Commission Regulation (EU) 2019/58 of 14 January 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 linuron in or on certain products (Text with EEA relevance)

COMMISSION REGULATION (EU) 2019/58

of 14 January 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 linuron 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) and Article 18(1)(b),

Whereas:

(1) For linuron, maximum residue levels (MRLs) were set in Annex II and Part B of Annex III to Regulation (EC) No 396/2005.

(2) Following an application for renewal of approval in accordance with Article 7(1) of Regulation (EC) No 1107/2009 of the European Parliament and of the Council[(2)], the approval of active substance was not renewed by Commission Implementing Regulation (EU) 2017/244[(3)], which stipulates that all existing authorisations for plant protection products containing that active substance are to be withdrawn by 3 June 2018. It is therefore appropriate to delete the MRLs set out for this substance in Annex II and Part B of Annex III in accordance with Article 17 of Regulation (EC) No 396/2005 in conjunction with Article 14(1)(a) thereof.

(3) In view of the non-approval of the active substance linuron, the MRLs for this substance should be set at the limit of determination (LOD) in accordance with Article 18 of Regulation (EC) No 396/2005. 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.

(4) The Commission consulted the European Union reference laboratories as regards the need to adapt certain LODs. Those laboratories concluded that for certain commodities technical development permits the setting of lower LODs.

(5) 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.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2019/58. 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*

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

(7) 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

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 4 August 2019.

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

Done at Brussels, 14 January 2019.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

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

(1) In Annex II, the column for linuron is deleted.

(2) In Part B of Annex III, the column for linuron is deleted.

(3) In Annex V, the following column for linuron is added:

PESTICIDE RESIDUES AND MAXIMUM RESIDUE LEVELS (MG/KG)

Code number	**Groups and examples of individual products to which the MRLs apply[b]**	**Linuron**
(1)	(2)	(3)
0100000	**FRUITS, FRESH or FROZEN; TREE NUTS**	**0,01[a]**
0110000	**Citrus fruits**	
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others (2)	
0120000	**Tree nuts**	
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts/cobnuts	
0120070	Macadamias	
0120080	Pecans	
0120090	Pine nut kernels	
0120100	Pistachios	
0120110	Walnuts	

a Limit of analytical determination

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

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0120990	Others (2)	
0130000	**Pome fruits**	
0130010	Apples	
0130020	Pears	
0130030	Quinces	
0130040	Medlars	
0130050	Loquats/Japanese medlars	
0130990	Others (2)	
0140000	**Stone fruits**	
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others (2)	
0150000	**Berries and small fruits**	
0151000	(a) *grapes*	
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) *strawberries*	
0153000	(c) *cane fruits*	
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others (2)	
0154000	(d) *other small fruits and berries*	
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	

a Limit of analytical determination

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

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0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others (2)	
0160000	**Miscellaneous fruits with**	
0161000	(a) *edible peel*	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	
0161070	Jambuls/jambolans	
0161990	Others (2)	
0162000	(b) *inedible peel, small*	
0162010	Kiwi fruits (green, red, yellow)	
0162020	Litchis/lychees	
0162030	Passionfruits/maracujas	
0162040	Prickly pears/cactus fruits	
0162050	Star apples/cainitos	
0162060	American persimmons/ Virginia kaki	
0162990	Others (2)	
0163000	(c) *inedible peel, large*	

a Limit of analytical determination

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