Commission Regulation (EU) No 617/2014 of 3 June 2014 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 ethoxysulfuron, metsulfuron-methyl, nicosulfuron, prosulfuron, rimsulfuron, sulfosulfuron and thifensulfuron-methyl in or on certain products (Text with EEA relevance)

COMMISSION REGULATION (EU) No 617/2014

of 3 June 2014

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 ethoxysulfuron, metsulfuron-methyl, nicosulfuron, prosulfuron, rimsulfuron, sulfosulfuron and thifensulfuron-methyl 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 ethoxysulfuron, metsulfuron-methyl, prosulfuron, rimsulfuron, sulfosulfuron and thifensulfuron-methyl maximum residue levels (MRLs) were set in Annex II and Part B of Annex III to Regulation (EC) No 396/2005. For nicosulfuron MRLs were set in Part A of Annex III to that Regulation.

(2) For ethoxysulfuron, the European Food Safety Authority, hereinafter 'the Authority', submitted a reasoned opinion on the existing MRLs in accordance with Article 12(2) of Regulation (EC) No 396/2005 in conjunction with Article 12(1) thereof[(2)]. It concluded that concerning the MRL for rice some information was not available and that further consideration by risk managers was required. As there is no risk for consumers, the MRL for that product should be set in Annex II to Regulation (EC) No 396/2005 at the specific limit of determination. This MRL will be reviewed; the review will take into account the information available within two years from the publication of this Regulation.

(3) For metsulfuron-methyl, the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(2) of Regulation (EC) No 396/2005 in conjunction with Article 12(1) thereof[(3)]. It recommended lowering the MRLs for barley grain, oat grain, rice grain, rye grain and wheat grain. It recommended, for certain products, raising or keeping the existing MRLs or setting MRLs at the level identified by the Authority. It concluded that concerning the MRL for linseed some information was not

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available and that further consideration by risk managers was required. As there is no risk for consumers, the MRL for this product should be set in Annex II to Regulation (EC) No 396/2005 at the existing level or the level identified by the Authority. This MRL will be reviewed; the review will take into account the information available within two years from the publication of this Regulation.

(4) For nicosulfuron, the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005[(4)]. It concluded that concerning the MRLs for maize grain and sweet corn some information was not available and that further consideration by risk managers was required. As there is no risk for consumers, MRLs for those products should be set in Annex II to Regulation (EC) No 396/2005 at the existing level or the level identified by the Authority. Those MRLs will be reviewed; the review will take into account the information available within two years from the publication of this Regulation.

(5) For prosulfuron, the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(2) of Regulation (EC) No 396/2005 in conjunction with Article 12(1) thereof[(5)]. It recommended lowering the MRLs for sweet corn, maize, millet and sorghum. It concluded that concerning the MRLs for barley and wheat (Spelt, triticale) some information was not available and that further consideration by risk managers was required. As there is no risk for consumers, MRLs for those products should be set in Annex II to Regulation (EC) No 396/2005 at the existing level or the level identified by the Authority. Those MRLs will be reviewed; the review will take into account the information available within two years from the publication of this Regulation.

(6) For rimsulfuron, the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(2) of Regulation (EC) No 396/2005 in conjunction with Article 12(1) thereof[(6)]. It recommended lowering the MRLs for potatoes, tomatoes, sweet corn, maize grain and chicory roots.

(7) For sulfosulfuron, the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(2) of Regulation (EC) No 396/2005 in conjunction with Article 12(1) thereof[(7)]. It concluded that concerning the MRL for potatoes no information was available and that further consideration by risk managers was required. The MRL for potatoes should be set at the specific limit of determination or at the default MRL as set out in Article 18(1)(b) of Regulation (EC) No 396/2005. The Authority concluded that concerning the MRLs for rye grain and wheat grain some information was not available and that further consideration by risk managers was required. As there is no risk for consumers, the MRLs for rye grain and wheat grain should be set in Annex II to Regulation (EC) No 396/2005 at the specific limit of determination. Those MRLs will be reviewed; the review will take into account the information available within two years from the publication of this Regulation.

(8) For thifensulfuron-methyl, the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(2) of Regulation (EC) No 396/2005 in conjunction with Article 12(1) thereof[(8)]. It recommended lowering the MRLs for soya bean, barley grain, maize grain, millet grain, oat grain, rye grain, sorghum grain and wheat grain.

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It recommended, for certain products, raising or keeping the existing MRLs or setting MRLs at the level identified by the Authority. The Authority concluded that concerning the MRL for linseed no information was available and that further consideration by risk managers was required. The MRL for linseed should be set at the specific limit of determination or at the default MRL as set out in Article 18(1)(b) of Regulation (EC) No 396/2005.

(9) As regards products of plant and animal origin for which neither relevant authorisations nor import tolerances were reported at Union level nor Codex MRLs were available, the Authority concluded that further consideration by risk managers was required. Taking into account the current scientific and technical knowledge, MRLs for those products should be set at the specific limit of determination or at the default MRL as laid down in Article 18(1)(b) of Regulation (EC) No 396/2005.

(10) The Commission consulted the European Union reference laboratories for residues of pesticides as regards the need to adapt certain limits of determination. As regards several substances, those laboratories concluded that for certain commodities technical development requires the setting of specific limits of determination.

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

(12) 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.

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

(14) 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.

(15) 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.

(16) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

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

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 2 January 2015.

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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 2 January 2015.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 June 2014.

For the Commission

The President

José Manuel BARROSO

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ANNEX

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

(1) Annex II is amended as follows:

(a) the columns for ethoxysulfuron, metsulfuron-methyl, prosulfuron, rimsulfuron, sulfosulfuron and thifensulfuron-methyl 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]	**Ethoxysulfuron**	**Metsulfuron-methyl**	**Prosulfuron**	**Rimsulfuron**	**Sulfosulfuron**	**Thifensulfuron-methyl**
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
0100000	1. **FRESH OR FROZEN NUTS**	**FRUIT**	**0,01**[b]				**0,01**[b]
0110000	(i) **fruit**	**0,01**[b] **Citrus**		**0,01**[b]	**0,01**[b]	**0,01**[b]	
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)						
0110020	Oranges (Bergamot, bitter orange, chinotto and						