



2 July 2024

(24-4836)

Page: 1/2

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): Meat and edible meat offal (HS code(s): 02); Cereals (HS code(s): 10)
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 to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for fenbuconazole and penconazole in or on certain products (Text with EEA relevance). Language(s): English. Number of pages: 27 https://members.wto.org/crnattachments/2024/SPS/EEC/24_04133_00_e.pdf https://members.wto.org/crnattachments/2024/SPS/EEC/24_04133_01_e.pdf https://members.wto.org/crnattachments/2024/SPS/EEC/24_04133_02_e.pdf https://members.wto.org/crnattachments/2024/SPS/EEC/24_04133_03_e.pdf
6.	Description of content: The proposed draft Regulation concerns the review of existing MRLs for fenbuconazole and penconazole in certain food commodities. MRLs for these substances in certain commodities are lowered. Lower MRLs are set after deleting old uses which are not authorized any more in the European Union.
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 fenbuconazole and penconazole in some commodities. The 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 Does this proposed regulation conform to the relevant international standard?

<p>[] Yes [X] No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard: The European Food Safety Authority published reasoned opinion on the existing MRLs for fenbuconazole and penconazole. Based on the opinion, Regulation (EC) No 396/2005 should be amended following a risk analysis approach.</p> <p>The current EU policy is to align EU MRLs with CXLs if the following 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 its policy objective of ensuring a high level of consumer protection, including aspects on supporting data and extrapolations.</p> <p>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.</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 – European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for fenbuconazole and penconazole according to Article 12 of Regulation (EC) No 396/2005; EFSA Journal 2023;21(1):7731 https://www.efsa.europa.eu/en/efsajournal/pub/7731 <p>(available in English)</p>
<p>10. Proposed date of adoption (dd/mm/yy): 24 January 2025 Proposed date of publication (dd/mm/yy): 24 February 2025</p>
<p>11. Proposed date of entry into force: [] Six months from date of publication, and/or (dd/mm/yy): This Regulation shall enter into force on the twentieth day following its publication in the Official Journal of the European Union, and apply six months thereafter.</p> <p>[] Trade facilitating measure</p>
<p>12. Final date for comments: [X] Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 31 August 2024</p> <p>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:</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: [X] National Notification Authority, [X] 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>