Commission Regulation (EU) 2016/143 of 18 January 2016 amending Annex IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards COS-OGA, cerevisane, calcium hydroxide, lecithins, Salix spp cortex, vinegar, fructose, Pepino mosaic virus strain CH2 isolate 1906, Verticillium albo-atrum isolate WCS850 and Bacillus amyloliquefaciens subsp. plantarum strain D747 (Text with EEA relevance)

COMMISSION REGULATION (EU) 2016/143

of 18 January 2016

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(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 5(1) thereof,

Whereas:

(1) For COS-OGA, cerevisane, calcium hydroxide, lecithins, *Salix* spp cortex, vinegar, fructose, *Pepino mosaic* virus strain CH2 isolate 1906, *Verticillium albo-atrum* isolate WCS850 and *Bacillus amyloliquefaciens* subsp. *plantarum* strain D747 no specific MRLs were set. As those substances were not included in Annex IV to Regulation (EC) No 396/2005, the default value of 0,01 mg/kg laid down in Article 18(1)(b) of that Regulation applies.

(2) As regards COS-OGA, the European Food Safety Authority ('the Authority') concluded[(2)] that the inclusion of that substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(3) As regards cerevisane, the Authority concluded[(3)] that the inclusion of that substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(4) As regards *Pepino mosaic* virus strain CH2 isolate 1906, the Authority concluded[(4)] that the inclusion of that substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(5) Calcium-hydroxide is approved as basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council[(5)]. In view of

Changes to legislation: *Commission Regulation (EU) 2016/143 is up to date with all changes known to be in force on or before 28 December 2020. 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 Implementing Regulation (EU) 2015/762[(6)], the Commission considers that the inclusion of that substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(6) The basic substance 'lecithins' is approved in accordance with Regulation (EC) No 1107/2009. In view of Commission Implementing Regulation (EU) 2015/1116[(7)], the Commission considers that the inclusion of that substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(7) *Salix* spp cortex is approved as basic substance in accordance with Regulation (EC) No 1107/2009. In view of Commission Implementing Regulation (EU) 2015/1107[(8)], the Commission considers that the inclusion of that substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(8) Vinegar is approved as basic substance in accordance with Regulation (EC) No 1107/2009. In view of Commission Implementing Regulation (EU) 2015/1108[(9)], the Commission considers that the inclusion of that substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(9) Fructose is approved as basic substance in accordance with Regulation (EC) No 1107/2009. In view of Commission Implementing Regulation (EU) 2015/1392[(10)], the Commission considers that the inclusion of that substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(10) *Verticillium albo-atrum* isolate WCS850 was included in Annex I to Council Directive 91/414/EEC by Commission Directive 2008/113/EC[(11)] and is deemed to have been approved under Regulation (EC) No 1107/2009. Natural exposure to *Verticillium albo-atrum* isolate WCS850 is far higher than the exposure linked to the use of that substance as a plant protection product. The Authority concluded[(12)] that *Verticillium albo-atrum* isolate WCS850 is not known to be pathogenic to humans and does not produce any significant toxins or secondary metabolites during the manufacturing process. It is therefore appropriate to include that substance in Annex IV to Regulation (EC) No 396/2005.

(11) Commission Implementing Regulation (EU) No 1316/2014[(13)] approved the active substance *Bacillus amyloliquefaciens* subsp. *plantarum* strain D747. The Authority concluded[(14)] that as regards the dietary risk assessment for consumers some information was not available and further consideration by risk managers was required. The review report for that substance[(15)] stated that it is not pathogenic to humans and is not expected to produce toxins that are relevant for human health. It is therefore appropriate to include that substance in Annex IV to Regulation (EC) No 396/2005.

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

(13) 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: