Commission Regulation (EU) 2016/1355 of 9 August 2016 amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards thiacloprid (Text with EEA relevance)

COMMISSION REGULATION (EU) 2016/1355

of 9 August 2016

amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards thiacloprid

(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 thiacloprid, maximum residue levels (MRLs) were set in Annex II to Regulation (EC) No 396/2005.

(2) In the context of a procedure for the authorisation of the use of a plant protection product containing the active substance thiacloprid on rapeseed, an application was submitted in accordance with Article 6(1) of Regulation (EC) No 396/2005 for modification of the existing MRL in honey and other apiculture products.

(3) In accordance with Article 8 of Regulation (EC) No 396/2005, that application was evaluated by the Member State concerned and the evaluation report was forwarded to the Commission.

(4) The European Food Safety Authority, hereinafter 'the Authority', assessed the application and the evaluation report, examining in particular the risks to the consumer and, where relevant, to animals and gave a reasoned opinion on the proposed MRL[(2)]. It forwarded that opinion to the Commission and the Member States and made it available to the public.

(5) The Authority concluded that all requirements with respect to data were met and that the modification to the MRL requested by the applicant was 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 substance. Neither the lifetime exposure to this substance via consumption of all food products that may contain it nor the short-term exposure due to high consumption of the relevant product showed that there is a risk that the acceptable daily intake or the acute reference dose is exceeded.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2016/1355. 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) The Authority proposed several MRLs for honey, to be considered by the risk managers, which were based on, respectively, the field trials submitted by the applicant and Union wide monitoring data. As there is no risk to consumers, the MRL for thiacloprid in honey should be set at the level of 0,2 mg/kg on the basis of the available residue trials. The monitoring data are in a similar range and confirm such level.

(7) Based on the reasoned opinion of the Authority and taking into account the factors relevant to the matter under consideration, the appropriate modification to the MRL fulfils the requirements of Article 14(2) of Regulation (EC) No 396/2005.

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

(9) In order to minimise the potential market disruptions that may arise from the temporary application of the MRL for honey, set at the limit of determination by Commission Regulation (EU) 2015/1200[(3)], this Regulation should enter into force as soon as possible.

(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

Annex II to Regulation (EC) No 396/2005 is 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, 9 August 2016.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) 2016/1355. 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

In Annex II to Regulation (EC) No 396/2005, the column for thiacloprid 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]**	**Thiacloprid**
(1)	(2)	(3)
0100000	**FRUITS, FRESH or FROZEN; TREE NUTS**	
0110000	**Citrus fruits**	0,01[a]
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others	
0120000	**Tree nuts**	0,02[a]
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**	
0130010	Apples	0,3
0130020	Pears	0,3
0130030	Quinces	0,7
0130040	Medlars	0,7

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2016/1355. 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*

0130050	Loquats/Japanese medlars	0,7
0130990	Others	0,01[a]
0140000	**Stone fruits**	0,5
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others	
0150000	**Berries and small fruits**	
0151000	(a) *grapes*	0,01[a]
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) *strawberries*	1
0153000	(c) *cane fruits*	
0153010	Blackberries	1
0153020	Dewberries	1
0153030	Raspberries (red and yellow)	6
0153990	Others	0,01[a]
0154000	(d) *other small fruits and berries*	1
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	
0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others	
0160000	**Miscellaneous fruits with**	

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) 2016/1355. 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*

0161000	(a) *edible peel*	
0161010	Dates	0,01[a]
0161020	Figs	0,5
0161030	Table olives	4
0161040	Kumquats	0,01[a]
0161050	Carambolas	0,01[a]
0161060	Kaki/Japanese persimmons	0,01[a]
0161070	Jambuls/jambolans	0,01[a]
0161990	Others	0,01[a]
0162000	(b) *inedible peel, small*	
0162010	Kiwi fruits (green, red, yellow)	0,2
0162020	Litchis/lychees	0,01[a]
0162030	Passionfruits/maracujas	0,01[a]
0162040	Prickly pears/cactus fruits	0,01[a]
0162050	Star apples/cainitos	0,01[a]
0162060	American persimmons/ Virginia kaki	0,01[a]
0162990	Others	0,01[a]
0163000	(c) *inedible peel, large*	
0163010	Avocados	0,01[a]
0163020	Bananas	0,01[a]
0163030	Mangoes	0,01[a]
0163040	Papayas	0,5
0163050	Granate apples/pomegranates	0,01[a]
0163060	Cherimoyas	0,01[a]
0163070	Guavas	0,01[a]
0163080	Pineapples	0,01[a]
0163090	Breadfruits	0,01[a]
0163100	Durians	0,01[a]
0163110	Soursops/guanabanas	0,01[a]
0163990	Others	0,01[a]