

COMMISSION REGULATION (EU) 2018/1516**of 10 October 2018****amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for penoxsulam, triflumizole and triflumuron 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) and Article 49(2) thereof,

Whereas:

- (1) For penoxsulam, triflumizole and triflumuron, maximum residue levels (MRLs) were set in Part B of Annex III to Regulation (EC) No 396/2005.
- (2) For penoxsulam, the European Food Safety Authority ('the Authority') submitted a reasoned opinion on the review of the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005 ⁽²⁾. It recommended keeping the existing MRLs. Those MRLs should be set in Annex II to Regulation (EC) No 396/2005 at the existing levels
- (3) For triflumizole, the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005 ⁽³⁾. It proposed to change the residue definition and concluded that concerning the MRLs of tomato, aubergines/eggplant, cucumber, gherkin, courgettes some information was not available and that further consideration by risk managers was required. As there is no risk for consumers, the MRLs for those products should be set in Annex II to Regulation (EC) No 396/2005 at the existing level or the level identified by the Authority. These MRLs will be reviewed; the review will take into account the information available within two years from the publication of this Regulation. The Authority concluded that concerning the MRLs for cherries, table grapes, wine grapes, papaya and hops no or insufficient information was available and that further consideration by risk managers was required. The MRLs for these products should be set at the specific limit of determination.
- (4) For triflumuron, the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005 ⁽⁴⁾. It concluded that concerning the MRLs for apricots and plums some information was not available and that further consideration by risk managers was required. As there is no risk for consumers, the MRLs for those products should be set in Annex II to Regulation (EC) No 396/2005 at the existing level or the level identified by the Authority. These MRLs will be reviewed; the review will take into account the information available within two years from the publication of this Regulation.
- (5) As regards products on which the use of the plant protection product concerned is not authorised, and for which no import tolerances or Codex maximum residue limits exist, MRLs should be set at the specific limit of determination or the default MRL should apply, as provided for in Article 18(1)(b) of Regulation (EC) No 396/2005.

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ European Food Safety Authority, 2017. Reasoned opinion on the review of the existing maximum residue levels for penoxsulam according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2017;15(4):4753.

⁽³⁾ European Food Safety Authority, 2017. Reasoned opinion on the review of the existing maximum residue levels for triflumizole according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2017;15(3):4749.

⁽⁴⁾ European Food Safety Authority, 2017. Reasoned opinion on the review of the existing maximum residue levels for triflumuron according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2017;15(4):4769.

- (6) The Commission consulted the European Union reference laboratories for residues of pesticides as regards the need to adapt certain limits of determination. As regards all the three substances, those laboratories concluded that for certain commodities technical development requires the setting of specific limits of determination.
- (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 requirements of Article 14(2) of Regulation (EC) No 396/2005.
- (8) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.
- (9) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (10) In order to allow for the normal marketing, processing and consumption of products, this Regulation should provide for a transitional arrangement for products which have been produced before the modification of the MRLs and for which information shows that a high level of consumer protection is maintained.
- (11) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.
- (12) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II and III to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

Article 2

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products produced in the Union or imported into the Union before 1 May 2019.

Article 3

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 1 May 2019.

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

Done at Brussels, 10 October 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Annexes II and III to Regulation (EC) No 396/2005 are amended as follows:

(1) In Annex II the following columns for penoxsulam, triflumizole and triflumuron are added:

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ⁽⁴⁾	Penoxsulam	Triflumizole: Triflumizole and metabolite FM-6-1 (N-(4-chloro-2-trifluoromethylphenyl)-n-propoxyacetamide), expressed as Triflumizole (F)	Triflumuron (F)
(1)	(2)	(3)	(4)	(5)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	0,01 (*)	0,02 (*)	
0110000	Citrus fruits			0,01 (*)
0110010	Grapefruits			
0110020	Oranges			
0110030	Lemons			
0110040	Limes			
0110050	Mandarins			
0110990	Others (2)			
0120000	Tree nuts			0,01 (*)
0120010	Almonds			
0120020	Brazil nuts			
0120030	Cashew nuts			
0120040	Chestnuts			
0120050	Coconuts			
0120060	Hazelnuts/cobnuts			
0120070	Macadamias			
0120080	Pecans			
0120090	Pine nut kernels			
0120100	Pistachios			
0120110	Walnuts			
0120990	Others (2)			
0130000	Pome fruits			
0130010	Apples			0,5 (+)
0130020	Pears			0,5 (+)
0130030	Quinces			0,01 (*)
0130040	Medlars			0,01 (*)
0130050	Loquats/Japanese medlars			0,01 (*)
0130990	Others (2)			0,01 (*)
0140000	Stone fruits			
0140010	Apricots			1 (+)
0140020	Cherries (sweet)			0,01 (*)

(1)	(2)	(3)	(4)	(5)
0140030	Peaches			0,4 (+)
0140040	Plums			0,1 (+)
0140990	Others (2)			0,01 (*)
0150000	Berries and small fruits			0,01 (*)
0151000	(a) <i>grapes</i>			
0151010	Table grapes			
0151020	Wine grapes			
0152000	(b) <i>strawberries</i>			
0153000	(c) <i>cane fruits</i>			
0153010	Blackberries			
0153020	Dewberries			
0153030	Raspberries (red and yellow)			
0153990	Others (2)			
0154000	(d) <i>other small fruits and berries</i>			
0154010	Blueberries			
0154020	Cranberries			
0154030	Currants (black, red and white)			
0154040	Gooseberries (green, red and yellow)			
0154050	Rose hips			
0154060	Mulberries (black and white)			
0154070	Azaroles/Mediterranean medlars			
0154080	Elderberries			
0154990	Others (2)			
0160000	Miscellaneous fruits with			0,01 (*)
0161000	(a) <i>edible peel</i>			
0161010	Dates			
0161020	Figs			
0161030	Table olives			
0161040	Kumquats			
0161050	Carambolas			
0161060	Kaki/Japanese persimmons			
0161070	Jambuls/jambolans			
0161990	Others (2)			
0162000	(b) <i>inedible peel, small</i>			
0162010	Kiwi fruits (green, red, yellow)			
0162020	Litchis/lychees			
0162030	Passionfruits/maracujas			
0162040	Prickly pears/cactus fruits			
0162050	Star apples/cainitos			

(1)	(2)	(3)	(4)	(5)
0162060	American persimmons/Virginia kaki			
0162990	Others (2)			
0163000	(c) <i>inedible peel, large</i>			
0163010	Avocados			
0163020	Bananas			
0163030	Mangoes			
0163040	Papayas			
0163050	Granate apples/pomegranates			
0163060	Cherimoyas			
0163070	Guavas			
0163080	Pineapples			
0163090	Breadfruits			
0163100	Durians			
0163110	Soursops/guanabanas			
0163990	Others (2)			
0200000	VEGETABLES, FRESH or FROZEN			
0210000	Root and tuber vegetables	0,01 (*)	0,02 (*)	0,01 (*)
0211000	(a) <i>potatoes</i>			
0212000	(b) <i>tropical root and tuber vegetables</i>			
0212010	Cassava roots/manioc			
0212020	Sweet potatoes			
0212030	Yams			
0212040	Arrowroots			
0212990	Others (2)			
0213000	(c) <i>other root and tuber vegetables except sugar beets</i>			
0213010	Beetroots			
0213020	Carrots			
0213030	Celeriacs/turnip rooted celeries			
0213040	Horseradishes			
0213050	Jerusalem artichokes			
0213060	Parsnips			
0213070	Parsley roots/Hamburg roots parsley			
0213080	Radishes			
0213090	Salsifies			
0213100	Swedes/rutabagas			
0213110	Turnips			
0213990	Others (2)			
0220000	Bulb vegetables	0,01 (*)	0,02 (*)	0,01 (*)
0220010	Garlic			
0220020	Onions			
0220030	Shallots			

(1)	(2)	(3)	(4)	(5)
0220040	Spring onions/green onions and Welsh onions			
0220990	Others (2)			
0230000	Fruiting vegetables	0,01 (*)		0,01 (*)
0231000	(a) <i>Solanaceae and Malvaceae</i>			
0231010	Tomatoes		1,5 (+)	
0231020	Sweet peppers/bell peppers		0,02 (*)	
0231030	Aubergines/eggplants		1,5 (+)	
0231040	Okra/lady's fingers		0,02 (*)	
0231990	Others (2)		0,02 (*)	
0232000	(b) <i>cucurbits with edible peel</i>		0,5	
0232010	Cucumbers		(+)	
0232020	Gherkins		(+)	
0232030	Courgettes		(+)	
0232990	Others (2)			
0233000	(c) <i>cucurbits with inedible peel</i>		0,02 (*)	
0233010	Melons			
0233020	Pumpkins			
0233030	Watermelons			
0233990	Others (2)			
0234000	(d) <i>sweet corn</i>		0,02 (*)	
0239000	(e) <i>other fruiting vegetables</i>		0,02 (*)	
0240000	Brassica vegetables (excluding brassica roots and brassica baby leaf crops)	0,01 (*)	0,02 (*)	0,01 (*)
0241000	(a) <i>flowering brassica</i>			
0241010	Broccoli			
0241020	Cauliflowers			
0241990	Others (2)			
0242000	(b) <i>head brassica</i>			
0242010	Brussels sprouts			
0242020	Head cabbages			
0242990	Others (2)			
0243000	(c) <i>leafy brassica</i>			
0243010	Chinese cabbages/pe-tsai			
0243020	Kales			
0243990	Others (2)			
0244000	(d) <i>kohlrabies</i>			

(1)	(2)	(3)	(4)	(5)
0250000	Leaf vegetables, herbs and edible flowers			
0251000	(a) <i>lettuces and salad plants</i>	0,01 (*)	0,02 (*)	0,01 (*)
0251010	Lamb's lettuces/corn salads			
0251020	Lettuces			
0251030	Escaroles/broad-leaved endives			
0251040	Cresses and other sprouts and shoots			
0251050	Land cresses			
0251060	Roman rocket/rucola			
0251070	Red mustards			
0251080	Baby leaf crops (including brassica species)			
0251990	Others (2)			
0252000	(b) <i>spinaches and similar leaves</i>	0,01 (*)	0,02 (*)	0,01 (*)
0252010	Spinaches			
0252020	Purslanes			
0252030	Chards/beet leaves			
0252990	Others (2)			
0253000	(c) <i>grape leaves and similar species</i>	0,01 (*)	0,02 (*)	0,01 (*)
0254000	(d) <i>watercresses</i>	0,01 (*)	0,02 (*)	0,01 (*)
0255000	(e) <i>witloofs/Belgian endives</i>	0,01 (*)	0,02 (*)	0,01 (*)
0256000	(f) <i>herbs and edible flowers</i>	0,02 (*)	0,05 (*)	0,02 (*)
0256010	Chervil			
0256020	Chives			
0256030	Celery leaves			
0256040	Parsley			
0256050	Sage			
0256060	Rosemary			
0256070	Thyme			
0256080	Basil and edible flowers			
0256090	Laurel/bay leaves			
0256100	Tarragon			
0256990	Others (2)			
0260000	Legume vegetables	0,01 (*)	0,02 (*)	0,01 (*)
0260010	Beans (with pods)			
0260020	Beans (without pods)			
0260030	Peas (with pods)			
0260040	Peas (without pods)			
0260050	Lentils			
0260990	Others (2)			

(1)	(2)	(3)	(4)	(5)
0270000	Stem vegetables	0,01 (*)	0,02 (*)	0,01 (*)
0270010	Asparagus			
0270020	Cardoons			
0270030	Celeries			
0270040	Florence fennels			
0270050	Globe artichokes			
0270060	Leeks			
0270070	Rhubarbs			
0270080	Bamboo shoots			
0270090	Palm hearts			
0270990	Others (2)			
0280000	Fungi, mosses and lichens	0,01 (*)	0,02 (*)	0,01 (*)
0280010	Cultivated fungi			
0280020	Wild fungi			
0280990	Mosses and lichens			
0290000	Algae and prokaryotes organisms	0,01 (*)	0,02 (*)	0,01 (*)
0300000	PULSES	0,01 (*)	0,02 (*)	0,01 (*)
0300010	Beans			
0300020	Lentils			
0300030	Peas			
0300040	Lupins/lupini beans			
0300990	Others (2)			
0400000	OILSEEDS AND OIL FRUITS	0,01 (*)	0,02 (*)	0,01 (*)
0401000	Oilseeds			
0401010	Linseeds			
0401020	Peanuts/groundnuts			
0401030	Poppy seeds			
0401040	Sesame seeds			
0401050	Sunflower seeds			
0401060	Rapeseeds/canola seeds			
0401070	Soyabeans			
0401080	Mustard seeds			
0401090	Cotton seeds			
0401100	Pumpkin seeds			
0401110	Safflower seeds			
0401120	Borage seeds			
0401130	Gold of pleasure seeds			
0401140	Hemp seeds			
0401150	Castor beans			
0401990	Others (2)			

(1)	(2)	(3)	(4)	(5)
0402000	Oil fruits			
0402010	Olives for oil production			
0402020	Oil palms kernels			
0402030	Oil palms fruits			
0402040	Kapok			
0402990	Others (2)			
0500000	CEREALS	0,01 (*)	0,02 (*)	0,01 (*)
0500010	Barley			
0500020	Buckwheat and other pseudocereals			
0500030	Maize/corn			
0500040	Common millet/proso millet			
0500050	Oat			
0500060	Rice			
0500070	Rye			
0500080	Sorghum			
0500090	Wheat			
0500990	Others (2)			
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,05 (*)	0,1 (*)	0,05 (*)
0610000	Teas			
0620000	Coffee beans			
0630000	Herbal infusions from			
0631000	(a) <i>flowers</i>			
0631010	Chamomile			
0631020	Hibiscus/roselle			
0631030	Rose			
0631040	Jasmine			
0631050	Lime/linden			
0631990	Others (2)			
0632000	(b) <i>leaves and herbs</i>			
0632010	Strawberry			
0632020	Rooibos			
0632030	Mate/maté			
0632990	Others (2)			
0633000	(c) <i>roots</i>			
0633010	Valerian			
0633020	Ginseng			
0633990	Others (2)			
0639000	(d) <i>any other parts of the plant</i>			

(1)	(2)	(3)	(4)	(5)
0640000	Cocoa beans			
0650000	Carobs/Saint John's breads			
0700000	HOPS	0,05 (*)	0,1 (*)	0,05 (*)
0800000	SPICES			
0810000	Seed spices	0,05 (*)	0,1 (*)	0,05 (*)
0810010	Anise/aniseed			
0810020	Black caraway/black cumin			
0810030	Celery			
0810040	Coriander			
0810050	Cumin			
0810060	Dill			
0810070	Fennel			
0810080	Fenugreek			
0810090	Nutmeg			
0810990	Others (2)			
0820000	Fruit spices	0,05 (*)	0,1 (*)	0,05 (*)
0820010	Allspice/pimento			
0820020	Sichuan pepper			
0820030	Caraway			
0820040	Cardamom			
0820050	Juniper berry			
0820060	Peppercorn (black, green and white)			
0820070	Vanilla			
0820080	Tamarind			
0820990	Others (2)			
0830000	Bark spices	0,05 (*)	0,1 (*)	0,05 (*)
0830010	Cinnamon			
0830990	Others (2)			
0840000	Root and rhizome spices			
0840010	Liquorice	0,05 (*)	0,1 (*)	0,05 (*)
0840020	Ginger (10)	0,05 (*)	0,1 (*)	0,05 (*)
0840030	Turmeric/curcuma	0,05 (*)	0,1 (*)	0,05 (*)
0840040	Horseradish (11)			
0840990	Others (2)	0,05 (*)	0,1 (*)	0,05 (*)
0850000	Bud spices	0,05 (*)	0,1 (*)	0,05 (*)
0850010	Cloves			
0850020	Capers			
0850990	Others (2)			

(1)	(2)	(3)	(4)	(5)
0860000	Flower pistil spices	0,05 (*)	0,1 (*)	0,05 (*)
0860010	Saffron			
0860990	Others (2)			
0870000	Aril spices	0,05 (*)	0,1 (*)	0,05 (*)
0870010	Mace			
0870990	Others (2)			
0900000	SUGAR PLANTS	0,01 (*)	0,02 (*)	0,01 (*)
0900010	Sugar beet roots			
0900020	Sugar canes			
0900030	Chicory roots			
0900990	Others (2)			
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS			
1010000	Commodities from	0,01 (*)	0,01 (*)	0,01 (*)
1011000	(a) <i>swine</i>			
1011010	Muscle			
1011020	Fat			
1011030	Liver			
1011040	Kidney			
1011050	Edible offals (other than liver and kidney)			
1011990	Others (2)			
1012000	(b) <i>bovine</i>			
1012010	Muscle			
1012020	Fat			
1012030	Liver			
1012040	Kidney			
1012050	Edible offals (other than liver and kidney)			
1012990	Others (2)			
1013000	(c) <i>sheep</i>			
1013010	Muscle			
1013020	Fat			
1013030	Liver			
1013040	Kidney			
1013050	Edible offals (other than liver and kidney)			
1013990	Others (2)			
1014000	(d) <i>goat</i>			
1014010	Muscle			
1014020	Fat			
1014030	Liver			
1014040	Kidney			
1014050	Edible offals (other than liver and kidney)			
1014990	Others (2)			

(1)	(2)	(3)	(4)	(5)
1015000	(e) <i>equine</i>			
1015010	Muscle			
1015020	Fat			
1015030	Liver			
1015040	Kidney			
1015050	Edible offals (other than liver and kidney)			
1015990	Others (2)			
1016000	(f) <i>poultry</i>			
1016010	Muscle			
1016020	Fat			
1016030	Liver			
1016040	Kidney			
1016050	Edible offals (other than liver and kidney)			
1016990	Others (2)			
1017000	(g) <i>other farmed terrestrial animals</i>			
1017010	Muscle			
1017020	Fat			
1017030	Liver			
1017040	Kidney			
1017050	Edible offals (other than liver and kidney)			
1017990	Others (2)			
1020000	Milk	0,01 (*)	0,01 (*)	0,01 (*)
1020010	Cattle			
1020020	Sheep			
1020030	Goat			
1020040	Horse			
1020990	Others (2)			
1030000	Birds eggs	0,01 (*)	0,01 (*)	0,01 (*)
1030010	Chicken			
1030020	Duck			
1030030	Geese			
1030040	Quail			
1030990	Others (2)			
1040000	Honey and other apiculture products (7)	0,05 (*)	0,05 (*)	0,05 (*)
1050000	Amphibians and Reptiles	0,01 (*)	0,01 (*)	0,01 (*)
1060000	Terrestrial invertebrate animals	0,01 (*)	0,01 (*)	0,01 (*)
1070000	Wild terrestrial vertebrate animals	0,01 (*)	0,01 (*)	0,01 (*)
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)			

(1)	(2)	(3)	(4)	(5)
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)			
1300000	PROCESSED FOOD PRODUCTS (9)			

(*) Limit of analytical determination

(**) Pesticide-code combination for which the MRL as set in Annex III Part B applies.

(^a) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

(F) = Fat soluble

Triflumizole: sum of triflumizole and metabolite FM-6-1(N-(4-chloro-2-trifluoromethylphenyl)-n-propoxyacetamide), expressed as Triflumizole (F) (R)

(R) = The residue definition differs for the following combinations pesticide-code number:

triflumizole - code 100000, except 1040000: triflumizole

(+) The European Food Safety Authority identified some information on residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 12 October 2020, or, if that information is not submitted by that date, the lack of it.

0231010 Tomatoes

0231030 Aubergines/eggplants

0232010 Cucumbers

0232020 Gherkins

0232030 Courgettes

Triflumuron (F)

(+) The European Food Safety Authority identified some information on the magnitude of residues in processed commodities as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 12 October 2020, or, if that information is not submitted by that date, the lack of it.

0130010 Apples

0130020 Pears

(+) The European Food Safety Authority identified some information on residue trials and the magnitude of residues in processed commodities as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 12 October 2020, or, if that information is not submitted by that date, the lack of it.

0140010 Apricots

(+) The European Food Safety Authority identified some information on the magnitude of residues in processed commodities as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 12 October 2020, or, if that information is not submitted by that date, the lack of it.

0140030 Peaches

(+) The European Food Safety Authority identified some information on residue trials and the magnitude of residues in processed commodities as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 12 October 2020, or, if that information is not submitted by that date, the lack of it.

0140040 Plums

(2) In Part B of Annex III the columns for penoxsulam, triflumizole and triflumuron are deleted.