

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2023/1753

of 11 September 2023

amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for pyriproxyfen in or on certain products

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC ⁽¹⁾, and in particular Article 14(1), point (a), and Article 49(2) thereof,

Whereas:

- (1) Maximum residue levels ('MRLs') for pyriproxyfen were set in Part A of Annex III to Regulation (EC) No 396/2005.
- (2) The European Food Safety Authority ('the Authority') submitted a reasoned opinion on the review of the existing MRLs for pyriproxyfen ⁽²⁾ in accordance with Article 12(1) of Regulation (EC) No 396/2005. The Authority recommended to lower the existing MRLs for pyriproxyfen on swine/bovine/goat/horse muscle, fat, liver and kidney, as well as in cattle/horse milk to the limit of determination ('LOD') in line with the principle of setting MRLs at levels as low as reasonably achievable and based on sufficient supporting data for the current good agricultural practices ('GAPs'). As there is no risk for consumers, it is appropriate to set the MRL for pyriproxyfen on these products in Annex II to Regulation (EC) No 396/2005 at the level identified by the Authority.
- (3) The Authority further concluded that the MRLs for pyriproxyfen on almonds, chestnuts, hazelnuts, pecans, pistachios, walnuts, pine nuts kernels, pome fruits, grapes, table olives, kaki/Japanese persimmons, pineapples, tomatoes, sweet peppers, aubergines, cucurbits with edible peel, and watermelons should be lowered in line with the principle of setting MRLs at levels as low as reasonably achievable and based on the current GAPs and Codex maximum residue limits ('CXLs'), which are confirmed as being safe for consumers ⁽³⁾. It also concluded that the MRLs for pyriproxyfen on apricots, peaches, plums, strawberries, mangoes, papayas, melons, cotton seeds and tea should be maintained based on the current GAPs and CXLs, which are confirmed as being safe for consumers ⁽⁴⁾. In addition, the Authority concluded that the MRLs for pyriproxyfen on citrus fruits, cherries and kumquats should be raised based on the current GAPs and CXLs, which are confirmed as being safe for consumers. As the Authority

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for pyriproxyfen according to Article 12 of Regulation (EC) No 396/2005; *EFSA Journal* 2022;20(11):7617.

⁽³⁾ European Food Safety Authority; Scientific support for preparing an EU position in the 51st Session of the Codex Committee on Pesticide Residues (CCPR); *EFSA Journal* 2019;17(7):5797.

⁽⁴⁾ European Food Safety Authority; Scientific support for preparing an EU position for the 52nd Session of the Codex Committee on Pesticide Residues (CCPR); *EFSA Journal* 2021;19(8):6766.

confirmed in an earlier reasoned opinion ⁽⁵⁾ that the MRL for pyriproxyfen on banana is safe for consumers, that MRL can be maintained. However, as some information was not available, further consideration by risk managers was required. Therefore, while the MRLs for almonds, chestnuts, hazelnuts, pecans, pistachios, walnuts, pine nuts kernels, pome fruits, grapes, table olives, kaki/Japanese persimmons, pineapples, tomatoes, sweet peppers, aubergines, cucurbits with edible peel, watermelons, apricots, peaches, plums, strawberries, mangoes, papayas, melons, cotton seeds, tea, citrus fruits, cherries, kumquats and bananas are considered safe, they will be reviewed. The review will take into account the information available within two years from the publication of this Regulation. As there is no risk for consumers, it is appropriate to set the MRLs for pyriproxyfen on those products in Annex II to Regulation (EC) No 396/2005 at the levels identified by the Authority.

- (4) As the Authority identified that no residue trials were available to derive MRL values for pyriproxyfen on macadamias, avocados, granate apples/pomegranates, cherimoyas, potatoes, sweet potatoes and yams, other root and tuber vegetables except sugar beets, bulb vegetables, okra/lady's fingers, pumpkins, brassica vegetables (excluding brassica roots and brassica baby leaf crops), lettuces and salad plants, spinaches and similar leaves, watercresses, witloofs/Belgian endives, herbs and edible flowers, legume vegetables, stem vegetables, beans (dry), and soyabeans, further consideration by risk managers was required. In the absence of such trials, which are necessary to derive an MRL value, the Commission considers that it is appropriate to set the MRLs for those products at the product specific LODs set out in Annex II to Regulation (EC) No 396/2005.
- (5) The Commission consulted the European Union reference laboratories for residues of pesticides as regards the need to adapt certain LODs. For pyriproxyfen, those laboratories proposed product specific LODs that are analytically achievable.
- (6) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.
- (7) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (8) To allow for the normal marketing, processing and consumption of products, this Regulation should not apply to products which have been produced in the Union or imported into the Union before the new MRLs become applicable and for which a high level of consumer protection is maintained. This is the case for all products.
- (9) A reasonable period should be allowed to elapse before the new MRLs become applicable, in order to permit Member States, third countries and food business operators to adapt themselves to the requirements which result from the modification of the MRLs.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II and III to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

Article 2

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were produced in the Union or imported into the Union before 2 April 2024.

⁽⁵⁾ European Food Safety Authority; Reasoned Opinion on the modification of the existing maximum residue level for pyriproxyfen in bananas; *EFSA Journal* 2016;14(2):4387.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 2 April 2024.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 September 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annexes II and III to Regulation (EC) No 396/2005 are amended as follows:

(1) in Annex II, the following column for pyriproxyfen is added:

'ANNEX II

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ⁽¹⁾	Pyriproxyfen (F)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	
0110000	Citrus fruits	0,7
0110010	Grapefruits	(+)
0110020	Oranges	(+)
0110030	Lemons	(+)
0110040	Limes	(+)
0110050	Mandarins	(+)
0110990	Others (2)	
0120000	Tree nuts	0,01 (*)
0120010	Almonds	(+)
0120020	Brazil nuts	(+)
0120030	Cashew nuts	(+)
0120040	Chestnuts	(+)
0120050	Coconuts	(+)
0120060	Hazelnuts/cobnuts	(+)
0120070	Macadamias	
0120080	Pecans	(+)
0120090	Pine nut kernels	(+)
0120100	Pistachios	(+)
0120110	Walnuts	(+)
0120990	Others (2)	
0130000	Pome fruits	
0130010	Apples	0,05(+)
0130020	Pears	0,01 (*) (+)
0130030	Quinces	0,01 (*) (+)
0130040	Medlars	0,01 (*) (+)
0130050	Loquats/Japanese medlars	0,01 (*) (+)
0130990	Others (2)	0,01 (*)

0140000	Stone fruits	
0140010	Apricots	0,4(+)
0140020	Cherries (sweet)	1,5(+)
0140030	Peaches	0,5(+)
0140040	Plums	0,3(+)
0140990	Others (2)	0,01 (*)
0150000	Berries and small fruits	
0151000	(a) grapes	0,01 (*)
0151010	Table grapes	(+)
0151020	Wine grapes	(+)
0152000	(b) strawberries	0,05(+)
0153000	(c) cane fruits	0,01 (*)
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others (2)	
0154000	(d) other small fruits and berries	0,01 (*)
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	
0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others (2)	
0160000	Miscellaneous fruitswith	
0161000	(a) edible peel	
0161010	Dates	0,01 (*)
0161020	Figs	0,01 (*)
0161030	Table olives	0,01 (*) (+)
0161040	Kumquats	0,5(+)
0161050	Carambolas	0,01 (*)
0161060	Kaki/Japanese persimmons	0,01 (*) (+)
0161070	Jambuls/jambolans	0,01 (*)
0161990	Others (2)	0,01 (*)

0162000	(b) inedible peel, small	0,01 (*)
0162010	Kiwi fruits (green, red, yellow)	
0162020	Litchis/lychees	
0162030	Passionfruits/maracujas	
0162040	Prickly pears/cactus fruits	
0162050	Star apples/cainitos	
0162060	American persimmons/Virginia kaki	
0162990	Others (2)	
0163000	(c) inedible peel, large	
0163010	Avocados	0,01 (*)
0163020	Bananas	0,7(+)
0163030	Mangoes	0,02 (*) (+)
0163040	Papayas	0,3(+)
0163050	Granate apples/pomegranates	0,01 (*)
0163060	Cherimoyas	0,01 (*)
0163070	Guavas	0,01 (*)
0163080	Pineapples	0,01 (*) (+)
0163090	Breadfruits	0,01 (*)
0163100	Durians	0,01 (*)
0163110	Soursops/guanabanas	0,01 (*)
0163990	Others (2)	0,01 (*)
0200000	VEGETABLES, FRESH or FROZEN	
0210000	Root and tuber vegetables	0,01 (*)
0211000	(a) potatoes	
0212000	(b) tropical root and tuber vegetables	
0212010	Cassava roots/manioc	
0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroots	
0212990	Others (2)	
0213000	(c) other root and tuber vegetables except sugar beets	
0213010	Beetroots	
0213020	Carrots	
0213030	Celeriacs/turnip rooted celeries	
0213040	Horseradishes	
0213050	Jerusalem artichokes	
0213060	Parsnips	

0213070	Parsley roots/Hamburg roots parsley	
0213080	Radishes	
0213090	Salsifies	
0213100	Swedes/rutabagas	
0213110	Turnips	
0213990	Others (2)	
0220000	Bulb vegetables	0,01 (*)
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others (2)	
0230000	Fruiting vegetables	
0231000	(a) Solanaceae and Malvaceae	
0231010	Tomatoes	0,7(+)
0231020	Sweet peppers/bell peppers	0,6(+)
0231030	Aubergines/eggplants	0,6(+)
0231040	Okra/lady's fingers	0,01 (*)
0231990	Others (2)	0,01 (*)
0232000	(b) cucurbits with edible peel	0,04
0232010	Cucumbers	(+)
0232020	Gherkins	(+)
0232030	Courgettes	(+)
0232990	Others (2)	
0233000	(c) cucurbits with inedible peel	
0233010	Melons	0,07(+)
0233020	Pumpkins	0,01 (*)
0233030	Watermelons	0,02(+)
0233990	Others (2)	0,01 (*)
0234000	(d) sweet corn	0,01 (*)
0239000	(e) other fruiting vegetables	0,01 (*)
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)	0,01 (*)
0241000	(a) flowering brassica	
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others (2)	

0242000	(b) head brassica	
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others (2)	
0243000	(c) leafy brassica	
0243010	Chinese cabbages/pe-tsai	
0243020	Kales	
0243990	Others (2)	
0244000	(d) kohlrabies	
0250000	Leaf vegetables, herbs and edible flowers	
0251000	(a) lettuces and salad plants	0,01 (*)
0251010	Lamb's lettuces/corn salads	
0251020	Lettuces	
0251030	Escaroles/broad-leaved endives	
0251040	Cresses and other sprouts and shoots	
0251050	Land cresses	
0251060	Roman rocket/rucola	
0251070	Red mustards	
0251080	Baby leaf crops (including brassica species)	
0251990	Others (2)	
0252000	(b) spinaches and similar leaves	0,01 (*)
0252010	Spinaches	
0252020	Purslanes	
0252030	Chards/beet leaves	
0252990	Others (2)	
0253000	(c) grape leaves and similar species	0,01 (*)
0254000	(d) watercresses	0,01 (*)
0255000	(e) witloofs/Belgian endives	0,01 (*)
0256000	(f) herbs and edible flowers	0,02 (*)
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	
0256080	Basil and edible flowers	

0256090	Laurel/bay leaves	
0256100	Tarragon	
0256990	Others (2)	
0260000	Legume vegetables	0,01 (*)
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others (2)	
0270000	Stem vegetables	0,01 (*)
0270010	Asparagus	
0270020	Cardoons	
0270030	Celeries	
0270040	Florence fennels	
0270050	Globe artichokes	
0270060	Leeks	
0270070	Rhubarbs	
0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others (2)	
0280000	Fungi, mosses and lichens	0,01 (*)
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	Algae and prokaryotes organisms	0,01 (*)
0300000	PULSES	0,01 (*)
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others (2)	
0400000	OILSEEDS AND OIL FRUITS	
0401000	Oilseeds	
0401010	Linseeds	0,01 (*)
0401020	Peanuts/groundnuts	0,01 (*)
0401030	Poppy seeds	0,01 (*)

0401040	Sesame seeds	0,01 (*)
0401050	Sunflower seeds	0,01 (*)
0401060	Rapeseeds/canola seeds	0,01 (*)
0401070	Soyabeans	0,01 (*)
0401080	Mustard seeds	0,01 (*)
0401090	Cotton seeds	0,05(+)
0401100	Pumpkin seeds	0,01 (*)
0401110	Safflower seeds	0,01 (*)
0401120	Borage seeds	0,01 (*)
0401130	Gold of pleasure seeds	0,01 (*)
0401140	Hemp seeds	0,01 (*)
0401150	Castor beans	0,01 (*)
0401990	Others (2)	0,01 (*)
0402000	Oil fruits	0,01 (*)
0402010	Olives for oil production	(+)
0402020	Oil palms kernels	
0402030	Oil palms fruits	
0402040	Kapok	
0402990	Others (2)	
0500000	CEREALS	0,01 (*)
0500010	Barley	
0500020	Buckwheat and other pseudocereals	
0500030	Maize/corn	
0500040	Common millet/proso millet	
0500050	Oat	
0500060	Rice	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat	
0500990	Others (2)	
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	
0610000	Teas	15(+)
0620000	Coffee beans	0,05 (*)
0630000	Herbal infusions from	0,05 (*)

0631000	(a) flowers	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others (2)	
0632000	(b) leaves and herbs	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others (2)	
0633000	(c) roots	
0633010	Valerian	
0633020	Ginseng	
0633990	Others (2)	
0639000	(d) any other parts of the plant	
0640000	Cocoa beans	0,05 (*)
0650000	Carobs/Saint John's breads	0,05 (*)
0700000	HOPS	0,05 (*)
0800000	SPICES	
0810000	Seed spices	0,05 (*)
0810010	Anise/aniseed	
0810020	Black caraway/black cumin	
0810030	Celery	
0810040	Coriander	
0810050	Cumin	
0810060	Dill	
0810070	Fennel	
0810080	Fenugreek	
0810090	Nutmeg	
0810990	Others (2)	
0820000	Fruit spices	0,05 (*)
0820010	Allspice/pimento	
0820020	Sichuan pepper	
0820030	Caraway	

0820040	Cardamom	
0820050	Juniper berry	
0820060	Peppercorn (black, green and white)	
0820070	Vanilla	
0820080	Tamarind	
0820990	Others (2)	
0830000	Bark spices	0,05 (*)
0830010	Cinnamon	
0830990	Others (2)	
0840000	Root and rhizome spices	
0840010	Liquorice	0,05 (*)
0840020	Ginger (10)	
0840030	Turmeric/curcuma	0,05 (*)
0840040	Horseradish (11)	
0840990	Others (2)	0,05 (*)
0850000	Bud spices	0,05 (*)
0850010	Cloves	
0850020	Capers	
0850990	Others (2)	
0860000	Flower pistil spices	0,05 (*)
0860010	Saffron	
0860990	Others (2)	
0870000	Aril spices	0,05 (*)
0870010	Mace	
0870990	Others (2)	
0900000	SUGAR PLANTS	0,01 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others (2)	
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS	
1010000	Commodities from	0,01 (*)
1011000	(a) swine	
1011010	Muscle	
1011020	Fat	
1011030	Liver	

1011040	Kidney	
1011050	Edible offals (other than liver and kidney)	
1011990	Others (2)	
1012000	(b) bovine	
1012010	Muscle	
1012020	Fat	
1012030	Liver	
1012040	Kidney	
1012050	Edible offals (other than liver and kidney)	
1012990	Others (2)	
1013000	(c) sheep	
1013010	Muscle	
1013020	Fat	
1013030	Liver	
1013040	Kidney	
1013050	Edible offals (other than liver and kidney)	
1013990	Others (2)	
1014000	d) goat	
1014010	Muscle	
1014020	Fat	
1014030	Liver	
1014040	Kidney	
1014050	Edible offals (other than liver and kidney)	
1014990	Others (2)	
1015000	(e) equine	
1015010	Muscle	
1015020	Fat	
1015030	Liver	
1015040	Kidney	
1015050	Edible offals (other than liver and kidney)	
1015990	Others (2)	
1016000	(f) poultry	
1016010	Muscle	
1016020	Fat	
1016030	Liver	
1016040	Kidney	
1016050	Edible offals (other than liver and kidney)	
1016990	Others (2)	

1017000	(g) other farmed terrestrial animals	
1017010	Muscle	
1017020	Fat	
1017030	Liver	
1017040	Kidney	
1017050	Edible offals (other than liver and kidney)	
1017990	Others (2)	
1020000	Milk	0,01 (*)
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others (2)	
1030000	Birds eggs	0,01 (*)
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others (2)	
1040000	Honey and other apiculture products (7)	0,05 (*)
1050000	Amphibians and Reptiles	0,01 (*)
1060000	Terrestrial invertebrate animals	0,01 (*)
1070000	Wild terrestrial vertebrate animals	0,01 (*)
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)	
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)	
1300000	PROCESSED FOOD PRODUCTS (9)	

(*) Indicates lower limit of analytical determination

(^e) For the complete list of products of plant and animal origin to which MRL's apply, reference should be made to Annex I

Pyriproxyfen (F)

(F) Fat soluble

The European Food Safety Authority identified some information on analytical methods as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 12 September 2025, or, if that information is not submitted by that date, the lack of it.

0110010 Grapefruits

0110020 Oranges

0110030 Lemons

0110040 Limes

0110050 Mandarins

0120010 Almonds
0120020 Brazil nuts
0120030 Cashew nuts
0120040 Chestnuts
0120050 Coconuts
0120060 Hazelnuts/cobnuts
0120080 Pecans
0120090 Pine nut kernels
0120100 Pistachios
0120110 Walnuts
0130020 Pears
0130030 Quinces
0130040 Medlars
0130050 Loquats/Japanese medlars
0140010 Apricots
0140030 Peaches
0151010 Table grapes
0151020 Wine grapes
0152000 (b) strawberries
0161030 Table olives
0161040 Kumquats
0161060 Kaki/Japanese persimmons
0163030 Mangoes
0163040 Papayas
0163080 Pineapples
0231010 Tomatoes
0231020 Sweet peppers/bell peppers
0231030 Aubergines/eggplants
0232010 Cucumbers
0232020 Gherkins
0232030 Courgettes
0233010 Melons
0401090 Cotton seeds
0402010 Olives for oil production
0610000 Teas

The European Food Safety Authority identified some information on residue trials and analytical methods as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 12 September 2025, or, if that information is not submitted by that date, the lack of it.

0130010 Apples
0140020 Cherries (sweet)
0140040 Plums
0163020 Bananas
0233030 Watermelons'

(2) in Part A of Annex III, the column for pyriproxyfen is deleted.
