Changes to legislation: *Commission Regulation (EU) 2020/856 is up to date with all changes known to be in force on or before 18 March 2022. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commission Regulation (EU) 2020/856 of 9 June 2020 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 cyantraniliprole, cyazofamid, cyprodinil, fenpyroximate, fludioxonil, fluxapyroxad, imazalil, isofetamid, kresoxim-methyl, lufenuron, mandipropamid, propamocarb, pyraclostrobin, pyriofenone, pyriproxyfen and spinetoram in or on certain products (Text with EEA relevance)

COMMISSION REGULATION (EU) 2020/856

of 9 June 2020

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 cyantraniliprole, cyazofamid, cyprodinil, fenpyroximate, fludioxonil, fluxapyroxad, imazalil, isofetamid, kresoxim-methyl, lufenuron, mandipropamid, propamocarb, pyraclostrobin, pyriofenone, pyriproxyfen and spinetoram 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) On 12 July 2019, the Codex Alimentarius Commission adopted new Codex maximum residue limits (CXLs) for abamectin, bentazone, benzovindiflupyr, chlorfenapyr, cyantraniliprole, cyazofamid, cyprodinil, diquat, ethiprole, fenpicoxamid, fenpyroximate, fludioxonil, fluopyram, fluxapyroxad, imazalil, isofetamid, kresoxim-methyl, lufenuron, mandipropamid, norflurazon, oxamyl, oxathiapiprolin, profenofos, propamocarb, propiconazole, pydiflumetofen, pyraclostrobin, pyriofenone, pyriproxyfen, spinetoram and tioxazafen[(2)].

(2) Maximum residue levels (MRLs) had been set for those substances in Annexes II and III to Regulation (EC) No 396/2005, except for ethiprole, norflurazon, pydiflumetofen and tioxazafen for which no specific MRLs were set nor were those substances included in Annex IV to that Regulation, so the default value of 0,01 mg/kg laid down in Article 18(1)(b) thereof applies.

(3) In accordance with Article 5(3) of Regulation (EC) No 178/2002 of the European Parliament and of the Council[(3)], where international standards exist or their completion is imminent, they are to be taken into consideration in the development or adaptation of food law, except where such standards or relevant parts would be an ineffective or inappropriate means for the fulfilment of the legitimate objectives of food law

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or where there is a scientific justification, or where they would result in a different level of protection from the one determined as appropriate in the Union. Moreover, in accordance with point (e) of Article 13 of that Regulation, the Union is to promote consistency between international technical standards and food law while ensuring that the high level of protection adopted in the Union is not reduced.

(4) The Union presented a reservation[(4)] to the Codex Committee on Pesticides Residues on the CXLs proposed for the following pesticide/product combinations: abamectin (cane berries; grapes; green onions; herbs), bentazone (all products), chlorfenapyr (all products), cyazofamid (green onions), diquat (all products), ethiprole (all products), fludioxonil (celery; green onions; leaves of Brassicaceae; pineapple; pomegranate), fluopyram (husked rice) imazalil (lemons; limes; oranges; banana; potato; mammalian edible offal), norflurazon (all products), oxathiapiprolin (all products), propamocarb (products of animal origin), propiconazole (all products), pydiflumetofen (all products), pyraclostrobin (lettuce; pome fruits; products of animal origin; tea) and tioxazafen (all products).

(5) The CXLs for abamectin, benzovindiflupyr, cyantraniliprole, cyazofamid, cyprodinil, fenpicoxamid, fenpyroximate, fludioxonil, fluopyram, fluxapyroxad, imazalil, isofetamid, kresoxim-methyl, lufenuron, mandipropamid, oxamyl, profenofos, propamocarb, pyraclostrobin, pyriofenone, pyriproxyfen and spinetoram, which are not listed in recital 4, should therefore be included in Regulation (EC) No 396/2005 as MRLs except where they relate to products which are not referred to in Annex I to that Regulation or where they are at a lower level than the current MRLs. Thus no MRL change is being made to abamectin, benzovindiflupyr, fenpicoxamid, fluopyram, oxamyl and profenofos. Those CXLs are safe for consumers in the Union[(5)].

(6) Based on the scientific report 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) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

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Done at Brussels, 9 June 2020.

For the Commission

The President

Ursula VON DER LEYEN

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ANNEX

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

(1) in Annex II, the columns for cyantraniliprole, cyazofamid, cyprodinil, fenpyroximate, fludioxonil, imazalil, isofetamid, kresoxim-methyl, lufenuron, mandipropamid, propamocarb and pyraclostrobin 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 (a)**	**Cyantraniliprole (Cyazofamid (F) (R)**	**Cyazofamid (F) (R)**	**Cyprodinil (A) (F) (R)**	**Fludioxonil (F) (R)**	**Imazalil (any ratio of constituent isomers) (R)**	**Isofetamid (any ratio of constituent isomers) (F)**	**Kresoxim-methyl (R)**	**Lufenuron (any ratio of constituent isomers) (F)**	**Mandipropamid (any ratio of constituent isomers)**	**Propamocarb (Sum of propamocarb and its salts, expressed as propamocarb) (R)**	**Pyraclostrobin (F) (R)**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**	**(7)**	**(8)**	**(9)**	**(10)**	**(11)**	**(12)**	**(13)**	**(14)**
010000	**FRUITS, FRESH or FROZEN; TREE NUTS**											0.01 (*)	
011000	**Citrus fruits**	0.9	0.01 (*)	0.02 (*)	0.5 (+)	10		0.01 (*)			0.01 (*)		2
011002	Grapefruits						4 (+)		0.5	0.01 (*)			
011020	Oranges						4 (+)		0.5	**0.3**			
011030	Lemons						5 (+)		0.01 (*)	0.01 (*)			
011040	Limes						5 (+)		0.01 (*)	**0.4**			
011050	Mandarins						5 (+)		0.01 (*)	0.01 (*)			
011090	Others (2)						0.01 (*)		0.01 (*)	0.01 (*)			
012000	**Tree nuts**	0.04	0.02 (*)		0.05		0.01 (*)	0.01 (*)		0.01 (*)	0.01 (*)		
012040	Almonds			0.02 (*) (+)		0.01 (*)			0.01 (*)				0.02 (*)

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012008	30	Brazil nuts		0.04		0.01 (*)			0.01 (*)			0.02 (*)
012008	40	Cashew nuts		0.04		0.01 (*)			0.01 (*)			0.02 (*)
012008	50	Chestnuts		0.04		0.01 (*)			0.01 (*)			0.02 (*)
012008	60	Coconuts		0.04		0.01 (*)			0.01 (*)			0.02 (*)
012008	70	Hazelnuts/ cobnuts		0.04		0.01 (*)			0.01 (*)			0.02 (*)
012008	80	Macadamias		0.04		0.01 (*)			0.01 (*)			0.02 (*)
012008	90	Pecans		0.04		0.01 (*)			**0.05**			0.02 (*)
012009	00	Pine nut kernels		0.04		0.01 (*)			0.01 (*)			0.02 (*)
012010	00	Pistachios		0.02 (*)		0.2			0.01 (*)			1
012011	00	Walnuts		0.04		0.01 (*)			0.01 (*)			0.02 (*)
012090	00	Others (2)		0.04		0.01 (*)			0.01 (*)			0.02 (*)
013000	00	**Pome fruits**	0.8	0.01 (*)	2		5	0.01 (*)	**0.6**	0.2	**1**	0.01 (*)		0.5
013001	00	Apples				0.3 (+)								
013002	00	Pears				0.3 (+)								
013003	00	Quinces				0.2 (+)								
013004	00	Medlars				0.2 (+)								
013005	00	Loquats/ Japanese medlars				0.2 (+)								
013090	00	Others (2)				0.01 (*)								
014000	00	**Stone fruits**		0.01 (*)	2			0.01 (*)				0.01 (*)		
014001	00	Apricots	0.01 (*)			0.3 (+)	5		**3**	0.01 (*)	0.2 (+)			1