



22 June 2022

(22-4840)

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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 III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 1-methyl-3-(trifluoromethyl)-1H-pyrazole-4-carboxamide, cycloxydim, cyflumetofen, cyfluthrin, metobromuron and penthiopyrad in or on certain products (Text with EEA relevance). <b>Language(s):</b> English. <b>Number of pages:</b> 582 <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_4215_00_e.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_4215_00_e.pdf</a> <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_4215_01_e.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_4215_01_e.pdf</a> <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_4215_02_e.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_4215_02_e.pdf</a> <a href="https://members.wto.org/crnattachments/2022/SPS/EEC/22_4215_03_e.pdf">https://members.wto.org/crnattachments/2022/SPS/EEC/22_4215_03_e.pdf</a>
<b>6. Description of content:</b> The proposed draft Regulation concerns the review of existing MRLs for 1-methyl-3-(trifluoromethyl)-1H-pyrazole-4-carboxamide, cycloxydim, cyflumetofen, cyfluthrin, metobromuron and penthiopyrad 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>

**8. Is there a relevant international standard? If so, identify the standard:****[X] Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):**

- Codex Maximum Residue Limits for cycloxydim (179) [https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p\\_id=179](https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p_id=179)
- Codex Maximum Residue Limits for cyflumetofen (273) [https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p\\_id=273](https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p_id=273)
- Codex Maximum Residue Limits for cyfluthrin and beta-cyfluthrin (157) [https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p\\_id=157](https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p_id=157)
- Codex Maximum Residue Limits for penthiopyrad (253) [https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p\\_id=253](https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticide-detail/en/?p_id=253)

**[ ] 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 [X] No**

**If no, describe, whenever possible, how and why it deviates from the international standard:** The current EU policy is to align EU MRLs with CXLs if three conditions are fulfilled: (i) that the European Union sets MRLs for the commodity under consideration; (ii) that the current EU MRL is lower than the CXL; and (iii) that the CXL is acceptable to the European Union with respect to aspects such as consumer protection, supporting data, and extrapolations.

Where the European Union considers that a proposed CXL is not acceptable, it makes a reservation to the Codex Committee on Pesticide Residues (CCPR). Reservations made by the European Union, concerning some of the active substances envisaged by the draft Regulation, are listed in the relevant CCPR reports:

<http://www.fao.org/fao-who-codexalimentarius/committees/committee/related-meetings/en/?committee=CCPR>.

**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 cycloxydim according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2020;18(1):5962" <https://efsa.onlinelibrary.wiley.com/doi/pdf/10.2903/j.efsa.2020.5962>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for cyflumetofen according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2021;19(8):6812" <https://efsa.onlinelibrary.wiley.com/doi/pdf/10.2903/j.efsa.2021.6812>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for beta-cyfluthrin and cyfluthrin according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2021;19(9):6837" <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2021.6837>
- "European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for metobromuron according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2021;19(9):6841" <https://efsa.onlinelibrary.wiley.com/doi/pdf/10.2903/j.efsa.2021.6841>
- "European Food Safety Authority; Reasoned opinion on the review of the existing

	<p>maximum residue levels for penhiopyrad according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2021;19(9):6810"  <a href="https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2021.6810">https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2021.6810</a></p>
<b>10.</b>	<p><b>Proposed date of adoption (dd/mm/yy):</b> January 2023  <b>Proposed date of publication (dd/mm/yy):</b> February 2023</p>
<b>11.</b>	<p><b>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>
<b>12.</b>	<p><b>Final date for comments: [X] Sixty days from the date of circulation of the notification and/or (dd/mm/yy):</b> 21 August 2022  <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: +(32 2) 29 54263  Fax: +(32 2) 29 98090  E-mail: <a href="mailto:sps@ec.europa.eu">sps@ec.europa.eu</a></p>
<b>13.</b>	<p><b>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: +(32 2) 29 54263  Fax: +(32 2) 29 98090  E-mail: <a href="mailto:sps@ec.europa.eu">sps@ec.europa.eu</a></p>