



21 July 2022

(22-5529)

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Committee on Sanitary and Phytosanitary Measures

Original: English

NOTIFICATION

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved:
2. Agency responsible: European Commission, Health and Food Safety Directorate-General
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): 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
4. Regions or countries likely to be affected, to the extent relevant or practicable: <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5. Title of the notified document: Draft Commission Regulation amending Annexes II, III, IV and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for benzalkonium chloride (BAC), chlorpropham, didecyldimethylammonium chloride (DDAC), flutriafol, metazachlor, nicotine, profenofos, quizalofop-P, sodium aluminium silicate, thiabendazole and triadimenol in or on certain products (Text with EEA relevance). Language(s): English. Number of pages: 9 https://members.wto.org/crnattachments/2022/SPS/EEC/22_4797_00_e.pdf https://members.wto.org/crnattachments/2022/SPS/EEC/22_4797_01_e.pdf https://members.wto.org/crnattachments/2022/SPS/EEC/22_4797_02_e.pdf https://members.wto.org/crnattachments/2022/SPS/EEC/22_4797_03_e.pdf https://members.wto.org/crnattachments/2022/SPS/EEC/22_4797_04_e.pdf https://members.wto.org/crnattachments/2022/SPS/EEC/22_4797_05_e.pdf
6. Description of content: The proposed draft Regulation concerns the update of existing MRLs for benzalkonium chloride (BAC), chlorpropham, didecyldimethylammonium chloride (DDAC), flutriafol, metazachlor, nicotine, profenofos, quizalofop-P, sodium aluminium silicate, thiabendazole and triadimenol in certain food commodities. MRLs for these substances in certain commodities are changed. Lower MRLs are set 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. Some temporary MRLs are lowered based on monitoring data.
7. Objective and rationale: <input checked="" type="checkbox"/> food safety , <input type="checkbox"/> animal health , <input type="checkbox"/> plant protection , <input type="checkbox"/> protect humans from animal/plant pest or disease , <input type="checkbox"/> protect territory from other damage from pests.

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 chlorpropham (201), flutriafol (248), profenofos (171), thiabendazole (65) and triadimenol (168). 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 approvals of sodium aluminium silicate and triadimenol for their use in plant protection products were not renewed. In addition, the European Food Safety Authority published reasoned opinions on the modification of the existing maximum residue (MRLs) for flutriafol and metazachlor and thiabendazole. Temporary MRLs were established in the European Union for benzalkonium chloride (BAC), chlorpropham, didecyldimethylammonium chloride (DDAC), nicotine and profenofos, and those MRLs were planned to be revised based on monitoring data. Based on the above, Regulation (EC) No 396/2005 should be amended accordingly.

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>
- Commission Regulation (EU) No 1119/2014 of 16 October 2014 amending Annex III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for benzalkonium chloride and didecyldimethylammonium chloride in or on certain products
https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=OJ%3AJOL_2014_304_R_0004
- Commission Regulation (EU) 2021/155 of 9 February 2021 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for carbon tetrachloride, chlorothalonil, chlorpropham, dimethoate, ethoprophos, fenamidone, methiocarb, omethoate, propiconazole and pymetrozine in or on certain products
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R0155>
- Commission Regulation (EU) No 812/2011 of 10 August 2011 amending Annex III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for dimethomorph, fluopicolide, mandipropamid, metrafenone, nicotine and spirotetramat in or on certain products
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011R0812>
- Commission Regulation (EU) No 1096/2014 of 15 October 2014 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for carbaryl, procymidone and profenofos in or on certain products
<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32014R1096>
- Commission Implementing Regulation (EU) 2019/324 of 25 February 2019 amending Implementing Regulation (EU) No 540/2011 as regards the approval periods of the active substances bifenthrin, carboxin, FEN 560 (also called fenugreek or fenugreek seed powder), pepper dust extraction residue and sodium aluminium silicate
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019R0324&qid=1657271100325>
- Reasoned opinion on the evaluation of confirmatory data following the Article 12 MRL review and setting of an import tolerance for flutriafol in cucurbits (inedible peel)
<https://doi.org/10.2903/j.efsa.2020.6315>
- Reasoned opinion on the evaluation of confirmatory data following the Article 12 MRL

<p>review and modification of the existing maximum residue levels for metazachlor in various commodities https://doi.org/10.2903/j.efsa.2019.5819 – Reasoned Opinion on the modification of the existing maximum residue levels and setting of import tolerances for thiabendazole in various crops https://doi.org/10.2903/j.efsa.2021.6586 (available in English)</p>
<p>10. Proposed date of adoption (dd/mm/yy): February 2023 Proposed date of publication (dd/mm/yy): April 2023</p>
<p>11. Proposed date of entry into force: <input checked="" type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): <input type="checkbox"/> Trade facilitating measure</p>
<p>12. Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 19 September 2022 Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body: 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: sps@ec.europa.eu</p>
<p>13. Text(s) available from: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body: 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: sps@ec.europa.eu</p>