

Commission Directive 2007/8/EC of 20 February 2007 amending Annexes to Council Directives 76/895/EEC, 86/362/EEC and 90/642/EEC as regards maximum residue levels for phosphamidon and mevinphos (Text with EEA relevance)

COMMISSION DIRECTIVE 2007/8/EC

of 20 February 2007

amending Annexes to Council Directives 76/895/EEC, 86/362/EEC and 90/642/EEC as regards maximum residue levels for phosphamidon and mevinphos

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables<sup>(1)</sup>, and in particular Article 5 thereof,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals<sup>(2)</sup>, and in particular Article 10 thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables<sup>(3)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) In the case of cereals and products of plant origin including fruit and vegetables, residue levels reflect the use of minimum quantities of pesticides necessary to achieve effective protection of plants, applied in such a manner that the amount of residue is as low as is practicable and toxicologically acceptable, having regard, in particular to the protection of the environment and the estimated dietary intake of consumers. In the case of foodstuffs of animal origin, residue levels reflect the consumption by animals of cereals and products of plant origin treated with pesticides and, where relevant, the direct consequences of the use of veterinary medicines. Community maximum residue levels (MRLs) represent the upper limit of the amount of such residues that might be expected to be found in commodities when good agricultural practices have been respected.
- (2) MRLs for pesticides are kept under review and changed to take account of new information and data. MRLs are fixed at the lower limit of analytical determination where authorised uses of plant protection products do not result in detectable levels of pesticide residue in or on the food product, or where there are no authorised uses, or where uses which have been authorised by Member States have not been supported by the necessary data, or where uses in third countries resulting in residues in or on

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food products which may enter into circulation in the Community market have not been supported by the necessary data.

- (3) The Commission was informed that for phosphamidon and mevinphos current MRLs may need to be revised in the light of the availability of new information on the toxicology and consumer intake. The Commission asked the relevant rapporteur Member States to make proposals for the review of Community MRLs. Such proposals were submitted to the Commission.
- (4) The lifetime and short-term exposure of consumers to the pesticides referred to in this Directive via food products has been reassessed and evaluated in accordance with Community procedures and practices, taking account of guidelines published by the World Health Organisation<sup>(4)</sup>. On that basis, it is appropriate to fix new MRLs, which will ensure that there is no unacceptable consumer exposure.
- (5) Where relevant, the acute exposure of consumers to those pesticides via each of the food products that may contain residues has been assessed and evaluated in accordance with Community procedures and practices, taking account of guidelines published by the World Health Organisation. It is concluded that the presence of pesticide residues at or below the new MRLs will not cause acute toxic effects.
- (6) Through the World Trade Organisation, the Community's trading partners have been consulted about the new MRLs and their comments on these levels have been taken into account.
- (7) The Annexes to Directives 76/895/EEC, 86/362/EEC and 90/642/EEC should therefore be amended accordingly.
- (8) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

In Annex II to Directive 76/895/EEC the entries relating to phosphamidon and mevinphos are deleted.

*Article 2*

Directive 86/362/EEC is amended as follows in accordance with Annex I to this Directive.

*Article 3*

Directive 90/642/EEC is amended in accordance with Annex II to this Directive.

*Article 4*

1 Member States shall adopt and publish, by 1 September 2007 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 2 September 2007.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2 Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

*Article 5*

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

*Article 6*

This Directive is addressed to the Member States.

Done at Brussels, 20 February 2007.

*For the Commission*

Markos KYPRIANOU

*Member of the Commission*

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## ANNEX I

In part A of Annex II to Directive 86/362/EEC the following lines for phosphamidon and mevinphos are added:

<b>Pesticide residues</b>	<b>Maximum levels in mg/kg</b>
‘Phosphamidon	0,01 <sup>a</sup> Cereals
Mevinphos, sum of E- and Z-isomers	0,01 <sup>a</sup> Cereals

a Indicates lower limit of analytical determination.’

## ANNEX II

In part A of Annex II to Directive 90/642/EEC the following columns for phosphamidon and mevinphos are added:

<b>Pesticide residue and maximum residue level (mg/kg)</b>		
<b>Groups and examples of individual products to which the MRLs would apply</b>	<b>Phosphamidon</b>	<b>Mevinphos, sum of E- and Z-isomers</b>
‘1. <b>Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts</b>	0,01 <sup>a</sup>	0,01 <sup>a</sup>
(i) CITRUS FRUIT		
Grapefruit		
Lemons		
Limes		
Mandarins (including clementines and other hybrids)		
Oranges		
Pomelos		
Others		

a Indicates lower limit of analytical determination.’

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(ii)	TREE NUTS (shelled or unshelled)		
	Almonds		
	Brazil nuts		
	Cashew nuts		
	Chestnuts		
	Coconuts		
	Hazelnuts		
	Macadamia		
	Pecans		
	Pine nuts		
	Pistachios		
	Walnuts		
	Others		
(iii)	POME FRUIT		
	Apples		
	Pears		
	Quinces		
	Others		
(iv)	STONE FRUIT		
	Apricots		
	Cherries		
	Peaches (including nectarines and similar hybrids)		
	Plums		
	Others		
(v)	BERRIES AND SMALL FRUIT		
(a)	Table and wine grapes		
	Table grapes		
	Wine grapes		

a Indicates lower limit of analytical determination.<sup>9</sup>

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(b)	Strawberries (other than wild)		
(c)	Cane fruit (other than wild)		
	Blackberries		
	Dewberries		
	Loganberries		
	Raspberries		
	Others		
(d)	Other small fruit and berries (other than wild)		
	Bilberries		
	Cranberries		
	Currants (red, black and white)		
	Gooseberries		
	Others		
(e)	Wild berries and wild fruit		
(vi)	MISCELLANEOUS		
	Avocados		
	Bananas		
	Dates		
	Figs		
	Kiwi		
	Kumquats		
	Litchis		
	Mangoes		
	Olives (table consumption)		
	Olives (oil extraction)		
	Papaya		
	Passion fruit		

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	Pineapples		
	Pomegranate		
	Others		
2.	<b>Vegetables, fresh or uncooked, frozen or dry</b>	0,01 <sup>a</sup>	0,01 <sup>a</sup>
(i)	<b>ROOT AND TUBER VEGETABLES</b>		
	Beetroot		
	Carrots		
	Cassava		
	Celeriac		
	Horseradish		
	Jerusalem artichokes		
	Parsnips		
	Parsley root		
	Radishes		
	Salsify		
	Sweet potatoes		
	Swedes		
	Turnips		
	Yam		
	Others		
(ii)	<b>BULB VEGETABLES</b>		
	Garlic		
	Onions		
	Shallots		
	Spring onions		
	Others		
(iii)	<b>FRUITING VEGETABLES</b>		

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(a)	Solanacea		
	Tomatoes		
	Peppers		
	Aubergines		
	Okra		
	Others		
(b)	Cucurbits — edible peel		
	Cucumbers		
	Gherkins		
	Courgettes		
	Others		
(c)	Cucurbits-inedible peel		
	Melons		
	Squashes		
	Watermelons		
	Others		
(d)	Sweet corn		
(iv)	BRASSICA VEGETABLES		
(a)	Flowering brassica		
	Broccoli (including Calabrese)		
	Cauliflower		
	Others		
(b)	Head brassica		
	Brussels sprouts		
	Head cabbage		
	Others		
(c)	Leafy brassica		

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	Chinese cabbage		
	Kale		
	Others		
(d)	Kohlrabi		
(v)	LEAF VEGETABLES AND FRESH HERBS		
(a)	Lettuce and similar		
	Cress		
	Lamb's lettuce		
	Lettuce		
	Scarole (broad-leaf endive)		
	Ruccola		
	Leaves and stems of brassica		
	Others		
(b)	Spinach and similar		
	Spinach		
	Beet leaves (chard)		
	Others		
(c)	Water cress		
(d)	Witloof		
(e)	Herbs		
	Chervil		
	Chives		
	Parsley		
	Celery leaves		
	Others		
(vi)	LEGUME VEGETABLES (fresh)		
	Beans (with pods)		

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Beans (without pods)		
Peas (with pods)		
Peas (without pods)		
Others		
(vii) STEM VEGETABLES (fresh)		
Asparagus		
Cardoons		
Celery		
Fennel		
Globe artichokes		
Leek		
Rhubarb		
Others		
(viii) FUNGI		
(a) Cultivated mushrooms		
(b) Wild mushrooms		
<b>3. Pulses</b>	0,01 <sup>a</sup>	0,01 <sup>a</sup>
Beans		
Lentils		
Peas		
Lupines		
Others		
<b>4. Oilseeds</b>	0,01 <sup>a</sup>	0,01 <sup>a</sup>
Linseed		
Peanuts		
Poppy seed		
Sesame seed		
Sunflower seed		
Rape seed		

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	Soya bean		
	Mustard seed		
	Cotton seed		
	Hemp seed		
	Others		
5.	<b>Potatoes</b>	0,01 <sup>a</sup>	0,01 <sup>a</sup>
	Early potatoes		
	Ware potatoes		
6.	<b>Tea (dried leaves and stalks, fermented or other-wise, <i>Camellia sinensis</i>)</b>	0,02 <sup>a</sup>	0,02 <sup>a</sup>
7.	<b>Hops (dried), including hop pellets and unconcentrated powder</b>	0,02 <sup>a</sup>	0,02 <sup>a</sup>

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- (1) [OJ L 340, 9.12.1976, p. 26](#). Directive as last amended by Commission Directive 2006/92/EC ([OJ L 311, 10.11.2006, p. 31](#)).
- (2) [OJ L 221, 7.8.1986, p. 37](#). Directive as last amended by Commission Directive 2006/92/EC.
- (3) [OJ L 350, 14.12.1990, p. 71](#). Directive as last amended by Commission Directive 2006/92/EC.
- (4) Guidelines for predicting dietary intake of pesticide residues (revised), prepared by the GEMS/Food Programme in collaboration with the Codex Committee on Pesticide Residues, published by the World Health Organisation 1997 (WHO/FSF/FOS/97.7).