

COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a
COUNCIL DIRECTIVE

amending Annex I and 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.

Proposal for a
COUNCIL DIRECTIVE

amending the Annexes to Council 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

(presented by the Commission)

EXPLANATORY MEMORANDUM

The present proposals represent the third in the series of ad hoc priority lists of pesticides to be established since the adoption of Council Directive 90/642/EEC, and for which it is considered urgent to establish for the first time harmonized maximum pesticide residues levels (MRLs). Directive 90/642/EEC in completing the range of products to include most important components of the diet, allows a more systematic approach to be taken to establishing Community MRLs than was previously possible. The basis for prioritization of pesticides is their significance in agriculture and potential for trade difficulties due to the presence of residues in treated products. Accordingly, when adopted, the proposals will facilitate Community trade in the products covered by the measures.

The proposals provide for the amendment of Annex I and II to Council Directive 90/642/EEC (last amended by Council Directive 94/30/EEC) and Annex II to Council Directives 86/362/EEC and 86/363/EEC. At the time of adoption of the framework directives, Council provided for amending the directives to progressively establish lists of pesticides and their maximum levels. The present proposals fall within the exclusive competence of the Community. A system involving uniform maximum levels is necessary in order to facilitate circulation of the concerned agricultural products and to ensure protection of consumer health. The other features of the proposals are as follows:

- To establish Community maximum pesticide residue levels for 10 widely used pesticides that may leave residues in agricultural products and not previously covered by Community legislation. It is proposed to defer decisions for certain pesticide/product combination due to inadequate data by current standards and notwithstanding

the existence of Good Agricultural Practice in certain Member States. A maximum period of four years is envisaged in such cases to allow for the generation of data and during this period maximum levels for the particular pesticide/product combinations will remain unharmonized.

- To extend the range of products covered in Directive 90/642/EEC to cover spices. The inclusion of spices is necessary to permit the establishment of maximum levels for ethylene oxide and the related compound propylene oxide and their associated reaction products. Whilst it is considered appropriate to established MRLs for these products at their respective limits of determination (effectively zero) in all products due to the toxicological nature of the residues, it is particularly important that this is done for herbs and spices as these are the main products where such residues might be expected to arise. Establishment of MRLs for other pesticides in spices has not been provided for but the necessity and feasibility is under examination.

The proposals will have little or no impact on small or medium-sized enterprises.

The proposals would have no impact on the budget of the European Community.

Proposal for a
COUNCIL DIRECTIVE

amending Annex I and 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 vegetables¹ as last amended by Directive 94/30/EC², 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 Council 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, it is necessary to take into account relevant data for both authorised pesticide uses and supervised trials;

Whereas, in order to better estimate dietary intake of pesticide

¹ OJ No L 350, 14.12.1990, p. 71

² O. J. No. L189, 23.07.1994, p.70

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 residues in products of plant origin, namely methidathion, methomyl, thiodicarb, amitraz, pirimiphos-methyl, fenthion, aldicarb, thiabendazole, ethylene oxide, 2-chloroethanol, propylene oxide and chloropropanol, whereas, however, it is not possible to establish maximum pesticide residue levels for all pesticide residue product combinations due to insufficient data;

Whereas, the residues of ethylene oxide, 2-chloroethanol, propylene oxide and chloropropanol may arise from the use of ethylene oxide and propylene oxide; whereas, the use of ethylene oxide as a plant protection product is prohibited due to the toxicological properties of its residues; whereas, scientific opinion is that propylene oxide and its residues possess similar undesirable properties; whereas maximum pesticide residue levels for both active substances and their metabolites and reaction products should be established at the relevant limit of analytical determination;

Whereas certain pesticide residues may arise in spices which may need to be controlled; whereas it is necessary to amend Annex I to Directive 90/642/EEC, in order that spices may be included in the list of groups of product to which maximum residue levels apply;

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 31 December 1999 at the latest; whereas failure to provide satisfactory data shall 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 market¹

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 90/642/EEC is hereby amended as follows:

¹ OJ No L230, 19.08.1991, p.1

1. Annex I shall be amended as follows:

'Group of products	Products included in the groups	Parts of products to which maximum residue levels apply
8.Spices	Cumin seed Juniper berries Nutmeg Pepper, Black; White Vanilla pods	Whole product'

2. The following pesticide residues are added to Annex II of Directive 90/642/EEC:

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Methidathion	Methomyl Thiodicarb Residue: sum of methomyl and thiodicarb expressed as methomyl	Amitraz Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz
1. Fruit, fresh, dried or uncooked preserved by freezing not containing added sugar; nuts			
(i) CITRUS FRUIT Grapefruit Lemons Limes Mandarins (incl. clementines and other hybrids) Oranges Pumelos Others	(a)	(b)	1 (a)
(ii) TREE NUTS (shelled or unshelled) Almonds Brazil nuts Cashew nuts Chestnuts Coconuts Hazelnuts Macadamia Pecans Pine nuts Pistachios Walnuts Others	0.05*	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Methidathion	Methomyl Thiodicarb Residue: sum of methomyl and thiodicarb expressed as methomyl	Amitraz Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz
(iii) POME FRUIT Apples Pears Quinces Other	0.5	1 (b) 0.05*	1
(iv) STONE FRUIT Apricots Cherries Peaches (incl. nectarines and similar hybrids) Plums Others	0.2	(b)	1 (a)
(v) BERRIES AND SMALL FRUIT			
(a) <u>Table and wine grapes</u> Table grapes Wine grapes	0.5	3	(a)
(b) <u>Strawberries (other than wild)</u>	0.02*	0.05*	(a)
(c) <u>Cane fruit (other than wild)</u> Blackberries Dewberries Loganberries Raspberries Others	0.02*	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Methidathion	Methomyl Thiodicarb Residue: sum of methomyl and thiodicarb expressed as methomyl	Amitraz Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz
(d) <u>Other small fruit and berries (other than wild)</u> Bilberries (fruit of species vaccinium myrtyllus) Cranberries Currants (red, black and white) Gooseberries Others	0.02*	(b) 0.05*	(a) 0.02*
(e) <u>Wild berries and wild fruit</u>	0.02*	0.05*	0.02*
(vi) MISCELLANEOUS Avocados Bananas Dates Figs Kiwi Kumquat Litchis Mangoes Olives (table consumption) Olives (oil extraction) Passion fruit Pineapples Pomegranate Others	1 1 0.02*	(b) (b) 0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Methidathion	Methomyl Thiodicarb Residue: sum of methomyl and thiodicarb expressed as methomyl	Amitraz Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz
2. Vegetables, fresh or uncooked, frozen or dry			
(i) ROOT AND TUBER VEGETABLES	0.02*		0.02*
Beetroot			
Carrots			
Celeriac			
Horse radish			
Jerusalem artichokes			
Parsnip			
Parsley root			
Radishes		0.5	
Salsify			
Sweet potatoes			
Swedes			
Turnips			
Yam			
Others		0.05*	
(ii) BULB VEGETABLES		0.05*	0.02*
Garlic			
Onions	(a)		
Shallots	(a)		
Spring onions			
Others	0.02*		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Methidathion	Methomyl Thiodicarb Residue: sum of methomyl and thiodicarb expressed as methomyl	Amitraz Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz
(iii) FRUITING VEGETABLES			
(a) <u>Solanacea</u> Tomatoes Peppers Aubergines Others	0.02*	(b)	0.5 (a) (a)
(b) <u>Cucurbits - edible peel</u> Cucumbers Gherkins Courgettes Others	0.02*	(b) 0.05*	
(c) <u>Cucurbits - inedible peel</u> Melons Squashes Watermelons Others	0.02*	0.2	(a)
(d) <u>Sweet corn</u>	0.02*	0.05*	0.02*
(iv) BRASSICA VEGETABLES			
(a) <u>Flowering brassica</u> Broccoli Cauliflower Others	0.02*	(b)	0.02*
(b) <u>Head brassica</u> Brussels sprouts Head cabbage Others	0.02*	(b)	0.02*
(c) <u>Leafy brassica</u> Chinese cabbage Kale Others	0.02*	(b)	0.02*
(d) <u>Kohlrabi</u>	0.02*	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Methidathion	Methomyl Thiodicarb Residue: sum of methomyl and thiodicarb expressed as methomyl	Amitraz Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz
(v) LEAF VEGETABLES AND FRESH HERBS			
(a) <u>Lettuce & similar</u> Cress Lamb's lettuce Lettuce Scarole Others	0.02*	(b)	0.02*
(b) <u>Spinach & similar</u> Beet leaves (chard)	0.02*	2	0.02*
(c) <u>Water cress</u>	0.02*	0.05*	0.02*
(d) <u>Witloof</u>	0.02*	0.05*	0.02*
(e) <u>Herbs</u> Chervil Chives Parsley Celery leaves Others	0.02*	0.05*	0.02*
(vi) LEGUME VEGETABLES (fresh)	0.02*		0.02*
Beans (with pods)			
Beans (without pods)			
Peas (with pods)		(b)	
Peas (without pods)			
Others		0.05*	

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Methidathion	Methomyl Thiodicarb Residue: sum of methomyl and thiodicarb expressed as methomyl	Amitraz Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz
(vii) STEM VEGETABLES (fresh) Asparagus Cardoons Celery Fennel Globe artichokes Leek Rhubarb Others	(a) 0.02*	(b) 0.05*	0.02*
(viii) FUNGI (a) Cultivated mushrooms (b) Wild mushrooms	0.02*	0.05*	0.02*
3. PULSES Beans Lentils Peas Others	0.02*	0.05*	0.02*
4. OIL SEED Linseed Peanuts Poppy seeds Sesame seeds Sunflower seed (with shell) Sunflower seed (without shell) Rape seed Soya bean Mustard seed Cotton seed Others	0.05 (a) 0.02*	0.2 0.5 0.05*	(a) 0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Methidathion	Methomyl Thiodicarb Residue: sum of methomyl and thiodicarb expressed as methomyl	Amitraz Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz
5. POTATOES Early & ware potatoes	0.02*	0.05*	0.02*
6. TEA (Dried leaves and stalks, fermented or otherwise, <u>Camellia sinensis</u>)	(b)	0.1*	0.1*
7. HOPS (dried), including hop pellets and unconcentrated powder	3	10	(a)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Pirimiphos methyl	Fenthion Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	Aldicarb Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb
<p>1. Fruit, fresh, dried or uncooked preserved by freezing not containing added sugar; nuts</p> <p>(i) CITRUS FRUIT Grapefruit Lemons Limes Mandarins (incl. clementines and other hybrids) Oranges Pomelo Others</p> <p>(ii) TREE NUTS (shelled or unshelled) Almonds Brazil nuts Cashew nuts Chestnuts Coconuts Hazelnuts Macadamia Pecans Pine nuts Pistachios Walnuts Others</p>	<p>2</p> <p>1</p> <p>(b)</p> <p>(b)</p> <p>(b)</p> <p>(b)</p> <p>(b)</p> <p>0.05*</p>	<p>(a)</p> <p>0.05*</p>	<p>0.2</p> <p>0.2</p> <p>0.05*</p>

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Pirimiphos methyl	Fenthion Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	Aldicarb Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb
(iii) POME FRUIT Apples Pears Quinces Other	(b)	1	0.05*
(iv) STONE FRUIT Apricots Cherries Peaches (incl. nectarines and similar hybrids) Plums Others	(b)	1 (a)	0.05*
(v) BERRIES AND SMALL FRUIT			
(a) <u>Table and wine grapes</u> Table grapes Wine grapes	(b)	(a)	0.05*
(b) <u>Strawberries (other than wild)</u>	(b)	0.02*	0.05*
(c) <u>Cane fruit (other than wild)</u> Blackberries Dewberries Loganberries Raspberries Others	0.05*	0.02*	0.05*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Pirimiphos methyl	Fenthion Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	Aldicarb Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb
(d) <u>Other small fruit and berries (other than wild)</u> Bilberries (fruit of species vaccinium myrtillus) Cranberries Currants (red, black and white) Gooseberries Others	0.05*	0.02*	0.05*
(e) <u>Wild berries and wild fruit</u>	0.05*	0.02*	0.05*
(vi) MISCELLANEOUS Avocados Bananas Dates Figs Kiwi Kumquat Litchis Mangoes Olives (table consumption) Olives (oil extraction) Passion fruit Pineapples Pomegranate Others	 2 (b) (b) 0.05*	 1 1 0.02*	 0.3 0.05*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Pirimiphos methyl	Fenthion Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	Aldicarb Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb
2. Vegetables, fresh or uncooked, frozen or dry			
(i) ROOT AND TUBER VEGETABLES		0.02*	
Beetroot	1		(b)
Carrots			(b)
Celeriac			
Horse radish			
Jerusalem artichokes			
Parsnip			(b)
Parsley root			
Radishes			
Salsify			
Sweet potatoes			
Swedes			
Turnips			(b)
Yam			
Others	0.05*		0.05*
(ii) BULB VEGETABLES	(b)	0.02*	0.05*
Garlic			
Onions			
Shallots			
Spring onions			
Others			

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Pirimiphos methyl	Fenthion Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	Aldicarb Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb
(iii) FRUITING VEGETABLES			
(a) <u>Solanacea</u> Tomatoes Peppers Aubergines Others	(b)	0.02*	(b)
(b) <u>Cucurbits - edible peel</u> Cucumbers Gherkins Courgettes Others	(b)	0.02*	0.05*
(c) <u>Cucurbits - inedible peel</u> Melons Squashes Watermelons Others	(b)	0.02*	0.05*
(d) <u>Sweet corn</u>	0.05*	0.02*	0.05*
(iv) BRASSICA VEGETABLES			
(a) <u>Flowering brassica</u> Broccoli Cauliflower Others	1	0.02*	(b) 0.2 0.05*
(b) <u>Head brassica</u> Brussels sprouts Head cabbage Others	2	0.02*	0.2 (b)
(c) <u>Leafy brassica</u> Chinese cabbage Kale Others	(b) (b)	0.02*	0.05* 0.05*
(d) <u>Kohlrabi</u>	(b)	0.02*	0.05*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Pirimiphos methyl	Fenthion Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	Aldicarb Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb
(v) LEAF VEGETABLES AND FRESH HERBS			
(a) <u>Lettuce & similar</u> Cress Lamb's lettuce Lettuce Scarole Others	(b)	0.02*	0.05*
(b) <u>Spinach & similar</u> Beet leaves (chard)	(b)	0.02*	0.05*
(c) <u>Water cress</u>	0.05*	0.02*	0.05*
(d) <u>Witloof</u>	0.05*	0.02*	0.05*
(e) <u>Herbs</u> Chervil Chives Parsley Celery leaves Others	0.05*	0.02*	0.05*
(vi) LEGUME VEGETABLES (fresh)		0.02*	0.05*
Beans (with pods)			
Beans (without pods)			
Peas (with pods)			
Peas (without pods)	0.05*		
Others	(b)		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Pirimiphos methyl	Fenthion Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	Aldicarb Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb
(vii) STEM VEGETABLES (fresh) Asparagus Cardoons Celery Fennel Globe artichokes Leek Rhubarb Others	(b)	0.02*	(b) 0.05*
(viii) FUNGI (a) Cultivated mushrooms (b) Wild mushrooms	0.05*	0.02*	0.05*
3. PULSES Beans Lentils Peas Others	(b)	0.02*	0.05*
4. OIL SEED Linseed Peanuts Poppy seeds Sesame seeds Sunflower seed (with shell) Sunflower seed (without shell) Rape seed Soya bean Mustard seed Cotton seed Others	(b) (b) (b) (b) (b) (b) (b) 0.05*	0.02*	(b) (b) (b) 0.05*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Pirimiphos methyl	Fenthion Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	Aldicarb Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb
5. POTATOES Early & ware potatoes	0.05*	0.02*	0.5
6. TEA (Dried leaves and stalks, fermented or otherwise, <u>Camellia sinensis</u>)	0.05*	0.05*	0.05*
7. HOPS (dried), including hop pellets and unconcentrated powder	0.05*	0.05*	(b)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Thiabendazole	Ethylene oxide (or ethene oxide) (parent compound only)	2-chloroethanol (metabolite of ethylene oxide)
<p>1. Fruit, fresh, dried or uncooked preserved by freezing not containing added sugar; nuts</p> <p>(i) CITRUS FRUIT Grapefruit Lemons Limes Mandarins (incl. clementines and other hybrids) Oranges Pomelo Others</p> <p>(ii) TREE NUTS (shelled or unshelled) Almonds Brazil nuts Cashew nuts Chestnuts Coconuts Hazelnuts Macadamia Pecans Pine nuts Pistachios Walnuts Others</p>		0.05*	0.01*
	0.1*	0.05*	0.01*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Thiabendazole	Ethylene oxide (or ethene oxide) (parent compound only)	2-chloroethanol (metabolite of ethylene oxide)
<p>(d) <u>Other small fruit and berries (other than wild)</u> Bilberries (fruit of species vaccinium myrtillus) Cranberries Currants (red, black and white) Gooseberries Others</p> <p>(e) <u>Wild berries and wild fruit</u></p>	<p>(b)</p> <p>(b)</p> <p>0.05*</p> <p>0.05*</p>		
<p>(vi) MISCELLANEOUS Avocados Bananas Dates Figs Kiwi Kumquat Litchis Mangoes Olives (table consumption) Olives (oil extraction) Passion fruit Pineapples Pomegranate Others (except bananas)</p>	<p>0.05*</p>	<p>0.05*</p>	<p>0.01*</p>

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Thiabendazole	Ethylene oxide (or ethene oxide) (parent compound only)	2-chloroethanol (metabolite of ethylene oxide)
2. Vegetables, fresh or uncooked, frozen or dry			
(i) ROOT AND TUBER VEGETABLES		0.05*	0.01*
Beetroot	(b)		
Carrots			
Celeriac			
Horse radish			
Jerusalem artichokes			
Parsnip			
Parsley root			
Radishes			
Salsify			
Sweet potatoes			
Swedes			
Turnips			
Yam			
Others	0.05*		
(ii) BULB VEGETABLES		0.05*	0.01*
Garlic	(b)		
Onions	(b)		
Shallots	(b)		
Spring onions			
Others	0.05*		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Thiabendazole	Ethylene oxide (or ethene oxide) (parent compound only)	2-chloroethanol (metabolite of ethylene oxide)
(iii) FRUITING VEGETABLES		0.05*	0.01*
(a) <u>Solanacea</u>			
Tomatoes	(b)		
Peppers	(b)		
Aubergines			
Others	0.05*		
(b) <u>Cucurbits - edible peel</u>			
Cucumbers	(b)		
Gherkins			
Courgettes			
Others	0.05*		
(c) <u>Cucurbits - inedible peel</u>			
Melons	(b)		
Squashes			
Watermelons	(b)		
Others	0.05*		
(d) <u>Sweet corn</u>			
(iv) BRASSICA VEGETABLES		0.05*	0.01*
(a) <u>Flowering brassica</u>			
Broccoli	5		
Cauliflower			
Others	0.05*		
(b) <u>Head brassica</u>			
Brussels sprouts			
Head cabbage			
Others	(b)		
(c) <u>Leafy brassica</u>	0.05*		
Chinese cabbage	0.05*		
Kale			
Others			
(d) <u>Kohlrabi</u>			
	0.05*		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Thiabendazole	Ethylene oxide (or ethene oxide) (parent compound only)	2-chloroethanol (metabolite of ethylene oxide)
(v) LEAF VEGETABLES AND FRESH HERBS		0.05*	0.01*
(a) <u>Lettuce & similar</u> Cress Lamb's lettuce Lettuce Scarole Others	(b) 0.05*		
(b) <u>Spinach & similar</u> Beet leaves (chard)	0.05*		
(c) <u>Water cress</u>	0.05*		
(d) <u>Witloof</u>	0.05*		
(e) <u>Herbs</u> Chervil Chives Parsley Celery leaves Others	0.05*		
(vi) LEGUME VEGETABLES (fresh)		0.05*	0.01*
Beans (with pods)	(b)		
Beans (without pods)	(b)		
Peas (with pods)			
Peas (without pods)			
Others	0.05*		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Thiabendazole	Ethylene oxide (or ethene oxide) (parent compound only)	2-chloroethanol (metabolite of ethylene oxide)
(vii) STEM VEGETABLES (fresh) Asparagus Cardoons Celery Fennel Globe artichokes Leek Rhubarb Others	(b) 0.05*	0.05*	0.01*
(viii) FUNGI (a) Cultivated mushrooms (b) Wild mushrooms	(b) 0.05*	0.05*	0.01*
3. PULSES Beans Lentils Peas Others	0.05*	0.05*	0.01*
4. OIL SEED Linseed Peanuts Poppy seeds Sesame seeds Sunflower seed (with shell) Sunflower seed (without shell) Rape seed Soya bean Mustard seed Cotton seed Others	0.05*	0.05*	0.01*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Thiabendazole	Ethylene oxide (or ethene oxide) (parent compound only)	2-chloroethanol (metabolite of ethylene oxide)
5. POTATOES Early & ware potatoes	5	0.05*	0.01*
6. TEA (Dried leaves and stalks, fermented or otherwise, Camellia sinensis)	0.1*	0.05*	0.01*
7. HOPS (dried), including hop pellets and unconcentrated powder	0.1*	0.05*	0.01*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	
	Propylene oxide (or propene oxide) (parent compound only)	Chloropropanol (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (Metabolites of propylene oxide)
1. Fruit, fresh, dried or uncooked preserved by freezing not containing added sugar; nuts		
(i) CITRUS FRUIT	0.05*	0.02*
Grapefruit		
Lemons		
Limes		
Mandarins (incl. clementines and other hybrids)		
Oranges		
Pomelo		
Others		
(ii) TREE NUTS (shelled or unshelled)	0.05*	0.02*
Almonds		
Brazil nuts		
Cashew nuts		
Chestnuts		
Coconuts		
Hazelnuts		
Macadamia		
Pecans		
Pine nuts		
Pistachios		
Walnuts		
Others		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	
	Propylene oxide (or propene oxide) (parent compound only)	Chloropropanol (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (Metabolites of propylene oxide)
(iii) POME FRUIT Apples Pears Quinces Other	0.05*	0.02*
(iv) STONE FRUIT Apricots Cherries Peaches (incl. nectarines and similar hybrids) Plums Others	0.05*	0.02*
(v) BERRIES AND SMALL FRUIT (a) <u>Table and wine grapes</u> Table grapes Wine grapes (b) <u>Strawberries (other than wild)</u> (c) <u>Cane fruit (other than wild)</u> Blackberries Dewberries Loganberries Raspberries Others	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	
	Propylene oxide (or propene oxide) (parent compound only)	Chloropropanol (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (Metabolites of propylene oxide)
<p>(d) <u>Other small fruit and berries (other than wild)</u> Bilberries (fruit of species vaccinium myrtillus) Cranberries Currants (red, black and white) Gooseberries Others</p> <p>(e) <u>Wild berries and wild fruit</u></p>		
<p>(vi) MISCELLANEOUS Avocados Bananas Dates Figs Kiwi Kumquat Litchis Mangoes Olives (table consumption) Olives (oil extraction) Passion fruit Pineapples Pomegranate Others</p>	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	
	Propylene oxide (or propene oxide) (parent compound only)	Chloropropanol (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (Metabolites of propylene oxide)
2. Vegetables, fresh or uncooked, frozen or dry		
(i) ROOT AND TUBER VEGETABLES Beetroot Carrots Celeriac Horse radish Jerusalem artichokes Parsnip Parsley root Radishes Salsify Sweet potatoes Swedes Turnips Yam Others	0.05*	0.02*
(ii) BULB VEGETABLES Garlic Onions Shallots Spring onions Others	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	
	Propylene oxide (or propene oxide) (parent compound only)	Chloropropanol (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (Metabolites of propylene oxide)
(iii) FRUITING VEGETABLES (a) <u>Solanacea</u> Tomatoes Peppers Aubergines Others (b) <u>Cucurbits - edible peel</u> Cucumbers Gherkins Courgettes Others (c) <u>Cucurbits - inedible peel</u> Melons Squashes Watermelons Others (d) <u>Sweet corn</u>	0.05*	0.02*
(iv) BRASSICA VEGETABLES (a) <u>Flowering brassica</u> Broccoli Cauliflower Others (b) <u>Head brassica</u> Brussels sprouts Head cabbage Others (c) <u>Leafy brassica</u> Chinese cabbage Kale Others (d) <u>Kohlrabi</u>	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	
	Propylene oxide (or propene oxide) (parent compound only)	Chloropropanol (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (Metabolites of propylene oxide)
(v) LEAF VEGETABLES AND FRESH HERBS (a) <u>Lettuce & similar</u> Cress Lamb's lettuce Lettuce Scarole Others (b) <u>Spinach & similar</u> Beet leaves (chard) (c) <u>Water cress</u> (d) <u>Witloof</u> (e) <u>Herbs</u> Chervil Chives Parsley Celery leaves Others	0.05*	0.02*
(vi) LEGUME VEGETABLES (fresh) Beans (with pods) Beans (without pods) Peas (with pods) Peas (without pods) Others	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	
	Propylene oxide (or propene oxide) (parent compound only)	Chloropropanol (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (Metabolites of propylene oxide)
(vii) STEM VEGETABLES (fresh) Asparagus Cardoons Celery Fennel Globe artichokes Leek Rhubarb Others	0.05*	0.02*
(viii) FUNGI (a) Cultivated mushrooms (b) Wild mushrooms	0.05*	0.02*
3. PULSES Beans Lentils Peas Others	0.05*	0.02*
4. OIL SEED Linseed Peanuts Poppy seeds Sesame seeds Sunflower seed (with shell) Sunflower seed (without shell) Rape seed Soya bean Mustard seed Cotton seed Others	0.05*	0.02*

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)	
	Propylene oxide (or propene oxide) (parent compound only)	Chloropropanol (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (Metabolites of propylene oxide)
5. POTATOES Early & ware potatoes	0.05*	0.02*
6. TEA (Dried leaves and stalks, fermented or otherwise, <u>Camellia sinensis</u>)	0.05*	0.02*
7. HOPS (dried), including hop pellets and unconcentrated powder	0.05*	0.02*

* Indicates lower limit of analytical determination

(a) (b) Should levels not be adopted by 31 December 1999 the following levels shall apply as indicated thereafter:

(a) 0.02*

(b) 0.05*

Article 2

Member States shall bring into force not later than 31 December 1995 the laws, regulations or administrative provisions necessary to comply with this Directive.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their publication. The methods of making such reference shall be laid down by the Member States.

Article 3

This Directive is addressed to Member States.

Done at Brussels,

For the Council

Proposal for a
COUNCIL DIRECTIVE

amending the Annexes to Council 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 Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in cereals¹ as last amended by Directive 94/29/EC², and in particular Article 11 thereof,

Having regard to Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in foodstuffs of animal origin³ as last amended by Directive 94/29/EC 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 Council Directives 86/362/EEC and 86/363/EEC to prepare the list of pesticide residues and their maximum levels for approval by 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;

¹ O.J. No. L221, 07.08.1986, p37

² O.J. No. L189, 23.07.1994, p.67

³ O.J. No. L221, 07.08.1986, p. 43

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 methidathion, methomyl, thiodicarb, amitraz, pirimiphos-methyl, fenthion, aldicarb and thiabendazole, ethylene oxide, 2-chloroethanol, propylene oxide and chloropropanol;

Whereas, the residues of ethylene oxide, 2-chloroethanol, propylene oxide and chloropropanol may arise from the use of ethylene oxide and propylene oxide; whereas, the use of ethylene oxide as a plant protection product is prohibited due to the toxicological properties of its residues; whereas, scientific opinion is that propylene oxide and its residues possess similar undesirable properties; whereas maximum pesticide residue levels for both active substances and their metabolites and reaction products should be established at the relevant limit of analytical determination;

Whereas the maximum residue levels established in the current 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 market⁴,

HAS ADOPTED THIS DIRECTIVE:

⁴ O.J. No. L 230, 19.08.1991, p. 1

Article 1

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

Pesticide residues	Maximum levels in mg/kg(ppm)
METHIDATHION	0.02*
METHOMYL THIODICARB (DEF) Residue: sum of methomyl and thiodicarb expressed as methomyl	0.05*
AMITRAZ Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz	0.02*
PIRIMIPHOS METHYL	(a) rice, 5 others
FENTHION Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion	0.02*
ALDICARB Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb	0.05*
THIABENDAZOLE	(a) wheat, rice 0.05*: others
ETHYLENE OXIDE (or ethene oxide) (Parent compound only)	0.05*
2-CHLOROETHANOL (metabolite of ethylene oxide)	0.01*
PROPYLENE OXIDE (or propene oxide) (parent compound only)	0.05*
CHLOROPROPANOL (sum of 2-chloropropanol-1 and 1-chloropropanol-2) (metabolites of propylene oxide)	0.02*

* Indicates lower limit of analytical determination

(a) Should levels not be adopted by 31 December 1999 the level of 0.05* shall apply.

Article 2

1. The following pesticide residues are added to Annex II Part A of Directive 86/363/EEC:

	Maximum levels in mg/kg (ppm)		
	of fat, contained in meat, preparations of meat, offals and animal fats listed in Annex I under heading Nos ex 0201, 0202, 0203, 0204, 02050000, 0206, 0207, ex 0208, 020900, 0210, 160100, 1602 (1) (4)	for raw cow's milk and whole cream cow's milk listed in Annex I under heading No 0401; for the other foodstuffs in heading Nos 0401, 0402, 040500, 0406 in accordance with (2)(4)	of shelled fresh eggs, for birds' eggs and egg yolks listed in Annex I under heading No 040700, 0408 (3)(4)
Pesticide residues			
METHIDATHION	0.02*	0.02*	0.02*
PIRIMIPHOS METHYL	0.05*	0.05*	0.05*
FENTHION Residue: sum of fenthion, fenthion sulfoxide and fenthion sulfone and their oxygen analogues expressed as fenthion		0.01*	

- * Indicates lower limit of analytical determination
- (1) In the case of foodstuffs with a fat content of 10% or less by weight, the residue is related to the total weight of the boned foodstuff. In such cases, the maximum level is one-tenth of the value related to fat content, but must be no less than 0.01 mg/kg
- (2) In determining the residues in raw cow's milk and whole cream cow's milk, a fat content of 4% by weight should be taken as a basis. For the other foodstuffs listed in Annex I under heading Nos 0401, 0402, 040500, 0406:
- with a fat content of less than 2% by weight, the maximum level is taken as half that set for raw milk and whole cream milk,
 - with a fat content of 2% or more by weight, the maximum level is expressed in mg/kg of fat. In such cases the, maximum level is 25 times that set for raw milk and whole cream milk.
- (3) For eggs and egg products with a fat content higher than 10% the maximum level is expressed in mg/kg fat. In this case the maximum level is 10 times higher than the maximum level for fresh eggs.
- (4) Footnotes (1) (2) and (3) do not apply in cases where the lower limit of analytical determination is indicated.

2. The following pesticide residues are added to Annex II of Directive 86/363/EEC:

	Maximum levels in mg/kg (ppm)		
	of meat, including fat, preparations of meat, offals and animal fats as listed in Annex I under heading Nos ex 0201, 0202, 0203, 0204, 02050000, 0206, 0207, ex 0208, 020900, 0210, 160100 and 1602	for milk and milk products listed in Annex I under headings Nos 0401, 0402, 040500, 0406	of shelled fresh eggs, for birds' eggs and egg yolks listed in Annex 1 under heading No 040700, 0408
Pesticide residues			
METHOMYL THIODICARB Residue: sum of methomyl and thiodicarb expressed as methomyl	0.02*	0.02*	0.02*
AMITRAZ Residue: amitraz plus all 2,4-DMA generating metabolites expressed as amitraz	Poultry meat 0.02*	0.01*	0.02*
ALDICARB Residue: sum of aldicarb, its sulfoxide and its sulphone expressed as aldicarb	0.01*	0.01*	0.01*
THIABENDAZOLE Residue: sum of thiabendazole and 5-hydroxythiabendazole	0.1*	0.1*	0.1*

* Indicates lower limit of analytical determination

Article 3

Member States shall bring into force not later than 31 December 1995 the laws, regulations or administrative provisions necessary to comply with this Directive.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their publication. The methods of making such reference shall be laid down by the Member States.

Article 4

This Directive is addressed to Member States.

Done at Brussels,

For the Council

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