



7 May 2021

(21-3919)

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Committee on Sanitary and Phytosanitary Measures

Original: English

## NOTIFICATION

*Revision<sup>1</sup>*

<b>1. Notifying Member:</b> <u>EUROPEAN UNION</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> European Commission, Health and Food Safety Directorate-General
<b>3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Cereals (HS Codes: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008), foodstuffs of animal origin (HS Codes: 0201, 0202, 0203, 0204, 0205, 0206, 0207, 0208, 0209, 0210) and certain products of plant origin, including fruit and vegetables
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> <b>All trading partners</b> <input type="checkbox"/> <b>Specific regions or countries:</b>
<b>5. Title of the notified document:</b> Draft Commission Regulation 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 acequinocyl, cycloxydim, diclofop, fluopyram, ipconazole and terbuthylazine in or on certain products (Text with EEA relevance). <b>Language(s):</b> English. <b>Number of pages:</b> 34 <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_00_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_00_e.pdf</a> <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_01_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_01_e.pdf</a> <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_02_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_02_e.pdf</a> <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_03_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_03_e.pdf</a> <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_04_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_3203_04_e.pdf</a>
<b>6. Description of content:</b> The proposed draft Regulation concerns the review of existing MRLs for acequinocyl, cycloxydim, diclofop, fluopyram, ipconazole and terbuthylazine in certain food commodities. MRLs for these substances in certain commodities are changed: either increased or lowered. Lower MRLs are set after updating the limits of determination and/or deleting old uses which are not authorised any more in the European Union or for which a human health concern may not be excluded. The residue definition for some substances has also been updated.
<b>7. Objective and rationale:</b> <input checked="" type="checkbox"/> <b>food safety</b> , <input type="checkbox"/> <b>animal health</b> , <input type="checkbox"/> <b>plant protection</b> , <input type="checkbox"/> <b>protect humans from animal/plant pest or disease</b> , <input type="checkbox"/> <b>protect territory from other damage from pests.</b>

<sup>1</sup> This revision contains the information notified in [G/SPS/N/EU/397/Corr.1](#), circulated in English only, on 20 July 2020. The French and Spanish versions of [G/SPS/N/EU/397](#) have not been modified in this revision.

**8. Is there a relevant international standard? If so, identify the standard:**

**Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):** Codex Maximum Residue Limits for cycloxydim and fluopyram. The list of Codex MRLs is available at: <http://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticides/en/>.

**World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):**

**International Plant Protection Convention (e.g. ISPM number):**

**None**

**Does this proposed regulation conform to the relevant international standard?**

Yes  No

**If no, describe, whenever possible, how and why it deviates from the international standard:** The European Food Safety Authority (EFSA) published a reasoned opinion on the review of the existing maximum residue levels for fluopyram. EFSA identified a possible chronic risk to consumers if all available CXLs were maintained. Therefore, the CXLs which were higher than the derived EU MRL were disregarded. EU MRLs for oranges, lemons, limes, tree nuts, wine grapes, currants (red, black and white), gooseberries, rose hips, potatoes, spring onions, sweet peppers/bell peppers, aubergines/eggplants, basil, beans (without pods), peas (without pods), beans (dry), lentils (dry), peanuts, soyabean, rice, rye, swine (muscle, fat tissue, liver, kidney), bovine (muscle, fat tissue, liver, kidney), sheep (muscle, fat tissue, liver, kidney), goat (muscle, fat tissue, liver, kidney), equine (muscle, fat tissue, liver, kidney), milk (cattle, sheep, goat, horse) and birds eggs have been lowered and do not correspond to CXLs.

The proposed regulation conforms to the relevant international standard for cycloxydim.

**9. Other relevant documents and language(s) in which these are available:**

- "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"  
<http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32005R0396>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for acequinocyl according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2020; 18(1): 5983."  
<https://www.efsa.europa.eu/en/efsajournal/pub/5983>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for cycloxydim according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2020; 18(1): 5962."  
<https://www.efsa.europa.eu/en/efsajournal/pub/5962>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for diclofop according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2020; 18(1): 5981."  
<https://www.efsa.europa.eu/en/efsajournal/pub/5981>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for fluopyram according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2020; 18(4): 6059."  
<https://www.efsa.europa.eu/en/efsajournal/pub/6059>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for ipconazole according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2020; 18(1): 5961."  
<https://www.efsa.europa.eu/en/efsajournal/pub/5961>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for terbuthylazine according to Article 12 of Regulation (EC) No /2005. EFSA Journal 2020; 18(1): 5980."  
<https://www.efsa.europa.eu/en/efsajournal/pub/5980>

(available in English)

<p><b>10. Proposed date of adoption (dd/mm/yy):</b> September 2020  <b>Proposed date of publication (dd/mm/yy):</b> October 2020</p>
<p><b>11. Proposed date of entry into force: [ ] Six months from date of publication, and/or (dd/mm/yy):</b> Twenty days after publication in the Official Journal of the European Union.  <b>[ ] Trade facilitating measure</b></p>
<p><b>12. Final date for comments: [ ] Sixty days from the date of circulation of the notification and/or (dd/mm/yy):</b> Not applicable  <b>Agency or authority designated to handle comments: [X] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b>  European Commission  DG Health and Food Safety, Unit D2 - Multilateral International Relations  Rue Froissart 101  B 1049 Brussels  Tel: +(322) 295 4263  Fax: +(322) 299 8090  E-mail: <a href="mailto:sps@ec.europa.eu">sps@ec.europa.eu</a></p>
<p><b>13. Text(s) available from: [X] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b>  European Commission  DG Health and Food Safety, Unit D2 - Multilateral International Relations  Rue Froissart 101  B 1049 Brussels  Tel: +(322) 295 4263  Fax: +(322) 299 8090  E-mail: <a href="mailto:sps@ec.europa.eu">sps@ec.europa.eu</a></p>