Commission Regulation (EC) No 178/2006 of 1 February 2006 amending Regulation (EC) No 396/2005 of the European Parliament and of the Council to establish Annex I listing the food and feed products to which maximum levels for pesticide residues apply (Text with EEA relevance)

COMMISSION REGULATION (EC) No 178/2006

of 1 February 2006

amending Regulation (EC) No 396/2005 of the European Parliament and of the Council to establish Annex I listing the food and feed products to which maximum levels for pesticide residues apply

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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/EE[(1)], and in particular Article 4(1) thereof,

Whereas:

(1) In accordance with Regulation (EC) No 396/2005, Annexes I, II, III and IV to that Regulation are to be established by the Commission, their establishment being a condition for the application of Chapters II, III and V of that Regulation.

(2) It is necessary to include in Annex I to Regulation (EC) No 396/2005 all products for which presently Community or national MRLs exist as well as those for which it is appropriate to apply harmonised MRLs.

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

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

(5) Individual MRLs have not yet been required for fish, and for crops exclusively meant for animal feed, and no information is available as a basis for setting MRLs. It is appropriate to allow for the time needed to generate or collect this information. It is considered that a time period of three years should be sufficient to generate or collect this information,

HAS ADOPTED THIS REGULATION:

Article 1

The text in the Annex to this Regulation is added as Annex I to Regulation (EC) No 396/2005.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 178/2006. 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*

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, 1 February 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

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ANNEX

‘ANNEX IIProducts 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 for cow’s milk and whole cream cow’s milk. It applies neither for the other products 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 included in the definition 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, ugli and other hybrids0110020OrangesCitrus sinensisBergamot, bitter orange, chinotto and other hybrids0110030LemonsCitrus limonCitron, lemon0110040LimesCitrus aurantifolia0110050MandarinsCitrus reticulataClementine, tangerine and other hybrids0110990Others0120000(ii)

Tree nuts (shelled or unshelled)

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

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occidentale0120040ChestnutsCastanea sativa0120050CoconutsCocos 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, mirabelle0140990Others0150000(v)

Berries and 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 euvitis0151020Wine grapesVitis euvitis0152000(b)

Strawberries

Fragaria × ananassa0153000(c)

Cane fruit

0153010BlackberriesRubus fruticosus0153020DewberriesRubus ceasiusLoganberries, Boysenberries, and cloudberries0153030RaspberriesRubus idaeusWineberries0153990Others0154000(d)

Other small fruit and berries

0154010BlueberriesVaccinium corymbosumBilberries; cowberries (red bilberries)0154020CranberriesVaccinium macrocarpon0154030Currants (red, black and white)Ribes nigrum, Ribes rubrum0154040GooseberriesRibes uva-crispaIncluding hybrids with other ribes species0154050Rose hipsRosa canina0154060MulberriesMorus sppArbutus berry0154070Azarole (mediteranean medlar)Crataegus azarolus0154080ElderberriesSambucus nigraBlack chokeberry (appleberry), mountain ash, azarole, buckthorn (sea sallowthorn), hawthorn, service berries, and other treeberries0154990Others0160000(vi)

Miscellaneous fruit

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

Edible peel

0161010DatesPhoenix dactylifera0161020FigsFicus carica0161030Table olivesOlea europaea0161040KumquatsFortunella speciesMarumi kumquats, nagami kumquats0161050CarambolaAverrhoa carambolaBilimbi0161060PersimmonDiospyros kaki0161070Jambolan (java plum)Syzygium cuminiJava apple (water apple), pomerac, rose apple, Brazilean cherry (grumichama), Surinam cherry0161990Others0162000(b)

Inedible peel, small

0162010KiwiActinidia deliciosa syn. A. chinensis0162020Lychee (Litchi)Litchi chinensisPulasan, rambutan (hairy litchi)0162030Passion 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

0163010AvocadosPersea americana0163020BananasMusa × paradisicaDwarf banana, plantain, apple banana0163030MangoesMangifera indica0163040PapayaCarica papaya0163050PomegranatePunica granatum0163060CherimoyaAnnona cherimolaCustard

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apple, sugar apple (sweetsop), llama and other medium sized Annonaceae0163070GuavaPsidium guajava0163080PineapplesAnanas 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 rusticana0213050Jerusalem artichokesHelianthus tuberosus0213060ParsnipsPastinaca sativa0213070Parsley rootPetroselinum crispum0213080RadishesRaphanus sativus var. sativusBlack radish, Japanese radish, small radish and similar varieties0213090SalsifyTragopogon 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)0231000(a)

Solanacea

0231010TomatoesLycopersicum esculentumCherry tomatoes0231020PeppersCapsicum 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. saccharataKernels plus cob without husks0239000(e)

Other fruiting vegetables

0240000(iv)

Brassica vegetables

0241000(a)

Flowering brassica

Curd only0241010BroccoliBrassica oleracea var. italicaCalabrese, Chinese broccoli, Broccoli raab0241020CauliflowerBrassica oleracea var. botrytis0241990Others0242000(b)

Head brassica

Whole plant after removal of roots and decayed leaves0242010Brussels sproutsBrassica oleracea var. gemmiferaOnly cabbage buttons0242020Head cabbageBrassica oleracea