COMMISSION RECOMMENDATION

of 18 January 2006

concerning a coordinated Community monitoring programme for 2006 to ensure compliance with maximum levels of pesticide residues in and on cereals and certain other products of plant origin and national monitoring programmes for 2007

(notified under document number C(2006) 11)

(Text with EEA relevance)

(2006/26/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 211 thereof,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ([1]) and in particular Article 7(2)(b) thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables ([2]), and in particular Article 4(2)(b) thereof,

Whereas:

(1) Directives 86/362/EEC and 90/642/EEC provide that the Commission should progressively work towards a system which would permit the estimation of dietary exposure to pesticides. To make realistic estimations possible, data on the monitoring of pesticide residues should be available in a number of food products which constitute major components of the European diet. It is generally recognised that major components of the European diet are constituted by some 20 to 30 food products. In view of the resources available at national level for pesticide residue monitoring, Member States are only able to analyse samples of eight products each year within a coordinated monitoring programme. Pesticide uses show changes within the timescale of three-year cycles. Each pesticide should thus generally be monitored in 20 to 30 food products over a series of three-year cycles.

(2) Residues of the pesticides covered by this Recommendation should be monitored in 2006, as this will allow using these data for the estimation of actual dietary exposure to them.

(3) A systematic statistical approach to numbers of samples to be taken in each coordinated monitoring exercise is necessary. Such an approach has been set out by the Codex Alimentarius Commission ([3]). On the basis of a binomial probability distribution, it can be calculated that examination of 613 samples allows with a certainty of more than 99 %, the detection of a sample containing pesticide residues above the limit of determination (LOD), provided that less than 1 % of products of plant origin contain residues above that limit. Collection of these samples should be apportioned between Member States on the basis of population and consumer numbers, with a minimum of 12 samples per product and per year.

(4) Guidelines concerning 'Quality Control Procedures for Pesticide Residue Analysis' are published on the Commission website ([4]). It is agreed that these guidelines should be applied as far as possible by the analytical laboratories of the Member States and should be reviewed continuously in the light of experience gained in the monitoring programmes.

(5) Commission Directive 2002/63/EC establishes Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC ([5]). The sampling methods and procedures laid down in this Directive incorporate those recommended by the Codex Alimentarius Commission.

(6) Directives 86/362/EEC and 90/642/EEC require Member States to specify the criteria applied in drawing up their national inspection programmes. Such information should include the criteria applied in determining the numbers of samples to be taken and analyses to be carried out and the reporting levels applied, the criteria by which the reporting levels have been fixed and details of accreditation under the Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004, animal health and animal welfare rules on official controls performed to ensure the verification of compliance with feed and food law ([6]). The number and type of infringements and the action taken should also be indicated.

([1]) OJ L 221, 7.8.1986, p. 37. Directive as last amended by Commission Directive 2005/76/EC (OJ L 293, 9.11.2005, p. 14).
([2]) OJ L 350, 14.12.1990, p. 71. Directive as last amended by Directive 2005/76/EC.
([3]) Codex Alimentarius, Pesticide Residues in Foodstuffs, Rome 1994, ISBN 92-5-203271-1; Vol. 2, p. 372.
([4]) Document number SANCO/10476/2003, http://europa.eu.int/comm/food/plant/protection/resources/qualcontrol_en.pdf
([5]) OJ L 187, 16.7.2002, p. 30.
([6]) OJ L 165, 30.4.2004, p. 1, corrected by OJ L 191, 28.5.2004, p. 1.

(7) Maximum residue levels for baby food have been established in accordance with Article 6 of Commission Directive 91/321/EEC of 14 May 1991 on infant formulae and follow-on formulae [1] and Article 6 of Commission Directive 96/5/EC, Euratom of 16 February 1996 on processed cereal-based foods and baby foods for infants and young children [2].

(8) Information on the results of monitoring programmes is particularly appropriate for treatment, storage and transmission by electronic/informatics methods. Formats have been developed for supply of data by e-mail from the Member States. Member States should therefore be able to send their reports to the Commission in the standard format. The further development of such a standard format is most effectively undertaken by the development of guidelines by the Commission.

(9) The measures provided for in this recommendation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HEREBY RECOMMENDS:

1. Member States are invited, during the year 2006, to take and analyse samples for the product/pesticide residue combinations set out in Annex I, on the basis of the number of samples of each product allocated to them in Annex II, reflecting as appropriate, national, Community and third country share of the Member State's market.

   The sampling procedure, including the number of units, should be in line with Commission Directive 2002/63/EC.

2. For pesticides posing an acute risk i.e. where an ARfD is set (e.g. OP-esters, endosulfan and N-methylcarbamates) sampling should be done in such a way to allow the selection of two laboratory samples. If the first laboratory sample contains a detectable residue of a targeted pesticide, the units of the second sample should be analysed individually. This applies to the following products:

   — Aubergines

   — Grapes [3]

   — Bananas

   — Pepper

   Of these products a reasonable number of samples should also be subjected to individual analysis of the individual units within the second laboratory sample in case such pesticides are detected in the first sample and particularly if it is the produce of a single producer.

3. Of the total amount of samples as given according to Annex I and II, each Member State should take and analyse:

   (a) at least ten samples of baby food based mainly on vegetables, fruits or cereals;

   (b) a number of samples (with a minimum of one sample, where available) from produce originating from organic farming that reflects the market share of organic produce in each Member State.

4. Member States are invited to report the results of the analysis of samples tested for the product/pesticide residue combinations set out in Annex I by 31 August 2007 at the latest, indicating:

   (a) The analytical methods used and reporting levels achieved, in accordance with the quality control procedures set out in the Quality Control Procedures for Pesticide Residue Analysis;

   (b) The number and type of infringements and the action taken.

5. The report should be produced in a format — including the electronic format — conforming to the guidance to the Member States with regard to implementation of Commission recommendations concerning coordinated Community monitoring programmes provided by the Standing Committee on the Food Chain and Animal Health.

   The result on samples of baby food and on samples taken from produce originating from organic farming should be reported in separate datasheets.

6. Member States are invited to send to the Commission and to the other Member States, by 31 August 2006 at the latest, the information required under Article 7(3) of Directive 86/362/EEC and Article 4(3) of Directive 90/642/EEC concerning the 2005 monitoring exercise to ensure, at least by check sampling, compliance with maximum pesticide residue levels including:

   (a) The results of their national programmes concerning pesticide residues;

[1] OJ L 175, 4.7.1991, p. 35. Directive as last amended by Directive 2003/14/EC (OJ L 41, 14.2.2003, p. 37).
[2] OJ L 49, 28.2.1996, p. 17. Directive as last amended by Directive 2003/13/EC (OJ L 41, 14.2.2003, p. 33).
[3] For grapes the unit (i.e. standard bunch) is considered to have a size of about 500 g.

(b) Information on their laboratories quality control procedures and, in particular, information concerning aspects of the guidelines concerning Quality Control Procedures for Pesticide Residue Analysis which they have not been able to apply or have had difficulty in applying;

(c) Information on accreditation in accordance with the provisions of Article 12 of Regulation (EC) No 882/2004 (including scope of the accreditation, accreditation body and copy of accreditation certificate) of the laboratories carrying out the analyses;

(d) Information about the proficiency tests and ring tests in which the laboratory has participated.

7. Member States are invited to send to the Commission, by 30 September 2006 at the latest, their intended national programme for monitoring maximum pesticide residue levels fixed by Directives 90/642/EEC and 86/362/EEC for the year 2007, including information on:

(a) The criteria applied in determining the number of samples to be taken and analyses to be carried out,

(b) The reporting levels applied and the criteria by which the reporting levels have been fixed, and

(c) Details of accreditation, under Regulation (EC) No 882/2004, of the laboratories carrying out analyses.

Done at Brussels, 18 January 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX I

PESTICIDE/PRODUCT COMBINATIONS TO BE MONITORED

Pesticide residue to be analysed for			
	2006	2007 (*)	2008 (*)
Acephate	(b)	(c)	(a)
Acetamiprid		(c)	(a)
Aldicarb	(b)	(c)	(a)
Azinphos-methyl	(b)	(c)	(a)
Azoxystrobin	(b)	(c)	(a)
Benomyl group	(b)	(c)	(a)
Bifenthrin	(b)	(c)	(a)
Bromopropylate	(b)	(c)	(a)
Bupirimate	(b)	(c)	(a)
Buprofezin		(c)	(a)
Captan + Folpet Captan Folpet	(b)	(c)	(a)
Carbaryl	(b)	(c)	(a)
Chlormequat (**)	(b)	(c)	(a)
Chlorothalonil	(b)	(c)	(a)
Chlorpropham	(b)	(c)	(a)
Chlorpyriphos	(b)	(c)	(a)
Chlorpyriphos-methyl	(b)	(c)	(a)
Cypermethrin	(b)	(c)	(a)
Cyprodinil	(b)	(c)	(a)
Deltamethrin	(b)	(c)	(a)
Diazinon	(b)	(c)	(a)
Dichlofluanid	(b)	(c)	(a)
Dichlorvos		(c)	(a)
Dicofol	(b)	(c)	(a)
Dimethoate + Omethoate Dimethoate Omethoate	(b)	(c)	(a)
Diphenylamine	(b)	(c)	(a)
Endosulfan	(b)	(c)	(a)
Fenhexamid	(b)	(c)	(a)

Pesticide residue to be analysed for			
	2006	2007 (*)	2008 (*)
Fenitrothion		(c)	(a)
Fludioxonil	(b)	(c)	(a)
Hexythiazox		(c)	(a)
Imazalil	(b)	(c)	(a)
Imidacloprid	(b)	(c)	(a)
Indoxacarb		(c)	(a)
Iprodione	(b)	(c)	(a)
Iprovalicarb		(c)	(a)
Kresoxim-methyl	(b)	(c)	(a)
Lambda-cyhalothrin	(b)	(c)	(a)
Malathion	(b)	(c)	(a)
Maneb group	(b)	(c)	(a)
Mepanipyrim		(c)	(a)
Metalaxyl	(b)	(c)	(a)
Methamidophos	(b)	(c)	(a)
Methidathion	(b)	(c)	(a)
Methiocarb	(b)	(c)	(a)
Methomyl	(b)	(c)	(a)
Myclobutanil	(b)	(c)	(a)
Oxydemeton-methyl	(b)	(c)	(a)
Parathion	(b)	(c)	(a)
Penconazole		(c)	(a)
Phosalone	(b)	(c)	(a)
Pirimicarb	(b)	(c)	(a)
Pirimiphos-methyl	(b)	(c)	(a)
Prochloraz		(c)	(a)
Procymidone	(b)	(c)	(a)
Profenofos		(c)	(a)
Propargite	(b)	(c)	(a)
Pyretrins	(b)	(c)	(a)
Pyrimethanil	(b)	(c)	(a)
Pyriproxyfen		(c)	(a)

Pesticide residue to be analysed for			
	2006	2007 (*)	2008 (*)
Quenoxifen		(c)	(a)
Spiroxamine	(b)	(c)	(a)
Tebuconazole		(c)	(a)
Tebufenozide		(c)	(a)
Thiabendazole	(b)	(c)	(a)
Tolcloflos-methyl	(b)	(c)	(a)
Tolylfluanid	(b)	(c)	(a)
Triademefon + Triadimenol Triademefon Triadimenol	(b)	(c)	(a)
Vinclozolin	(b)	(c)	(a)

(a) Beans (fresh or frozen), carrots, cucumber, oranges or mandarins, pears, potatoes, rice, spinach (fresh or frozen).
(b) Aubergines, bananas, cauliflower, grapes, orange juice (1), peas (fresh/frozen, without pod), peppers (sweet), wheat.
(c) Apples, head cabbage, leek, lettuce tomatoes, peaches including nectarines and similar hybrids; rye or oats, strawberries.

(*) Indicative for 2007 and 2008, subject to programmes which will be recommended for these years.
(**) Chlormequat should be analysed in cereals, carrots, fruiting vegetables and pears.
(1) For orange juice Member States should specify the source (concentrates or fresh fruits).

ANNEX II

Number of samples of each product to be taken and analysed by each Member State.

Code country	Samples	Code country	Samples
AT	12 (*) 15 (**)	IE	12 (*) 15 (**)
BE	12 (*) 15 (**)	LU	12 (*) 15 (**)
CY	12 (*) 15 (**)	LT	12 (*) 15 (**)
CZ	12 (*) 15 (**)	LV	12 (*) 15 (**)
DE	93	MT	12 (*) 15 (**)
DK	12 (*) 15 (**)	NL	17
ES	45	PT	12 (*) 15 (**)
EE	12 (*) 15 (**)	PL	45
EL	12 (*) 15 (**)	SE	12 (*) 15 (**)
FR	66	SI	12 (*) 15 (**)
FI	12 (*) 15 (**)	SK	12 (*) 15 (**)
HU	12 (*) 15 (**)	UK	66
IT	65		
Total minimum number of samples: 613			

(*) Minimum number of samples for each single residue method applied.
(**) Minimum number of samples for each multi-residue method applied.