Commission Regulation (EU) 2015/845 of 27 May 2015 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for azoxystrobin, chlorantraniliprole, cyantraniliprole, dicamba, difenoconazole, fenpyroximate, fludioxonil, glufosinate-ammonium, imazapic, imazapyr, indoxacarb, isoxaflutole, mandipropamid, penthiopyrad, propiconazole, pyrimethanil, spirotetramat and trinexapac in or on certain products (Text with EEA relevance)

COMMISSION REGULATION (EU) 2015/845

of 27 May 2015

amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for azoxystrobin, chlorantraniliprole, cyantraniliprole, dicamba, difenoconazole, fenpyroximate, fludioxonil, glufosinate-ammonium, imazapic, imazapyr, indoxacarb, isoxaflutole, mandipropamid, penthiopyrad, propiconazole, pyrimethanil, spirotetramat and trinexapac 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) thereof,

Whereas:

(1) On 18 July 2014 the Codex Alimentarius Commission (CAC)[(2)] adopted Codex maximum residue limits (CXLs) for azoxystrobin, bentazone, chlorantraniliprole, clothianidin, cyantraniliprole, cyproconazole, dicamba, difenoconazole, diquat, dithianon, fenbuconazole, fenpyroximate, fludioxonil, glufosinate-ammonium, glyphosate, imazapic, imazapyr, indoxacarb, isoxaflutole, malathion, mandipropamid, penthiopyrad, propiconazole, pyrimethanil, spirotetramat, sulfoxaflor, tolfenpyrad, triazophos, triflumizole and trinexapac.

(2) Maximum residue levels (MRLs) are set for those substances in Regulation (EC) No 396/2005 except for cyantraniliprole, sulfoxaflor and tolfenpyrad. As cyantraniliprole, sulfoxaflor and tolfenpyrad are 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) applies.

(3) In accordance with the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), MRLs should be adapted to international standards, except where there is a scientific justification to maintain a higher level of protection than provided by an international standard.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) 2015/845. 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*

(4) Accordingly, the Union presented a reservation to the Codex Committee on Pesticides Residues (CCPR) on the CXLs proposed for the following pesticide/product combinations: bentazone (all products); chlorantraniliprole (eggs; peas; coffee beans; hops); clothianidin (all products); cyantraniliprole (leafy vegetables, except lettuce head; fruiting vegetables other than cucurbits); difenoconazole (brassica vegetables; melons; fruiting vegetables, other than cucurbits; mammalian edible offal; mammalian meat; eggs; milks; potatoes); diquat (dry peas; potatoes; soya bean); dithianon (all products); fenbuconazole (all products); fenpyroximate (mammalian meat, mammalian edible offal; stone fruits); fludioxonil (chilli peppers; cucurbits); glyphosate (all products); imazapic (products of animal origin); malathion (all products); penthiopyrad (products of animal origin); propiconazole (plums); spirotetramat (bush berries); sulfoxaflor (all products); tolfenpyrad (all products); triazophos (all products); triflumizole (all products) and trinexapac (mammalian edible offal).

(5) CXLs for azoxystrobin, chlorantraniliprole, cyantraniliprole, dicamba, difenoconazole, fenpyroximate, fludioxonil, glufosinate-ammonium, imazapic, imazapyr, indoxacarb, isoxaflutole, mandipropamid, penthiopyrad, propiconazole, pyrimethanil, spirotetramat and trinexapac should therefore be included in Regulation (EC) No 396/2005 as MRLs except where they relate to products which are not set out in Annex I to that Regulation or where they are set at a lower level than the current MRLs. Those CXLs are safe for consumers in the Union[(3)].

(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 and III 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, 27 May 2015.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EU) 2015/845. 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*

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ANNEX

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

(1) In Annex II, the columns for azoxystrobin, fludioxonil, indoxacarb, isoxaflutole, propiconazole, pyrimethanil and trinexapac are 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[a]**	**Azoxystrobin**	**Fludioxonil (F) (R)**	**Indoxacarb (sum of indoxacarb and its R enantiomer) (F)**	**Isoxaflutole (sum of isoxaflutole and its diketonitrile-metabolite, expressed as isoxaflutole)**	**Propiconazole (R)**	**Pyrimethanil (R)**	**Trinexapac (sum of trinexapac (acid) and its salts, expressed as trinexapac)**
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
0100000	1. **FRESH OR FROZEN NUTS**	**FRUIT**			0,02[b]			0,01[b]
0110000	(i) **fruit**	15 **Citrus**	10	0,02[b]			8	
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)					6		
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)					9		
0110030	Lemons (Citron,					6		

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	lemon, Buddha's hand (Citrus medica var. sarcodactylis))							
0110040	Limes					6		
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids tangor (Citrus reticulata x sinensis))					6		
0110990	Others					6		
0120000	(ii) **nuts**	**Tree**		0,02[b]		0,05[b]		
0120010	Almonds	0,1[b]	0,01[b]				0,2	
0120020	Brazil nuts	0,1[b]	0,01[b]				0,02[b]	
0120030	Cashew nuts	0,1[b]	0,01[b]				0,02[b]	
0120040	Chestnuts	0,1[b]	0,01[b]				0,02[b]	
0120050	Coconuts	0,1[b]	0,01[b]				0,02[b]	
0120060	Hazelnuts (Filbert)	0,1[b]	0,01[b]				0,02[b]	
0120070	Macadamia	0,1[b]	0,01[b]				0,02[b]	
0120080	Pecans	0,1[b]	0,01[b]				0,02[b]	
0120090	Pine nuts	0,1[b]	0,01[b]				0,02[b]	
0120100	Pistachios	1	0,2				0,2	
0120110	Walnuts	0,1[b]	0,01[b]				0,02[b]	
0120990	Others	0,1[b]	0,01[b]				0,02[b]	
0130000	(iii) **fruit**	0,05[b] **Pome**	5				15	