



23 November 2023

(23-7913)

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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 and V to Regulation (EC) No. 396/2005 of the European Parliament and of the Council as regards maximum residue levels for benomyl, carbendazim and thiophanate-methyl in or on certain products (text with EEA relevance). Language(s): English. Number of pages: 28 https://members.wto.org/crnattachments/2023/SPS/EEC/23_13743_00_e.pdf https://members.wto.org/crnattachments/2023/SPS/EEC/23_13743_01_e.pdf https://members.wto.org/crnattachments/2023/SPS/EEC/23_13743_02_e.pdf https://members.wto.org/crnattachments/2023/SPS/EEC/23_13743_03_e.pdf https://members.wto.org/crnattachments/2023/SPS/EEC/23_13743_04_e.pdf
6. Description of content: The proposed draft Regulation concerns the update of existing MRLs for benomyl, carbendazim and thiophanate-methyl 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.
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: <input checked="" type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text): Codex Maximum Residue Limits for pesticide carbendazim (72) in some commodities. Codex MRLs list is available at https://www.fao.org/fao-who-codexalimentarius/codex-texts/dbs/pestres/pesticides/en/ <input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number): <input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number): <input type="checkbox"/> None

<p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard: The approvals of carbendazim and thiophanate-methyl 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 carbendazim and thiophanate-methyl. Based on the above, Regulation (EC) No. 396/2005 should be amended accordingly.</p>	
<p>9. Other relevant documents and language(s) in which these are available:</p> <ul style="list-style-type: none"> - 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 - Reasoned opinions published by the European Food Safety Authority on the setting of MRLs for carbendazim and thiophanate-methyl. European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels (MRLs) for thiophanate-methyl and carbendazim according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2014;12(12):3919. https://doi.org/10.2903/j.efsa.2014.3919 - European Food Safety Authority; Conclusion on the peer review of the pesticide risk assessment of the active substance thiophanate-methyl. EFSA Journal 2018;16(1):5133. https://doi.org/10.2903/j.efsa.2018.5133 - European Food Safety Authority; Reasoned opinion on the toxicological properties and maximum residue levels (MRLs) for the benzimidazole substances carbendazim and thiophanate-methyl. EFSA Journal 2021;19(8):6773. https://doi.org/10.2903/j.efsa.2021.6773 <p>(available in English)</p>	
<p>10. Proposed date of adoption (dd/mm/yy): 2 June 2024</p> <p>Proposed date of publication (dd/mm/yy): 2 July 2024</p>	
<p>11. Proposed date of entry into force: <input checked="" type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union and apply 6 months thereafter.</p> <p><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): 22 January 2024</p> <p>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:</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: 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:</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: sps@ec.europa.eu</p>	