Commission Regulation (EU) No 212/2013 of 11 March 2013 replacing Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards additions and modifications with respect to the products covered by that Annex (Text with EEA relevance)

COMMISSION REGULATION (EU) No 212/2013

of 11 March 2013

replacing Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards additions and modifications with respect to the products covered by that Annex

(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 and on food and feed of plant and animal origin and amending Council Directive 91/414/EEC[(1)], and in particular Article 4 thereof,

Whereas:

(1) Several Member States have requested modifications and additions in Annex I to Regulation (EC) No 396/2005, in the column ‘Examples of related varieties or other products to which the same MRL applies’.

(2) Those additions are necessary in order to include in Annex I to Regulation (EC) No 396/2005 new fruits, vegetables and cereals which have become available on the market in the Member States.

(3) It is appropriate to add the following fruits, vegetables, cereals and animal products: Buddha’s hand, tangor, red date/Chinese date/Chinese jujube, tayberries, longan, langsat, salak, crosne, edible burdock, other bulb onions, other green onions, antroewa/white eggplant, sopropo/bitter melon, angled luffa/teroi, snake gourd, lauki, chayote, marrow (late variety), baby corn, mung bean sprouts, alfalfa sprouts, dandelion greens, kohlrabi leaves, tajer leaves, bitterblad/bitawiri, malabar nightshade, banana leaves, morning glory/Chinese convolvulus/water convolvulus/water spinach/kangkung, water clover, water mimosa, cilantro/stinking/long coriander/stink weed, leaves of root parsley, holy basil, sweet basil, hairy basil, lemon grass, pennywort, wild betel leaf, curry leaves, banana flower, guar beans, fresh soya beans, Indian/wild rice, borage leaves and stems, climbing wattle, fungus mycelium, purple viper’s bugloss/Canary flower, finger millet, pearl millet, Canary grass seeds, green pepper, deer and comb honey.

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(4) For consistency it is appropriate to move wild game from the category 'Other farm animals' to 'Other terrestrial animal products', and edible flowers from the category 'others' to a category representing an example of a crop.

(5) In order to better apply rules on international taxonomical nomenclature it is appropriate to adapt the Latin names for pistachios, apples, cherries, strawberries, dewberries, blueberries, kumquats, potatoes, yams, beetroot, peppers, okra, broccoli, head cabbage, Chinese cabbage, kale, kohlrabi, scarole, rucola, leaves and sprouts of brassica, beet leaves, witloof, celery leaves, basil, palm hearts, sorghum, coffee beans, rose petals, jasmine flowers, lime (linden), rooibos leaves, dill, Sichuan pepper, cinnamon, turmeric, sugar beet and banana.

(6) Taking into account requests from interested parties and enforcement bodies and in view of the form in which the products occur on the market, some amendments should be made as regards the parts of the products to which the MRLs are to apply.

(7) It is appropriate to provide for such amendments as regards tea, cocoa beans, hops, kohlrabi and for *products* of animal origin.

(8) In the interest of clarity, it is appropriate to replace Annex I to Regulation (EC) No 396/2005.

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

(10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 396/2005 is replaced by the text in 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*.

Done at Brussels, 11 March 2013.

For the Commission

The President

José Manuel BARROSO

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ANNEX

‘ANNEX IProducts of plant and animal origin referred to in Article 2(1)The code number is introduced by this Annex and is intended to set a classification under this and other related Annexes to Regulation (EC) No 396/2005.The scientific name of the items listed in the column ‘Examples of individual products within the groups to which the MRLs apply’, where possible and relevant, is mentioned. As much as possible the International System of Nomenclature for Cultivated Plants is followed.The word ‘others’ covers anything not explicitly mentioned under the rest of the codes within ‘Groups to which the MRLs apply’.MRLs in Annexes II and III for the product do not apply to products or parts of the product used exclusively as ingredients for animal feed, until separate MRLs will be applicable.As of 1 January 2017 the MRLs shall apply also to kohlrabi leaves.As long as not specified in other commodity groups.In all cases the MRL values are expressed as mg/kg of raw milk.Where the residue definition is marked as fat soluble (by letter F) the MRL is based on raw cow milk with a fat content of 4 % by weight; for raw milk of other species the MRL value shall be adjusted proportionally according to the fat content of the raw milk of that species.In all cases the MRL values are expressed as mg/kg of eggs.Where the residue definition is marked as fat soluble (with F) the MRL is based on hens eggs with a fat content of 10 % by weight; for eggs of other species the MRL value shall be adjusted proportionally according to the fat content of the eggs of that species, if the fat content is higher than 10 % by weight.MRLs not applicable until the individual products are identified and listed.’Code numberGroups to which the MRLs applyExamples of individual products within the groups to which the MRLs applyScientific NameExamples of related varieties or other products to which the same MRL appliesParts of the products to which the MRLs apply01000001.

FRUIT FRESH OR FROZEN; NUTS

0110000(i)

Citrus fruit

Whole product0110010GrapefruitCitrus paradisiShaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids0110020OrangesCitrus sinensisBergamot, bitter orange, chinotto and other hybrids0110030LemonsCitrus limonCitron, lemon, Buddha’s hand (Citrus medica var. sarcodactylis)0110040LimesCitrus aurantifolia0110050MandarinsCitrus reticulataClementine, tangerine, mineola and other hybrids; tangor (Citrus reticulata x sinensis)0110990Others0120000(ii)

Tree nuts

Whole product after removal of shell (except chestnuts)0120010AlmondsPrunus dulcis0120020Brazil nutsBertholletia excelsa0120030Cashew nutsAnacardium occidentale0120040ChestnutsCastanea sativa0120050CoconutsCocos nucifera0120060HazelnutsCorylus avellanaFilbert0120070MacadamiaMacadamia ternifolia0120080PecansCarya illinoensis0120090Pine nutsPinus pinea0120100PistachiosPistacia vera0120110WalnutsJuglans regia0120990Others0130000(iii)

Pome fruit

Whole product after removal of stems0130010ApplesMalus domesticaCrab apple0130020PearsPyrus communisOriental pear0130030QuincesCydonia oblonga0130040MedlarMespilus germanica0130050LoquatEriobotrya japonica0130990Others0140000(iv)

Stone fruit

Whole product after removal of stems0140010ApricotsPrunus armeniaca0140020CherriesPrunus avium, Prunus cerasusSweet cherries, sour cherries0140030PeachesPrunus persicaNectarines and similar hybrids0140040PlumsPrunus domesticaDamson, greengage, mirabelle, sloe, red date/Chinese date/Chinese jujube (Ziziphus zizyphus)0140990Others0150000(v)

Berries & small fruit

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Whole product after removal of caps/crowns and stems except in the case of currants: fruits with stems0151000(a)

Table and wine grapes

0151010Table grapesVitis vinifera0151020Wine grapesVitis vinifera0152000(b)

Strawberries

Fragaria spp.0153000(c)

Cane fruit

0153010BlackberriesRubus fruticosus0153020DewberriesRubus caesiusLoganberries, tayberries, boysenberries, cloudberries and other Rubus hybrids0153030RaspberriesRubus idaeusWineberries, arctic bramble/raspberry, (Rubus arcticus), nectar raspberries (Rubus arcticus x Rubus idaeus)0153990Others0154000(d)

Other small fruit & berries

0154010BlueberriesVaccinium spp. except V. macrocarpon and V. vitis-idaeaBilberries0154020CranberriesVaccinium macrocarponCowberries/red bilberries (V. vitis-idaea)0154030Currants (red, black and white)Ribes nigrum, Ribes rubrum0154040GooseberriesRibes uva-crispaIncluding hybrids with other Ribes species0154050Rose hipsRosa canina0154060MulberriesMorus spp.Arbutus berry0154070Azarole (mediteranean medlar)Crataegus azarolusKiwiberry (Actinidia arguta)0154080ElderberriesSambucus nigraBlack chokeberry/appleberry, mountain ash, buckthorn/sea sallowthorn, hawthorn, serviceberries, and other treeberries0154990Others0160000(vi)

Miscellaneous fruit

Whole product after removal of stems, or crown (pineapples)0161000(a)

Edible peel

0161010DatesPhoenix dactylifera0161020FigsFicus carica0161030Table olivesOlea europaea0161040KumquatsFortunella spp.Marumi kumquats, nagami kumquats, limequats (Citrus aurantifolia x Fortunella spp.)0161050CarambolaAverrhoa carambolaBilimbi0161060PersimmonDiospyros kaki0161070Jambolan (java plum),Syzygium cuminiJava apple/water apple, pomerac, rose apple, Brazilean cherry, Surinam cherry/ grumichama (Eugenia uniflora)0161990Others0162000(b)

Inedible peel, small

0162010KiwiActinidia deliciosa syn. A. chinensis0162020Lychee (Litchi)Litchi chinensisPulasan, rambutan/hairy litchi, longan, mangosteen, langsat, salak0162030Passion fruitPassiflora edulis0162040Prickly pear (cactus fruit)Opuntia ficus-indica0162050Star appleChrysophyllum cainito0162060American persimmon (Virginia kaki)Diospyros virginianaBlack sapote, white sapote, green sapote, canistel/yellow sapote, mammey sapote0162990Others0163000(c)

Inedible peel, large

0163010AvocadosPersea americana0163020BananasMusa x paradisiaca, M. acuminataDwarf banana, plantain, apple banana0163030MangoesMangifera indica0163040PapayaCarica papaya0163050PomegranatePunica granatum0163060CherimoyaAnnona cherimolaCustard apple, sugar apple/sweetsop, ilama (Annona diversifolia) and other medium sized Annonaceae fruits0163070GuavaPsidium guajavaRed pitaya/dragon fruit (Hylocereus undatus)0163080PineapplesAnanas comosus0163090Bread fruitArtocarpus altilisJackfruit0163100DurianDurio zibethinus0163110Soursop (guanabana)Annona muricata0163990Others02000002.

VEGETABLES FRESH OR FROZEN

0210000(i)

Root and tuber vegetables

Whole product after removal of tops (if any) and adhering soil0211000(a)

Potatoes

Solanum tuberosum0212000(b)

Tropical root and tuber vegetables

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0212010CassavaManihot esculentaDasheen, eddoe/Japanese taro, tannia0212020Sweet potatoesIpomoea batatas0212030YamsDioscorea spp.Potato bean/yam bean, Mexican yam bean0212040ArrowrootMaranta arundinacea0212990Others,0213000(c)

Other root and tuber vegetables except sugar beet

0213010BeetrootBeta vulgaris subsp. vulgaris var. conditiva0213020CarrotsDaucus carota0213030CeleriacApium graveolens var. rapaceum0213040HorseradishArmoracia rusticanaAngelica roots, lovage roots, gentiana roots0213050Jerusalem artichokesHelianthus tuberosusCrosne0213060ParsnipsPastinaca sativa0213070Parsley rootPetroselinum crispum0213080RadishesRaphanus sativus var. sativusBlack radish, Japanese radish, small radish and similar varieties, tiger nut (Cyperus esculentus)0213090SalsifyTragopogon porrifoliusScorzonera, Spanish salsify/Spanish oysterplant, edible burdock0213100SwedesBrassica napus var. napobrassica0213110TurnipsBrassica rapa0213990Others0220000(ii)

Bulb vegetables

Whole product after removal of easily detachable skin and soil (when dry) or roots and soil (when fresh)0220010GarlicAllium sativum0220020OnionsAllium cepaOther bulb onions, silverskin onionsBulbs0220030ShallotsAllium ascalonicum (Allium cepa var. aggregatum)0220040Spring onions and welsh onionsAllium cepa; Allium fistulosumOther green onions and similar varietiesBulbs with pseudostems and leaves0220990Others0230000(iii)

Fruiting vegetables

Whole product after removal of stems (in case of sweet corn without husks and in case of physalis without sepals)0231000(a)

Solanacea

0231010TomatoesLycopersicum esculentumCherry tomatoes, Physalis spp., gojiberry, wolfberry (Lycium barbarum and L. chinense), tree tomato0231020PeppersCapsicum annuum var. grossum and var. longumChilli peppers0231030Aubergines (egg plants)Solanum melongenaPepino, antroewa/white eggplant (S. macrocarpon)0231040Okra (lady's fingers)Abelmoschus esculentus0231990Others0232000(b)

Cucurbits — edible peel

0232010CucumbersCucumis sativus0232020GherkinsCucumis sativus0232030CourgettesCucurbita pepo var. melopepoSummer squash, marrow (patisson), lauki (Lagenaria siceraria), chayote, sopropo/bitter melon, snake gourd, angled luffa/ teroi0232990Others0233000(c)

Cucurbits-inedible peel

0233010MelonsCucumis meloKiwano0233020PumpkinsCucurbita maximaWinter squash, marrow (late variety)0233030WatermelonsCitrullus lanatus0233990Others0234000(d)

Sweet corn

Zea mays var. sacharataBaby cornKernels plus cob without husks0239000(e)

Other fruiting vegetables

0240000(iv)

Brassica vegetables

0241000(a)

Flowering brassica

Curd only0241010BroccoliBrassica oleracea var. italicaCalabrese, Broccoli raab, Chinese broccoli0241020CauliflowerBrassica oleracea var. botrytis0241990Others0242000(b)

Head brassica

Whole plant after removal of roots and decayed leaves0242010Brussels sproutsBrassica oleracea var. gemmiferaOnly cabbage buttons0242020Head cabbageBrassica oleracea convar. capitataPointed head cabbage, red cabbage, savoy cabbage, white cabbage0242990Others0243000(c)

Leafy brassica