

DIRECTIVES

COMMISSION DIRECTIVE 2007/8/EC

of 20 February 2007

amending Annexes to Council Directives 76/895/EEC, 86/362/EEC and 90/642/EEC as regards maximum residue levels for phosphamidon and mevinphos

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

residues that might be expected to be found in commodities when good agricultural practices have been respected.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables ⁽¹⁾, and in particular Article 5 thereof,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 ⁽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,

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

(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 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 phosphamidon and mevinphos current MRLs may need to be revised in the light of the availability of new information on the toxicology and consumer intake. The Commission 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 Organisation ⁽⁴⁾. 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

⁽¹⁾ OJ L 340, 9.12.1976, p. 26. Directive as last amended by Commission Directive 2006/92/EC (OJ L 311, 10.11.2006, p. 31).

⁽²⁾ OJ L 221, 7.8.1986, p. 37. Directive as last amended by Commission Directive 2006/92/EC.

⁽³⁾ OJ L 350, 14.12.1990, p. 71. Directive as last amended by Commission Directive 2006/92/EC.

⁽⁴⁾ 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 Organisation 1997 (WHO/FSF/FOS/97.7).

Community procedures and practices, taking account of guidelines published by the World Health Organisation. 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 Organisation, 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 76/895/EEC, 86/362/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

In Annex II to Directive 76/895/EEC the entries relating to phosphamidon and mevinphos are deleted.

Article 2

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

Article 3

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

Article 4

1. Member States shall adopt and publish, by 1 September 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 2 September 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, 20 February 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

ANNEX I

In part A of Annex II to Directive 86/362/EEC the following lines for phosphamidon and mevinphos are added:

Pesticide residues	Maximum levels in mg/kg
Phosphamidon	0,01 (*) Cereals
Mevinphos, sum of E- and Z-isomers	0,01 (*) Cereals

(*) Indicates lower limit of analytical determination'

ANNEX II

In part A of Annex II to Directive 90/642/EEC the following columns for phosphamidon and mevinphos are added:

Pesticide residue and maximum residue level (mg/kg)		
Groups and examples of individual products to which the MRLs would apply	Phosphamidon	Mevinphos, sum of E- and Z-isomers
1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts	0,01 (*)	0,01 (*)
(i) CITRUS FRUIT		
Grapefruit		
Lemons		
Limes		
Mandarins (including clementines and other hybrids)		
Oranges		
Pomelos		
Others		
(ii) TREE NUTS (shelled or unshelled)		
Almonds		
Brazil nuts		
Cashew nuts		
Chestnuts		
Coconuts		
Hazelnuts		
Macadamia		
Pecans		
Pine nuts		
Pistachios		
Walnuts		
Others		
(iii) POME FRUIT		
Apples		
Pears		
Quinces		
Others		
(iv) STONE FRUIT		
Apricots		
Cherries		
Peaches (including nectarines and similar hybrids)		
Plums		
Others		
(v) BERRIES AND SMALL FRUIT		
(a) Table and wine grapes		
Table grapes		
Wine grapes		

Pesticide residue and maximum residue level (mg/kg)		
Groups and examples of individual products to which the MRLs would apply	Phosphamidon	Mevinphos, sum of E- and Z-isomers
(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		
Kumquats		
Litchis		
Mangoes		
Olives (table consumption)		
Olives (oil extraction)		
Papaya		
Passion fruit		
Pineapples		
Pomegranate		
Others		
2. Vegetables, fresh or uncooked, frozen or dry	0,01 (*)	0,01 (*)
(i) ROOT AND TUBER VEGETABLES		
Beetroot		
Carrots		
Cassava		
Celeriac		
Horseradish		
Jerusalem artichokes		
Parsnips		
Parsley root		
Radishes		

Pesticide residue and maximum residue level (mg/kg)		
Groups and examples of individual products to which the MRLs would apply	Phosphamidon	Mevinphos, sum of E- and Z-isomers
Salsify		
Sweet potatoes		
Swedes		
Turnips		
Yam		
Others		
(ii) BULB VEGETABLES		
Garlic		
Onions		
Shallots		
Spring onions		
Others		
(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 (including Calabrese)		
Cauliflower		
Others		
(b) Head brassica		
Brussels sprouts		
Head cabbage		
Others		
(c) Leafy brassica		
Chinese cabbage		
Kale		
Others		

Pesticide residue and maximum residue level (mg/kg)		
Groups and examples of individual products to which the MRLs would apply	Phosphamidon	Mevinphos, sum of E- and Z-isomers
(d) Kohlrabi		
(v) LEAF VEGETABLES AND FRESH HERBS		
(a) Lettuce and similar		
Cress		
Lamb's lettuce		
Lettuce		
Scarole (broad-leaf endive)		
Ruccola		
Leaves and stems of brassica		
Others		
(b) Spinach and 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		
(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 (*)	0,01 (*)
Beans		
Lentils		

Pesticide residue and maximum residue level (mg/kg)		
Groups and examples of individual products to which the MRLs would apply	Phosphamidon	Mevinphos, sum of E- and Z-isomers
Peas		
Lupines		
Others		
4. Oilseeds	0,01 (*)	0,01 (*)
Linseed		
Peanuts		
Poppy seed		
Sesame seed		
Sunflower seed		
Rape seed		
Soya bean		
Mustard seed		
Cotton seed		
Hemp seed		
Others		
5. Potatoes	0,01 (*)	0,01 (*)
Early potatoes		
Ware potatoes		
6. Tea (dried leaves and stalks, fermented or other-wise, <i>Camellia sinensis</i>)	0,02 (*)	0,02 (*)
7. Hops (dried), including hop pellets and unconcentrated powder	0,02 (*)	0,02 (*)

(*) Indicates lower limit of analytical determination.