Changes to legislation: *Commission Regulation (EU) No 460/2011 is up to date with all changes known to be in force on or before 24 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*

Commission Regulation (EU) No 460/2011 of 12 May 2011 amending Annex III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards the maximum residue level for chlorantraniliprole (DPX E-2Y45) in or on carrots (Text with EEA relevance)

COMMISSION REGULATION (EU) No 460/2011

of 12 May 2011

amending Annex III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards the maximum residue level for chlorantraniliprole (DPX E-2Y45) in or on carrots

(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 18(4) thereof,

Whereas:

(1) For chlorantraniliprole (DPX E-2Y45) MRLs are set in Part A of Annex III to Regulation (EC) No 396/2005.

(2) In accordance with Article 8(4) of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market[(2)], on 23 August 2010 France notified to the Commission the temporary authorisation of a plant protection product containing chlorantraniliprole (DPX E-2Y45) to be used on carrots to control carrot flies, a danger that was unforeseeable and could not be contained by any other means. Consequently, France has notified to the other Member States, the Commission and the European Food Safety Authority (hereinafter 'the Authority') in accordance with Article 18(4) of Regulation (EC) No 396/2005 that it has authorised the placing on the market in its territory of carrots containing pesticide residues higher than the applicable MRL. France also submitted an appropriate risk assessment concluding that such carrots do not constitute an unacceptable risk, in particular that the proposed increased residue level does not lead to a risk for any consumer.

(3) The Authority assessed the risk assessment submitted by France, examining in particular the risks to the consumer and where relevant to animals. The Authority gave a reasoned opinion on the proposed MRL[(3)]. In this opinion the Authority found the proposed MRL acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups.

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(4) Based on the reasoned opinion of the Authority and taking into account the factors relevant to the matter, it is considered that the proposed MRL fulfils the requirements of Article 18(4) of Regulation (EC) No 396/2005.

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

(6) 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 III to Regulation (EC) No 396/2005 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following 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, 12 May 2011.

For the Commission

The President

José Manuel BARROSO

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ANNEX

In Part A of Annex III to Regulation (EC) No 396/2005 the column for chlorantraniliprole (DPX E-2Y45) 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**[a]	**Chlorantraniliprole(DPX E-2Y45)**
(1)	(2)	(3)
0100000	1. **FRUIT FRESH OR FROZEN; NUTS**	
0110000	(i) **Citrus fruit**	0,01[b]
0110010	Grapefruit (shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)	
0110020	Oranges (bergamot, bitter orange, chinotto and other hybrids)	
0110030	Lemons (citron, lemon)	
0110040	Limes	
0110050	Mandarins (clementine, tangerine, mineola and other hybrids)	
0110990	Others	
0120000	(ii) **Tree nuts (shelled or unshelled)**	0,05
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts (filbert)	
0120070	Macadamia	
0120080	Pecans	
0120090	Pine nuts	

a For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

b Indicates lower limit of analytical determination.

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0120100	Pistachios	
0120110	Walnuts	
0120990	Others	
0130000	(iii) **Pome fruit**	0,5
0130010	Apples (crab apple)	
0130020	Pears (oriental pear)	
0130030	Quinces	
0130040	Medlar	
0130050	Loquat	
0130990	Others	
0140000	(iv) **Stone fruit**	1
0140010	Apricots	
0140020	Cherries (sweet cherries, sour cherries)	
0140030	Peaches (nectarines and similar hybrids)	
0140040	Plums (damson, greengage, mirabelle, sloe)	
0140990	Others	
0150000	(v) **Berries and small fruit**	
0151000	(a) *Table and wine grapes*	1
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) *Strawberries*	0,01[b]
0153000	(c) *Cane fruit*	0,01[b]
0153010	Blackberries	
0153020	Dewberries (loganberries, boysenberries, and cloudberries)	
0153030	Raspberries (wineberries, arctic bramble/raspberry,	

a For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

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	(*Rubus arcticus*), nectar raspberries (*Rubus arcticus* x *idaeus*))	
0153990	Others	
0154000	(d) *Other small fruit and berries*	0,01[b]
0154010	Blueberries (bilberries)	
0154020	Cranberries (cowberries (red bilberries))	
0154030	Currants (red, black and white)	
0154040	Gooseberries (including hybrids with other ribes species)	
0154050	Rose hips	
0154060	Mulberries (arbutus berry)	
0154070	Azarole (Mediterranean medlar) (kiwiberry (*Actinidia arguta*))	
0154080	Elderberries (black chokeberry (appleberry), mountain ash, buckthorn (sea sallowthorn), hawthorn, service berries, and other treeberries)	
0154990	Others	
0160000	(vi) **Miscellaneous fruit**	0,01[b]
0161000	(a) *Edible peel*	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats (marumi kumquats, nagami kumquats, limequats (*Citrus aurantifolia* x *Fortunella* spp.))	
0161050	Carambola (bilimbi)	
0161060	Persimmon	

a For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

b Indicates lower limit of analytical determination.