# Commission Regulation (EU) 2015/868 of 26 May 2015 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 2,4,5-T, barban, binapacryl, bromophos-ethyl, camphechlor (toxaphene), chlorbufam, chloroxuron, chlozolinate, DNOC, di-allate, dinoseb, dinoterb, dioxathion, ethylene oxide, fentin acetate, fentin hydroxide, flucycloxuron, flucythrinate, formothion, mecarbam, methacrifos, monolinuron, phenothrin, propham, pyrazophos, quinalphos, resmethrin, tecnazene and vinclozolin in or on certain products (Text with EEA relevance)

## COMMISSION REGULATION (EU) 2015/868

## of 26 May 2015

## 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 2,4,5-T, barban, binapacryl, bromophos-ethyl, camphechlor (toxaphene), chlorbufam, chloroxuron, chlozolinate, DNOC, di-allate, dinoseb, dinoterb, dioxathion, ethylene oxide, fentin acetate, fentin hydroxide, flucycloxuron, flucythrinate, formothion, mecarbam, methacrifos, monolinuron, phenothrin, propham, pyrazophos, quinalphos, resmethrin, tecnazene and vinclozolin 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 2,4,5-T, barban, binapacryl, bromophos-ethyl, camphechlor (toxaphene), chlorbufam, chloroxuron, chlozolinate, DNOC, di-allate, dinoseb, dinoterb, dioxathion, ethylene oxide, fentin acetate, fentin hydroxide, flucythrinate, formothion, mecarbam, methacrifos, monolinuron, propham, pyrazophos, quinalphos, resmethrin and tecnazene maximum residue levels (MRLs) were set in Annex II and Part B of Annex III to Regulation (EC) No 396/2005. For flucycloxuron and phenothrin MRLs were set in Part A of Annex III to that Regulation. For vinclozolin MRLs were set in Annex V to that Regulation.

(2) All existing authorisations for plant protection products containing those active substances have been revoked. The Commission consulted the European Union reference laboratories as regards the need to adapt certain limits of determination (LODs). As regards several substances, those laboratories concluded that for certain commodities technical development permits the setting of lower LODs.

**Changes to legislation:** *There are outstanding changes not yet made to Commission Regulation (EU) 2015/868. 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*

(3) For binapacryl, dinoseb, fentin acetate and fentin hydroxide the European Union reference laboratories proposed to change the residue definition.

(4) For those 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.

(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.

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

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

(8) 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.

(9) 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.

*[X1 Article 2*

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were lawfully produced before 30 December 2015.]

**Editorial Information**

**X1** Substituted by Corrigendum to Commission Regulation (EU) 2015/868 of 26 May 2015 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 2,4,5-T, barban, binapacryl, bromophos-ethyl, camphechlor (toxaphene), chlorbufam, chloroxuron, chlozolinate, DNOC, di-allate, dinoseb, dinoterb, dioxathion, ethylene oxide, fentin acetate, fentin hydroxide, flucycloxuron, flucythrinate, formothion, mecarbam, methacrifos, monolinuron, phenothrin, propham, pyrazophos, quinalphos, resmethrin, tecnazene and vinclozolin in or on certain products (Official Journal of the European Union L 145 of 10 June 2015).

*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 30 December 2015.

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) 2015/868. 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*

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) 2015/868. 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 2,4,5-T, barban, binapacryl, bromophos-ethyl, camphechlor (toxaphene), chlorbufam, chloroxuron, chlozolinate, DNOC, di-allate, dinoseb, dinoterb, dioxathion, ethylene oxide, fentin acetate, fentin hydroxide, flucythrinate, formothion, mecarbam, methacrifos, monolinuron, propham, pyrazophos, quinalphos, resmethrin and tecnazene are deleted.

(2) Annex III is amended as follows:

(a) In Part A, the columns for flucycloxuron and phenothrin are deleted.

(b) In Part B, the columns for 2,4,5-T, barban, binapacryl, bromophos-ethyl, camphechlor (toxaphene), chlorbufam, chloroxuron, chlozolinate, DNOC, di-allate, dinoseb, dinoterb, dioxathion, ethylene oxide, fentin acetate, fentin hydroxide, flucythrinate, formothion, mecarbam, methacrifos, monolinuron, propham, pyrazophos, quinalphos, resmethrin and tecnazene are deleted.

(3) Annex V is amended as follows:

(a) the column for vinclozolin 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] | **Vinclozolin** |
|---|---|---|
| (1) | (2) | (3) |
| 0100000 | 1. **FRUIT FRESH OR FROZEN NUTS** | |
| 0110000 | (i) **Citrus fruit** | **0,01**[a] |
| 0110010 | Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except | |

**a** Indicates lower 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.

(f) = Fat soluble

**Vinclozolin**

(+) The applicable maximum residue level for horseradish (Armoracia rusticana) in the spice group (code 0840040) is the one set for horseradish (Armoracia rusticana) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

**0840040 Horseradish**

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| | | |
|---|---|---|
| | mineola), ugli and other hybrids) | |
| 0110020 | Oranges (Bergamot, bitter orange, chinotto and other hybrids) | |
| 0110030 | Lemons (Citron, lemon, Buddha's hand (Citrus medica var. sarcodactylis)) | |
| 0110040 | Limes | |
| 0110050 | Mandarins (Clementine, tangerine, mineola and other hybrids tangor (Citrus reticulata × sinensis)) | |
| 0110990 | Others | |
| 0120000 | (ii) **Tree nuts** | **0,02**[a] |
| 0120010 | Almonds | |
| 0120020 | Brazil nuts | |
| 0120030 | Cashew nuts | |
| 0120040 | Chestnuts | |
| 0120050 | Coconuts | |
| 0120060 | Hazelnuts (Filbert) | |
| 0120070 | Macadamia | |
| 0120080 | Pecans | |
| 0120090 | Pine nuts | |
| 0120100 | Pistachios | |
| 0120110 | Walnuts | |
| 0120990 | Others | |
| 0130000 | (iii) **Pome fruit** | **0,01**[a] |

**a** Indicates lower 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.

(f) = Fat soluble

**Vinclozolin**

(+) The applicable maximum residue level for horseradish (Armoracia rusticana) in the spice group (code 0840040) is the one set for horseradish (Armoracia rusticana) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

| | |
|---|---|
| **0840040** | **Horseradish** |