Commission Regulation (EU) No 600/2010 of 8 July 2010 amending Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards additions and modification of the examples of related varieties or other products to which the same MRL applies (Text with EEA relevance)

COMMISSION REGULATION (EU) No 600/2010

of 8 July 2010

amending Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards additions and modification of the examples of related varieties or other products to which the same MRL applies

(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 minor 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) These modifications and additions are necessary 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: mineola, sloe, arctic bramble, nectar raspberry, physalis, limequats, mangosteen, dragon fruit (red pitaya), tiger nut (chufa), kiwiberry, lovage roots, angelica roots, gentiana roots, tree tomato, gojiberry, wolfberry, choi sum, portuguese kale, portuguese cabbage, leaves of peas and radish, amaranthus spinach and seeds, agretti, seeds of cucurbitacea other than pumpkin, quinoa, elderflowers, ginkgo leaves, edible flowers, mint and game. Cowberries are moved from the category blueberries into the category cranberries. The Latin name for grapes is changed according to the international nomenclature.

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

(5) 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,

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) No 600/2010. 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*

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 20th 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, 8 July 2010.

For the Commission

The President

José Manuel BARROSO

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ANNEX

‘ANNEXProducts 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 of 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 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 Annex II and III for the product apply only for the product when used for human consumption. For parts of the product used exclusively as ingredients for animal feed, separate MRLs will be applicable.Where the pesticide and/or metabolites (included in the residue definition) is/are water soluble (log Pow less than 3) the MRL is expressed as mg/kg of meat (including fat), preparations of meat, offal and animal fats. Where the pesticide and/or metabolite (included in the residue definition) is/are fat soluble (log Pow greater than or equal to 3) the MRL is expressed as mg/kg of fat contained in the meat, preparations of meat, offal and animal fats. In the case of foodstuffs with a fat content of 10 % or less by weight, the residue is related to the total weight of the boned foodstuff. In such cases, the maximum level is one-tenth of the value related to fat content, but must be no less than 0,01 mg/kg. The latter does not apply when the MRL is set at the LOD.Where the pesticide and/or metabolites (included in the residue definition) is/are water soluble (log Pow less than 3) the MRL is expressed as mg/kg of milk and milk products. Where the pesticide and/or metabolite (included in the residue definition) is/are fat soluble (log Pow greater than or equal to 3) the MRL is expressed as mg/kg of cow’s milk and whole cream cow’s milk. In determining the residues in raw cow’s milk and whole cream cow’s milk, a fat content of 4 % by weight should be taken as a basis. For raw milk and whole cream milk of another animal origin the residues are expressed on the basis of the fat. For the other foodstuffs listed with a fat content of less than 2 % by weight, the maximum level is taken as half that set for raw milk and whole cream milk, with a fat content of 2 % or more by weight, the maximum level is expressed in mg/kg of fat. In such cases, the maximum level is 25 times that set for raw milk and whole cream milk. The latter does not apply when the MRL is set at the LOD.Where the pesticide and/or metabolites (included in the residue definition) is/are water soluble (log Pow less than 3) the MRL is expressed as mg/kg of shelled fresh eggs, for bird’s eggs and egg yolks; Where the pesticide/or metabolite (included in the residue definition) is/are fat soluble (log Pow greater than or equal to 3) the MRL is also expressed as mg/kg of shelled fresh eggs, for bird’s eggs and egg yolks. However, for eggs and egg products with a fat content higher than 10 %, the maximum level is expressed in mg/kg fat. In this case, the maximum level is 10 times higher than the maximum level for fresh eggs. The latter does not apply when the MRL is set at the LOD.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, lemon0110040LimesCitrus aurantifolia0110050MandarinsCitrus reticulataClementine, tangerine, mineola and other hybrids0110990Others0120000(ii)

Tree nuts (shelled or unshelled)

Whole product after removal of shell (except chestnuts)0120010AlmondsPrunus dulcis0120020Brazil nutsBertholletia excelsa0120030Cashew nutsAnacardium occidentale0120040ChestnutsCastanea sativa0120050CoconutsCocos

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nucifera0120060HazelnutsCorylus avellanaFilbert0120070MacadamiaMacadamia ternifolia0120080PecansCarya illinoensis0120090Pine nutsPinus pinea0120100PistachiosPistachia vera0120110WalnutsJuglans regia0120990Others0130000(iii)

Pome fruit

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

Stone fruit

Whole product after removal of stems0140010ApricotsPrunus armeniaca0140020CherriesPrunus cerasus, Prunus aviumsweet cherries, sour cherries0140030PeachesPrunus persicaNectarines and similar hybrids0140040PlumsPrunus domesticaDamson, greengage, mirabelle, sloe0140990Others0150000(v)

Berries & small fruit

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 ceasiusLoganberries, boysenberries, and cloudberries0153030RaspberriesRubus idaeusWineberries, arctic bramble/raspberry, (Rubus arcticus), nectar raspberries (Rubus arcticus x idaeus)0153990Others0154000(d)

Other small fruit & berries

0154010BlueberriesVaccinium spp. except V. macrocarpon and V. vitis-idaeaBilberries0154020CranberriesVaccinium macrocarpon and V. vitis-idaeaCowberries (red bilberries)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, service berries, and other treeberries0154990Others0160000(vi)

Miscellaneous fruit

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

Edible peel

0161010DatesPhoenix dactylifera0161020FigsFicus carica0161030Table olivesOlea europaea0161040KumquatsFortunella speciesMarumi 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), mangosteen0162030Passion fruitPassiflora edulis0162040Prickly pear (cactus fruit)Opuntia ficus-indica0162050Star appleChrysophyllum cainito0162060American persimmon (Virginia kaki)Diospyros virginianaBlack sapote, white sapote, green sapote, canistel (yellow sapote), and mammey sapote0162990Others0163000(c)

Inedible peel, large

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0163010AvocadosPersea americana0163020BananasMusa x paradisicaDwarf banana, plantain, apple banana0163030MangoesMangifera indica0163040PapayaCarica papaya0163050PomegranatePunica granatum0163060CherimoyaAnnona cherimolaCustard apple, sugar apple (sweetsop), llama and other medium sized Annonaceae0163070GuavaPsidium guajavaRed pitaya or 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 soil by rinsing or brushing0211000(a)

Potatoes

Tuber form Solanum spp.0212000(b)

Tropical root and tuber vegetables

0212010CassavaManihot esculentaDasheen, eddoe (Japanese taro), tannia0212020Sweet potatoesIpomoea batatas0212030YamsDioscorea sp.Potato bean (yam bean), Mexican yam bean0212040ArrowrootMaranta arundinacea0212990Others0213000(c)

Other root and tuber vegetables except sugar beet

0213010BeetrootBeta vulgaris subsp. vulgaris0213020CarrotsDaucus carota0213030CeleriacApium graveolens var. rapaceum0213040HorseradishArmoracia rusticanaAngelica roots, lovage roots, gentiana roots0213050Jerusalem artichokesHelianthus tuberosus0213060ParsnipsPastinaca sativa0213070Parsley rootPetroselinum crispum0213080RadishesRaphanus sativus var. saitvusBlack radish, Japanese radish, small radish and similar varieties, tiger nut (Cyperus esculentus)0213090SalsifyTragopogon porrifoliusScorzonera, Spanish salsify (Spanish oysterplant)0213100SwedesBrassica 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 cepaSilverskin onions0220030ShallotsAllium ascalonicum (Allium cepa var. aggregatum)0220040Spring onionsAllium cepaWelsh onion and similar varieties0220990Others0230000(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, tree tomato, Physalis, gojiberry, wolfberry (Lycium barbarum and L. chinense)0231020PeppersCapsicum annuum, var. grossum and var. longumChilli peppers0231030Aubergines (egg plants)Solanum melongenaPepino0231040Okra, lady's fingersHibiscus esculentus0231990Others0232000(b)

Cucurbits — edible peel

0232010CucumbersCucumis sativus0232020GherkinsCucumis sativus0232030CourgettesCucurbita pepo var. melopepoSummer squash, marrow (patisson)0232990Others0233000(c)

Cucurbits—inedible peel

0233010MelonsCucumis meloKiwano0233020PumpkinsCucurbita maximaWinter squash0233030WatermelonsCitrullus lanatus0233990Others0234000(d)

Sweet corn

Zea mays var. sacharataKernels plus cob without husks0239000(e)

Other fruiting vegetables

0240000(iv)

Brassica vegetables

0241000(a)