Commission Regulation (EU) 2019/1792 of 17 October 2019 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for amitrole, fipronil, flupyrsulfuron-methyl, imazosulfuron, isoproturon, orthosulfamuron and triasulfuron in or on certain products (Text with EEA relevance)

COMMISSION REGULATION (EU) 2019/1792

of 17 October 2019

amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for amitrole, fipronil, flupyrsulfuron-methyl, imazosulfuron, isoproturon, orthosulfamuron and triasulfuron 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), Article 18(1)(b) and Article 49(2) thereof,

Whereas:

(1) For amitrole, fipronil, flupyrsulfuron-methyl, imazosulfuron, isoproturon and triasulfuron, maximum residue levels (MRLs) were set in Annex II to Regulation (EC) No 396/2005. For orthosulfamuron, MRLs were set in Part A of Annex III to that Regulation.

(2) The approval of the active substance amitrole was not renewed by Commission Implementing Regulation (EU) 2016/871[(2)]. The approval of the active substance fipronil expired on 30 September 2017[(3)].The approval of the active substance flupyrsulfuron-methyl was not renewed by Commission Implementing Regulation (EU) 2017/1496[(4)]. The approval of the active substance imazosulfuron expired on 31 July 2017[(5)]. The approval of the active substance isoproturon was not renewed by Commission Implementing Regulation (EU) 2016/872[(6)]. The active substance orthosulfamuron was not approved by Commission Implementing Regulation (EU) 2017/840[(7)]. The approval of the active substance triasulfuron was not renewed by Commission Implementing Regulation (EU) 2016/864[(8)].

(3) All existing authorisations for plant protection products containing those active substances have been revoked. It is therefore appropriate to delete the MRLs set out for these substances in Annexes II and III of Regulation (EC) No 396/2005 in accordance with Article 17 of Regulation (EC) No 396/2005 in conjunction with Article 14(1)(a) thereof.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2019/1792. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) In view of the non-renewal of approval of the active substances amitrole, flupyrsulfuron-methyl, isoproturon and triasulfuron, the expiry of the approval of the active substances fipronil and imazosulfuron, and the non-approval of the active substance orthosulfamuron, the MRLs for these substances should be set at the relevant limit of determination (LOD) in accordance with Article 18 of Regulation (EC) No 396/2005.

(5) The Commission consulted the European Union reference laboratories as regards the need to adapt certain LODs. Those laboratories concluded that for certain products technical development permits the setting of lower LODs. For the active substances for which all MRLs should be reduced to the relevant LOD, default values should be listed in Annex V in accordance with Article 18(1)(b) of Regulation (EC) No 396/2005.

(6) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.

(7) Regulation (EC) No 396/2005 should therefore be amended accordingly.

(8) In order to allow for the normal marketing, processing and consumption of products, this Regulation should provide for a transitional measure for products which have been produced before the modification of the MRLs and for which information shows that a high level of consumer protection is maintained.

(9) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.

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

Article 2

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were produced in the Union or imported into the Union before 18 May 2020.

Article 3

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

It shall apply from 18 May 2020.

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

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) 2019/1792. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Done at Brussels, 17 October 2019.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2019/1792. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX

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

(1) In Annex II, the columns for amitrole, fipronil, flupyrsulfuron-methyl, imazosulfuron, isoproturon and triasulfuron are deleted.

(2) In Part A of Annex III, the column for orthosulfamuron is deleted.

(3) In Annex V, the following columns for amitrole, fipronil, flupyrsulfuron-methyl, imazosulfuron, isoproturon, orthosulfamuron and triasulfuron are added:

PESTICIDE RESIDUES AND MAXIMUM RESIDUE LEVELS (MG/KG)

Code number	**Groups and examples of individual products to which the MRLs apply (a)**	**Amitrole**	**Fipronil (sum fipronil + sulfone metabolite (MB46136) expressed as fipronil) (F)**	**Flupyrsulfuron methyl**	**Imazosulfuron**	**Isoproturon**	**Orthosulfamuron**	**Triasulfuron**
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
0100000	**FRUITS, FRESH or FROZEN; TREE NUTS**		0,005[a]	0,02[a]		0,01[a]	0,01[a]	**0,01[a]**
0110000		**Citrus fruits**			0,01[a]			
0110010		Grapefruits						
0110020		Oranges						
0110030		Lemons						
0110040		Limes						
0110050		Mandarins						
0110990		Others (2)						
0120000		**Tree nuts**			0,02[a]			

a Limit of analytical determination

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

(F) = Fat soluble

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) 2019/1792. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

0120010		Almonds					
0120020		Brazil nuts					
0120030		Cashew nuts					
0120040		Chestnuts					
0120050		Coconuts					
0120060		Hazelnuts/ cobnuts					
0120070		Macadamias					
0120080		Pecans					
0120090		Pine nut kernels					
0120100		Pistachios					
0120110		Walnuts					
0120990		Others (2)					
0130000		**Pome fruits**			0,01[a]		
0130010		Apples					
0130020		Pears					
0130030		Quinces					
0130040		Medlars					
0130050		Loquats/ Japanese medlars					
0130990		Others (2)					
0140000		**Stone fruits**			0,01[a]		
0140010		Apricots					
0140020		Cherries (sweet)					
0140030		Peaches					

a Limit of analytical determination

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

(F) = Fat soluble