Commission Regulation (EU) 2017/624 of 30 March 2017 amending Annexes II and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for bifenazate, daminozide and tolylfluanid in or on certain products (Text with EEA relevance)

COMMISSION REGULATION (EU) 2017/624

of 30 March 2017

amending Annexes II and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for bifenazate, daminozide and tolylfluanid 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) thereof,

Whereas:

(1) For bifenazate maximum residue levels (MRLs) were set in Annex II to Regulation (EC) No 396/2005. For daminozide and tolylfluanid MRLs were set in Annex V to that Regulation.

(2) For bifenazate, the European Food Safety Authority, hereinafter 'the Authority', submitted a reasoned opinion on the existing MRLs in accordance with Article 12(2) of Regulation (EC) No 396/2005 in conjunction with Article 12(1) thereof[(2)] By Regulation (EU) No 79/2014[(3)] the recommendations of the Authority on the review of the existing MRLs were implemented.

(3) For daminozide, the Authority, submitted a reasoned opinion on the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005[(4)] By Regulation (EU) No 87/2014[(5)] the recommendations of the Authority on the review of the existing MRLs were implemented.

(4) For tolylfluanid, the Authority, submitted a reasoned opinion on the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005[(6)] By Commission Regulation (EU) 2015/552[(7)] the recommendations of the Authority on the review of the existing MRLs were implemented.

(5) As regards products for which neither relevant authorisations nor import tolerances were reported at Union level nor Codex MRLs were available, the Authority concluded that further consideration by risk managers was required. Taking into account the current scientific and technical knowledge, MRLs for bifenazate were set under

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Regulation (EU) No 79/2014 at the specific limit of determination and MRLs for daminozide and tolylfluanid were set under Regulation (EU) No 87/2014 and Regulation (EU) 2015/552, at the default MRL in accordance with Article 18(1)(b) of Regulation (EC) No 396/2005.

(6) The Commission consulted the European Union reference laboratories as regards the need to adapt certain of these LODs. In case of complex residue definitions consisting of several components, each of the components must be analysed with an LOD that is technically feasible and as low as possible. If an MRL is established at the LOD, this LOD is the sum of the LODs for all components of the residue definition. As for bifenazate, daminozide and tolylfluanid, the residue definition is composed out of multiple components, those laboratories concluded that, taking into account the need to analyse all components of a residue definitions at a level that is technically feasible, the MRLs set at the LOD (sum of LODs of the components) should be increased.

(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 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*.

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

Done at Brussels, 30 March 2017.

For the Commission

The President

Jean-Claude JUNCKER

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ANNEX

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

(1) In Annex II the column for bifenazate is 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[b]**	**Bifenazate (sum of bifenazate plus bifenazate-diazene expressed as bifenazate) (F)**
(1)	(2)	(3)
0100000	**FRUITS, FRESH or FROZEN; TREE NUTS**	
0110000	**Citrus fruits**	0,9
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others	
0120000	**Tree nuts**	0,2
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts/cobnuts	
0120070	Macadamias	
0120080	Pecans	
0120090	Pine nut kernels	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others	
0130000	**Pome fruits**	0,7 (+)
0130010	Apples	
0130020	Pears	

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0130030	Quinces	
0130040	Medlars	
0130050	Loquats/Japanese medlars	
0130990	Others	
0140000	**Stone fruits**	2
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others	
0150000	**Berries and small fruits**	
0151000	(a) *grapes*	0,7
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) *strawberries*	3
0153000	(c) *cane fruits*	7
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others	
0154000	(d) *other small fruits and berries*	
0154010	Blueberries	0,7
0154020	Cranberries	0,7
0154030	Currants (black, red and white)	0,7
0154040	Gooseberries (green, red and yellow)	0,7
0154050	Rose hips	**0,02**[a]
0154060	Mulberries (black and white)	**0,02**[a]
0154070	Azaroles/Mediterranean medlars	0,7

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0154080	Elderberries	**0,02**[a]
0154990	Others	**0,02**[a]
0160000	**Miscellaneous fruits with**	**0,02**[a]
0161000	(a) *edible peel*	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	
0161070	Jambuls/jambolans	
0161990	Others	
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	
0163000	(c) *inedible peel, large*	
0163010	Avocados	
0163020	Bananas	
0163030	Mangoes	
0163040	Papayas	
0163050	Granate apples/ pomegranates	
0163060	Cherimoyas	
0163070	Guavas	
0163080	Pineapples	