

COMMISSION REGULATION (EU) 2023/1042**of 26 May 2023****amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for folpet 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), thereof,

Whereas:

- (1) Maximum residue levels ('MRLs') for folpet were set in Annex II to Regulation (EC) No 396/2005.
- (2) An application pursuant to Article 6(1) of Regulation (EC) No 396/2005 was submitted requesting a modification of the existing MRL for folpet in lettuces.
- (3) In accordance with Article 8 of Regulation (EC) No 396/2005, this application was evaluated by the Member State concerned and the evaluation report was forwarded to the Commission.
- (4) The European Food Safety Authority ('the Authority') assessed the application and the evaluation report, examining in particular the risks to consumers and, where relevant, to animals, and gave a reasoned opinion on the proposed MRL ⁽²⁾. It forwarded the opinion to the applicant, the Commission and the Member States and made it available to the public.
- (5) As regards the modification to the MRL requested by the applicant, the Authority concluded that all requirements with respect to completeness of data submission were met and that the modification to the MRL requested by the applicant was acceptable with regard to consumer safety, on the basis of a consumer exposure assessment for 27 specific European consumer groups. In so concluding, the Authority took into account the most recent data on the toxicological properties of the substance. Neither the long-term exposure to this substance via consumption of all food products that may contain it, nor the short-term exposure due to high consumption of the relevant products showed a risk that the acceptable daily intake or the acute reference dose is exceeded.
- (6) Based on the reasoned opinion of the Authority and taking into account the relevant factors listed in Article 14(2) of Regulation (EC) No 396/2005, the proposed modification to the MRL fulfils the requirements of Article 14(2) of that Regulation.
- (7) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ Reasoned opinion on the modification of the existing maximum residue level for folpet in lettuces. EFSA Journal 2022;20(4):7309.

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 396/2005 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 26 May 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Annex II to Regulation (EC) No 396/2005, the column for folpet is replaced by the following:

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply (*)	Folpet (sum of folpet and phthalimide, expressed as folpet) (R)
(1)	(2)	(3)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	
0110000	Citrus fruits	0,03 (*)
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others (2)	
0120000	Tree nuts	0,07 (*)
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	0,3
0130020	Pears	0,3
0130030	Quinces	0,03 (*)
0130040	Medlars	0,03 (*)

(1)	(2)	(3)
0130050	Loquats/Japanese medlars	0,03 (*)
0130990	Others (2)	0,03 (*)
0140000	Stone fruits	0,03 (*)
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others (2)	
0150000	Berries and small fruits	
0151000	(a) grapes	
0151010	Table grapes	6
0151020	Wine grapes	20
0152000	(b) strawberries	5(+)
0153000	(c) cane fruits	0,03 (*)
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others (2)	
0154000	(d) other small fruits and berries	0,03 (*)
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 fruits with	
0161000	(a) edible peel	
0161010	Dates	0,03 (*)
0161020	Figs	0,03 (*)
0161030	Table olives	0,15 (*) (+)
0161040	Kumquats	0,03 (*)
0161050	Carambolas	0,03 (*)
0161060	Kaki/Japanese persimmons	0,03 (*)

(1)	(2)	(3)
0161070	Jambuls/jambolans	0,03 (*)
0161990	Others (2)	0,03 (*)
0162000	(b) inedible peel, small	0,03 (*)
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	0,03 (*)
0163010	Avocados	
0163020	Bananas	
0163030	Mangoes	
0163040	Papayas	
0163050	Granate apples/pomegranates	
0163060	Cherimoyas	
0163070	Guavas	
0163080	Pineapples	
0163090	Breadfruits	
0163100	Durians	
0163110	Soursops/guanabanas	
0163990	Others (2)	
0200000	VEGETABLES, FRESH or FROZEN	
0210000	Root and tuber vegetables	
0211000	(a) potatoes	0,06 (*) (+)
0212000	(b) tropical root and tuber vegetables	0,03 (*)
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	0,03 (*)
0213020	Carrots	0,03 (*)
0213030	Celeriacs/turnip rooted celeries	0,03 (*)
0213040	Horseradishes	0,03 (*)

(1)	(2)	(3)
0213050	Jerusalem artichokes	0,03 (*)
0213060	Parsnips	0,03 (*)
0213070	Parsley roots/Hamburg roots parsley	0,03 (*)
0213080	Radishes	0,04 (*) (+)
0213090	Salsifies	0,04 (*) (+)
0213100	Swedes/rutabagas	0,03 (*)
0213110	Turnips	0,03 (*)
0213990	Others (2)	0,03 (*)
0220000	Bulb vegetables	0,03 (*)
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	5(+)
0231020	Sweet peppers/bell peppers	0,03 (*)
0231030	Aubergines/eggplants	0,03 (*)
0231040	Okra/lady's fingers	0,03 (*)
0231990	Others (2)	0,03 (*)
0232000	(b) cucurbits with edible peel	0,03 (*)
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes	
0232990	Others (2)	
0233000	(c) cucurbits with inedible peel	
0233010	Melons	0,4(+)
0233020	Pumpkins	0,03 (*)
0233030	Watermelons	0,03 (*)
0233990	Others (2)	0,03 (*)
0234000	(d) sweet corn	0,03 (*)
0239000	(e) other fruiting vegetables	0,03 (*)
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)	0,03 (*)
0241000	(a) flowering brassica	
0241010	Broccoli	
0241020	Cauliflowers	

(1)	(2)	(3)
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	
0251010	Lamb's lettuces/corn salads	0,03 (*)
0251020	Lettuces	1,5
0251030	Escaroles/broad-leaved endives	0,03 (*)
0251040	Cresses and other sprouts and shoots	0,03 (*)
0251050	Land cresses	0,03 (*)
0251060	Roman rocket/rucola	0,03 (*)
0251070	Red mustards	0,03 (*)
0251080	Baby leaf crops (including brassica species)	0,03 (*)
0251990	Others (2)	0,03 (*)
0252000	(b) spinaches and similar leaves	0,03 (*)
0252010	Spinaches	
0252020	Purslanes	
0252030	Chards/beet leaves	
0252990	Others (2)	
0253000	(c) grape leaves and similar species	0,03 (*)
0254000	(d) watercresses	0,03 (*)
0255000	(e) witloofs/Belgian endives	0,03 (*)
0256000	(f) herbs and edible flowers	0,06 (*)
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	

(1)	(2)	(3)
0256080	Basil and edible flowers	
0256090	Laurel/bay leaves	
0256100	Tarragon	
0256990	Others (2)	
0260000	Legume vegetables	0,03 (*)
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others (2)	
0270000	Stem vegetables	0,03 (*)
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	0,03 (*)
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	Algae and prokaryotes organisms	0,03 (*)
0300000	PULSES	0,07 (*)
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others (2)	
0400000	OILSEEDS AND OIL FRUITS	
0401000	Oilseeds	0,07 (*)
0401010	Linseeds	
0401020	Peanuts/groundnuts	
0401030	Poppy seeds	

(1)	(2)	(3)
0401040	Sesame seeds	
0401050	Sunflower seeds	
0401060	Rapeseeds/canola seeds	
0401070	Soyabeans	
0401080	Mustard seeds	
0401090	Cotton seeds	
0401100	Pumpkin seeds	
0401110	Safflower seeds	
0401120	Borage seeds	
0401130	Gold of pleasure seeds	
0401140	Hemp seeds	
0401150	Castor beans	
0401990	Others (2)	
0402000	Oil fruits	
0402010	Olives for oil production	0,15 (*) (+)
0402020	Oil palms kernels	0,07 (*)
0402030	Oil palms fruits	0,07 (*)
0402040	Kapok	0,07 (*)
0402990	Others (2)	0,07 (*)
0500000	CEREALS	
0500010	Barley	2
0500020	Buckwheat and other pseudocereals	0,07 (*)
0500030	Maize/corn	0,07 (*)
0500040	Common millet/proso millet	0,07 (*)
0500050	Oat	2
0500060	Rice	0,07 (*)
0500070	Rye	0,3
0500080	Sorghum	0,07 (*)
0500090	Wheat	0,4 (+)
0500990	Others (2)	0,07 (*)
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,1 (*)
0610000	Teas	
0620000	Coffee beans	
0630000	Herbal infusions from	
0631000	(a) flowers	
0631010	Chamomile	
0631020	Hibiscus/roselle	

(1)	(2)	(3)
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	
0650000	Carobs/Saint John's breads	
0700000	HOPS	400(+)
0800000	SPICES	
0810000	Seed spices	0,1 (*)
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	0,1 (*)
0820010	Allspice/pimento	
0820020	Sichuan pepper	
0820030	Caraway	
0820040	Cardamom	
0820050	Juniper berry	
0820060	Peppercorn (black, green and white)	
0820070	Vanilla	

(1)	(2)	(3)
0820080	Tamarind	
0820990	Others (2)	
0830000	Bark spices	0,1 (*)
0830010	Cinnamon	
0830990	Others (2)	
0840000	Root and rhizome spices	
0840010	Liquorice	0,1 (*)
0840020	Ginger (10)	
0840030	Turmeric/curcuma	0,1 (*)
0840040	Horseradish (11)	
0840990	Others (2)	0,1 (*)
0850000	Bud spices	0,1 (*)
0850010	Cloves	
0850020	Capers	
0850990	Others (2)	
0860000	Flower pistil spices	0,1 (*)
0860010	Saffron	
0860990	Others (2)	
0870000	Aril spices	0,1 (*)
0870010	Mace	
0870990	Others (2)	
0900000	SUGAR PLANTS	0,03 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others (2)	
1000000	PRODUCTS OF ANIMAL ORIGIN - TERRESTRIAL ANIMALS	0,05 (*)
1010000	Commodities from	
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	

(1)	(2)	(3)
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	

(1)	(2)	(3)
1017050	Edible offals (other than liver and kidney)	
1017990	Others (2)	
1020000	Milk	
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others (2)	
1030000	Birds eggs	(+)
1030010	Chicken	(+)
1030020	Duck	(+)
1030030	Geese	(+)
1030040	Quail	(+)
1030990	Others (2)	(+)
1040000	Honey and other apiculture products (7)	
1050000	Amphibians and Reptiles	
1060000	Terrestrial invertebrate animals	
1070000	Wild terrestrial vertebrate animals	
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

Folpet (sum of folpet and phtalimide, expressed as folpet) (R)

The European Food Safety Authority identified some information on residue trials 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 6 February 2018, or, if that information is not submitted by that date, the lack of it.

0152000 (b) strawberries

The European Food Safety Authority identified some information on analytical methods and storage stability 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 6 February 2018, or, if that information is not submitted by that date, the lack of it.

0161030 Table olives

0402010 Olives for oil production

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 6 February 2018, or, if that information is not submitted by that date, the lack of it.

0211000 (a) potatoes

0231010 Tomatoes

0233010 Melons

0500090 Wheat

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 6 February 2018, or, if that information is not submitted by that date, the lack of it.

0213080 Radishes

0213090 Salsifies

0700000 HOPS

The European Food Safety Authority identified some information on the nature and magnitude of residues 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 6 February 2018, or, if that information is not submitted by that date, the lack of it.

1016010 Muscle

1016020 Fat

1016030 Liver

1030000 Birds eggs

1030010 Chicken

1030020 Duck

1030030 Geese

1030040 Quail

1030990 Others (2)
