

Commission Directive 2006/61/EC of 7 July 2006 amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for atrazine, azinphos-ethyl, cyfluthrin, ethephon, fenthion, methamidophos, methomyl, paraquat and triazophos (Text with EEA relevance)

COMMISSION DIRECTIVE 2006/61/EC

of 7 July 2006

amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC as regards maximum residue levels for atrazine, azinphos-ethyl, cyfluthrin, ethephon, fenthion, methamidophos, methomyl, paraquat and triazophos

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin⁽²⁾, 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⁽³⁾, and in particular Article 7 thereof,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market⁽⁴⁾, and in particular Article 4(1)(f) 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

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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 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 several pesticides current MRLs may need to be revised in the light of the availability of new information on the toxicology and consumer intake. The Commission has 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 Organization⁽⁵⁾. 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 Organization. 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 Organization, 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 86/362/EEC, 86/363/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

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

Article 2

Annex II to Directive 86/363/EEC is amended in accordance with Annex II to this Directive.

Article 3

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

Article 4

1 Member States shall adopt and publish, by 20 January 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 21 January 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, 7 July 2006.

For the Commission

Markos KYPRIANOU

Member of the Commission

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ANNEX I

Part A of Annex II to Directive 86/362/EEC is amended as follows:

1. The following line for atrazine is added:

Pesticide residues	Maximum level in mg/kg
'Atrazine	0,05 ^a CEREALS

^a Indicates lower limit of analytical determination.'

2. The lines for azinphos-ethyl, ethephon and triazophos are replaced by the following:

Pesticide residues	Maximum level in mg/kg
'Azinphos-ethyl	0,05 ^a CEREALS
Ethephon	0,5 barley, rye 0,2 triticale, wheat 0,05 ^a cereals others
Triazophos	0,02 ^a CEREALS

^a Indicates lower limit of analytical determination.'

ANNEX II

Part A of Annex II to Directive 86/363/EEC is amended as follows:

1. In Part A of Annex II to Directive 86/363/EEC, the lines for azinphos-ethyl and triazophos are replaced by the following:

Pesticide residues	Maximum level in mg/kg		
	of fat contained in meat, preparations of meat, offal and animal fats listed in Annex I under headings Nos ex 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602 (1) (4)	for cow's milk and whole cream cow's milk listed in Annex I under headings No 0401: for other foodstuffs in heading Nos 0401, 0402, 0405 00 and 0406 in accordance with (2) (4)	of shelled fresh eggs, for bird's eggs and egg yolks listed in Annex I under headings Nos 0407 00 and 0408 (3) (4)

^a Indicates lower limit of analytical determination.'

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‘Azinphos-ethyl	0,01 ^a	0,01 ^a	0,01 ^a
Triazophos	0,01 ^a	0,01 ^a	0,01 ^a

^a Indicates lower limit of analytical determination.’

2. In Part A of Annex II to Directive 86/363/EEC, the line for fenthion is added by the following:

Pesticide residues	Maximum level in mg/kg		
	of fat contained in meat, preparations of meat, offal and animal fats listed in Annex I under headings Nos ex 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602 (1) (4)	for cow's milk and whole cream cow's milk listed in Annex I under headings No 0401: for other foodstuffs in heading Nos 0401, 0402, 0405 00 and 0406 in accordance with (2) (4)	of shelled fresh eggs, for bird's eggs and egg yolks listed in Annex I under headings Nos 0407 00 and 0408 (3) (4)
‘Fenthion and its oxygen analogue, their sulfoxides and sulfones expressed as parent	0,05 ^a	0,01 ^a	—

^a Indicates lower limit of analytical determination.’

ANNEX III

Part A of Annex II to Directive 90/642/EEC is amended as follows:

1. The following column for fenthion is added:

Groups and examples of individual products to which the MRLs apply	Fenthion and its oxygen analogue, their sulfoxides and sulfones expressed as parent
‘1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts	

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	(i)	CITRUS FRUIT	3
		Grapefruit	
		Lemons	
		Limes	
		Mandarins (including clementines and other hybrids)	
		Oranges	
		Pomelos	
		Others	
	(ii)	TREE NUTS (shelled or unshelled)	0,01 ^a
		Almonds	
		Brazil nuts	
		Cashew nuts	
		Chestnuts	
		Coconuts	
		Hazelnuts	
		Macadamia	
		Pecans	
		Pine nuts	
		Pistachios	
		Walnuts	
		Others	
	(iii)	POME FRUIT	0,01 ^a
		Apples	
		Pears	
		Quinces	
		Others	
	(iv)	STONE FRUIT	
		Apricots	
		Cherries	2
		Peaches (including nectarines and similar hybrids)	
		Plums	

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		Others	0,01 ^a
	(v)	BERRIES AND SMALL FRUIT	0,01 ^a
		(a)	Table and wine grapes
			Table grapes
			Wine grapes
		(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	

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		Kumquats	
		Litchis	
		Mangoes	
		olives (table consumption)	1
		olives (oil extraction)	1
		Papaya	
		Passion fruit	
		Pineapples	
		Others	0,01 ^a
2.		Vegetables, fresh or uncooked, frozen or dry	0,01 ^a
	(i)	ROOT AND TUBER VEGETABLES	
		Beetroot	
		Carrots	
		Cassava	
		Celeriac	
		Horseradish	
		Jerusalem artichokes	
		Parsnips	
		Parsley root	
		Radishes	
		Salsify	
		Sweet potatoes	
		Swedes	
		Turnips	
		Yam	
		Others	
	(ii)	BULB VEGETABLES	
		Garlic	
		Onions	
		Shallots	
		Spring onions	
		Others	

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	(iii)	FRUITING VEGETABLES	
		(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
			Cauliflower
			Others
		(b)	Head brassica
			Brussels sprouts
			Head cabbage
			Others
		(c)	Leafy brassica
			Chinese cabbage
			Kale

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			Others	
		(d)	Kohlrabi	
	(v)	LEAF VEGETABLES AND FRESH HERBS		
		(a)	Lettuce & similar	
			Cress	
			Lamb's lettuce	
			Lettuce	
			Scarole	
			Ruccola	
			Leaves and stems of brassica	
			Others	
		(b)	Spinach & 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)	
			Beans (without pods)	
			Peas (with pods)	
			Peas (without pods)	
			Others	

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	(vii)	STEM VEGETABLES (fresh)		
		Asparagus		
		Cardoons		
		Celery		
		Fennel		
		Globe artichokes		
		Leek		
		Rhubarb		
		Others		
	(viii)	FUNGI		
		(a)	Cultivated mushrooms	
		(b)	Wild mushrooms	
3.	Pulses			0,01 ^a
	Beans			
	Lentils			
	Peas			
	Others			
4.	Oil seed			0,02 ^a
	Linseed			
	Peanuts			
	Poppy seeds			
	Sesame seeds			
	Sunflower seed			
	Rape seed			
	Soya bean			
	Mustard seed			
	Cotton seed			
	Hemp seed			
	Others			
5.	Potatoes			0,01 ^a
	Early potatoes			
	Ware potatoes			

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6.	Tea (leaves and stems, dried, fermented or otherwise, from the leaves of <i>Camellia sinensis</i>)	0,1 ^a
7.	Hops (dried), including hop pellets and unconcentrated powder	0,1 ^a

a Indicates lower limit of analytical determination.'

2. The columns for atrazine, azinphos-ethyl, cyfluthrin, ethephon, methamidophos, methomyl, paraquat and triazophos are replaced by the following:

Groups and examples of individual products to which the MRLs apply		Atrazine	Azinphos-ethyl	Cyfluthrin including other mixtures of constituent isomers (sum of isomers)	Ethephon	Methamidophos	Methomyl	Thiodicarb (sum expressed as methomyl)	Paraquat	Triazophos
'1.	Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts	0,05 ^a	0,02 ^a					0,02 ^a	0,01 ^a	
	(i) CITRUS FRUIT			0,02 ^a	0,05 ^a	0,01 ^a				
	Grapefruit						0,5			
	Lemons						1			
	Limes						1			
	Mandarins (including clementines and other hybrids)						1			
	Oranges						0,5			
	Pomelos						0,5			
	Others						0,05 ^a			
	(ii) TREE NUTS (shelled or unshelled)			0,02 ^a	0,1	0,01 ^a	0,05 ^a			
	Almonds									

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		Brazil nuts								
		Cashew nuts								
		Chestnuts								
		Coconuts								
		Hazelnuts								
		Macadamia								
		Pecans								
		Pine nuts								
		Pistachios								
		Walnuts								
		Others								
	(iii)	POME FRUIT			0,2		0,01 ^a	0,2		
		Apples				0,5				
		Pears								
		Quinces								
		Others				0,05 ^a				
	(iv)	STONE FRUIT								
		Apricots			0,3		0,1	0,2		
		Cherries			0,2	3		0,1		
		Peaches (including nectarines and similar hybrids)			0,3		0,05	0,2		
		Plums			0,2			0,5		
		Others			0,02 ^a	0,05 ^a	0,01 ^a	0,05 ^a		
	(v)	BERRIES AND SMALL FRUIT					0,01 ^a			
	(a)	Table and wine grapes			0,3	1				

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			Table grapes					0,05 ^a	
			Wine grapes					1	
		(b)	Strawberries (other than wild)		0,02 ^a	0,05 ^a		0,05 ^a	
		(c)	Cane fruit (other than wild)		0,02 ^a	0,05 ^a		0,05 ^a	
			Blackberries						
			Dewberries						
			Loganberries						
			Raspberries						
			Others						
		(d)	Other small fruit and berries (other than wild)		0,02 ^a			0,05 ^a	
			Bilberries						
			Cranberries						
			Currants (red, black and white)			5			
			Gooseberries						
			Others				0,05 ^a		
		(e)	Wild berries and wild fruit		0,02 ^a	0,05 ^a		0,05 ^a	
	(vi)	MISCELLANEOUS			0,02 ^a		0,01 ^a	0,05 ^a	
			Avocados						

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		Bananas							
		Dates							
		Figs							
		Kiwi							
		Kumquats							
		Litchis							
		Mangoes							
		olives (table consumption)							
		olives (oil extraction)							
		Papaya							
		Passion fruit							
		Pineapples				2			
		Others				0,05 ^a			
2.		Vegetables, fresh or uncooked, frozen or dry		0,02 ^a				0,02 ^a	0,01 ^a
	(i)	ROOT AND TUBER VEGETABLES	0,05 ^a		0,02 ^a	0,05 ^a	0,01 ^a		
		Beetroot							
		Carrots							
		Cassava							
		Celeriac							
		Horseradish							
		Jerusalem artichokes							
		Parsnips							
		Parsley root							
		Radishes						0,5	
		Salsify							
		Sweet potatoes							
		Swedes							

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		Turnips							
		Yam							
		Others						0,05 ^a	
	(ii)	BULB VEGETABLES	0,05 ^a		0,02 ^a	0,05 ^a	0,01 ^a	0,05 ^a	
		Garlic							
		Onions							
		Shallots							
		Spring onions							
		Others							
	(iii)	FRUITING VEGETABLES					0,01 ^a		
	(a)	Solanaceae	0,05 ^a						
		Tomatoes			0,05	1		0,2	
		Peppers			0,3	3			
		Aubergines						0,2	
		Okra							
		Others			0,02 ^a	0,05 ^a		0,05 ^a	
	(b)	Cucurbitaceae - edible peel	0,05 ^a			0,05 ^a		0,05 ^a	
		Cucumbers			0,1				
		Gherkins							
		Courgettes							
		Others			0,02 ^a				
	(c)	Cucurbitaceae - inedible peel	0,05 ^a		0,02 ^a	0,05 ^a		0,05 ^a	
		Melons							
		Squashes							
		Watermelons							
		Others							

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	(d)	Sweet corn	0,1		0,02 ^a	0,05 ^a		0,05 ^a		
(iv)		BRASSICA VEGETABLES	0,05 ^a			0,05 ^a				
	(a)	Flowering brassica			0,05		0,02			
		Broccoli						0,2		
		Cauliflower								
		Others						0,05 ^a		
	(b)	Head brassica			0,2		0,01 ^a	0,05 ^a		
		Brussels sprouts								
		Head cabbage								
		Others								
	(c)	Leafy brassica			0,3		0,01 ^a	0,05 ^a		
		Chinese cabbage								
		Kale								
		Others								
	(d)	Kohlrabi			0,02 ^a		0,01 ^a	0,05 ^a		
(v)		LEAF VEGETABLES AND FRESH HERBS	0,05 ^a			0,05 ^a	0,01 ^a			
	(a)	Lettuce & similar			0,5					
		Cress								
		Lamb's lettuce								
		Lettuce						0,3		
		Scarole								
		Rucicola								
		Leaves and								

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		stems of brassica							
		Others						0,05 ^a	
	(b)	Spinach & similar		0,02 ^a					
		Spinach						0,05	
		Beet leaves (chard)							
		Others						0,05 ^a	
	(c)	Water cress		0,02 ^a				0,05 ^a	
	(d)	Witloof		0,02 ^a				0,05 ^a	
	(e)	Herbs		0,02 ^a				0,3	
		Chervil							
		Chives							
		Parsley							
		Celery leaves							
		Others							
	(vi)	LEGUME VEGETABLES (fresh)	0,05 ^a	0,05	0,05 ^a			0,05 ^a	
		Beans (with pods)					0,5		
		Beans (without pods)							
		Peas (with pods)					0,5		
		Peas (without pods)							
		Others						0,01 ^a	
	(vii)	STEM VEGETABLES (fresh)	0,05 ^a	0,02 ^a	0,05 ^a			0,05 ^a	

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		Asparagus								
		Cardoons								
		Celery								
		Fennel								
		Globe artichokes					0,1			
		Leek								
		Rhubarb								
		Others					0,01 ^a			
	(viii)	FUNGI	0,05 ^a		0,02 ^a	0,05 ^a	0,01 ^a	0,05 ^a		
	(a)	Cultivated mushrooms								
	(b)	Wild mushrooms								
3.	Pulses		0,05 ^a	0,02 ^a	0,02 ^a	0,05 ^a	0,01 ^a	0,05 ^a	0,02 ^a	0,01 ^a
	Beans									
	Lentils									
	Peas									
	Others									
4.	Oil seed		0,05 ^a	0,02 ^a					0,02 ^a	0,01 ^a
	Linseed									
	Peanuts							0,1		
	Poppy seeds									
	Sesame seeds									
	Sunflower seed									
	Rape seed				0,05					
	Soya bean						0,2	0,1		
	Mustard seed									
	Cotton seed					2	0,2	0,1		
	Hemp seed									
	Others				0,02 ^a	0,1 ^a	0,01 ^a	0,05 ^a		
5.	Potatoes		0,05 ^a	0,02 ^a	0,02 ^a	0,05 ^a	0,01 ^a	0,05 ^a	0,02 ^a	0,01 ^a
	Early potatoes									
	Ware potatoes									

a Indicates lower limit of analytical determination.⁷

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6.	Tea (leaves and stems, dried, fermented or otherwise, from the leaves of <i>Camellia sinensis</i>)	0,1 ^a	0,05 ^a	0,1 ^a	0,1 ^a	0,02 ^a	0,1 ^a	0,05 ^a	0,02 ^a
7.	Hops (dried), including hop pellets and unconcentrated powder	0,1 ^a	0,05 ^a	20	0,1 ^a	0,02 ^a	10	0,05 ^a	0,02 ^a

a Indicates lower limit of analytical determination.’

- (1) [OJ L 221, 7.8.1986, p. 37](#). Directive as last amended by Commission Directive 2006/59/EC ([OJ L 175, 29.6.2006, p. 61](#)).
- (2) [OJ L 221, 7.8.1986, p. 43](#). Directive as last amended by Commission Directive 2006/59/EC.
- (3) [OJ L 350, 14.12.1990, p. 71](#). Directive as last amended by Commission Directive 2006/59/EC.
- (4) [OJ L 230, 19.8.1991, p. 1](#). Directive as last amended by Commission Directive 2006/45/EC ([OJ L 130, 18.5.2006, p. 27](#)).
- (5) 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 Organization 1997 (WHO/FSF/FOS/97.7).