



29 June 2023

(23-4427)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**NOTIFICATION**

<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 V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for diethofencarb, fenoxycarb, flutriafol and pencycuron in or on certain products (Text with EEA relevance). <b>Language(s):</b> English. <b>Number of pages:</b> 5 + Annexes <a href="https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_00_e.pdf">https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_00_e.pdf</a> <a href="https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_01_e.pdf">https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_01_e.pdf</a> <a href="https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_02_e.pdf">https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_02_e.pdf</a> <a href="https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_03_e.pdf">https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_03_e.pdf</a> <a href="https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_04_e.pdf">https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_04_e.pdf</a> <a href="https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_05_e.pdf">https://members.wto.org/crnattachments/2023/SPS/EEC/23_10637_05_e.pdf</a>
<b>6. Description of content:</b> The proposed draft Regulation concerns the update of existing MRLs for diethofencarb, fenoxycarb, flutriafol and pencycuron in certain food products. MRLs for these substances in certain commodities are changed. Lower MRLs are set at the level of Codex MRLs or at the limit of determination, after deleting old uses which are not authorised any more in the European Union or for which a human health concern may not be excluded.
<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>
<b>8. Is there a relevant international standard? If so, identify the standard:</b> <input checked="" type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b> Codex Maximum Residue Limits for flutriafol in some commodities. CODEX MRLs LIST is available at <a href="https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticides/en/">https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticides/en/</a> .

<p><input type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b></p> <p><input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b></p> <p><input type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b></p>
<p><b>9. Other relevant documents and language(s) in which these are available:</b></p> <ul style="list-style-type: none"> <li>- 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 <a href="http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32005R0396">http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32005R0396</a></li> <li>- Commission Implementing Regulation (EU) 2021/726 of 4 May 2021 amending Implementing Regulation (EU) No 540/2011 as regards the approval periods of the active substances <i>Adoxophyes orana granulovirus</i> and flutriafol <a href="https://eur-lex.europa.eu/eli/reg_impl/2021/726/oj">https://eur-lex.europa.eu/eli/reg_impl/2021/726/oj</a></li> <li>- Reasoned opinion on the review of the existing maximum residue levels (MRLs) for flutriafol according to Article 12 of Regulation (EC) No 396/2005 <a href="https://efsa.onlinelibrary.wiley.com/doi/abs/10.2903/j.efsa.2014.3687">https://efsa.onlinelibrary.wiley.com/doi/abs/10.2903/j.efsa.2014.3687</a></li> <li>- Evaluation of confirmatory data following the Article 12 MRL review and setting of an import tolerance for flutriafol in cucurbits (inedible peel) <a href="https://www.efsa.europa.eu/en/efsajournal/pub/6315">https://www.efsa.europa.eu/en/efsajournal/pub/6315</a></li> <li>- Setting of import tolerance for flutriafol in cucurbits with edible peel <a href="https://www.efsa.europa.eu/en/efsajournal/pub/4577">https://www.efsa.europa.eu/en/efsajournal/pub/4577</a></li> <li>- Setting of import tolerance for flutriafol in strawberries <a href="https://www.efsa.europa.eu/en/efsajournal/pub/4427">https://www.efsa.europa.eu/en/efsajournal/pub/4427</a></li> <li>- Setting of import tolerance for flutriafol in hops <a href="https://www.efsa.europa.eu/en/efsajournal/pub/4875">https://www.efsa.europa.eu/en/efsajournal/pub/4875</a></li> <li>- Scientific support for preparing an EU position in the 48<sup>th</sup> Session of the Codex Committee on Pesticide Residues (CCPR) <a href="https://www.efsa.europa.eu/en/efsajournal/pub/4571">https://www.efsa.europa.eu/en/efsajournal/pub/4571</a></li> </ul> <p>(available in English)</p>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> January 2024</p> <p><b>Proposed date of publication (dd/mm/yy):</b> March 2024</p>
<p><b>11. Proposed date of entry into force:</b> <input type="checkbox"/> <b>Six months from date of publication, and/or (dd/mm/yy):</b> This Regulation shall enter into force on the twentieth day following its publication in the Official Journal of the European Union, and apply six months thereafter.</p> <p><input type="checkbox"/> <b>Trade facilitating measure</b></p>
<p><b>12. Final date for comments:</b> <input checked="" type="checkbox"/> <b>Sixty days from the date of circulation of the notification and/or (dd/mm/yy):</b> 28 August 2023</p> <p><b>Agency or authority designated to handle comments:</b> <input checked="" type="checkbox"/> <b>National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>European Commission  DG Health and Food Safety, Unit A4-Multilateral International Relations  Rue Froissart 101  B-1049 Brussels  Tel: +(32 2) 29 54263  E-mail: <a href="mailto:sps@ec.europa.eu">sps@ec.europa.eu</a></p>

**13. Text(s) available from:  National Notification Authority,  National Enquiry Point. Address, fax number and e-mail address (if available) of other body:**

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