Commission Regulation (EU) 2015/165 of 3 February 2015 amending Annex IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for lactic acid, Lecanicillium muscarium strain Ve6, chitosan hydrochloride and Equisetum arvense L. in or on certain products (Text with EEA relevance)

COMMISSION REGULATION (EU) 2015/165

of 3 February 2015

amending Annex IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for lactic acid, *Lecanicillium muscarium* strain Ve6, chitosan hydrochloride and *Equisetum arvense* L. 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 5(1) thereof,

Whereas:

(1) For lactic acid, *Lecanicillium muscarium* strain Ve6, chitosan hydrochloride and *Equisetum arvense* L., no specific MRLs were set nor were the substances included in Annex IV to Regulation (EC) No 396/2005, so the default value of 0,01 mg/kg laid down in Article 18(1)(b) of that Regulation applies.

(2) Chitosan hydrochloride is approved as basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council[(2)]. In view of Commission Implementing Regulation (EU) No 563/2014[(3)], the Commission considers that the inclusion of such substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(3) *Equisetum arvense* L. is approved as basic substance in accordance with Regulation (EC) No 1107/2009. In view of Commission Implementing Regulation (EU) No 462/2014[(4)], the Commission considers that the inclusion of such substance in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(4) Lactic acid is approved as a food additive in accordance with Regulation (EC) No 1333/2008 of the European Parliament and of the Council[(5)]. In view of Commission Regulation (EU) No 1129/2011[(6)], the Commission considers that the inclusion of lactic acid in Annex IV to Regulation (EC) No 396/2005 is appropriate.

Changes to legislation: *Commission Regulation (EU) 2015/165 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*

(5) As regards *Lecanicillium muscarium* strain Ve6, the European Food Safety Authority (the Authority) concluded[7] that its inclusion in Annex IV to Regulation (EC) No 396/2005 is appropriate.

(6) Based on the conclusion of the Authority and taking into account the factors relevant to the matter under consideration, the appropriate modifications to the MRLs fulfil the relevant requirements of Article 5(1) and Article 14(2) of Regulation (EC) No 396/2005.

(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

In Annex IV, the entries: ‘lactic acid ([2])’, ‘*Lecanicillium muscarium* strain Ve6’, ‘chitosan hydrochloride’, and ‘*Equisetum arvense* L.’ are added, in alphabetical order.

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, 3 February 2015.

For the Commission

The President

Jean-Claude JUNCKER