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Price: EUR 4

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(¹) Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 765/2010

of 25 August 2010

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 chlorothalonil, clothianidin, difenoconazole, fenhexamid, flubendiamide, nicotine, spirotetramat, thiacloprid and thiamethoxam 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)(a) thereof,

Whereas:

- (1) For chlorothalonil, fenhexamid and thiacloprid maximum residue levels (MRLs) were set in Annex II and Part B of Annex III to Regulation (EC) No 396/2005. For clothianidin, difenoconazole, flubendiamide, spirotetramat and thiamethoxam, MRLs were set in Part A of Annex III to Regulation (EC) No 396/2005. Up to now, for nicotine no specific MRLs were set nor was that substance included in Annex IV to Regulation (EC) No 396/2005.
- (2) In the context of a procedure, in accordance with Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽²⁾, for the authorisation of the use of a plant protection product containing the active substance difenoconazole on swedes and turnips an application was made under Article 6(1) of Regulation (EC) No 396/2005 for modification of the existing MRLs.
- (3) As regards chlorothalonil, such an application was made for the use on barley. In view of that application, it is necessary to set MRLs for meat, fat, liver, kidney and milk from bovines, sheep and goats, since cereals are used as feed and residues may end up on forage for these animals. As regards fenhexamid, such an application was made for the use on lettuce. As regards flubendiamide, such an application was made for the use on aubergine, cucurbits and beans with pods. As regards spirotetramat, such an application was made for the use on onions. As regards thiacloprid, such an application was made for the use on strawberries, while also a Codex MRL exists for that combination. As regards thiamethoxam, such an application was made for carrots. In view of residues of clothianidin caused by the use of thiamethoxam, it is also necessary to modify the MRL for clothianidin on carrots.
- (4) In accordance with Article 8 of Regulation (EC) No 396/2005, these applications were evaluated by the Member States concerned and the evaluation reports were forwarded to the Commission.
- (5) As regards nicotine in wild fungi, the Commission received information from Member States and business operators showing the presence of nicotine in wild fungi leading to higher residues than the default MRL of 0,01 mg/kg laid down in that Regulation.
- (6) The European Food Safety Authority, hereinafter 'the Authority', assessed the applications and the evaluation reports, examining in particular the risks to the consumer and where relevant to animals and gave reasoned

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

opinions on the proposed MRLs⁽¹⁾. In the case of nicotine, the Commission asked the Authority to give an opinion on public health risks of nicotine residues in mushrooms. Given the urgency the Authority issued a 'statement', referring to several remaining uncertainties, rather than a reasoned opinion⁽²⁾. It forwarded these opinions and that statement to the Commission and the Member States and made them available to the public.

- (7) The Authority concluded in its reasoned opinions that all requirements with respect to data were met and that the modifications to the MRLs requested by the applicants were acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. It took into account the most recent information on the toxicological properties of the substances. Neither the lifetime exposure to these substances via consumption of all food products that may contain these substances, nor the short term exposure due to extreme consumption of the relevant crops showed that there is a risk that the acceptable daily intake (ADI) or the acute reference dose (ARfD) is exceeded.
- (8) As regards nicotine on wild fungi, the Authority points out that its statement is affected by a number of uncertainties and limitations. In addition to that statement, monitoring data were collected in 2009 to investigate the presence of this substance in wild mushrooms. Those data were generated by Member States, food business operators and by the Chinese government and

⁽¹⁾ EFSA scientific reports available on <http://www.efsa.europa.eu>:
 Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for chlorothalonil in barley and several commodities of animal origin, *EFSA Journal* 2010; 8(3):1524.
 Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for thiacloprid in strawberries, *EFSA Journal* 2010; 8(1):1498.
 Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for clothianidin in carrots, *EFSA Journal* 2010; 8(2):1515.
 Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for difenoconazole in swedes and turnips, *EFSA Journal* 2010; 8(2):1510.
 Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for flubendiamide in cucurbits edible and inedible peel, aubergines and beans with pods, *EFSA Journal* 2010; 8(3):1527.
 Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for fenhexamid in various leafy crops, *EFSA Journal* 2010; 8(11):1455.
 Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for spirotetramat in onions and the setting of new MRLs in kidney, *EFSA Journal* 2010; 8(2):1511.
 Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for thiamethoxam in carrots, *EFSA Journal* 2009; 7(9):1307.

⁽²⁾ EFSA Statement. Potential risks for public health due to the presence of nicotine in wild mushrooms, *EFSA Journal* 2009; RN-286, 1-47.

showed that nicotine is present in wild mushrooms at levels that vary depending on the source and variety, but that exceed, in almost the totality of the samples, the default MRL of 0,01 mg/kg. These findings provide evidence of the unavoidable presence of nicotine in wild fungi, in particular ceps (*Boletus edulis*). Therefore, it is appropriate to set temporary MRLs for nicotine in wild fungi, based on the available monitoring data and on the opinion of the Authority. Those temporary MRLs should be reviewed within two years, to evaluate new data and information that will become available, including any scientific evidence on the natural occurrence or formation of nicotine in wild fungi.

- (9) Based on the reasoned opinions and statement 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)(a) of Regulation (EC) No 396/2005.
- (10) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

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

This Regulation shall enter into force on the 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, 25 August 2010.

For the Commission
The President
José Manuel BARROSO

ANNEX

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

(1) In Annex II the columns for chlorothalonil, fenhexamid and thiacloprid are 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 (*)	Chlorothalonil (R)	Fenhexamid	Thiacloprid (F)
(1)	(2)	(3)	(4)	(5)
0100000	1. FRUIT FRESH OR FROZEN; NUTS			
0110000	(i) Citrus fruit	0,01 (*)	0,05 (*)	0,02 (*)
0110010	Grapefruit			
0110020	Oranges			
0110030	Lemons			
0110040	Limes			
0110050	Mandarins			
0110990	Others			
0120000	(ii) Tree nuts (shelled or unshelled)	0,01 (*)	0,05 (*)	0,02 (*)
0120010	Almonds			
0120020	Brazil nuts			
0120030	Cashew nuts			
0120040	Chestnuts			
0120050	Coconuts			
0120060	Hazelnuts			
0120070	Macadamia			
0120080	Pecans			
0120090	Pine nuts			
0120100	Pistachios			
0120110	Walnuts			
0120990	Others			
0130000	(iii) Pome fruit	1	0,05 (*)	0,3
0130010	Apples			
0130020	Pears			
0130030	Quinces			
0130040	Medlar	(**)	(**)	(**)
0130050	Loquat	(**)	(**)	(**)
0130990	Others			

(1)	(2)	(3)	(4)	(5)
0140000	(iv) Stone fruit			
0140010	Apricots	1	5	0,3
0140020	Cherries	0,01 (*)	5	0,3
0140030	Peaches	1	5	0,3
0140040	Plums	0,01 (*)	1	0,1
0140990	Others	0,01 (*)	0,05 (*)	0,02 (*)
0150000	(v) Berries & small fruit			
0151000	<i>(a) Table and wine grapes</i>		5	0,02 (*)
0151010	Table grapes	1		
0151020	Wine grapes	3		
0152000	<i>(b) Strawberries</i>	3	5	1
0153000	<i>(c) Cane fruit</i>	0,01 (*)	10	
0153010	Blackberries			3
0153020	Dewberries			1
0153030	Raspberries			3
0153990	Others			1
0154000	<i>(d) Other small fruit & berries</i>			1
0154010	Blueberries	0,01 (*)	5	
0154020	Cranberries	2	5	
0154030	Currants (red, black and white)	10	5	
0154040	Gooseberries	10	5	
0154050	Rose hips	(**)	(**)	(**)
0154060	Mulberries	(**)	(**)	(**)
0154070	Azarole (mediteranean medlar)	(**)	(**)	(**)
0154080	Elderberries	(**)	(**)	(**)
0154990	Others	0,01 (*)	5	
0160000	(vi) Miscellaneous fruit			
0161000	<i>(a) Edible peel</i>	0,01 (*)	0,05 (*)	
0161010	Dates			0,02 (*)
0161020	Figs			0,02 (*)
0161030	Table olives			4
0161040	Kumquats			0,02 (*)
0161050	Carambola	(**)	(**)	(**)
0161060	Persimmon	(**)	(**)	(**)
0161070	Jambolan (java plum)	(**)	(**)	(**)
0161990	Others			0,02 (*)

(1)	(2)	(3)	(4)	(5)
0162000	(b) <i>Inedible peel, small</i>	0,01 (*)		0,02 (*)
0162010	Kiwi		10	
0162020	Lychee (Litchi)		0,05 (*)	
0162030	Passion fruit		0,05 (*)	
0162040	Prickly pear (cactus fruit)	(**)	(**)	(**)
0162050	Star apple	(**)	(**)	(**)
0162060	American persimmon (Virginia kaki)	(**)	(**)	(**)
0162990	Others		0,05 (*)	
0163000	(c) <i>Inedible peel, large</i>		0,05 (*)	
0163010	Avocados	0,01 (*)		0,02 (*)
0163020	Bananas	0,2		0,02 (*)
0163030	Mangoes	0,01 (*)		0,02 (*)
0163040	Papaya	20		0,5
0163050	Pomegranate	0,01 (*)		0,02 (*)
0163060	Cherimoya	(**)	(**)	(**)
0163070	Guava	(**)	(**)	(**)
0163080	Pineapples	0,01 (*)		0,02 (*)
0163090	Bread fruit	(**)	(**)	(**)
0163100	Durian	(**)	(**)	(**)
0163110	Soursop (guanabana)	(**)	(**)	(**)
0163990	Others	0,01 (*)		0,02 (*)
0200000	2. VEGETABLES FRESH OR FROZEN			
0210000	(i) Root and tuber vegetables		0,05 (*)	
0211000	(a) <i>Potatoes</i>	0,01 (*)		0,02 (*)
0212000	(b) <i>Tropical root and tuber vegetables</i>	0,01 (*)		0,02 (*)
0212010	Cassava			
0212020	Sweet potatoes			
0212030	Yams			
0212040	Arrowroot	(**)	(**)	(**)
0212990	Others			
0213000	(c) <i>Other root and tuber vegetables except sugar beet</i>			
0213010	Beetroot	0,01 (*)		0,05
0213020	Carrots	1		0,05
0213030	Celeriac	1		0,1
0213040	Horseradish	0,01 (*)		0,05
0213050	Jerusalem artichokes	0,01 (*)		0,02 (*)
0213060	Parsnips	0,01 (*)		0,05

(1)	(2)	(3)	(4)	(5)
0213070	Parsley root	0,01 (*)		0,05
0213080	Radishes	0,01 (*)		0,02 (*)
0213090	Salsify	0,01 (*)		0,05
0213100	Swedes	0,01 (*)		0,02 (*)
0213110	Turnips	0,01 (*)		0,02 (*)
0213990	Others	0,01 (*)		0,02 (*)
0220000	(ii) Bulb vegetables		0,05 (*)	
0220010	Garlic	0,5		0,02 (*)
0220020	Onions	0,5		0,02 (*)
0220030	Shallots	0,5		0,02 (*)
0220040	Spring onions	10		0,1
0220990	Others	0,01 (*)		0,02 (*)
0230000	(iii) Fruiting vegetables			
0231000	(a) Solanacea	2		
0231010	Tomatoes		1	0,5
0231020	Peppers		2	1
0231030	Aubergines (egg plants)		1	0,5
0231040	Okra, lady's fingers		0,05 (*)	0,02 (*)
0231990	Others		0,05 (*)	0,02 (*)
0232000	(b) Cucurbits — edible peel		1	0,3
0232010	Cucumbers	1		
0232020	Gherkins	5		
0232030	Courgettes	0,01 (*)		
0232990	Others	0,01 (*)		
0233000	(c) Cucurbits-inedible peel	1	0,05 (*)	
0233010	Melons			0,2
0233020	Pumpkins			0,02 (*)
0233030	Watermelons			0,2
0233990	Others			0,02 (*)
0234000	(d) Sweet corn	0,01 (*)	0,05 (*)	0,1
0239000	(e) Other fruiting vegetables	0,01 (*)	0,05 (*)	0,02 (*)
0240000	(iv) Brassica vegetables		0,05 (*)	
0241000	(a) Flowering brassica	3		0,1
0241010	Broccoli			
0241020	Cauliflower			
0241990	Others			

(1)	(2)	(3)	(4)	(5)
0242000	(b) <i>Head brassica</i>			
0242010	Brussels sprouts	3		0,05
0242020	Head cabbage	3		0,2
0242990	Others	0,01 (*)		0,02 (*)
0243000	(c) <i>Leafy brassica</i>	0,01 (*)		1
0243010	Chinese cabbage			
0243020	Kale			
0243990	Others			
0244000	(d) <i>Kohlrabi</i>	0,01 (*)		0,05
0250000	(v) Leaf vegetables & fresh herbs			
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>			
0251010	Lamb's lettuce	0,01 (*)	30	5
0251020	Lettuce	0,01 (*)	40	2
0251030	Scarole (broad-leaf endive)	0,01 (*)	30	2
0251040	Cress	0,01 (*)	30	2
0251050	Land cress	(**)	(**)	(**)
0251060	Rocket, Rucola	0,01 (*)	30	3
0251070	Red mustard	(**)	(**)	(**)
0251080	Leaves and sprouts of Brassica spp	0,01 (*)	30	2
0251990	Others	0,01 (*)	30	2
0252000	(b) <i>Spinach & similar (leaves)</i>		0,05 (*)	0,02 (*)
0252010	Spinach	0,01 (*)		
0252020	Purslane	(**)	(**)	(**)
0252030	Beet leaves (chard)	0,01 (*)		
0252990	Others	0,01 (*)		
0253000	(c) <i>Vine leaves (grape leaves)</i>	(**)	(**)	(**)
0254000	(d) <i>Water cress</i>	0,01 (*)	0,05 (*)	0,02 (*)
0255000	(e) <i>Witloof</i>	0,01 (*)	0,05 (*)	0,02 (*)
0256000	(f) <i>Herbs</i>	5	30	5
0256010	Chervil			
0256020	Chives			
0256030	Celery leaves			
0256040	Parsley			
0256050	Sage	(**)	(**)	(**)
0256060	Rosemary	(**)	(**)	(**)
0256070	Thyme	(**)	(**)	(**)
0256080	Basil	(**)	(**)	(**)

(1)	(2)	(3)	(4)	(5)
0256090	Bay leaves (laurel)	(**)	(**)	(**)
0256100	Tarragon	(**)	(**)	(**)
0256990	Others			
0260000	(vi) Legume vegetables (fresh)			
0260010	Beans (with pods)	5	2	1
0260020	Beans (without pods)	2	0,05 (*)	0,02 (*)
0260030	Peas (with pods)	2	0,05 (*)	0,02 (*)
0260040	Peas (without pods)	0,3	0,05 (*)	0,2
0260050	Lentils	0,01 (*)	0,05 (*)	0,02 (*)
0260990	Others	0,01 (*)	0,05 (*)	0,02 (*)
0270000	(vii) Stem vegetables (fresh)		0,05 (*)	
0270010	Asparagus	0,01 (*)		0,02 (*)
0270020	Cardoons	0,01 (*)		0,02 (*)
0270030	Celery	10		0,5
0270040	Fennel	0,01 (*)		0,5
0270050	Globe artichokes	0,01 (*)		0,02 (*)
0270060	Leek	10		0,1
0270070	Rhubarb	0,01 (*)		0,02 (*)
0270080	Bamboo shoots	(**)	(**)	(**)
0270090	Palm hearts	(**)	(**)	(**)
0270990	Others	0,01 (*)		0,02 (*)
0280000	(viii) Fungi		0,05 (*)	0,02 (*)
0280010	Cultivated	2		
0280020	Wild	0,01 (*)		
0280990	Others	0,01 (*)		
0290000	(ix) Sea weeds	(**)	(**)	(**)
0300000	3. PULSES, DRY	0,01 (*)	0,05 (*)	0,1
0300010	Beans			
0300020	Lentils			
0300030	Peas			
0300040	Lupins			
0300990	Others			
0400000	4. OILSEEDS AND OILFRUITS			
0401000	(i) Oilseeds		0,1 (*)	
0401010	Linseed	0,01 (*)		0,05 (*)
0401020	Peanuts	0,05		0,05 (*)
0401030	Poppy seed	0,01 (*)		0,3
0401040	Sesame seed	0,01 (*)		0,05 (*)

(1)	(2)	(3)	(4)	(5)
0401050	Sunflower seed	0,01 (*)		0,05 (*)
0401060	Rape seed	0,01 (*)		0,3
0401070	Soya bean	0,01 (*)		0,05 (*)
0401080	Mustard seed	0,01 (*)		0,2
0401090	Cotton seed	0,01 (*)		0,05 (*)
0401100	Pumpkin seeds	0,01 (*)		0,05 (*)
0401110	Safflower	(**)	(**)	(**)
0401120	Borage	(**)	(**)	(**)
0401130	Gold of pleasure	(**)	(**)	(**)
0401140	Hempseed	0,01 (*)		0,05 (*)
0401150	Castor bean	(**)	(**)	(**)
0401990	Others	0,01 (*)		0,05 (*)
0402000	(ii) Oilfruits	0,01 (*)		
0402010	Olives for oil production		0,05 (*)	4
0402020	Palm nuts (palmoil kernels)	(**)	(**)	(**)
0402030	Palmfruit	(**)	(**)	(**)
0402040	Kapok	(**)	(**)	(**)
0402990	Others		0,1 (*)	0,05 (*)
0500000	5. CEREALS		0,05 (*)	
0500010	Barley	0,3		1
0500020	Buckwheat	0,01 (*)		0,05
0500030	Maize	0,01 (*)		0,05
0500040	Millet	0,01 (*)		0,05
0500050	Oats	0,1		1
0500060	Rice	0,01 (*)		0,05
0500070	Rye	0,1		0,05
0500080	Sorghum	0,01 (*)		0,05
0500090	Wheat	0,1		0,1
0500990	Others	0,01 (*)		0,05
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	0,1 (*)	0,1 (*)	
0610000	(i) Tea (dried leaves and stalks, fermented or otherwise of <i>Camellia sinensis</i>)			10
0620000	(ii) Coffee beans	(**)	(**)	(**)
0630000	(iii) Herbal infusions (dried)	(**)	(**)	(**)
0631000	(a) <i>Flowers</i>	(**)	(**)	(**)
0631010	Camomille flowers	(**)	(**)	(**)
0631020	Hybiscus flowers	(**)	(**)	(**)
0631030	Rose petals	(**)	(**)	(**)

(1)	(2)	(3)	(4)	(5)
0631040	Jasmine flowers	(**)	(**)	(**)
0631050	Lime (linden)	(**)	(**)	(**)
0631990	Others	(**)	(**)	(**)
0632000	(b) <i>Leaves</i>	(**)	(**)	(**)
0632010	Strawberry leaves	(**)	(**)	(**)
0632020	Rooibos leaves	(**)	(**)	(**)
0632030	Maté	(**)	(**)	(**)
0632990	Others	(**)	(**)	(**)
0633000	(c) <i>Roots</i>	(**)	(**)	(**)
0633010	Valerian root	(**)	(**)	(**)
0633020	Ginseng root	(**)	(**)	(**)
0633990	Others	(**)	(**)	(**)
0639000	(d) <i>Other herbal infusions</i>	(**)	(**)	(**)
0640000	(iv) Cocoa (fermented beans)	(**)	(**)	(**)
0650000	(v) Carob (st johns bread)	(**)	(**)	(**)
0700000	7. HOPS (dried), including hop pellets and unconcentrated powder	50	0,1 (*)	0,1
0800000	8. SPICES	(**)	(**)	(**)
0810000	(i) Seeds	(**)	(**)	(**)
0810010	Anise	(**)	(**)	(**)
0810020	Black caraway	(**)	(**)	(**)
0810030	Celery seed	(**)	(**)	(**)
0810040	Coriander seed	(**)	(**)	(**)
0810040	Cumin seed	(**)	(**)	(**)
0810060	Dill seed	(**)	(**)	(**)
0810070	Fennel seed	(**)	(**)	(**)
0810080	Fenugreek	(**)	(**)	(**)
0810090	Nutmeg	(**)	(**)	(**)
0810990	Others	(**)	(**)	(**)
0820000	(ii) Fruits and berries	(**)	(**)	(**)
0820010	Allspice	(**)	(**)	(**)
0820020	Anise pepper (Japan pepper)	(**)	(**)	(**)
0820030	Caraway	(**)	(**)	(**)
0820040	Cardamom	(**)	(**)	(**)
0820050	Juniper berries	(**)	(**)	(**)
0820060	Pepper, black and white	(**)	(**)	(**)
0820070	Vanilla pods	(**)	(**)	(**)

(1)	(2)	(3)	(4)	(5)
0820080	Tamarind	(**)	(**)	(**)
0820990	Others	(**)	(**)	(**)
0830000	(iii) Bark	(**)	(**)	(**)
0830010	Cinnamon	(**)	(**)	(**)
0830990	Others	(**)	(**)	(**)
0840000	(iv) Roots or rhizome	(**)	(**)	(**)
0840010	Liquorice	(**)	(**)	(**)
0840020	Ginger	(**)	(**)	(**)
0840030	Turmeric (Curcuma)	(**)	(**)	(**)
0840040	Horse-radish	(**)	(**)	(**)
0840990	Others	(**)	(**)	(**)
0850000	(v) Buds	(**)	(**)	(**)
0850010	Cloves	(**)	(**)	(**)
0850020	Capers	(**)	(**)	(**)
0850990	Others	(**)	(**)	(**)
0860000	(vi) Flower stigma	(**)	(**)	(**)
0860010	Saffron	(**)	(**)	(**)
0860990	Others	(**)	(**)	(**)
0870000	(vii) Aril	(**)	(**)	(**)
0870010	Mace	(**)	(**)	(**)
0870990	Others	(**)	(**)	(**)
0900000	9. SUGAR PLANTS	(**)	(**)	(**)
0900010	Sugar beet (root)	(**)	(**)	(**)
0900020	Sugar cane	(**)	(**)	(**)
0900030	Chicory roots	(**)	(**)	(**)
0900990	Others	(**)	(**)	(**)
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS			
1010000	(i) Meat, preparations of meat, offals, blood, animal fats fresh chilled or frozen, salted, in brine, dried or smoked or processed as flours or meals; other processed products such as sausages and food preparations based on these		0,05 (*)	
1011000	(a) <i>Swine</i>	0,01 (*)		
1011010	Meat			0,05
1011020	Fat free of lean meat			0,05
1011030	Liver			0,3
1011040	Kidney			0,3
1011050	Edible offal			0,01 (*)
1011990	Others			0,01 (*)

(1)	(2)	(3)	(4)	(5)
1012000	(b) <i>Bovine</i>			
1012010	Meat	0,05		0,05
1012020	Fat	0,1		0,05
1012030	Liver	0,1		0,3
1012040	Kidney	0,3		0,3
1012050	Edible offal	0,01 (*)		0,01 (*)
1012990	Others	0,01 (*)		0,01 (*)
1013000	(c) <i>Sheep</i>			
1013010	Meat	0,05		0,05
1013020	Fat	0,1		0,05
1013030	Liver	0,1		0,3
1013040	Kidney	0,3		0,3
1013050	Edible offal	0,01 (*)		0,01 (*)
1013990	Others	0,01 (*)		0,01 (*)
1014000	(d) <i>Goat</i>			
1014010	Meat	0,05		0,05
1014020	Fat	0,1		0,05
1014030	Liver	0,1		0,3
1014040	Kidney	0,3		0,3
1014050	Edible offal	0,01 (*)		0,01 (*)
1014990	Others	0,01 (*)		0,01 (*)
1015000	(e) <i>Horses, asses, mules or hinnies</i>	(**)	(**)	(**)
1015010	Meat	(**)	(**)	(**)
1015020	Fat	(**)	(**)	(**)
1015030	Liver	(**)	(**)	(**)
1015040	Kidney	(**)	(**)	(**)
1015050	Edible offal	(**)	(**)	(**)
1015990	Others	(**)	(**)	(**)
1016000	(f) <i>oultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>	0,01 (*)		
1016010	Meat			0,05
1016020	Fat			0,05
1016030	Liver			0,3
1016040	Kidney			0,3
1016050	Edible offal			0,01 (*)
1016990	Others			0,01 (*)

(1)	(2)	(3)	(4)	(5)
1017000	(g) <i>Other farm animals</i>	(**)	(**)	(**)
1017010	Meat	(**)	(**)	(**)
1017020	Fat	(**)	(**)	(**)
1017030	Liver	(**)	(**)	(**)
1017040	Kidney	(**)	(**)	(**)
1017050	Edible offal	(**)	(**)	(**)
1017990	Others	(**)	(**)	(**)
1020000	(ii) Milk and cream, not concentrated, nor containing added sugar or sweetening matter, butter and other fats derived from milk, cheese and curd	0,1	0,05 (*)	0,03
1020010	Cattle			
1020020	Sheep			
1020030	Goat			
1020040	Horse			
1020990	Others			
1030000	(iii) Birds' eggs, fresh preserved or cooked; Shelled eggs and egg yolks fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or sweetening matter	0,01 (*)	0,05 (*)	0,01 (*)
1030010	Chicken			
1030020	Duck	(**)	(**)	(**)
1030030	Goose	(**)	(**)	(**)
1030040	Quail	(**)	(**)	(**)
1030990	Others	(**)	(**)	(**)
1040000	(iv) Honey	(**)	(**)	(**)
1050000	(v) Amphibians and reptiles	(**)	(**)	(**)
1060000	(vi) Snails	(**)	(**)	(**)
1070000	(vii) Other terrestrial animal products	(**)	(**)	(**)

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

(*) Indicates lower limit of analytical determination

(**) Pesticide-code combination for which the MRL as set in Annex III Part B applies.

(F) = Fat soluble

(R) = The residue definition differs for the following combinations pesticide-code number:

Chlorothalonil — code code 1012000: SDS-3701

Chlorothalonil — code 1013000: SDS-3701

Chlorothalonil — code 1014000: SDS-3701.

(2) Annex III, Part A is amended as follows:

(a) The columns for clothianidin, difenoconazole, flubendiamide, spirotetramat and thiamethoxam are 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 (*)	Clothianidin	Difenoconazole	Flubendiamide	Spirotetramat and its 4 metabolites BY108330-enol, BY108330-kerohydroxy, BY108330-mono-hydroxy, and BY108330 enol-glucoside, expressed as spirotetramat (R)	Thiamethoxam (sum of thiamethoxam and clothianidin expressed as thiamethoxam)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
0100000	1. FRUIT FRESH OR FROZEN; NUTS			0,01 (*)		
0110000	(i) Citrus fruit	0,1	0,1		1	0,2
0110010	Grapefruit					
0110020	Oranges					
0110030	Lemons					
0110040	Limes					
0110050	Mandarins					
0110990	Others					
0120000	(ii) Tree nuts (shelled or unshelled)	0,02 (*)	0,05 (*)		0,1 (*)	0,05 (*)
0120010	Almonds					
0120020	Brazil nuts					
0120030	Cashew nuts					
0120040	Chestnuts					
0120050	Coconuts					
0120060	Hazelnuts					
0120070	Macadamia					
0120080	Pecans					
0120090	Pine nuts					
0120100	Pistachios					
0120110	Walnuts					
0120990	Others					
0130000	(iii) Pome fruit	0,05			1	
0130010	Apples		0,5			0,2
0130020	Pears		0,5			0,2
0130030	Quinces		0,2			0,1

(1)	(2)	(3)	(4)	(5)	(6)	(7)
0130040	Medlar		0,5			0,1
0130050	Loquat		0,5			0,1
0130990	Others		0,2			0,1
0140000	(iv) Stone fruit				3	
0140010	Apricots	0,1	0,5			0,3
0140020	Cherries	0,1	0,3			0,5
0140030	Peaches	0,1	0,5			0,3
0140040	Plums	0,02 (*)	0,5			0,3
0140990	Others	0,02 (*)	0,1			0,3
0150000	(v) Berries & small fruit					
0151000	(a) <i>Table and wine grapes</i>		0,5		2	0,5
0151010	Table grapes	0,6				
0151020	Wine grapes	0,05				
0152000	(b) <i>Strawberries</i>	0,02 (*)	0,1		0,1 (*)	0,05 (*)
0153000	(c) <i>Cane fruit</i>	0,02 (*)			0,1 (*)	0,05 (*)
0153010	Blackberries		0,3			
0153020	Dewberries		0,1			
0153030	Raspberries		0,3			
0153990	Others		0,1			
0154000	(d) <i>Other small fruit & berries</i>	0,02 (*)			0,1 (*)	0,05 (*)
0154010	Blueberries		0,1			
0154020	Cranberries		0,1			
0154030	Currants (red, black and white)		0,2			
0154040	Gooseberries		0,1			
0154050	Rose hips		0,1			
0154060	Mulberries		0,1			
0154070	Azarole (mediteranean medlar)		0,1			
0154080	Elderberries		0,1			
0154990	Others		0,1			
0160000	(vi) Miscellaneous fruit	0,02 (*)			0,1 (*)	
0161000	(a) <i>Edible peel</i>					0,05 (*)
0161010	Dates		0,1			
0161020	Figs		0,1			
0161030	Table olives		2			
0161040	Kumquats		0,1			
0161050	Carambola		0,1			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
0161060	Persimmon		0,1			
0161070	Jambolan (java plum)		0,1			
0161990	Others		0,1			
0162000	(b) <i>Inedible peel, small</i>		0,1			
0162010	Kiwi					0,2
0162020	Lychee (Litchi)					0,05 (*)
0162030	Passion fruit					0,05 (*)
0162040	Prickly pear (cactus fruit)					0,05 (*)
0162050	Star apple					0,05 (*)
0162060	American persimmon (Virginia kaki)					0,05 (*)
0162990	Others					0,05 (*)
0163000	(c) <i>Inedible peel, large</i>		0,1			
0163010	Avocados					0,05 (*)
0163020	Bananas					0,05 (*)
0163030	Mangoes					0,5
0163040	Papaya					0,05 (*)
0163050	Pomegranate					0,05 (*)
0163060	Cherimoya					0,05 (*)
0163070	Guava					0,05 (*)
0163080	Pineapples					0,05 (*)
0163090	Bread fruit					0,05 (*)
0163100	Durian					0,05 (*)
0163110	Soursop (guanabana)					0,05 (*)
0163990	Others					0,05 (*)
0200000	2. VEGETABLES FRESH OR FROZEN					
0210000	(i) Root and tuber vegetables			0,01 (*)		
0211000	(a) <i>Potatoes</i>	0,05	0,1		0,8	0,1
0212000	(b) <i>Tropical root and tuber vegetables</i>	0,02 (*)	0,1		0,1 (*)	0,05 (*)
0212010	Cassava					
0212020	Sweet potatoes					
0212030	Yams					
0212040	Arrowroot					
0212990	Others					
0213000	(c) <i>Other root and tuber vegetables except sugar beet</i>				0,1 (*)	
0213010	Beetroot	0,02 (*)	0,2			0,05 (*)
0213020	Carrots	0,05	0,3			0,3
0213030	Celeriac	0,02 (*)	2			0,05 (*)
0213040	Horseradish	0,02 (*)	0,2			0,05 (*)

(1)	(2)	(3)	(4)	(5)	(6)	(7)
0213050	Jerusalem artichokes	0,02 (*)	0,1			0,05 (*)
0213060	Parsnips	0,02 (*)	0,3			0,05 (*)
0213070	Parsley root	0,02 (*)	0,2			0,05 (*)
0213080	Radishes	0,02 (*)	0,05 (*)			0,05 (*)
0213090	Salsify	0,02 (*)	0,2			0,05 (*)
0213100	Swedes	0,02 (*)	0,4			0,05 (*)
0213110	Turnips	0,02 (*)	0,4			0,05 (*)
0213990	Others	0,02 (*)	0,05 (*)			0,05 (*)
0220000	(ii) Bulb vegetables	0,02 (*)		0,01 (*)		
0220010	Garlic		0,05 (*)		0,1 (*)	0,05 (*)
0220020	Onions		0,05 (*)		0,3	0,1
0220030	Shallots		0,05 (*)		0,1 (*)	0,05 (*)
0220040	Spring onions		0,1		0,1 (*)	0,05 (*)
0220990	Others		0,05 (*)		0,1 (*)	0,05 (*)
0230000	(iii) Fruiting vegetables					
0231000	(a) Solanacea					
0231010	Tomatoes	0,05	2	0,2	2	0,2
0231020	Peppers	0,05	0,05 (*)	0,2	2	0,5
0231030	Aubergines (egg plants)	0,05	0,05 (*)	0,2	2	0,2
0231040	Okra, lady's fingers	0,02 (*)	0,05 (*)	0,01 (*)	1	0,05 (*)
0231990	Others	0,02 (*)	0,05 (*)	0,01 (*)	1	0,05 (*)
0232000	(b) Cucurbits — edible peel	0,02 (*)	0,1	0,15	0,2	
0232010	Cucumbers					0,3
0232020	Gherkins					0,2
0232030	Courgettes					0,3
0232990	Others					0,1
0233000	(c) Cucurbits-inedible peel	0,02 (*)	0,05 (*)	0,06	0,2	
0233010	Melons					0,2
0233020	Pumpkins					0,1
0233030	Watermelons					0,2
0233990	Others					0,1
0234000	(d) Sweet corn	0,02 (*)	0,05 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0239000	(e) Other fruiting vegetables	0,02 (*)	0,05 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0240000	(iv) Brassica vegetables	0,02 (*)		0,01 (*)		0,2
0241000	(a) Flowering brassica				1	
0241010	Broccoli		0,2			
0241020	Cauliflower		0,2			
0241990	Others		0,05 (*)			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
0242000	(b) <i>Head brassica</i>		0,2			
0242010	Brussels sprouts				0,3	
0242020	Head cabbage				2	
0242990	Others				0,1 (*)	
0243000	(c) <i>Leafy brassica</i>		2		7	
0243010	Chinese cabbage					
0243020	Kale					
0243990	Others					
0244000	(d) <i>Kohlrabi</i>		0,05 (*)		2	
0250000	(v) Leaf vegetables & fresh herbs			0,01 (*)		
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>	0,1			7	5
0251010	Lamb's lettuce		0,05 (*)			
0251020	Lettuce		3			
0251030	Scarole (broad-leaf endive)		0,05 (*)			
0251040	Cress		0,05 (*)			
0251050	Land cress		0,05 (*)			
0251060	Rocket, Rucola		2			
0251070	Red mustard		0,05 (*)			
0251080	Leaves and sprouts of Brassica spp		0,05 (*)			
0251990	Others		0,05 (*)			
0252000	(b) <i>Spinach & similar (leaves)</i>	0,02 (*)			7	0,05 (*)
0252010	Spinach		2			
0252020	Purslane		2			
0252030	Beet leaves (chard)		0,05 (*)			
0252990	Others		0,05 (*)			
0253000	(c) <i>Vine leaves (grape leaves)</i>	0,02 (*)	0,05 (*)		0,1 (*)	0,05 (*)
0254000	(d) <i>Water cress</i>	0,02 (*)	0,5		7	0,05 (*)
0255000	(e) <i>Witloof</i>	0,02 (*)	0,05 (*)		0,1 (*)	0,05 (*)
0256000	(f) <i>Herbs</i>	0,02 (*)			0,1 (*)	0,05 (*)
0256010	Chervil		10			
0256020	Chives		2			
0256030	Celery leaves		10			
0256040	Parsley		10			
0256050	Sage		2			
0256060	Rosemary		2			
0256070	Thyme		2			
0256080	Basil		2			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
0256090	Bay leaves (laurel)		2			
0256100	Tarragon		2			
0256990	Others		2			
0260000	(vi) Legume vegetables (fresh)				0,1 (*)	
0260010	Beans (with pods)	0,2	1	0,4		0,05 (*)
0260020	Beans (without pods)	0,02 (*)	1	0,01 (*)		0,05 (*)
0260030	Peas (with pods)	0,2	1	0,01 (*)		0,2
0260040	Peas (without pods)	0,02 (*)	1	0,01 (*)		0,2
0260050	Lentils	0,02 (*)	0,05 (*)	0,01 (*)		0,05 (*)
0260990	Others	0,02 (*)	0,05 (*)	0,01 (*)		0,05 (*)
0270000	(vii) Stem vegetables (fresh)	0,02 (*)		0,01 (*)		0,05 (*)
0270010	Asparagus		0,05 (*)		0,1 (*)	
0270020	Cardoons		0,3		0,1 (*)	
0270030	Celery		5		4	
0270040	Fennel		5		0,1 (*)	
0270050	Globe artichokes		0,05 (*)		0,1 (*)	
0270060	Leek		0,5		0,1 (*)	
0270070	Rhubarb		0,3		0,1 (*)	
0270080	Bamboo shoots		0,05 (*)		0,1 (*)	
0270090	Palm hearts		0,05 (*)		0,1 (*)	
0270990	Others		0,05 (*)		0,1 (*)	
0280000	(viii) Fungi	0,02 (*)	0,05 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0280010	Cultivated					
0280020	Wild					
0280990	Others					
0290000	(ix) Sea weeds	0,02 (*)	0,05 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0300000	3. PULSES, DRY	0,02 (*)		0,01 (*)	0,1 (*)	
0300010	Beans		0,05 (*)			0,05 (*)
0300020	Lentils		0,05 (*)			0,05 (*)
0300030	Peas		0,1			0,2
0300040	Lupins		0,05 (*)			0,05 (*)
0300990	Others		0,05 (*)			0,05 (*)
0400000	4. OILSEEDS AND OILFRUITS			0,01 (*)	0,1 (*)	0,05 (*)
0401000	(i) Oilseeds					
0401010	Linseed	0,02 (*)	0,2			
0401020	Peanuts	0,02 (*)	0,05 (*)			
0401030	Poppy seed	0,02 (*)	0,05 (*)			
0401040	Sesame seed	0,02 (*)	0,05 (*)			

(1)	(2)	(3)	(4)	(5)	(6)	(7)
0401050	Sunflower seed	0,02 (*)	0,05 (*)			
0401060	Rape seed	0,02 (*)	0,5			
0401070	Soya bean	0,02 (*)	0,05 (*)			
0401080	Mustard seed	0,02 (*)	0,2			
0401090	Cotton seed	0,05	0,05 (*)			
0401100	Pumpkin seeds	0,02 (*)	0,05 (*)			
0401110	Safflower	0,02 (*)	0,05 (*)			
0401120	Borage	0,02 (*)	0,05 (*)			
0401130	Gold of pleasure	0,02 (*)	0,05 (*)			
0401140	Hempseed	0,02 (*)	0,05 (*)			
0401150	Castor bean	0,02 (*)	0,05 (*)			
0401990	Others	0,02 (*)	0,05 (*)			
0402000	(ii) Oilfruits	0,02 (*)				
0402010	Olives for oil production		2			
0402020	Palm nuts (palmoil kernels)		0,05 (*)			
0402030	Palmfruit		0,05 (*)			
0402040	Kapok		0,05 (*)			
0402990	Others		0,05 (*)			
0500000	5. CEREALS	0,02 (*)		0,01 (*)	0,1 (*)	0,05 (*)
0500010	Barley		0,05 (*)			
0500020	Buckwheat		0,05 (*)			
0500030	Maize		0,05 (*)			
0500040	Millet		0,05 (*)			
0500050	Oats		0,05 (*)			
0500060	Rice		0,05 (*)			
0500070	Rye		0,1			
0500080	Sorghum		0,05 (*)			
0500090	Wheat		0,1			
0500990	Others		0,05 (*)			
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	0,05 (*)		0,02 (*)	0,1 (*)	
0610000	(i) Tea (dried leaves and stalks, fermented or otherwise of <i>Camellia sinensis</i>)		0,05 (*)			0,1
0620000	(ii) Coffee beans		0,05 (*)			0,05 (*)
0630000	(iii) Herbal infusions (dried)		20			0,1
0631000	(a) <i>Flowers</i>					
0631010	Camomille flowers					
0631020	Hybiscus flowers					
0631030	Rose petals					

(1)	(2)	(3)	(4)	(5)	(6)	(7)
0631040	Jasmine flowers					
0631050	Lime (linden)					
0631990	Others					
0632000	(b) <i>Leaves</i>					
0632010	Strawberry leaves					
0632020	Rooibos leaves					
0632030	Maté					
0632990	Others					
0633000	(c) <i>Roots</i>					
0633010	Valerian root					
0633020	Ginseng root					
0633990	Others					
0639000	(d) <i>Other herbal infusions</i>					
0640000	(iv) Cocoa (fermented beans)		0,05 (*)			0,05 (*)
0650000	(v) Carob (st johns bread)		0,05 (*)			0,05 (*)
0700000	7. HOPS (dried), including hop pellets and unconcentrated powder	0,05 (*)	0,05 (*)	0,02 (*)	15	0,1
0800000	8. SPICES	0,05 (*)	0,3	0,02 (*)	0,1 (*)	0,05 (*)
0810000	(i) Seeds					
0810010	Anise					
0810020	Black caraway					
0810030	Celery seed					
0810040	Coriander seed					
0810040	Cumin seed					
0810060	Dill seed					
0810070	Fennel seed					
0810080	Fenugreek					
0810090	Nutmeg					
0810990	Others					
0820000	(ii) Fruits and berries					
0820010	Allspice					
0820020	Anise pepper (Japan pepper)					
0820030	Caraway					
0820040	Cardamom					
0820050	Juniper berries					
0820060	Pepper, black and white					
0820070	Vanilla pods					
0820080	Tamarind					

(1)	(2)	(3)	(4)	(5)	(6)	(7)
0820990	Others					
0830000	(iii) Bark					
0830010	Cinnamon					
0830990	Others					
0840000	(iv) Roots or rhizome					
0840010	Liquorice					
0840020	Ginger					
0840030	Turmeric (Curcuma)					
0840040	Horse-radish					
0840990	Others					
0850000	(v) Buds					
0850010	Cloves					
0850020	Capers					
0850990	Others					
0860000	(vi) Flower stigma					
0860010	Saffron					
0860990	Others					
0870000	(vii) Aril					
0870010	Mace					
0870990	Others					
0900000	9. SUGAR PLANTS	0,02 (*)		0,01 (*)	0,1 (*)	0,05 (*)
0900010	Sugar beet (root)		0,2			
0900020	Sugar cane		0,05 (*)			
0900030	Chicory roots		0,1			
0900990	Others		0,05 (*)			
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS			0,01 (*)		
1010000	(i) Meat, preparations of meat, offals, blood, animal fats fresh chilled or frozen, salted, in brine, dried or smoked or processed as flours or meals; other processed products such as sausages and food preparations based on these					0,01 (*)
1011000	(a) <i>Swine</i>					
1011010	Meat	0,01 (*)	0,02 (*)		0,01 (*)	
1011020	Fat free of lean meat	0,01 (*)	0,05		0,01 (*)	
1011030	Liver	0,05	0,2		0,03	
1011040	Kidney	0,01 (*)	0,05		0,03	
1011050	Edible offal	0,01 (*)	0,1		0,03	
1011990	Others	0,01 (*)	0,1		0,01 (*)	

(1)	(2)	(3)	(4)	(5)	(6)	(7)
1012000	(b) <i>Bovine</i>					
1012010	Meat	0,01 (*)	0,02 (*)		0,01 (*)	
1012020	Fat	0,01 (*)	0,05		0,01 (*)	
1012030	Liver	0,05	0,2		0,03	
1012040	Kidney	0,01 (*)	0,05		0,03	
1012050	Edible offal	0,01 (*)	0,1		0,03	
1012990	Others	0,01 (*)	0,1		0,01 (*)	
1013000	(c) <i>Sheep</i>					
1013010	Meat	0,01 (*)	0,02 (*)		0,01 (*)	
1013020	Fat	0,01 (*)	0,05		0,01 (*)	
1013030	Liver	0,05	0,2		0,03	
1013040	Kidney	0,01 (*)	0,05		0,03	
1013050	Edible offal	0,01 (*)	0,1		0,03	
1013990	Others	0,01 (*)	0,1		0,01 (*)	
1014000	(d) <i>Goat</i>					
1014010	Meat	0,01 (*)	0,02 (*)		0,01 (*)	
1014020	Fat	0,01 (*)	0,05		0,01 (*)	
1014030	Liver	0,05	0,2		0,03	
1014040	Kidney	0,01 (*)	0,05		0,03	
1014050	Edible offal	0,01 (*)	0,1		0,03	
1014990	Others	0,01 (*)	0,1		0,01 (*)	
1015000	(e) <i>Horses, asses, mules or hinnies</i>					
1015010	Meat	0,01 (*)	0,02 (*)		0,01 (*)	
1015020	Fat	0,01 (*)	0,05		0,01 (*)	
1015030	Liver	0,05	0,2		0,03	
1015040	Kidney	0,01 (*)	0,05		0,03	
1015050	Edible offal	0,01 (*)	0,1		0,03	
1015990	Others	0,01 (*)	0,1		0,01 (*)	
1016000	(f) <i>oultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>	0,01 (*)	0,1		0,01 (*)	
1016010	Meat					
1016020	Fat					
1016030	Liver					
1016040	Kidney					
1016050	Edible offal					
1016990	Others					

(1)	(2)	(3)	(4)	(5)	(6)	(7)
1017000	(g) <i>Other farm animals</i>		0,1			
1017010	Meat	0,01 (*)			0,01 (*)	
1017020	Fat	0,01 (*)			0,01 (*)	
1017030	Liver	0,05			0,03	
1017040	Kidney	0,01 (*)			0,03	
1017050	Edible offal	0,01 (*)			0,03	
1017990	Others	0,01 (*)			0,01 (*)	
1020000	(ii) Milk and cream, not concentrated, nor containing added sugar or sweetening matter, butter and other fats derived from milk, cheese and curd	0,01 (*)	0,01 (*)		0,005 (*)	0,02
1020010	Cattle					
1020020	Sheep					
1020030	Goat					
1020040	Horse					
1020990	Others					
1030000	(iii) Birds' eggs, fresh preserved or cooked; Shelled eggs and egg yolks fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or sweetening matter	0,01 (*)	0,05 (*)		0,01 (*)	0,01 (*)
1030010	Chicken					
1030020	Duck					
1030030	Goose					
1030040	Quail					
1030990	Others					
1040000	(iv) Honey	0,01 (*)	0,05 (*)		0,01 (*)	0,01 (*)
1050000	(v) Amphibians and reptiles	0,01 (*)	0,05 (*)		0,01 (*)	0,01 (*)
1060000	(vi) Snails	0,01 (*)	0,05 (*)		0,01 (*)	0,01 (*)
1070000	(vii) Other terrestrial animal products	0,01 (*)	0,05 (*)		0,01 (*)	0,01 (*)

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

(*) Indicates lower limit of analytical determination.

(F) = Fat soluble

(R) = The residue definition differs for the following combinations pesticide-code number:

Spirotetramat — code 1000000: Spirotetramat and its metabolite BYI08330-enol expressed as spirotetramat.

(b) The following column for nicotine is added:

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ⁽⁴⁾	Nicotine
(1)	(2)	(3)
0100000	1. FRUIT FRESH OR FROZEN; NUTS	
0110000	(i) Citrus fruit	
0110010	Grapefruit	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others	
0120000	(ii) Tree nuts (shelled or unshelled)	
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts	
0120070	Macadamia	
0120080	Pecans	
0120090	Pine nuts	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others	
0130000	(iii) Pome fruit	
0130010	Apples	
0130020	Pears	
0130030	Quinces	

(1)	(2)	(3)
0130040	Medlar	
0130050	Loquat	
0130990	Others	
0140000	(iv) Stone fruit	
0140010	Apricots	
0140020	Cherries	
0140030	Peaches	
0140040	Plums	
0140990	Others	
0150000	(v) Berries & small fruit	
0151000	(a) <i>Table and wine grapes</i>	
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) <i>Strawberries</i>	
0153000	(c) <i>Cane fruit</i>	
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries	
0153990	Others	
0154000	(d) <i>Other small fruit & berries</i>	
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (red, black and white)	
0154040	Gooseberries	
0154050	Rose hips	
0154060	Mulberries	
0154070	Azarole (mediteranean medlar)	
0154080	Elderberries	
0154990	Others	
0160000	(vi) Miscellaneous fruit	
0161000	(a) <i>Edible peel</i>	

(1)	(2)	(3)
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambola	
0161060	Persimmon	
0161070	Jambolan (java plum)	
0161990	Others	
0162000	<i>(b) Inedible peel, small</i>	
0162010	Kiwi	
0162020	Lychee (Litchi)	
0162030	Passion fruit	
0162040	Prickly pear (cactus fruit)	
0162050	Star apple	
0162060	American persimmon (Virginia kaki)	
0162990	Others	
0163000	<i>(c) Inedible peel, large</i>	
0163010	Avocados	
0163020	Bananas	
0163030	Mangoes	
0163040	Papaya	
0163050	Pomegranate	
0163060	Cherimoya	
0163070	Guava	
0163080	Pineapples	
0163090	Bread fruit	
0163100	Durian	
0163110	Soursop (guanabana)	
0163990	Others	

(1)	(2)	(3)
0200000	2. VEGETABLES FRESH OR FROZEN	
0210000	(i) Root and tuber vegetables	
0211000	(a) <i>Potatoes</i>	
0212000	(b) <i>Tropical root and tuber vegetables</i>	
0212010	Cassava	
0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroot	
0212990	Others	
0213000	(c) <i>Other root and tuber vegetables except sugar beet</i>	
0213010	Beetroot	
0213020	Carrots	
0213030	Celeriac	
0213040	Horseradish	
0213050	Jerusalem artichokes	
0213060	Parsnips	
0213070	Parsley root	
0213080	Radishes	
0213090	Salsify	
0213100	Swedes	
0213110	Turnips	
0213990	Others	
0220000	(ii) Bulb vegetables	
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions	
0220990	Others	
0230000	(iii) Fruiting vegetables	
0231000	(a) <i>Solanacea</i>	
0231010	Tomatoes	
0231020	Peppers	
0231030	Aubergines (egg plants)	

(1)	(2)	(3)
0231040	Okra, lady's fingers	
0231990	Others	
0232000	(b) <i>Cucurbits — edible peel</i>	
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes	
0232990	Others	
0233000	(c) <i>Cucurbits-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	(iv) Brassica vegetables	
0241000	(a) <i>Flowering brassica</i>	
0241010	Broccoli	
0241020	Cauliflower	
0241990	Others	
0242000	(b) <i>Head brassica</i>	
0242010	Brussels sprouts	
0242020	Head cabbage	
0242990	Others	
0243000	(c) <i>Leafy brassica</i>	
0243010	Chinese cabbage	
0243020	Kale	
0243990	Others	
0244000	(d) <i>Kohlrabi</i>	
0250000	(v) Leaf vegetables & fresh herbs	
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>	
0251010	Lamb's lettuce	
0251020	Lettuce	
0251030	Scarole (broad-leaf endive)	
0251040	Cress	

(1)	(2)	(3)
0251050	Land cress	
0251060	Rocket, Rucola	
0251070	Red mustard	
0251080	Leaves and sprouts of Brassica spp	
0251990	Others	
0252000	(b) <i>Spinach & similar (leaves)</i>	
0252010	Spinach	
0252020	Purslane	
0252030	Beet leaves (chard)	
0252990	Others	
0253000	(c) <i>Vine leaves (grape leaves)</i>	
0254000	(d) <i>Water cress</i>	
0255000	(e) <i>Witloof</i>	
0256000	(f) <i>Herbs</i>	
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	
0256080	Basil	
0256090	Bay leaves (laurel)	
0256100	Tarragon	
0256990	Others	
0260000	(vi) Legume vegetables (fresh)	
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others	

(1)	(2)	(3)
0270000	(vii) Stem vegetables (fresh)	
0270010	Asparagus	
0270020	Cardoons	
0270030	Celery	
0270040	Fennel	
0270050	Globe artichokes	
0270060	Leek	
0270070	Rhubarb	
0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others	
0280000	(viii) Fungi	
0280010	Cultivated	
0280020	Wild	0,04 (+)
0280990	Others	
0290000	(ix) Sea weeds	
0300000	3. PULSES, DRY	
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins	
0300990	Others	
0400000	4. OILSEEDS AND OILFRUITS	
0401000	(i) Oilseeds	
0401010	Linseed	
0401020	Peanuts	
0401030	Poppy seed	
0401040	Sesame seed	
0401050	Sunflower seed	
0401060	Rape seed	
0401070	Soya bean	
0401080	Mustard seed	
0401090	Cotton seed	
0401100	Pumpkin seeds	

(1)	(2)	(3)
0401110	Safflower	
0401120	Borage	
0401130	Gold of pleasure	
0401140	Hempseed	
0401150	Castor bean	
0401990	Others	
0402000	(ii) Oilfruits	
0402010	Olives for oil production	
0402020	Palm nuts (palmoil kernels)	
0402030	Palmfruit	
0402040	Kapok	
0402990	Others	
0500000	5. CEREALS	
0500010	Barley	
0500020	Buckwheat	
0500030	Maize	
0500040	Millet	
0500050	Oats	
0500060	Rice	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat	
0500990	Others	
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	
0610000	(i) Tea (dried leaves and stalks, fermented or otherwise of <i>Camellia sinensis</i>)	
0620000	(ii) Coffee beans	
0630000	(iii) Herbal infusions (dried)	
0631000	(a) <i>Flowers</i>	
0631010	Camomille flowers	
0631020	Hybiscus flowers	
0631030	Rose petals	
0631040	Jasmine flowers	
0631050	Lime (linden)	
0631990	Others	

(1)	(2)	(3)
0632000	(b) <i>Leaves</i>	
0632010	Strawberry leaves	
0632020	Rooibos leaves	
0632030	Maté	
0632990	Others	
0633000	(c) <i>Roots</i>	
0633010	Valerian root	
0633020	Ginseng root	
0633990	Others	
0639000	(d) <i>Other herbal infusions</i>	
0640000	(iv) Cocoa (fermented beans)	
0650000	(v) Carob (st johns bread)	
0700000	7. HOPS (dried), including hop pellets and unconcentrated powder	
0800000	8. SPICES	
0810000	(i) Seeds	
0810010	Anise	
0810020	Black caraway	
0810030	Celery seed	
0810040	Coriander seed	
0810040	Cumin seed	
0810060	Dill seed	
0810070	Fennel seed	
0810080	Fenugreek	
0810090	Nutmeg	
0810990	Others	
0820000	(ii) Fruits and berries	
0820010	Allspice	
0820020	Anise pepper (Japan pepper)	
0820030	Caraway	
0820040	Cardamom	
0820050	Juniper berries	
0820060	Pepper, black and white	
0820070	Vanilla pods	
0820080	Tamarind	

(1)	(2)	(3)
0820990	Others	
0830000	(iii) Bark	
0830010	Cinnamon	
0830990	Others	
0840000	(iv) Roots or rhizome	
0840010	Liquorice	
0840020	Ginger	
0840030	Turmeric (Curcuma)	
0840040	Horse-radish	
0840990	Others	
0850000	(v) Buds	
0850010	Cloves	
0850020	Capers	
0850990	Others	
0860000	(vi) Flower stigma	
0860010	Saffron	
0860990	Others	
0870000	(vii) Aril	
0870010	Mace	
0870990	Others	
0900000	9. SUGAR PLANTS	
0900010	Sugar beet (root)	
0900020	Sugar cane	
0900030	Chicory roots	
0900990	Others	
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS	
1010000	(i) Meat, preparations of meat, offals, blood, animal fats fresh chilled or frozen, salted, in brine, dried or smoked or processed as flours or meals; other processed products such as sausages and food preparations based on these	
1011000	(a) <i>Swine</i>	
1011010	Meat	
1011020	Fat free of lean meat	
1011030	Liver	
1011040	Kidney	
1011050	Edible offal	
1011990	Others	

(1)	(2)	(3)
1012000	(b) <i>Bovine</i>	
1012010	Meat	
1012020	Fat	
1012030	Liver	
1012040	Kidney	
1012050	Edible offal	
1012990	Others	
1013000	(c) <i>Sheep</i>	
1013010	Meat	
1013020	Fat	
1013030	Liver	
1013040	Kidney	
1013050	Edible offal	
1013990	Others	
1014000	(d) <i>Goat</i>	
1014010	Meat	
1014020	Fat	
1014030	Liver	
1014040	Kidney	
1014050	Edible offal	
1014990	Others	
1015000	(e) <i>Horses, asses, mules or hinnies</i>	
1015010	Meat	
1015020	Fat	
1015030	Liver	
1015040	Kidney	
1015050	Edible offal	
1015990	Others	
1016000	(f) <i>oultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>	
1016010	Meat	
1016020	Fat	
1016030	Liver	
1016040	Kidney	
1016050	Edible offal	
1016990	Others	

(1)	(2)	(3)
1017000	(g) <i>Other farm animals</i>	
1017010	Meat	
1017020	Fat	
1017030	Liver	
1017040	Kidney	
1017050	Edible offal	
1017990	Others	
1020000	(ii) Milk and cream, not concentrated, nor containing added sugar or sweetening matter, butter and other fats derived from milk, cheese and curd	
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others	
1030000	(iii) Birds' eggs, fresh preserved or cooked; Shelled eggs and egg yolks fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or sweetening matter	
1030010	Chicken	
1030020	Duck	
1030030	Goose	
1030040	Quail	
1030990	Others	
1040000	(iv) Honey	
1050000	(v) Amphibians and reptiles	
1060000	(vi) Snails	
1070000	(vii) Other terrestrial animal products	

(⁴) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I,

(*) Indicates lower limit of analytical determination

(F) = Fat soluble

(+) = The following MRLs apply to dried wild mushrooms: 2,3 mg/kg for ceps, 1,2 mg/kg for dried wild mushrooms other than ceps. Those MRLs shall be reviewed in 2 years, to evaluate new data and information that will become available, including any scientific evidence on the natural occurrence or formation of nicotine in mushrooms.'

COMMISSION REGULATION (EU) No 766/2010**of 27 August 2010****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 August 2010.

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

Done at Brussels, 27 August 2010.

*For the Commission,
On behalf of the President,
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	38,5
	TR	103,0
	ZZ	70,8
0707 00 05	TR	137,2
	ZZ	137,2
0709 90 70	TR	124,6
	ZZ	124,6
0805 50 10	AR	153,3
	CL	145,6
	TR	158,2
	UY	108,2
	ZA	119,1
	ZZ	136,9
0806 10 10	EG	153,8
	TR	112,6
	ZZ	133,2
0808 10 80	AR	106,6
	BR	70,4
	CL	107,3
	CN	65,6
	NZ	96,3
	US	127,5
	UY	95,9
	ZA	90,2
	ZZ	95,0
0808 20 50	AR	115,4
	CL	150,5
	CN	76,3
	TR	133,1
	ZA	95,6
	ZZ	114,2
0809 30	TR	146,7
	ZZ	146,7
0809 40 05	BA	55,5
	IL	161,0
	XS	52,3
	ZZ	89,6

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EU) No 767/2010**of 27 August 2010****amending the representative prices and additional import duties for certain products in the sugar sector fixed by Regulation (EC) No 877/2009 for the 2009/10 marketing year**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular Article 36(2), second subparagraph, second sentence thereof,

Whereas:

(1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2009/10 marketing year are fixed by Commission Regulation (EC) No 877/2009 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EU) No 764/2010 ⁽⁴⁾.

(2) The data currently available to the Commission indicate that those amounts should be amended in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 877/2009 for the 2009/10, marketing year, are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 August 2010.

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

Done at Brussels, 27 August 2010.

*For the Commission,
On behalf of the President,*

Jean-Luc DEMARTY
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

⁽³⁾ OJ L 253, 25.9.2009, p. 3.

⁽⁴⁾ OJ L 225, 27.8.2010, p. 3.

ANNEX

Amended representative prices and additional import duties applicable to white sugar, raw sugar and products covered by CN code 1702 90 95 from 28 August 2010

(EUR)

CN code	Representative price per 100 kg net of the product concerned	Additional duty per 100 kg net of the product concerned
1701 11 10 ⁽¹⁾	46,63	0,00
1701 11 90 ⁽¹⁾	46,63	0,92
1701 12 10 ⁽¹⁾	46,63	0,00
1701 12 90 ⁽¹⁾	46,63	0,62
1701 91 00 ⁽²⁾	44,97	3,98
1701 99 10 ⁽²⁾	44,97	0,85
1701 99 90 ⁽²⁾	44,97	0,85
1702 90 95 ⁽³⁾	0,45	0,24

⁽¹⁾ For the standard quality defined in point III of Annex IV to Regulation (EC) No 1234/2007.

⁽²⁾ For the standard quality defined in point II of Annex IV to Regulation (EC) No 1234/2007.

⁽³⁾ Per 1 % sucrose content.

DECISIONS

COMMISSION DECISION

of 17 August 2010

amending Decision 2007/365/EC as regards the susceptible plants and the measures to be taken in cases where *Rhynchophorus ferrugineus* (Olivier) is detected

(notified under document C(2010) 5640)

(2010/467/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular the fourth sentence of Article 16(3), thereof,

Whereas:

- (1) Commission Decision 2007/365/EC⁽²⁾ requires Member States to adopt measures to protect themselves against the introduction and spread of *Rhynchophorus ferrugineus* (Olivier) (the specified organism). In addition, Member States are to conduct official annual surveys for the presence of the specified organism or evidence of infection by the specified organism on plants of the *Palmae* family in their territory and notify the Commission and the other Member States of the results of those surveys.
- (2) The official annual surveys carried out by the Member States in 2009 show that the specified organism also infested plant species belonging to the *Palmae* family which are not defined as susceptible plants in Decision 2007/365/EC. Therefore, it is necessary to include the plant species belonging to *Palmae* in the list of susceptible plants in Decision 2007/365/EC in order to allow for the emergency measures provided for in that Decision to apply also to those species.
- (3) Missions carried out by the Commission in Member States, in particular in 2009, showed that the results of the application of Decision 2007/365/EC were not fully satisfactory as regards the measures to be taken in cases where the specified organism is detected. In addition to the findings of those missions, the Commission received further information on the methods of control, containment and eradication of the specified organism,

in January 2010, from a group of experts formed by the Commission to assist it in this context and including experts from all Member States affected by the specified organism, and in May 2010, on the occasion of an international conference on the specified organism, which took place in Spain. Taking into account the results of those missions and the information received in 2010, it is necessary to make certain amendments to Decision 2007/365/EC.

- (4) The information received in 2009 and in 2010 suggests that the risk of possible spread of the specified organism through import of susceptible plants from third countries or from areas in third countries, that are not free from the specified organism cannot, due to the cryptic biology of the specified organism, be adequately mitigated by appropriate preventive treatments. Such treatments do not sufficiently prevent spreading of the specified organism from susceptible plants which are infested but show no symptoms. It is therefore necessary to place susceptible plants imported from those third countries or from those areas in third countries in a site in the Union with complete physical protection.
- (5) In cases where the specified organism appears in a Member State or in a part of a Member State, in which its presence was previously unknown, the Member State concerned should immediately, and in any case within five days, notify the Commission and the other Member States. To this aim, it should also be ensured that the responsible official body of that Member State is immediately informed. In most cases the Member State concerned should further define a demarcated area, draw up an action plan and implement that action plan. In order to facilitate an integrated approach for the eradication of the organism the action plan should set out all the measures, the reasons for those measures, describing the situation and the scientific data and the criteria on which those measures were selected.
- (6) However, in some cases it may occur that only plants belonging to one consignment were identified as infested in an area, in which the specified organism was previously not known to occur within a radius of 10 km around those infested plants, that the infestation is linked to a consignment that was moved recently into that area and that that consignment had already been

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 139, 31.5.2007, p. 24.

infested by the specified organism prior to movement. In those cases, and only where there is no risk of spreading of the specified organism, Member States should have the possibility to decide not to establish the demarcated area and to limit the official measures to the destruction of the infested material, carrying out an intensified survey programme and the tracing of related plant material.

- (7) In order to provide the Commission and the other Member States with detailed information on the spreading of the specified organism and on the official measures taken to contain and eradicate it, the Member States concerned should submit the official annual surveys to the Commission together with up-to-date action plans and, where applicable, an up-to-date list of the demarcated areas including a description and location of those areas.
- (8) Decision 2007/365/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2007/365/EC is amended as follows:

1. In Article 1, point (b) is replaced by the following:

‘(b) “susceptible plants” means plants, other than fruit and seeds, having a diameter of the stem at the base of over 5 cm of *Areca catechu*, *Arecastrum romanzoffianum* (Cham) Becc, *Arenga pinnata*, *Borassus flabellifer*, *Brahea armata*, *Butia capitata*, *Calamus merillii*, *Caryota maxima*, *Caryota cumingii*, *Chamaerops humilis*, *Cocos nucifera*, *Corypha gebanga*, *Corypha elata*, *Elaeis guineensis*, *Howea forsteriana*, *Jubea chilensis*, *Livistona australis*, *Livistona decipiens*, *Metroxylon sagu*, *Oreodoxa regia*, *Phoenix canariensis*, *Phoenix dactylifera*, *Phoenix theophrasti*, *Phoenix sylvestris*, *Sabal umbraculifera*, *Trachycarpus fortunei* and *Washingtonia* spp.’

2. Article 5 is replaced by the following:

‘Article 5

Surveys and notifications

1. Member States shall conduct official annual surveys for the presence of the specified organism or evidence of infestation by the specified organism on plants of *Palmae* in their territory.

Without prejudice to Article 16(2) of Directive 2000/29/EC, the results of those surveys shall be notified to the Commission and to the other Member States by 28 February of each year. In Member States in which the specified organism is present that notification shall be accompanied by:

- (a) an up-to-date version of the action plans adopted in accordance with Article 6(1);

(b) an up-to-date list of the demarcated areas established in accordance with Article 6(1), including updated information on their description and location (including maps).

2. Member States shall ensure that any suspected or actual appearance of the specified organism in an area within their territory shall immediately be notified to the responsible official body of the Member State concerned.

3. Without prejudice to Article 16(2) of Directive 2000/29/EC, Member States shall in any case, within five days and in writing, notify the Commission and the other Member States of the actual appearance of the specified organism in an area within its territory where its presence was previously unknown.’

3. Article 6 is replaced by the following:

‘Article 6

Eradication measures, demarcated areas and action plans

1. Where, from the results of the surveys referred to in Article 5(1), the notifications referred to in Article 5(2) or information from any other source, there is evidence of the presence of the specified organism in the territory of a Member State, that Member State shall without delay:

(a) define a demarcated area in accordance with point 1 of Annex II;

(b) establish and implement an action plan in that demarcated area in accordance with point 3 of Annex II, including official measures in accordance with point 2 of Annex II.

2. When a Member State defines a demarcated area and establishes an action plan in accordance with paragraph 1, it shall notify them to the Commission and the other Member States within one month of the notification according to Article 5, paragraph 3. This notification shall include a description of that demarcated area, a map and that action plan.

3. Member States shall ensure that the action plan and the technical measures referred to in paragraph 1(b) are implemented by technically qualified and duly authorised public servants and/or qualified agents or operators or, at least, under direct supervision of the responsible official bodies.

4. Member States may deviate from the obligation to define a demarcated area referred to in paragraph 1(a), in cases where the surveys referred to in Article 5(1), the notifications referred to in Article 5(2) or information from any other source has provided evidence that:

(a) only plants belonging to one consignment of susceptible plants were identified as infested in an area with a radius of 10 km around those infested plants, in which area the specified organism was previously not known to occur;

(b) that consignment was introduced into the area concerned less than 5 months ago and it had already been infested before introduction; and

(c) taking into account sound scientific principles, the biology of the specified organism, the level of infestation, the period of the year and the particular distribution of susceptible plants in the Member State concerned, no risk of spreading of the specified organism has occurred since the introduction of the infested consignment in the area.

In such cases, Member States shall establish an action plan in accordance with point 3 of Annex II, but may decide not to define a demarcated area and to limit the official measures referred to in point 3 of Annex II to the destruction of the infested material, carrying out an intensified survey programme in an area of at least 10 km around the infestation and the tracing of related plant material.'

4. The Annexes to Decision 2007/365/EC are amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 August 2010.

For the Commission
John DALLI
Member of the Commission

ANNEX

The Annexes to Decision 2007/365/EC are amended as follows:

1. In Annex I, point (d) of point 2 is replaced by the following:

- (d) if imported in accordance with point 1(c) of this Annex, have been grown since their introduction into the Union in a place of production in a Member State during a period of at least one year prior to the movement during which:
- (i) the susceptible plants were placed in a site with complete physical protection against the introduction and/or spread of the specified organism; and
 - (ii) no signs of the specified organism have been observed in official inspections carried out at least every three months.'

2. In Annex II, point 2 is replaced by the following:

2. Official measures in demarcated areas

The official measures to be taken in the demarcated areas, as referred to in Article 6(1)(b), shall include the following:

- (a) appropriate measures aiming at eradicating the specified organism, including:
 - (i) destruction or, where appropriate, complete mechanical sanitation of the infested susceptible plants;
 - (ii) measures to prevent any spread of the specified organism during the destruction or sanitation actions by application of chemical treatments in the immediate vicinity;
 - (iii) appropriate treatment of infested susceptible plants;
 - (iv) where appropriate, mass pheromone trapping in infested areas;
 - (v) where appropriate, replacement of susceptible plants by non-susceptible plants;
 - (vi) any other measure, which may contribute to the eradication of the specified organism;
- (b) measures on intensive monitoring for the presence of the specified organism by appropriate inspections and methods, including pheromone trapping at least in infested areas;
- (c) where necessary, specific measures to address any particularity or complication that could reasonably be expected to prevent, hinder or delay its implementation, in particular those related to the accessibility and adequate eradication of all susceptible plants, infested or suspected of infestation, irrespective of their location, public or private ownership or the person or entity responsible for them.

3. Establishment and implementation of action plans

The action plan referred to in Article 6(1)(b) shall contain a detailed description of the official measures which the Member State concerned has taken or intends to take to eradicate the specified organism. It shall include a time period for the implementation of each of those measures. The action plan shall take account of International Standard for Phytosanitary Measures No 9 (*) and shall be based on an integrated approach according to the principles set out in the International Standard for Phytosanitary Measures No 14 (**).

In the demarcated areas referred to in Article 6(1)(a) for which the results of the annual surveys over at least 3 years show that the eradication of the specified organism within one additional year is not possible, the action plan and the implementation thereof shall first focus on containing and suppressing the specified organism in the infested zone, while keeping eradication as the longer-term objective.

The action plan shall, at least, address the official measures referred to in point (2). Regarding point 2(a) the action plan shall consider all measures listed therein and set out the reasons for measures chosen to be implemented, describing the situation and the scientific data and the criteria on which the measures were selected.

(*) Guidelines for pest eradication programmes — Reference Standard ISPM No 9 by the Secretariat of the International Plant Protection Convention, Rome.

(**) The use of integrated measures in a systems approach for pest risk management — Reference Standard ISPM No 14 by the Secretariat of the International Plant Protection Convention, Rome.

COMMISSION DECISION

of 27 August 2010

providing for the temporary marketing of varieties of *Avena strigosa* Schreb. not included in the common catalogue of varieties of agricultural plant species or in the national catalogues of varieties of the Member States

(notified under document C(2010) 5835)

(Text with EEA relevance)

(2010/468/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, and in particular Article 17(1) thereof,

Whereas:

- (1) Commission Directive 2009/74/EC of 26 June 2009 amending Council Directives 66/401/EEC, 66/402/EEC, 2002/55/EC and 2002/57/EC as regards the botanical names of plants, the scientific names of other organisms and certain Annexes to Directives 66/401/EEC, 66/402/EEC and 2002/57/EC in the light of developments of scientific and technical knowledge⁽²⁾ has identified the species *Avena strigosa* Schreb. (hereinafter '*A. strigosa*') as an independent species to be included in the list of species covered by Directive 66/402/EEC.
- (2) *A. strigosa* is a crop proved to be among the most effective in reducing soil erosion, nitrogen leaching, in particular leaching of nitrates from agricultural sources, and it is an important component of seed mixtures for forage purposes. According to the information provided by the authorities of 6 Member States (Belgium, France, Germany, Italy, Spain and Portugal), the demand for seed of this species has in the last years increased considerably in the Union and in particular in these Member States.
- (3) Before the entry into force of Directive 2009/74/EC and the subsequent listing of *A. strigosa* among the species covered by Directive 66/402/EEC, the supply of the market was ensured by national production and mainly by the import from third countries of seed of this species in accordance with national legislation applicable at that time. Following the inclusion of *A. strigosa* in the list of

the species covered by Directive 66/402/EEC, only seed of varieties registered in the common catalogue of varieties of agricultural plant species may be marketed and imported.

- (4) Since the inclusion of the species *A. strigosa* among the list of species covered by Directive 66/402/EEC, only two varieties of that species have been registered in the common catalogue of varieties of agricultural plant species.
- (5) In the light of these circumstances, temporary difficulties in the general supply of *A. strigosa* have occurred and are expected to continue. These difficulties cannot be overcome otherwise than through Member States permitting, for a specified period and subject to an appropriate maximum quantity, the marketing of varieties of *A. strigosa* not included in the common catalogue of varieties of agricultural plant species or in the national catalogues of varieties of the Member States.
- (6) Member States should therefore be authorised to temporarily permit the marketing of such seed, subject to certain conditions and limitations and without prejudice to the more stringent provisions concerning the presence of *Avena fatua* in cereal seed which Denmark, Estonia, Finland, Ireland, Latvia, Lithuania, Malta, the Netherlands, Sweden and the United Kingdom in respect of Northern Ireland may apply pursuant to the relevant Commission Decisions.
- (7) It appears from the information provided to the Commission by the Member States that, in total, a quantity of 4 970 tonnes is necessary to resolve these supply difficulties (Belgium 300 tonnes, France 3 700 tonnes, Germany 200 tonnes, Italy 220 tonnes, Spain 300 tonnes and Portugal 250 tonnes), for a period expiring on 31 December 2010. To ensure that this seed is of sufficient quality it should meet at least the requirements laid down in Annex II to Directive 66/402/EEC as regards germination, analytical purity and content of seeds of other plant species for the category certified seed, 2nd generation of *A. strigosa*.

⁽¹⁾ OJ L 125, 11.7.1966, p. 2309/66.

⁽²⁾ OJ L 166, 27.6.2009, p. 40.

- (8) It is appropriate that one Member State acts in order to ensure that the quantity of seed authorised for marketing by the Member States pursuant to this Decision does not exceed the total maximum quantity of 4 970 tonnes that is necessary to resolve the supply difficulties. In line with the requests of the six Member States, France should therefore act as single coordinator. In order to ensure the good functioning of the system set out by this Decision, it is further necessary that the coordinating Member State, the other Member States and the Commission immediately share the relevant information regarding applications and the granting of authorisations for marketing.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. The marketing in the Union of seed of varieties of *A. strigosa* not included in the common catalogue of varieties of agricultural plant species or in the national catalogues of varieties of the Member States shall be permitted, for a period expiring on 31 December 2010 and subject to the conditions referred to in paragraphs 2 to 5.

2. The total quantity of seed authorised for marketing in the Union pursuant to this Decision shall not exceed 4 970 tonnes.

3. The seed referred to in paragraph 1 shall comply with the requirements laid down in Annex II to Directive 66/402/EEC as regards the conditions concerning germination, analytical purity and content of seeds of other plant species to be satisfied by the seed for the category certified seed, 2nd generation of *A. strigosa*.

4. Without prejudice to any labelling requirement of Directive 66/402/EEC, the official label shall contain the statement that the seed in question is of a category satisfying less stringent requirements than those laid down by that Directive, and that this category is lower than the category certified seed, 2nd generation. The colour of the label shall be brown.

5. The marketing of the seed referred in paragraph 1 shall be permitted upon application in conformity with Article 2.

Article 2

Any seed supplier wishing to place on the market the seed referred to in Article 1(1) shall apply for authorisation to the Member State in which he is established or to the Member State in which he wishes to place the seed on the market. The application shall specify the quantity of seed that the supplier wishes to place on the market.

The Member State concerned shall authorise the supplier to place the quantity of seed specified in the application on the market, unless:

- (a) there is sufficient evidence to doubt whether the supplier is able and intends to place the quantity of seed specified in his application on the market; or
- (b) having regard to the information provided by the coordinating Member State referred to in the third subparagraph of Article 3, granting the authorisation would result in the total maximum quantity of seed referred to in Article 1(2) being exceeded; or
- (c) the conditions concerning germination, analytical purity and content of seeds of other plant species referred to in Article 1(3) have not been met.

As regard point (b), in case the total maximum quantity would only allow for authorisation of part of the quantity specified in the application, the Member State concerned may authorise the supplier to place that lesser quantity on the market.

Article 3

Member States shall assist each other administratively in the application of this Decision.

For the period starting from the entry into force of this Decision until 31 December 2010, France shall act as coordinating Member State in order to ensure that the quantity of seed authorised for marketing in the Union by the Member States pursuant to this Decision shall not exceed the total maximum quantity of seed referred to in Article 1(2).

Any Member State receiving an application pursuant to Article 2 shall immediately inform the coordinating Member State of the quantity specified in that application. The coordinating Member State shall immediately inform that Member State as to whether and to what extent granting authorisation for marketing upon that application would result in the total maximum quantity of seed being exceeded.

Article 4

Member States shall immediately notify the Commission and the other Member States of the quantities in respect of which they have granted authorisation for marketing pursuant to this Decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 27 August 2010.

For the Commission

John DALLI

Member of the Commission

DECISION OF THE EUROPEAN CENTRAL BANK
of 19 August 2010
on non-compliance with statistical reporting requirements
(ECB/2010/10)
(2010/469/EU)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

HAS ADOPTED THIS DECISION:

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Articles 5.1 and 34.1 thereof,

Article 1

Definitions

For the purposes of this Decision:

Having regard to Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank ⁽¹⁾, and in particular Article 7 thereof,

1. 'reporting agent' has the same meaning as in Article 1 of Regulation (EC) No 2533/98;

Having regard to Council Regulation (EC) No 2532/98 of 23 November 1998 concerning the powers of the European Central Bank to impose sanctions ⁽²⁾, and in particular Article 6(2) thereof,

2. 'monetary financial institution' (MFI) has the same meaning as in Article 1 of Regulation (EC) No 25/2009 (ECB/2008/32);

3. 'infringement' and 'sanction' have the same meaning as in Article 1 of Regulation (EC) No 2532/98;

Having regard to Regulation (EC) No 2157/1999 of the European Central Bank of 23 September 1999 on the powers of the European Central Bank to impose sanctions (ECB/1999/4) ⁽³⁾,

4. 'serious misconduct' includes any of the following infringements of reporting requirements by reporting agents:

(a) systematic reporting of incorrect data;

(b) systematic failure to comply with the minimum standards for revisions;

(c) intentional incorrect, delayed or incomplete reporting;

(d) insufficient degree of diligence or cooperation with the relevant NCB or the ECB;

Whereas:

5. 'competent national central bank' (competent NCB) means the NCB of the Member State in whose jurisdiction the infringement occurred;

(1) Regulations (EC) No 25/2009 of the European Central Bank of 19 December 2008 concerning the balance sheet of the monetary financial institutions sector (recast) (ECB/2008/32) ⁽⁴⁾ and (EC) No 63/2002 of the European Central Bank of 20 December 2001 concerning statistics on interest rates applied by monetary financial institutions to deposits and loans vis-à-vis households and non-financial corporations (ECB/2001/18) ⁽⁵⁾ lay down the European Central Bank's (ECB's) statistical reporting requirements which reporting agents must comply with.

(2) Article 7(1) of Regulation (EC) No 2533/98 provides that the ECB has the power to impose sanctions on reporting agents which fail to comply with statistical reporting requirements set out in ECB regulations or decisions.

6. 'NCB deadline' means the date set by each NCB for receiving data from the reporting agents.

(3) To ensure equal treatment of reporting agents, the ECB should adopt a harmonised approach to the calculation of sanctions for infringements of the reporting requirements, to the infringement procedure and to any preceding phase,

Article 2

Scope of application

1. The ECB and the NCBs shall monitor the compliance of reporting agents with the minimum standards required to meet their reporting obligations, as set out in Annex IV to Regulation (EC) No 25/2009 (ECB/2008/32) and Annex III to Regulation (EC) No 63/2002 (ECB/2001/18). In the event of non-compliance, the ECB and the competent NCB may decide to conduct an assessment phase and/or initiate an infringement procedure as referred to in Article 3(1) and (2). Following an infringement procedure the ECB may impose sanctions in line with Article 7 of Regulation (EC) No 2533/98.

⁽¹⁾ OJ L 318, 27.11.1998, p. 8.

⁽²⁾ OJ L 318, 27.11.1998, p. 4.

⁽³⁾ OJ L 264, 12.10.1999, p. 21.

⁽⁴⁾ OJ L 15, 20.1.2009, p. 14.

⁽⁵⁾ OJ L 10, 12.1.2002, p. 24.

2. Sanctions may be imposed following an infringement procedure in the event of failure to comply with minimum standards for transmission (in relation to timeliness and technical reporting requirements), accuracy (in relation to linear constraints and data consistency across frequencies) and conceptual compliance (in relation to definitions and classifications). Sanctions are also applied in the case of serious misconduct.

Article 3

Assessment phase and infringement procedure

1. Prior to the initiation of an infringement procedure under Regulation (EC) No 2532/98 and Regulation (EC) No 2157/1999 (ECB/1999/4):

- (a) the competent NCB may, where it has logged non-compliance with the reporting requirements, give a warning to the reporting agent concerned informing it of the nature of the non-compliance logged, and recommend corrective measures to be taken in order to avoid repetition of the non-compliance;
- (b) the ECB or the competent NCB may ask the reporting agent concerned for any information relating to the non-compliance pursuant to Article 2(2) of Regulation (EC) No 2157/1999 (ECB/1999/4);
- (c) the reporting agent concerned shall be given an opportunity to provide explanations if it considers that the non-compliance was due to circumstances beyond its control.

2. Either the ECB or the competent NCB may initiate an infringement procedure in line with Article 3 of Regulation (EC) No 2532/98 and Article 5 of Regulation (EC) No 2157/1999 (ECB/1999/4). The following rules shall also apply:

- (a) an infringement procedure shall be initiated, without any assessment phase, in the case of serious misconduct;
- (b) without prejudice to point (a), an infringement procedure shall be initiated after repeated non-compliance has been logged by the competent NCB, unless:
 - (i) the ECB or the competent NCB consider that no infringement procedure should be initiated as one or more of the logged cases of non-compliance is beyond the reporting agent's control; or
 - (ii) the potential fine would not reach the minimum threshold for the imposition of a sanction.

3. If the ECB or the competent NCB initiates an infringement procedure, the procedure shall be carried out in accordance with Article 3 of Regulation (EC) No 2532/98, including the issuing of a written notification and the adoption of a reasoned decision by the ECB.

Article 4

Application of sanctions

1. Sanctions shall be calculated following a two-stage procedure. First a baseline amount is calculated which reflects quantitative aspects. The circumstances of the case as referred to in Article 2(3) of Regulation (EC) No 2532/98 are then taken into account and may affect the actual amount of the sanction.

2. In the case of infringements relating to timeliness, the seriousness of the infringement shall depend on the number of working days of delay vis-à-vis the NCB deadline.

3. In the case of infringements relating to inaccuracy and/or conceptual compliance, the seriousness of the infringement shall depend on the size of the error. The ECB shall not take into account errors of a rounding nature or negligible errors. In addition, as regards conceptual compliance, ordinary revisions, i.e. non-systematic revisions to the series reported within the period (month or quarter) following the initial reporting, shall not be considered as cases of conceptual non-compliance.

4. Article 7(4) of Regulation (EC) No 2533/98 sets forth the maximum sanctions which the ECB may impose on reporting agents.

5. If an infringement of statistical reporting requirements also results in an infringement of minimum reserve requirements, no sanction shall be imposed for the infringement of the statistical reporting requirements.

Article 5

Final provision

This Decision shall enter into force on 1 September 2010. It shall apply from the reference period December 2010 for monthly and annual reporting requirements and the fourth quarter 2010 for quarterly reporting requirements.

Done at Frankfurt am Main, 19 August 2010.

The President of the ECB
Jean-Claude TRICHET

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