COUNCIL DIRECTIVE 96/33/EC

of 21 May 1996

amending the Annexes to Directives 86/362/EEC and 86/363/EEC on the fixing of maximum levels for pesticide residues in and on cereals and foodstuffs of animal origin respectively

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in cereals [1], and in particular Article 11 thereof,

Having regard to Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in foodstuffs of animal origin [2], and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas the Commission has received a mandate in the framework of Directives 86/362/EEC and 86/363/EEC to prepare the list of pesticide residues and their maximum levels for approval by the Council;

Whereas pesticide residues may arise in cereals and foodstuffs of animal origin as a result of agricultural practices; whereas it is necessary to take into account relevant data for both authorized pesticide uses and as appropriate supervised trials and animal feeding studies;

Whereas, in order better to estimate dietary intake of pesticide residues, it is prudent to establish simultaneously, where possible, maximum residue levels for individual pesticides in all major components of the diet; whereas these levels represent the use of minimum quantities of pesticide to achieve adequate control, applied in such a manner that the amount of residue is the smallest practicable and is toxicologically acceptable;

Whereas, in the light of technical and scientific progress and the requirements of public health and agriculture, it is desirable to amend Directives 86/362/EEC and 86/363/EEC by adding provisions relating to further pesticide residues for cereals and foodstuffs of animal origin, namely chlormequat, diazinon, dicofol, disulfoton, endosulfan, fenbutatin oxide, fentin, mecarbam, phorate, propoxur, propyzamide, triazophos and triforine;

Whereas, however, data are insufficient by current standards to establish maximum pesticide residue levels for certain pesticide residue/product combinations; whereas, in such cases, a period of time not exceeding four years would seem reasonable for the generation of the necessary data; whereas, therefore, maximum levels should be established on the basis of such data by 30 April 2000 at the latest; whereas failure to provide satisfactory data will normally result in the establishment of levels at the appropriate limit of determination; whereas satisfactory undertakings to generate the necessary data must be given within one year of the adoption of this Directive;

Whereas the maximum residue levels established in this Directive will have to be reviewed in the framework of the re-evaluation of active substances provided for in the work programme established in Article 8 (2) of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [3],

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following pesticide residues shall be added to Part A of Annex II to Directive 86/362/EEC:

[1] OJ No L 221, 7. 8. 1986, p. 37. Directive as last amended by Directive 95/39/EC (OJ No L 197, 22. 8. 1995, p. 29).
[2] OJ No L 221, 7. 8. 1986, p. 43. Directive as last amended by Directive 95/39/EC (OJ No L 197, 22. 8. 1995, p. 29).
[3] OJ No L 230, 19. 8. 1991, p. 1.

Pesticide residues	Maximum levels in mg/kg (ppm)	
TRIFORINE	0,1 0,05 (*)	wheat, rye, triticale, barley, oats other cereals
ENDOSULFAN Residue: sum of alpha and beta endosulfan sulphate expressed as endosulphate	0,1 (a) 0,2 (a) 0,05 (*)	wheat, rye, triticale, barley, oats maize others
FENBUTATIN OXIDE	0,05 (*)	
TRIAZAPHOS	(b) 0,02 (*)	wheat, rye, triticale, barley, oats, maize others
DIAZINON	0,02 (*) 0,05 (b)	buckwheat, millet others
MECARBAM	0,05 (*)	cereals
FENTIN Residue: fentin expressed as triphyltin cation	0,05 (*)	
PHORATE Residue: sum of phorate, its oxygen analogue and their sulfoxides and sulphones expressed as phorate	(a) 0,05 (*)	maize others
DICOFOL Residue: sum of P, P′ and O, P′ isomers	0,02 (*)	
CHLORMEQUAT	5 2 (a) 0,05 (*)	oats wheat, rye, triticale, barley maize others
PROPYZAMIDE	0,02 (*)	
PROPOXUR	0,05 (*)	
DISULFOTON Residue: sum of disulfoton, disulfoton sulphoxide and disulfoton sulphone expressed as disulfoton	0,1 0,2 0,02 (*)	wheat barley, sorghum others

(*) Indicates lower level of analytical detection.

(a) and (b) Should levels not be adopted by 30 April 2000 the following levels shall apply as indicated thereafter:

(a) 0,05 (*)
(b) 0,02 (*)

Article 2

Annex II to Directive 86/363/EEC shall be amended as follows: