall assessment Member States must pay particular attention to: — the operator and worker safety and ensure that conditions of use prescribe the application of adequate personal protective equipment; — the dietary exposure of consumers to the tebuconazole (triazole) metabolites; — the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil or climatic conditions, in particular as regards the occurrence in groundwater of the metabolite 1,2,4-triazole;

— the protection of granivorous birds and mammals and herbivorous mammals and must ensure that the conditions of authorisation include, where appropriate, risk mitigation measures; — the protection of aquatic organisms and must ensure that conditions of authorisation include risk mitigation measures such as buffer zones, where appropriate. The Member States concerned shall ensure that the notifier submits to the Commission further information addressing the potential endocrine disrupting properties of tebuconazole within two years after the adoption of the OECD test guidelines on endocrine disruption or, alternatively, of Community agreed test guidelines.
An EFSA conclusion is available (EFSA Journal 2014; 12(1):3485). A Review Report is available (SANCO/171/08 – rev. 2, 9 September 2008, updated 11 July 2014).

Pyriofenone

Commission Implementing Regulation (EU) No 833/2013 of 30 August 2013 approving the active substance pyriofenone, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011.
Specific provisions of Regulation (EU) No 833/2013 were as follows: For the implementation of the uniform principles as referred to in Article 29(6) of Regulation (EC) No 1107/2009, the conclusions of the review report on pyriofenone, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 16 July 2013 shall be taken into account. Conditions of use shall include risk mitigation measures, where appropriate. The applicant shall submit confirmatory information as regards (a) the identity of two impurities to fully support the provisional specification; (b) the toxicological relevance of the impurities present in the proposed technical specification except for the one impurity for which an acute oral study and an Ames test were provided. The applicant shall submit to the Commission, the Member States and the Authority that information by 31 January 2016.
An EFSA conclusion is available (EFSA Journal 2013;11(4):3147) A Review Report is available (SANCO/10851/2013 rev. 2, 16 July 2013).

1.3 Regulatory approach

The present application (2015-0003) was evaluated in France by the French Agency for Food, Environmental and Occupational Health & Safety (Anses)[1] in the context of the zonal procedure for all Member States of the Southern zone, taking into account the worst-case uses ("risk envelope approach")[2] – the highest application rates over the Southern Zone. When risk mitigation measures were necessary, they are adapted to the situation in France.

According to the French law and procedures, specific conditions of use are set out in the Decision letter.

The French Order of 4th May 2017[3] provides that:
- unless formally stated in the product authorisation, the pre-harvest interval (PHI) is at least three days;
- unless formally stated in the product authorisation, the minimum buffer zone alongside a water body is five metres;

[1] French Food Safety Agency, Afssa, before 1 July 2010.
[2] SANCO document "risk envelope approach", European Commission (14 March 2011). Guidance document on the preparation and submission of dossiers for plant protection products according to the "risk envelope approach"; SANCO/11244/2011 rev.5.
[3] Arrêté du 4 mai 2017 relatif à la mise sur le marché et à l'utilisation des produits phytopharmaceutiques et de leurs adjuvants visés à l'article L. 253-1 du code rural et de la pêche maritime https://www.legifrance.gouv.fr/eli/arrete/2017/5/4/AGRG1632554A/jo/texte.

- unless formally stated in the product authorisation, the minimum re-entry period is six hours for field uses and eight hours for indoor uses.

Drift reduction measures such as low-drift nozzles are not considered within the decision-making process in France. However, drift buffer zones may be reduced under some circumstances as explained in Appendix 3 of the above-mentioned French Order.

The current document (RR) based on Anses's assessment of the application submitted for this product is in compliance with Regulation (EC) no 1107/2009[4], implementing regulations, and French regulations.

The data taken into account are those deemed to be valid either at European Union level or at zonal/national level. This part A of the RR presents a summary of essential scientific points upon which recommendations are based and is not intended to show the assessment in detail.

The conclusions relating to the acceptability of risk are based on the criteria indicated in Regulation (EU) No 546/2011[5], and are expressed as "acceptable" or "not acceptable" in accordance with those criteria.

Finally, the French Order of 26 March 2014[6] provides that:
- an authorisation granted for a "reference" crop applies also for "linked" crops, unless formally stated in the Decision
- the "reference" and "linked" crops are defined in Appendix 1 of that French Order.

Thus, at French national level, possible extrapolation of submitted data and the corresponding assessment from "reference" crops to "linked" ones are undertaken even if not clearly requested by the applicant in their dRR, and a conclusion is reached on the acceptability of the intended uses on those "linked" crops. The aim of this Order, mainly based on the EU document on residue data extrapolation[7] is to supply "minor" crops with registered plant protection products.

Therefore the GAP table (Section 2.3) and Decision may include uses on crops not originally requested by the applicant.

The Decision, as reproduced in Appendix 1, takes also into account national provisions, including national mitigation measures.

1.4 Data protection claims

Where protection for data is being claimed for information supporting registration of KUSABI MAX (IBE 4063), it is indicated in the reference lists in Appendix 1 of the Registration Report, Part B Sections 1-7.

1.5 Letter(s) of Access

For pyriofenone, the applicant has provided sufficient data to show that access is not required.

For tebuconazole, the applicant has provided letter(s) of access.

[4] REGULATION (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC

[5] COMMISSION REGULATION (EU) No 546/2011 of 10 June 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards uniform principles for evaluation and authorisation of plant protection products

[6] http://www.legifrance.gouv.fr/eli/arrete/2014/3/26/AGRG1407093A/jo

[7] SANCO document "guidance document:- Guidelines on comparability, extrapolation, group tolerances and data requirements for setting MRLs": SANCO/ 7525/VI/95 - rev.9

2 DETAILS OF THE AUTHORISATION

2.1 Product identity

Product name (code)	KUSABI MAX (IBE 4063)
Authorisation number	-
Function	Fungicide
Applicant	ISK Biosciences Europe N.V.
Composition	240g/L tebuconazole 180g/L pyriofenone
Formulation type (code)	Suspension concentrate (SC)
Packaging	High-density polyethylene containers (0.2 L ; 0.25 L ; 0.5 L ; 1 L ; 2 L ; 5 L ; 10 L)

2.2 Classification and labelling

2.2.1 Classification and labelling in accordance with Regulation (EC) No1272/2008

Physical hazards	-	
Health hazards	Eye irritation - Hazard Category 2 Carcinogenicity - Category 2 Reproductive toxicity - Hazard Category 2	
Environmental hazards	Hazardous to the aquatic environment - Chronic Hazard Category 1	
Hazard pictograms		
Signal word	Warning	
Hazard statements	H319	Causes serious eye irritation
	H351	Suspected of causing cancer
	H361d	Suspected of damaging the unborn child
	H410	Very toxic to aquatic life with long-lasting effects.
Precautionary statements –	***For the P phrases, refer to the extant legislation***	
Supplementary information (in accordance with Article 25 of Regulation (EC) No 1272/2008)	EUH208	Contains 1,2-benzisothiazol-3(2H)-one. May produce an allergic reaction.

See Part C for justifications of the classification and labelling proposals.

2.2.2 Other phrases in compliance with Regulation (EU) No 547/2011

N/A: Not registered in France.

2.2.3 Other phrases linked to the preparation

N/A: Not registered in France.

2.3 Product uses

Please note: The GAP Table below reports the intended uses proposed by the applicant evaluated by France as zRMS.
When the conclusion is "not acceptable", the intended use is highlighted in grey and the main reason(s) reported in the remarks.

GAP rev. 1, date: 2018-10-23

PPP (product name/code)	**KUSABI MAX (IBE 4063)**	**Formulation type:**	**SC**
active substance 1	**tebuconazole**	**Conc. of a:s: 1:**	**240 g/L**
active substance 2	**pyriofenone**	**Conc. of a:s: 2:**	**180 g/L**
Applicant:	**ISK Biosciences Europe N.V.**	**professional use**	☒
Zone(s):	**southern**	**non-professional use**	☐
Verified by MS:	**yes**		

1	2	3	4	5	6	7	8	10	11	12	13	14
Use-No.	**Member state(s)**	**Crop and/ or situation (crop destination / purpose of crop)**	**F G or I**	**Pests or Group of pests controlled** (additionally: developmental stages of the pest or pest group)	**Application**			**Application rate**			**PHI** (days)	**Remarks:**
					Method / Kind	Timing / Growth stage of crop & season	Max. number (min. interval between applications) a) per use b) per crop/ season	kg, L product / ha a) max. rate per appl. b) max. total rate per crop/season	g, kg a.s./ha a) max. rate per appl. b) max. total rate per crop/season	Water L/ha min / max		
1	FR	Vineyards (Wine grapes)	F	Grape powdery mildew (*Erysiphe necator*)	foliar application	From BBCH 14 to 28 days before harvest	a) 2 (14 d) b) 2	a) 0.3 L/ha b) 0.6 L/ha	a) 54 + 72 g a.s./ha b) 108 + 144 g a.s./ha	150-1600	28	**Not acceptable** (risk for worker)
2	FR	Vineyards (Wine grapes)	F	Grape black-rot (*Guignardia bidwellii*)	foliar application	From BBCH 14 to 28 days before harvest	a) 2 (14 d) b) 2	a) 0.3 L/ha b) 0.6 L/ha	a) 54 + 72 g a.s./ha b) 108 + 144 g a.s./ha	150-1600	28	**Not acceptable** (risk for worker)

3 RISK MANAGEMENT

3.1 Reasoned statement of the overall conclusions taken in accordance with the Uniform Principles

3.1.1 Physical and chemical properties

KUSABI MAX (IBE 4063) is a suspension concentrate (SC). All studies have been performed in accordance with the current requirements and the results are deemed acceptable. The appearance of the product is opaque beige, with a chemical odour. It is not explosive and has no oxidising properties. The product has a flash point of > 93 °C. It has a self-ignition temperature of 493 °C. In aqueous solution (1 % dilution), it has a pH value of 7.9 at 21-22 °C. There is no effect of low and high temperatures on the stability of the formulation, since after seven days at 0 °C and 14 days at 54 °C, neither the active substance content nor the technical properties were changed. The stability data indicate a shelf life of at least two years at ambient temperature when stored in HDPE. Its technical characteristics are acceptable for an SC formulation.

The formulation is not classified for the physico-chemical aspect.

A mention should be added to the label to “shake before use”.

3.1.2 Methods of analysis

Analytical methodology for the determination of the active substances in the formulation is available and validated. As the active substance tebuconazole does not contain any relevant impurity, no analytical method is required.

Analytical methods are available in the Draft Assessment Report (DAR) and validated for the determination of residues of tebuconazole in plants (high-acid-content), foodstuffs of animal origin, soil, water (surface and drinking) and air.

Analytical methods are available in the DAR and validated for the determination of residues of pyriofenone in plants (high-acid-content), soil, water (surface and drinking) and air. Analytical methods for the determination of residues of pyriofenone in foodstuffs of animal origin are not necessary.

The active substances are neither toxic nor very toxic, hence no analytical method is required for the determination of residues in biological fluids and tissues.

According to EFSA conclusions, missing data have been identified for pyriofenone:

- information to confirm the identity of two impurities TMT: 3,4,5-trimethoxytoluene BTMS: bis(2,3,4-trimethoxy-6-methylphenyl)sulfide.
- the relevance of the impurities present in the technical specifications must be addressed. (This item was finalised in Revised Vol.4 in April 2016).

An analytical method to quantify relevant impurities should be provided post-authorisation.

3.1.3 Mammalian Toxicology

Endpoints used in risk assessment

Active substance: pyriofenone		
ADI	0.07 mg/kg body weight/day	EU 2014
ARfD	Not applicable	
AOEL	0.15 mg/kg body weight/day	

Dermal absorption	Based on an *in vitro* human study performed on a similar formulation and using a *pro rata* correction according to guidance on dermal absorption (Efsa 2012):		
		Concentrate (tested) 180 g/L	Diluted formulation (tested) 0.18 g/L
	In vitro (human) %	0.5	16
		Concentrate (used in formulation) 180 g/L	Spray dilution (used in formulation) 0.034 g/L
	Dermal absorption endpoints %	**0.5**	**75**

Active substance: tebuconazole		
ADI	0.03 mg/kg body weight/day	EU 2009
ARfD	0.03 mg/kg body weight	
AOEL	0.03 mg/kg body weight/day	
Dermal absorption	Based on default values according to guidance on dermal absorption (Efsa 2012):	

	Concentrate (used in formulation) 240 g/L	Spray dilution (used in formulation) 0.045 g/L
Dermal absorption endpoints %	**25**	**75**

3.1.3.1 Acute Toxicity

KUSABI MAX (IBE 4063), containing 180 g/L pyriofenone and 240 g/L tebuconazole, has a low acute oral, inhalational and dermal toxicity, is not irritating to the rabbit skin and is not a skin sensitiser. However it is classified for eye irritation.

3.1.3.2 Operator Exposure

Summary of critical use patterns (worst cases):

Crop	F/G[8]	Equipment	Application rate	Spray dilution (L/ha)	Model
Grape	F	Tractor-mounted/trailed broadcast air-assisted sprayer	0.3 L product/ha 0.054 kg pyriofenone 0.072 kg tebuconazole	150-1600	BBA

Considering proposed uses, operator systemic exposure was estimated using the German BBA model:

[8] Open field or glasshouse.

Crop	Equipment	PPE and/or working coverall	% AOEL pyriofenone	% AOEL tebuconazole
Grape	Tractor-mounted/trailed broadcast air-assisted sprayer	Working coverall and gloves during mixing/loading and application	7.0	48

According to the model calculations, it can be concluded that the risk for the operator using KUSABI MAX (IBE 4063) is acceptable with a working coverall (90 % protection factor) and gloves during mixing/loading and application.

For details of personal protective equipment for operators, refer to the Decision in Appendix 1.

3.1.3.3 Bystander Exposure

Bystander exposure was assessed according to EUROPOEM II. Exposure is estimated to be 1.7 % of the AOEL of pyriofenone and 11 % of the AOEL of tebuconazole.

It is concluded that there is no unacceptable risk to the bystander after incidental short-term exposure to IBE 4063.

3.1.3.4 Worker Exposure

Workers may have to enter treated areas after treatment for crop harvesting activities. Therefore, estimation of worker exposure was calculated according to EUROPOEM II. Exposure is estimated to be 16 % of the AOEL of pyriofenone and 108 % of the AOEL of tebuconazole.

It may be concluded that without taking into account a re-entry period, there is an unacceptable risk anticipated for workers wearing a working coverall and gloves, when re-entering crops treated with KUSABI MAX (IBE 4063).

For details of personal protective equipment for workers, refer to the Decision in Appendix 1.

3.1.3.5 Combined Exposure

A cumulative assessment for operators and bystanders has been performed. At the first tier, combined exposure is calculated as the sum of the component exposures without regard to the mode of action or mechanism/target of toxicity.

Hazard quotients (HQ) for each active substance and the hazard index (HI: sum of hazard quotients) are:

<table>
<tr><th>Application scenario</th><th>Equipment</th><th>PPE</th><th>Active substance</th><th>Estimated exposure / AOEL (HQ)</th></tr>
<tr><td rowspan="3">Operators</td><td rowspan="5">Tractor-mounted/trailed broadcast air-assisted sprayer</td><td rowspan="2">Working coverall and gloves during mixing/loading and application</td><td>Pyriofenone</td><td>0.07</td></tr>
<tr><td>Tebuconazole</td><td>0.48</td></tr>
<tr><td colspan="2">Cumulative risk operators (HI)</td><td>0.55</td></tr>
<tr><td rowspan="3">Bystanders</td><td rowspan="2">No PPE</td><td>Pyriofenone</td><td>0.017</td></tr>
<tr><td>Tebuconazole</td><td>0.11</td></tr>
<tr><td colspan="2">Cumulative risk bystanders (HI)</td><td>0.13</td></tr>
</table>

Application scenario	Equipment	PPE	Active substance	Estimated exposure / AOEL (HQ)
Worker	-	Not applicable; by substance-by-substance methodology, an unacceptable risk is identified		

The Hazard Index is < 1. Thus combined exposure to all active substances in IBE 4063 is not expected to present a risk for operators or bystanders/residents.

3.1.4 Residues and Consumer Exposure

The data available are considered sufficient for risk assessment. Any exceedence of the current MRL of 0.2 mg/kg for pyriofenone and 1.0 mg/kg for tebuconazole as laid down in Reg. (EU) 396/2005 is not expected.

The chronic and short-term intakes of pyriofenone and tebuconazole residues are unlikely to present a public health concern.

As far as consumer health protection is concerned, France as zRMS agrees with authorisation of the intended use.

According to available data, no specific mitigation measures should apply.

Noticed data gaps are: none

Data required post-authorisation: none

Summary of the evaluation

KUSABI MAX (IBE 4063) contains pyriofenone and tebuconazole.

Summary for pyriofenone

Use-No.*	Crop	Plant metabolism covered?	Sufficient residue trials?	PHI sufficiently supported?	Sample storage covered by stability data?	MRL compliance 2017/626	Chronic risk for consumers identified?	Acute risk for consumers identified?	Comments
1 and 2	Wine grape	Yes	Yes (8 NEU + 9 SEU)	Yes	Yes	Yes	No	Not relevant	

* Use number(s) in accordance with the list of all intended GAPs in Part B, Section 0 should be given in column 1

The effects of processing on the nature of active substance residues have been investigated. Data on effects of processing on the amount of residue have been submitted.

These data were not considered for risk assessment.

As grape wine is perennial crop, investigation on residues in succeeding crops is not needed.

Considering dietary burden and based on the intended uses, no significant modification of the intake was calculated for livestock. Further investigation of residues as well as the modification of MRLs in commodities of animal origin is therefore not necessary.

Summary for tebuconazole

Use-No.*	Crop	Plant metabolism covered?	Sufficient residue trials?	PHI sufficiently supported?	Sample storage covered by stability data?	MRL compliance 2016/1003	Chronic risk for consumers identified?	Acute risk for consumers identified?	Comments
1 and 2	Wine grape	Yes	Yes (17 NEU + 8 SEU)	Yes	Yes	Yes	No	No	

* Use number(s) in accordance with the list of all intended GAPs in Part B, Section 0 should be given in column 1

The effects of processing on the nature of active substance residues have been investigated. Data on effects of processing on the amount of residue have been submitted.

These data were not considered for risk assessment.

As grape wine is pereperennial crop, investigation on residues in succeeding crops is not needed.

Considering dietary burden and based on the intended uses, no significant modification of the intake was calculated for livestock. Further investigation of residues as well as the modification of MRLs in commodities of animal origin is therefore not necessary.

Summary for KUSABI MAX (IBE 4063)

Information on KUSABI MAX (IBE 4063)

Crop	PHI for IBE 4063 requested by applicant	PHI/withholding period* sufficiently supported for		PHI for IBE 4063 proposed by zRMS	zRMS Comments (if different PHI proposed)
		pyriofenone	tebuconazole		
Wine grape	28 days	Yes	Yes	28 days	-

NR: not relevant
* Purpose of withholding period to be specified
** F: PHI is defined by the application stage at last treatment (time elapsing between last treatment and harvest of the crop).

Waiting periods before planting succeeding crops: not relevant

3.1.5 Environmental fate and behaviour

The fate and behaviour in the environment have been evaluated according to the requirements of Regulation (EC) No 1107/2009. Appropriate endpoints from the EU conclusions were used to calculate predicted environmental concentration (PEC) values for the active substances and their metabolites for the intended use patterns. In cases where deviations from the EU agreed endpoints were considered appropriate (for example when additional studies are provided), such deviations were highlighted and justified accordingly.

The PEC values of tebuconazole, pyriofenone and their metabolites in soil, surface water and groundwater have been assessed according to FOCUS guidance documents, with standard FOCUS scenarios to obtain outputs from the FOCUS models, and the endpoints established in the EU conclusions or agreed in the assessment based on new data provided.

PECsoil and PECsw values derived for pyriofenone, tebuconazole and their metabolite are used for the ecotoxicological risk assessment, and mitigation measures are proposed.

PECgw values for pyriofenone, tebuconazole and their metabolites do not occur at levels exceeding those mentioned in regulation EC 1107/2009 and guidance document SANCO 221/2000[9]. Therefore no unacceptable risk of groundwater contamination is expected from the intended uses.

Based on vapour pressure, information on volatilisation from plants and soil, and DT_{50} calculation, no significant contamination of the air compartment is expected from the intended uses.

Several azole active substances can be applied on a same field. Considering that 1,2,4-triazole can be formed from most of these azole active substances, an exceedence of the regulatory limit of 0.1 µg/L cannot be excluded. In order to ensure that the regulatory limit in groundwater is not exceeded for 1,2,4-triazole, all applicants of azole-based products are requested to set up groundwater monitoring dedicated to this metabolite within two years.

3.1.6 Ecotoxicology

The ecotoxicological risk assessment of the formulation was performed according to the requirements of Regulation (EC) No 1107/2009. Appropriate endpoints from the EU conclusions for the active substances and their metabolites were used for the intended use patterns. In cases where deviations from the EU agreed endpoints were considered appropriate (for example when additional studies are provided), such deviations were highlighted and justified accordingly.

Based on the guidance documents, the risks for birds, aquatic organisms, mammals, bees and other non-target arthropods, earthworms, other soil macro-organisms and micro-organisms and terrestrial plants are acceptable for the intended uses.

3.1.7 Efficacy

Considering the data submitted:

- The efficacy level of KUSABI MAX (IBE 4063) is considered satisfactory for all the requested uses. As the efficacy of pyriofenone against black rot has not been clearly demonstrated, it is important to apply KUSABI MAX (IBE 4063) against a complex of diseases (powdery mildew + black rot).
- The phytotoxicity level of KUSABI MAX (IBE 4063) is considered negligible for all the requested uses.
- The risks of negative impact on yield, quality, wine production, propagation and adjacent crops are considered negligible.
- There is a risk of resistance developing or appearing to pyriofenone and tebuconazole for grape powdery mildew. This requires monitoring and the setting-up of efficacy trials in situations of characterised resistance. To avoid the development of resistance of grape powdery mildew to tebuconazole, the number of applications is limited to two applications per crop cycle. Resistance monitoring and efficacy trials in situations of characterised resistance should be put in place.

3.2 Conclusions arising from French assessment

Taking into account the above assessment, **an authorisation cannot be granted (toxicological risk)**. A copy of the Decision issued can be found in Appendix 1 – Copy of the product Decision.

3.3 Substances of concern for national monitoring

No information stated.

3.4 Further information to permit a decision to be made or to support a review of the conditions and restrictions associated with the authorisation

3.4.1 Post-authorisation monitoring

N/A: Not registered in Fance.

3.4.2 Post-authorisation data requirements

N/A: Not registered in Fance.

3.4.3 Label amendments

N/A: Not registered in Fance.

Appendix 1 – Copy of the French Decision

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Décision relative à une demande d'autorisation de mise sur le marché d'un produit phytopharmaceutique

Vu les dispositions du règlement (CE) N° 1107/2009 du 21 octobre 2009 et de ses textes d'application,

Vu le code rural et de la pêche maritime, notamment le chapitre III du titre V du livre II des parties législative et règlementaire,

Vu la demande d'autorisation de mise sur le marché du produit phytopharmaceutique ***KUSABI MAX***

de la société *ISK BIOSCIENCES EUROPE N.V*

enregistrée sous le *n°2015-0003*

Vu les conclusions de l'évaluation de l'Anses du 12 avril 2018,

Considérant que l'estimation de l'exposition, liée à l'utilisation du produit KUSABI MAX, pour les usages revendiqués, est supérieure au niveau acceptable d'exposition au tébuconazole pour le travailleur dans les conditions d'emploi évaluées,

Considérant qu'il ne peut pas être établi que les exigences mentionnées à l'article 29 du règlement (CE) n°1107/2009 sont respectées,

La mise sur le marché du produit phytopharmaceutique désigné ci-après **n'est pas autorisée** en France.

KUSABI MAX
AMM n°-

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Informations générales sur le produit	
Nom du produit	KUSABI MAX
Type de produit	Produit de référence
Titulaire	ISK BIOSCIENCES EUROPE N.V Pegasus Park De Kleetlaan 12B - Bus 9 B-1831 DIEGEM Belgique
Formulation	Suspension concentrée (SC)
Contenant	180 g/L - pyriofénone 240 g/L - tébuconazole
Numéro d'intrant	9881-2015.01
Numéro d'AMM	-
Fonction	Fongicide
Gamme d'usage	Professionnel

A Maisons-Alfort le, 23 OCT. 2018

Françoise WEBER
Directrice générale déléguée
en charge du pôle produits réglementés
Agence nationale de sécurité sanitaire de
l'alimentation, de l'environnement et du travail (ANSES)

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ANNEXE I : Conditions de mise sur le marché demandées

Classification du produit	
Catégorie de danger	**Mention de danger**
Lésions oculaires graves et irritation oculaire - Catégorie 2	H319 : Provoque une sévère irritation des yeux
Cancérogénicité - Catégorie 2	H351 : Susceptible de provoquer le cancer
Toxiques pour la reproduction - Catégorie 2	H361d : Susceptible de nuire au fœtus
Dangers pour le milieu aquatique - Danger chronique, Catégorie 1	H410 : Très toxique pour les organismes aquatiques, entraîne des effets néfastes à long terme
Pour les phrases P se référer à la règlementation en vigueur.	

KUSABI MAX
AMM n°-

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RÉPUBLIQUE FRANÇAISE

anses

Liste des usages refusés			
Usages	**Dose d'emploi**	**Nombre maximum d'applications**	**Délai avant récolte (jours)**
12703206 Vigne*Trt Part.Aer.*Black rot	0,3 L/ha	2/an	28
	Motivation du refus : L'usage est refusé en raison d'un risque d'effet nocif pour les travailleurs.		
12703204 Vigne*Trt Part.Aer.*Oïdium(s)	0,3 L/ha	2/an	28
	Motivation du refus : L'usage est refusé en raison d'un risque d'effet nocif pour les travailleurs.		

Appendix 2 – Copy of the draft product label as proposed by the applicant

Kusabi® Max

Fongicide de contact et systémique pour lutter contre l'oïdium et le 'black rot' de la vigne

Autorisation de mise sur le marché n° XXX délivrée le XXX

Contenu : x litre e
Date de fabrication et numéro de lot: voir emballage

Bien lire l'étiquette avant utilisation et respecter les précautions d'emploi.

Distributeur :

BELCHIM –Crop Protection–

Détenteur de l'autorisation de mise sur le marché:
ISK Biosciences Europe N.V. ; Pegasus Park – De Kleetlaan 12B ; 1831 Diegem
Belgique
Tél.: +32 (0)2 627 86 11

® = Marque déposée ISHIHARA SANGYO KAISHA, Ltd, Japon. Produit de ISK Biosciences Europe N.V.

Kusabi® Max contient 180 g/l de pyriofenone+240g/l de tébuconazole sous forme de suspension concentrée (SC)

Contient tebuconazole technique; pyriofenone technique.

Mention d'avertissement Attention

Phrases H

H351 Susceptible de provoquer le cancer.
H361d Susceptible de nuire au foetus.
H319 Provoque une sévère irritation oculaire.
H411 Toxique pour les organismes aquatiques, avec des effets à long terme.

Phrases P
P202 Ne pas manipuler avant d'avoir lu et compris toutes les précautions de sécurité.
P280 Porter un équipement de protection des yeux/du visage.
P264 Se laver les mains soigneusement après manipulation.
P308 + P313 EN CAS d'exposition prouvée ou suspectée: consulter un médecin.
P305 + P351 + P338 EN CAS DE CONTACT AVEC LES YEUX: rincer avec précaution à l'eau pendant plusieurs minutes. Enlever les lentilles de contact si la victime en porte et si elles peuvent être facilement enlevées. Continuer à rincer.
P337 + P313 Si l'irritation oculaire persiste: consulter un médecin.

EUH401 : Respecter les instructions d'utilisation pour éviter les risques pour la santé humaine et l'environnement.

Délai de rentrée: 6 heures

SP1 -	Ne pas polluer l'eau avec le produit ou son emballage. [Ne pas nettoyer le matériel d'application près des eaux de surface. /Eviter la contamination via les systèmes d'évacuation des eaux à partir des cours de ferme ou des routes].
SPe3 -	Pour protéger les organismes aquatiques, respecter une zone non traitée de 5 mètres par rapport aux points d'eau.

Distribué par : Belchim Crop Protection France S.A.
Parc Tertiaire de Bois Dieu - 3, Allée des Chevreuils - 69380 LISSIEU
Tel. 04 78 83 40 66 - Fax 04 78 83 49 23

Fiche de données de sécurité disponible en appelant le 04 78 83 40 66 ou sur le site *www.quickfds.com*

En cas d'urgence
En cas d'intoxication humaine, appeler le 15 (depuis un téléphone fixe) ou le 112 (depuis un téléphone mobile) ou le centre antipoison et consulter la Fiche de Données de Sécurité puis signalez vos symptômes au réseau Phyt'attitude, n° vert 0 800 887 887 (appel gratuit depuis un poste fixe).
Vous pouvez également appeler au 00 32 14 58 45 45 (24h/24 n° d'appel d'urgence).

PRECAUTIONS D'EMPLOI

• **Pendant le stockage**

Température minimale de stockage: 0°C (hors gel).
Conserver le produit uniquement dans le récipient d'origine, à l'abri de l'humidité, du gel, dans un endroit frais, aéré et ventilé, à l'écart des aliments et boissons y compris ceux pour animaux et hors de portée des enfants.

• **Pendant la manipulation**

Porter un vêtement de protection approprié et des gants.
Ne pas manger, ne pas boire et ne pas fumer pendant l'utilisation
Dangereux pour les organismes aquatiques. Eviter le rejet dans l'environnement. Eviter toute projection de bouillie ou débordement de rampe sur les points d'eau, mares, fossés, rivières…

• **Après emploi**

Eliminer le produit et son récipient comme un déchet dangereux. Ne pas contaminer les étangs et cours d'eau avec le produit ou les emballages, après usage. Eliminer les fonds de cuve et les eaux de rinçage conformément à la réglementation en vigueur. Se laver le visage et les mains après le travail et avant les repas.

• **Emballages vides**

Lors de l'utilisation du produit, rincer le bidon en veillant à verser l'eau de rinçage dans la cuve du pulvérisateur.
Réutilisation de l'emballage interdite. Eliminer les emballages vides via une collecte organisée par un service de collecte spécifique.

Premier soins

• En **cas d'ingestion :** Ne pas provoquer le vomissement. Consulter immédiatement un médecin.
• **En cas de contact avec les yeux :** Rincer les yeux immédiatement et abondamment à l'eau courante pendant au moins 15 minutes et maintenir le patient sous surveillance médicale.
• **En cas de contact avec la peau :** Laver immédiatement et soigneusement à l'eau pendant 15 minutes.

PROTECTION DE L'OPERATEUR ET DU TRAVAILLEUR

Pour protéger l'opérateur, porter :

Pulvérisation effectuée à l'aide d'un pulvérisateur pneumatique

• **Pendant le mélange/chargement :**
- Gants en nitrile certifiés EN 374-3 ;

- Bottes de protection conforme à la réglementation et selon la norme EN 13 832-3;
- Lunettes de sécurité conforme à la réglementation et selon la norme EN 166;
- Combinaison de travail tissée en polyester 65 % / coton 35 % avec un grammage de 230 g/m² ou plus avec traitement déperlant;
- EPI partiel (blouse ou tablier à manches longues) de catégorie III et de type PB (3) à porter par-dessus la combinaison précitée.

• **Pendant l'application :**

Si application avec tracteur avec cabine :

- Combinaison de travail cotte en polyester 65 % / coton 35 % avec un grammage d'au moins 230 g/m² avec traitement déperlant;
- Bottes de protection conforme à la réglementation et selon la norme EN 13 832-3;
- Gants en nitrile certifiés EN 374-2 à usage unique, dans le cas d'une intervention sur le matériel pendant la phase de pulvérisation. Dans ce cas, les gants ne doivent être portés qu'à l'extérieur de la cabine et doivent être stockés après utilisation à l'extérieur de la cabine.

Si application avec tracteur sans cabine :

- Combinaison de protection de catégorie III type 4 avec capuche;
- Bottes de protection conforme à la réglementation et selon la norme EN 13 832-3;
- Gants en nitrile certifiés EN 374-2 à usage unique, dans le cas d'une intervention sur le matériel pendant la phase de pulvérisation.

• **Pendant le nettoyage du matériel de pulvérisation :**

- Gants en nitrile certifiés EN 374-3;
- Bottes de protection conforme à la réglementation et selon la norme EN 13 832-3;
- Lunettes de sécurité conforme à la réglementation et selon la norme EN 166;
- Combinaison de travail tissée en polyester 65 % / coton 35 % avec un grammage de 230 g/m² ou plus avec traitement déperlant;
- EPI partiel (blouse ou tablier à manches longues) de catégorie III et de type PB (3) à porter par-dessus la combinaison précitée.

Pour protéger le travailleur, porter une combinaison de travail 65 % polyester / 35 % coton d'un grammage d'au moins 230 g/m² avec un traitement déperlant et des gants en nitrile conforme à la norme EN 374-3.

IMPORTANT : Respecter les usages, doses, conditions et précautions d'emploi mentionnés sur l'emballage qui ont été déterminés en fonction des caractéristiques du produit et des applications pour lesquelles il est préconisé.
Conduisez sur ces bases, la culture et les traitements selon la bonne pratique agricole, en tenant compte, sous votre responsabilité de tous facteurs particuliers concernant votre exploitation, tels que la nature du sol, les conditions météorologiques, les méthodes culturales, les variétés végétales, la résistance des espèces...

COMPOSITION
Suspension concentrée
Pyriofenone: 180 + tébuconazole: 240 /L

Usages, doses et recommandations d'emploi

Culture	Dose du produit	N^{bre} maximal d'applications	Intervalle entre applications (jours)	Délai avant récolte (jours)	Zone Non Traitée (ZNT)
Vigne	0,3 L/ha	2	10-14	28	5 mètres

Les limites maximum de résidus sont consultables à l'adresse suivante : hhttp://ec.europa.eu/sanco_pesticides/public/index.cfm

Les mélanges doivent être mis en œuvre conformément à la réglementation en vigueur et aux recommandations des guides de bonnes pratiques officiels. Nous consulter.

Recommandations d'emploi

Mode d'action

La pyriofenone est un fongicide agissant contre l'oïdium de la vigne (*Erysiphe necator*) et le tébuconazole contre le 'black rot' (*Guignardia bidwellii*) et l'oidium de la vigne. Le produit possède une action préventive et curative en empêchant la formation des appressoria et la pénétration des hyphes mycéliens dans les tissus végétales.
La pyriofenone et le tébuconazole possèdent également une action curative limitée en inhibant la formation des hyphes, du mycélium et des spores.
Les effets combinés de l'action préventive et curative des substances actives fournit une protection de longue durée aux cultures traitées.

Mode d'emploi

La première application contre l'oïdium se doit d'être réalisée quand les systèmes d'avertissements agricoles prévoient une situation à risque pour la maladie à partir du stade 4 à 6 feuilles (BBCH 14-16) et jusqu'au stade petit pois (BBCH 85).
Kusabi® Max peut être appliqué deux fois sur vigne.
Un intervalle de 10-14 jours est recommandé entre deux applications consécutives

Dose d'application :
La dose d'application est au maximum de 0,3 Litre de produit formulé par hectare. La concentration de la bouillie dépend du type d'équipement de pulvérisation utilisé et du stade développement de la culture. Dans des conditions standards (1000L d'eau par hectare) la concentration recommandée est de 0.03% (30 mL pour 100L d'eau).

Préparation de la bouillie
Volume d'eau:
Le volume d'eau utilise peut dépendre du type de matériel de pulvérisation utilisé. Un volume d'application de 200 à 1000L/ha est recommandé pour 'Kusabi® Max contre l'oïdium et le 'black rot'. L'applicateur veillera tout particulièrement à ce que

l'ensemble du feuillage soit couvert par la pulvérisation, et ce plus particulièrement en phase de croissance végétative rapide.

Preparation on the spray solution:
Remplir le pulvérisateur à moitié au minimum avec de l'eau et verser la quantité requise de Kusabi® Max dans la cuve en agitation. Terminer le remplissage de la cuve et maintenir l'agitation jusqu'à la fin de l'application. Ne jamais préparer plus de bouillie que nécessaire.

Nettoyage du matériel après utilisation
Rincer l'emballage vide trois fois et ajouter les eaux de rinçage ainsi obtenues à la bouillie.
Les fonds de cuves non appliquées doivent être diluées et appliquées sur la culture.
Rincer le pulvérisateur avec de l'eau claire et appliquer les eaux de rinçage sur la culture.

Sélectivité
Kusabi® Max est sélectif de plusieurs cépages. Aucun effet négatif sur cultures voisines n'a été observé.

Effets non intentionnels:
Kusabi® Max n'a pas d'effet négatif sur la fermentation et la qualité du vin. Les populations d'acariens auxiliaires ne sont pas affectées par des applications répétées de PROPERTY 300SC®

Lutte contre la résistance
Appliquer Kusabi® Max selon les instructions données pour le traitement de l'oïdium de la vigne pendant les stades de traitement spécifiques indiqués.
Réaliser un maximum de deux traitements par saison avec un intervalle entre application de maximum 14 jours.

Kusabi® Max peut être inclus dans une stratégie ou un programme de gestion de la résistance incluant des produits utilises en mélange ou en séquence pour le traitement de l'oïdium ainsi que dans le cadre d'une stratégie de lutte comprenant des moyens non chimiques.

L'utilisation répétée sur une même parcelle, de préparations à base de substances actives de la même famille chimique, ou ayant le même mode d'action, peut conduire à l'apparition d'organismes résistants.
Pour réduire ce risque, il est conseillé d'alterner ou d'associer, sur une même parcelle, des préparations à base de substances actives de familles chimiques différentes ou à modes d'action différents.

Appendix 3 – Letter(s) of Access

Provided upon request.