

REGULATIONS

COMMISSION REGULATION (EU) 2015/1910

of 21 October 2015

amending Annexes III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for guazatine 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 Articles 14(1)(a) and 18(1)(b) and Article 49(2) thereof,

Whereas:

- (1) For guazatine, maximum residue levels (MRLs) were set in Part A of Annex III to Regulation (EC) No 396/2005.
- (2) The European Food Safety Authority, hereinafter 'the Authority', submitted a reasoned opinion on the existing MRLs for guazatine in accordance with Article 12(1) of Regulation (EC) No 396/2005 ⁽²⁾. All existing authorisations for plant protection products containing the active substance guazatine have been revoked. Neither were import tolerances reported at Union level nor were Codex MRLs available. In the absence of information on specific good agricultural practices that could be used in a consumer risk assessment, the Authority concluded that a value of 0,05 mg/kg provides a satisfactory level of protection for the European consumers. It is therefore appropriate to set the MRLs at the specific limit of determination. It is also appropriate to change the residue definition.
- (3) Moreover, Belgium indicated that the existing MRLs for guazatine in grapefruit and oranges may raise concerns of consumer protection. In particular, an acute consumer risk could not be excluded even by a refined risk assessment, taking into account a processing factor for citrus fruit. The European Commission and the Member States represented in the Standing Committee on Plants, Animals, Food and Feed considered it an appropriate risk management decision to lower the MRLs to a level that has been demonstrated to be safe for European consumers.
- (4) In accordance with Article 6(2) and (4) of Regulation (EC) No 396/2005 an application was submitted for guazatine used on citrus fruits. 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. The Authority assessed the application and the evaluation report, examining in particular the risks to the consumer and, where relevant, to animals and gave a reasoned opinion on the proposed MRLs ⁽³⁾. It forwarded this opinion to the Commission and the Member States and made it available to the public. It concluded in the opinion that it does not recommend setting the proposed MRLs since the available data were not sufficient to exclude a risk for European consumers.
- (5) The applicant requested an administrative review of the Authority's reasoned opinion according to Article 13 of Regulation (EC) No 396/2005. This review led to the conclusion that no substantial flaws and errors of assessment on the part of the Authority were identified.

⁽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 (MRLs) for guazatine according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2013;11(5):3239. [20 pp.].

⁽³⁾ European Food Safety Authority; Reasoned opinion on the modification of the existing MRL for guazatine in citrus fruits. EFSA Journal 2014;12(8):3818. [29 pp.].

- (6) Based on the reasoned opinions of the Authority and taking into account the factors relevant to the matter under consideration, the appropriate modifications to the MRLs fulfil the requirements of Article 14(2) of Regulation (EC) No 396/2005.
- (7) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (8) In order to allow for the normal marketing, processing and consumption of products, this Regulation should provide for a transitional arrangement for products which have been lawfully produced before the modification of the MRLs and for which information shows that a high level of consumer protection is maintained.
- (9) The transitional arrangement provided for by this Regulation should take the concerns of consumer protection with the existing MRLs for guazatine in grapefruit and oranges into account.
- (10) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.
- (11) 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.
- (12) 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 III and V to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

Article 2

As regards guazatine, Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to all products which were lawfully produced before 13 May 2016, except grapefruit and oranges.

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*.

However, it shall apply from 13 May 2016.

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

Done at Brussels, 21 October 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

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

- (1) in Annex III, the column for guazatine is deleted;
- (2) in Annex V, the following column for guazatine is added:

'Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply (*)	Guazatine (guazatine acetate, sum of components)
(1)	(2)	(3)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	0,05 (*)
0110000	Citrus fruits	
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others	
0120000	Tree nuts	
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	
0130000	Pome fruits	
0130010	Apples	

0130020	Pears	
0130030	Quinces	
0130040	Medlars	
0130050	Loquats/Japanese medlars	
0130990	Others	
0140000	Stone fruits	
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others	
0150000	Berries and small fruits	
0151000	(a) <i>grapes</i>	
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) <i>strawberries</i>	
0153000	(c) <i>cane fruits</i>	
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others	
0154000	(d) <i>other small fruits and berries</i>	
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	

0160000	Miscellaneous fruits with	
0161000	(a) <i>edible peel</i>	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	
0161070	Jambuls/jambolans	
0161990	Others	
0162000	(b) <i>inedible peel, small</i>	
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	
0163000	(c) <i>inedible peel, large</i>	
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	
0200000	VEGETABLES, FRESH or FROZEN	0,05 (*)
0210000	Root and tuber vegetables	
0211000	(a) <i>potatoes</i>	
0212000	(b) <i>tropical root and tuber vegetables</i>	
0212010	Cassava roots/manioc	

0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroots	
0212990	Others	
0213000	(c) <i>other root and tuber vegetables except sugar beets</i>	
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	
0220000	Bulb vegetables	
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others	
0230000	Fruiting vegetables	
0231000	(a) <i>solanacea</i>	
0231010	Tomatoes	
0231020	Sweet peppers/bell peppers	
0231030	Aubergines/eggplants	
0231040	Okra/lady's fingers	
0231990	Others	
0232000	(b) <i>cucurbits with edible peel</i>	
0232010	Cucumbers	
0232020	Gherkins	

0232030	Courgettes	
0232990	Others	
0233000	(c) <i>cucurbits with inedible peel</i>	
0233010	Melons	
0233020	Pumpkins	
0233030	Watermelons	
0233990	Others	
0234000	(d) <i>sweet corn</i>	
0239000	(e) <i>other fruiting vegetables</i>	
0240000	Brassica vegetables (excluding brassica roots and brassica baby leaf crops)	
0241000	(a) <i>flowering brassica</i>	
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others	
0242000	(b) <i>head brassica</i>	
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others	
0243000	(c) <i>leafy brassica</i>	
0243010	Chinese cabbages/pe-tsai	
0243020	Kales	
0243990	Others	
0244000	(d) <i>kohlrabies</i>	
0250000	Leaf vegetables, herbs and edible flowers	
0251000	(a) <i>lettuces and salad plants</i>	
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	
0252000	(b) <i>spinaches and similar leaves</i>	
0252010	Spinaches	
0252020	Purslanes	
0252030	Chards/beet leaves	
0252990	Others	
0253000	(c) <i>grape leaves and similar species</i>	
0254000	(d) <i>watercresses</i>	
0255000	(e) <i>witloofs/Belgian endives</i>	
0256000	(f) <i>herbs and edible flowers</i>	
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	
0256080	Basil and edible flowers	
0256090	Laurel/bay leave	
0256100	Tarragon	
0256990	Others	
0260000	Legume vegetables	
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others	
0270000	Stem vegetables	
0270010	Asparagus	
0270020	Cardoons	
0270030	Celeries	
0270040	Florence fennels	
0270050	Globe artichokes	
0270060	Leeks	
0270070	Rhubarbs	

0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others	
0280000	Fungi, mosses and lichens	
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	Algae and prokaryotes organisms	
0300000	PULSES	0,05 (*)
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others	
0400000	OILSEEDS AND OIL FRUITS	0,05 (*)
0401000	Oilseeds	
0401010	Linseeds	
0401020	Peanuts/groundnuts	
0401030	Poppy seeds	
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	
0402000	Oil fruits	
0402010	Olives for oil production	
0402020	Oil palms kernels	

0402030	Oil palms fruits	
0402040	Kapok	
0402990	Others	
0500000	CEREALS	0,05 (*)
0500010	Barley	
0500020	Buckwheat and other pseudo-cereals	
0500030	Maize/corn	
0500040	Common millet/proso millet	
0500050	Oat	
0500060	Rice	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat	
0500990	Others	
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,05 (*)
0610000	Teas	
0620000	Coffee beans	
0630000	Herbal infusions from	
0631000	(a) <i>flowers</i>	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others	
0632000	(b) <i>leaves and herbs</i>	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others	
0633000	(c) <i>roots</i>	
0633010	Valerian	
0633020	Ginseng	
0633990	Others	

0639000	(d) <i>any other parts of the plant</i>	
0640000	Cocoa beans	
0650000	Carobs/Saint John's breads	
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	
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	
0830000	Bark spices	0,05 (*)
0830010	Cinnamon	
0830990	Others	
0840000	Root and rhizome spices	
0840010	Liquorice	0,05 (*)
0840020	Ginger	0,05 (*)
0840030	Turmeric/curcuma	0,05 (*)
0840040	Horseradish	(+)
0840990	Others	0,05 (*)
0850000	Bud spices	0,05 (*)
0850010	Cloves	

0850020	Capers	
0850990	Others	
0860000	Flower pistil spices	0,05 (*)
0860010	Saffron	
0860990	Others	
0870000	Aril spices	0,05 (*)
0870010	Mace	
0870990	Others	
0900000	SUGAR PLANTS	0,05 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others	
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS	
1010000	Tissues from	0,05 (*)
1011000	(a) <i>swine</i>	
1011010	Muscle	
1011020	Fat tissue	
1011030	Liver	
1011040	Kidney	
1011050	Edible offals (other than liver and kidney)	
1011990	Others	
1012000	(b) <i>bovine</i>	
1012010	Muscle	
1012020	Fat tissue	
1012030	Liver	
1012040	Kidney	
1012050	Edible offals (other than liver and kidney)	
1012990	Others	
1013000	(c) <i>sheep</i>	
1013010	Muscle	
1013020	Fat tissue	
1013030	Liver	
1013040	Kidney	

1013050	Edible offals (other than liver and kidney)	
1013990	Others	
1014000	d) <i>goat</i>	
1014010	Muscle	
1014020	Fat tissue	
1014030	Liver	
1014040	Kidney	
1014050	Edible offals (other than liver and kidney)	
1014990	Others	
1015000	(e) <i>equine</i>	
1015010	Muscle	
1015020	Fat tissue	
1015030	Liver	
1015040	Kidney	
1015050	Edible offals (other than liver and kidney)	
1015990	Others	
1016000	(f) <i>poultry</i>	
1016010	Muscle	
1016020	Fat tissue	
1016030	Liver	
1016040	Kidney	
1016050	Edible offals (other than liver and kidney)	
1016990	Others	
1017000	(g) <i>other farmed terrestrial animals</i>	
1017010	Muscle	
1017020	Fat tissue	
1017030	Liver	
1017040	Kidney	
1017050	Edible offals (other than liver and kidney)	
1017990	Others	
1020000	Milk	0,02 (*)
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others	

1030000	Birds eggs	0,05 (*)
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others	
1040000	Honey and other apiculture products	0,05 (*)
1050000	Amphibians and Reptiles	0,05 (*)
1060000	Terrestrial invertebrate animals	0,05 (*)
1070000	Wild terrestrial vertebrate animals	0,05 (*)

(*) Indicates lower limit of analytical determination

(†) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

Guazatine (guazatine acetate, sum of components)

(+) The applicable maximum residue level for horseradish (*Armoracia rusticana*) in the spice group (code 0840040) is the one set for horseradish (*Armoracia rusticana*) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

0840040 Horseradish'