COUNCIL DIRECTIVE 94/30/EC

of 23 June 1994

amending Annex II to Directive 90/642/EEC relating to the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables and providing for the establishment of a list of maximum levels

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/642/EEC of 27 November 1990 relating to the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables [1], and in particular Article 1 thereof,

Having regard to the proposal from the Commission,

Whereas the Commission has received a mandate in the framework of Directive 90/642/EEC to prepare the list of pesticide residues and their maximum levels for approval by Council;

Whereas pesticide residues may arise in products of plant origin, including fruit and vegetables as a result of agricultural practices; whereas, to establish maximum levels for the former, it is necessary to take into account relevant data for both authorized pesticide uses and supervised trials; whereas, however, available data is frequently insufficient by current standards to estabish maximum levels;

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, it is now appropriate that maximum levels be fixed for certain pesticides, namely, daminozide, lambda-cyhalothrin, propiconazole, carbofuran, carbosulfan, benfuracarb, furathiocarb, cyfluthrin, metalaxyl, benalaxyl, fenarimol and ethephon in products of plant origin; whereas, however, it is not possible to establish maximum pesticide residue levels for all pesticide residue product combinations due to insufficient data;

Whereas, in cases of insufficient data availability a period of time should be allowed for the generation of the necessary data; whereas a period not exceeding four years would seem reasonable for this purpose; whereas, therefore, maximum levels should be established on the basis of such data by 30 June 1999 at the latest; whereas failure to provide satisfactory data normally results in the estabishment of levels at the appropriate limit of determination;

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 [2],

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following pesticide residues shall be added to Annex II to Directive 90/642/EEC:

[1] OJ No L 350, 14. 12. 1990, p. 71. Directive as amended by Directive 93/58/EEC (OJ No L 211, 23. 8. 1993, p. 6).

[2] OJ No L 230, 19. 8. 1991, p. 1. Directive as amended by Commission Directive 93/71/EEC (OJ No L 221, 31. 8. 1993, p. 27).

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethyl-hydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
1. Fruit, fresh, dried or uncooked preserved by freezing not containing added sugar; nuts			
(i) CITRUS FRUIT	0,02 (*)	(a)	0,05 (*)
grapefruit			
lemons			
limes			
mandarins (including clementines and similar hybrids)			
oranges			
pommelo			
others			
(ii) TREE NUTS (shelled or unshelled)	0,05 (*)	0,05 (*)	0,05 (*)
almonds			
brazil nuts			
cashew nuts			
chestnuts			
coconuts			
hazelnuts			
macadamia			
pecans			
pine nuts			
pistachios			
walnuts			
others			
(iii) POME FRUIT		0,1	0,05 (*)
apples	0,02 (*) (×)		
pears			
quinces			
others	0,02 (*)		
(iv) STONE FRUIT	0,02 (*)		
apricots		0,2	0,2
cherries			(b)
peaches (including nectarines and similar hybrids)		0,2	0,2
plums			(b)
others		0,1	0,05 (*)
(v) BERRIES AND SMALL FRUITS	0,02 (*)		
(a) *table and wine grapes*		0,2	0,5
table grapes			
wine grapes			
(b) *strawberries (other than wild)*		(a)	0,05 (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethyl-hydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(c) *cane fruit* (other than wild):		0,02	0,05 (*)
blackberries			
dewberries			
loganberries			
raspberries			
others			
(d) *other small fruit and berries* (other than wild)			0,05
bilberries (fruits of species *vaccinium myrtyllus)*			
cranberries			
currants (red, black and white)		0,1	
gooseberries		0,1	
others		0,02 (*)	
(e) *wild berries and wild fruit*		0,02 (*)	0,05 (*)
(vi) MISCELLANEOUS	0,02 (*)	0,02 (*)	
avocados			
bananas			
dates			
figs			
kiwi			
kumquats			
litchis			
mangoes			
olives			
passion fruit			
pineapples			
pomegranate			
others			0,05 (*)
2. Vegetables, fresh or uncooked, frozen or dry			
(i) ROOT AND TUBER VEGETABLES	0,02 (*)	0,02 (*)	0,05 (*)
Beetroot			
carrots			
celeriac			
horseradish			
jerusalem artichokes			
parsnip			
parsley root			
radishes			
salsify			
sweet potatoes			
swedes			
turnips			
yam			
others			

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethyl-hydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(ii) BULB VEGETABLES	0,02 (*)		0,05 (*)
garlic			
onions			
shallots			
spring onions		(a)	
others		0,02 (*)	
(iii) FRUITING	0,02 (*)		
(a) *Solanacea*		(a)	
tomatoes			
peppers			
aubergines			(b)
others			0,05 (*)
(b) *cucurbits — edible peel*		0,1	(b)
cucumbers			
gherkins			
courgettes			
others			
(c) *cucurbits — inedible peel*		(a)	(b)
melons			
squashes			
watermelons			
others			
(d) *sweet corn*		0,02 (*)	0,05 (*)
(iv) BRASSICA VEGETABLES	0,02 (*)		0,05 (*)
(a) *flowering brassicas*		(a)	
broccoli			
cauliflower			
others			
(b) *head brassicas*			
brussels sprouts		0,05	
head cabbage		0,2	
others		0,02 (*)	
(c) *leafy brassicas*		(a)	
chinese cabbage			
kale			
others			
(d) *kohlrabi*		(a)	
(v) LEAF VEGETABLES AND FRESH HERBS	0,02 (*)		0,05 (*)
(a) *lettuce and similar*		1	
cress			
lamb's lettuce			
lettuce			
scarole			
others			
(b) *spinach and similar*		(a)	
beet leaves (chard)			
(c) *watercress*		0,02 (*)	

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethyl-hydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(d) *witloof*		(a)	
(e) *herbs*		1	
chervil			
chives			
parsley			
celery leaves			
others			
(vi) LEGUME VEGETABLES (fresh)	0,02 (*)		0,05 (*)
beans (with pods)		0,2	
beans (without pods)			
peas (with pods)		0,2	
peas (without pods)		0,2	
others		0,02 (*)	
(vii) STEM VEGETABLES	0,02 (*)		
asparagus		0,02 (*)	
cardoons			(b)
celery			
fennel			(b)
globe artichokes			
leek			
rhubarb			
others		(a)	0,05 (*)
(viii) FUNGI	0,02 (*)		0,05 (*)
cultivated mushrooms		(a)	
wild mushrooms		0,02 (*)	
3. **Pulses**	0,02 (*)	0,02 (*)	0,05 (*)
beans			
lentils			
peas			
others			
4. **Oil seeds**	0,05 (*)	0,02	
linseed			(b)
peanuts			
poppy seed			
sesame seed			
sunflower seed (with shell)			
rape seed			
soya bean			
mustard			
cotton seed			
others			0,05 (*)
5. **Potatoes**	0,02 (*)	0,02 (*)	0,05 (*)
early and ware potatoes			
6. **Tea (black tea processed from the leaves of *camellia sinensis*)**	0,1 (*)	1	0,1 (*)
7. **Hops (dried), including hop pellets and unconcentrated powder**	0,1 (*)	10	0,1 (*)