Commission Regulation (EU) No 51/2014 of 20 January 2014 amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for dimethomorph, indoxacarb and pyraclostrobin in or on certain products (Text with EEA relevance)

COMMISSION REGULATION (EU) No 51/2014

of 20 January 2014

amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for dimethomorph, indoxacarb and pyraclostrobin 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) thereof,

Whereas:

(1) For dimethomorph, indoxacarb and pyraclostrobin maximum residue levels (MRLs) were set in Annex II to Regulation (EC) No 396/2005.

(2) In the context of a procedure for the authorisation of the use of a plant protection product containing the active substance dimethomorph on seeds of spices (except nutmeg) and on caraway fruits, an application was made in accordance with Article 6(1) of Regulation (EC) No 396/2005 for modification of the existing MRLs.

(3) As regards indoxacarb, such an application was made for cress, land cress, red mustard, other lettuce and salad plants, purslane, beet leaves and other spinach and similar (leaves). As regards pyraclostrobin, such an application was made for Jerusalem artichokes.

(4) In accordance with Article 8 of Regulation (EC) No 396/2005 these applications were evaluated by the Member States concerned and the evaluation reports were forwarded to the Commission.

(5) The European Food Safety Authority, hereinafter 'the Authority', assessed the applications and the evaluation reports, examining in particular the risks to the consumer and, where relevant, to animals and gave reasoned opinions on the proposed MRLs[(2)]. It forwarded these opinions to the Commission and the Member States and made them available to the public.

(6) For all applications, the Authority concluded that all requirements with respect to data were met and that the modifications to the MRLs requested by the applicants

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EU) No 51/2014. 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*

were acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. It took into account the most recent information on the toxicological properties of the substances. Neither the lifetime exposure to these substances via consumption of all food products that may contain those substances, nor the short-term exposure due to high consumption of the relevant crops and products showed that there is a risk that the acceptable daily intake (ADI) or the acute reference dose (ARfD) is exceeded.

(7) 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 relevant requirements of Article 14(2) of Regulation (EC) No 396/2005.

(8) As regards dimethomorph, indoxacarb and pyraclostrobin, MRLs were set for several commodities by Commission Regulation (EU) No 668/2013 of 12 July 2013[(3)]. As that Regulation applies as of 2 February 2014, it is appropriate for the MRLs provided for by this Regulation, to apply from the same date.

(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,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II 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 twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 2 February 2014.

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

Done at Brussels, 20 January 2014.

For the Commission

The President

José Manuel BARROSO

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ANNEX

In Annex II to Regulation (EC) No 396/2005, the columns for dimethomorph, indoxacarb and pyraclostrobin 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]	**Dimethomorph (sum of isomers)**	**Indoxacarb (sum of indoxacarb and its R enantiomer) (F)**	**Pyraclostrobin (F)**
(1)	(2)	(3)	(4)	(5)
0100000	1. **FRUIT FRESH OR FROZEN NUTS**			
0110000	(i) **Citrus fruit**		0,02[b]	
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)	0,01[b]		1
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)	0,8		2
0110030	Lemons (Citron, lemon, Buddha's hand (*Citrus medica* var. *sarcodactylis*))	0,01[b]		1
0110040	Limes	0,01[b]		1
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids tangor (*Citrus reticulata* x *sinensis*))	0,01[b]		1

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0110990	Others	0,01[b]		1
0120000	(ii) **Tree nuts**	0,02[b]	0,02[b]	
0120010	Almonds			0,02[b]
0120020	Brazil nuts			0,02[b]
0120030	Cashew nuts			0,02[b]
0120040	Chestnuts			0,02[b]
0120050	Coconuts			0,02[b]
0120060	Hazelnuts (Filbert)			0,02[b]
0120070	Macadamia			0,02[b]
0120080	Pecans			0,02[b]
0120090	Pine nuts			0,02[b]
0120100	Pistachios			1
0120110	Walnuts			0,02[b]
0120990	Others			0,02[b]
0130000	(iii) **Pome fruit**	0,01[b]		0,5
0130010	Apples (Crab apple)		0,5 (+)	
0130020	Pears (Oriental pear)		0,5	
0130030	Quinces		0,02[b]	
0130040	Medlar		0,02[b]	
0130050	Loquat		0,02[b]	
0130990	Others		0,02[b]	
0140000	(iv) **Stone fruit**	0,01[b]	1	
0140010	Apricots			1
0140020	Cherries (Sweet cherries, sour cherries)			3
0140030	Peaches (Nectarines and similar hybrids)			0,3

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0140040	Plums (Damson, greengage, mirabelle, sloe, red date/Chinese date/Chinese jujube (*Ziziphus zizyphus*))			0,8
0140990	Others			0,02[b]
0150000	(v) **Berries & small fruit**			
0151000	(a) *Table and wine grapes*	3	2	
0151010	Table grapes			1 (+)
0151020	Wine grapes			2
0152000	(b) *Strawberries*	0,7	0,6	1,5
0153000	(c) *Cane fruit*			
0153010	Blackberries	0,05 (+)	0,5	3
0153020	Dewberries (Loganberries, tayberries, boysenberries, cloudberries and other *Rubus* hybrids)	0,01[b]	0,02[b]	2
0153030	Raspberries (Wineberries, arctic bramble/ raspberry, (*Rubus arcticus*), nectar raspberries (*Rubus arcticus* x *Rubus idaeus*))	0,05 (+)	0,6	3
0153990	Others	0,01[b]	0,02[b]	2
0154000	(d) *Other small fruit & berries*	0,01[b]		
0154010	Blueberries (Bilberries)		0,8	4