

Sayı: 70430465-TİM.OAİB.GSK.İDARİ.2020/633-6592
Konu: AB Tarım Mevzuatı Değişiklikleri

Ankara, 8/06/2020

SİRKÜLER (G-2020)

Sayın Üyemiz,

T. C. Ticaret Bakanlığı İhracat Genel Müdürlüğü'nden alınan bir yazıda, 27 Haziran 2019 tarihli ve L 173 sayılı AB Resmi Gazetesinde yayımlanan 2019/1090/AB sayılı Komisyon Uygulama Tüzüğü ile bitki koruma ilaçlarında kullanılan "dimethoate" aktif maddesinin onayı AB tarafından yenilenmemiş olup, bu aktif maddeyi içeren bitki koruma ilaçlarının kirazlar için kullanım onay süresi üye ülkeler için 17 Ekim 2019 tarihi itibarıyla dolmuştur.

Ticaret Bakanlığımız Uluslararası Anlaşmalar ve Avrupa Birliği Genel Müdürlüğünden alınan yazıda; 27 Mayıs 2020 tarihli ve L 164 sayılı AB Resmi Gazetesinde yayımlanan 2020/703/AB sayılı Komisyon Uygulama Tüzüğü ile 396/2005/AT sayılı Avrupa Parlamentosu ve Konseyi Tüzüğü'nün Ek II'sinin değiştirilerek, kirazlardaki "dimethoate" ve "dimethoate"nin ana ara ürünü "omethoate" maddelerinin maksimum kalıntı limitlerinin (maximum residue limits-MRL) sırasıyla 0,02 mg/kg ve 0,2 mg/kg'den 0,01 mg/kg olan analitik tayin limitine düşürüldüğü ve söz konusu limitlerin üye ülkeler, üçüncü ülkeler ve gıda işletmeleri operatörlerinin yeni gereklilikleri karşılayabilmeleri için hazırlık yapmaları amacıyla 16 Aralık 2020 tarihi itibarıyla uygulanmaya başlanacağı ifade edilmektedir. Söz konusu Tüzüğün bir örneği ekte (Ek-1) iletilmektedir.

Aynı yazıda devamla, 1881/2006/AT sayılı Komisyon Tüzüğünü bazı gıdalarda perkloratın maksimum seviyesine ilişkin olarak değiştiren 2020/685/AB sayılı Komisyon Uygulama Tüzüğü'nün 25 Mayıs 2020 tarihli ve L 164 sayılı AB Resmi Gazetesinde yayımlandığı belirtilmekte olup, anılan Yönetmeliğin bir örneği ekte (Ek-2) iletilmektedir. Bahse konu Yönetmelik kapsamında Avrupa Gıda Güvenliği Kurumunun (European Food Safety Authority-EFSA) Gıda Zincirinde Bulaşanlara İlişkin Bilimsel Panelinin (Scientific Panel on Contaminants in the Food Chain-CONTAM Panel) kronik ve kısa dönemli perklorata maruziyetin insan sağlığında olası endişeler yaratabileceği tespiti sebebiyle hem belirgin seviyede perklorat içeren ve maruziyete katkıda bulunan hem de bebekler ve küçük çocuklar gibi nüfusun kırılgan gruplarında olası maruziyete sebep olabilecek gıda maddelerinde perklorat için maksimum seviyelerin belirlenmesinin uygun bulunduğu belirtilmektedir.

Bu kapsamda ayrıca, 1881/2006/AT sayılı Komisyon Tüzüğü'nün ekinin değiştirilerek; meyve/sebze, kuru çay ve bebek mamalarında perklorat maksimum seviyesini belirleyen bir bölüm eklendiği, gıda işletmesi operatörlerinin yeni gerekliliklere uyumu için söz konusu seviyelerin uygulama tarihinin 1 Temmuz 2020 olarak belirlendiği belirtilmekte olup, 1 Temmuz 2020 tarihi öncesinde piyasaya sunulan Tüzük konusu gıda maddelerinin pazarlanmasının son kullanım ya da asgari dayanıklılık tarihlerine kadar devam edebileceğinin belirtildiği ifade edilmektedir.

Bilgilerine sunulur.

S. Tansel KÜNBİ
Genel Sekreter A.
Şube Müdürü

Ekler:

- 1- 2020-703-AB Komisyon Uygulama Tüzüğü
- 2- 2020-685-AB Komisyon Uygulama Tüzüğü



II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2020/703

of 26 May 2020

amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for dimethoate and omethoate in or on cherries*(Text with EEA relevance)*

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 14(1)(a) thereof,

Whereas:

- (1) For dimethoate and omethoate, maximum residue levels (MRLs) were set in Annex II to Regulation (EC) No 396/2005.
- (2) The approval of the active substance dimethoate was not renewed by Commission Implementing Regulation (EU) 2019/1090 ⁽²⁾.
- (3) All existing authorisations for plant protection products containing dimethoate have been revoked in relation to uses on cherries. It is therefore appropriate to delete the MRLs for cherries set out for dimethoate and omethoate in Annex II of Regulation (EC) No 396/2005 in accordance with Article 17 of Regulation (EC) No 396/2005 in conjunction with Article 14(1)(a) thereof.
- (4) In the context of the non-renewal of the approval of dimethoate, the European Food Safety Authority ('the Authority') delivered a conclusion on the peer review of the pesticide risk assessment of that active substance ⁽³⁾. In that framework, the Authority could not exclude a risk to consumers due to the exposure to residues of dimethoate, for which the genotoxic potential could not be excluded, and to its main metabolite omethoate which was concluded to be an in vivo mutagenic agent.
- (5) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.
- (6) Regulation (EC) No 396/2005 should therefore be amended accordingly.

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2019/1090 of 26 June 2019 concerning the non-renewal of approval of the active substance dimethoate, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 173, 27.6.2019, p. 39).

⁽³⁾ EFSA (European Food Safety Authority), 2018. Conclusion on the peer review of the pesticide risk assessment of the active substance dimethoate, EFSA Journal 2018;16(10):5454. <https://www.efsa.europa.eu/en/efsajournal/pub/5454>.

- (7) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 396/2005 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 16 December 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 May 2020.

For the Commission

The President

Ursula VON DER LEYEN

—

ANNEX

In Annex II to Regulation (EC) No 396/2005, the columns for dimethoate and omethoate are replaced by the following:

Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply (a)	Dimethoate	Omethoate
1	2	3	4
0100000	FRUITS, FRESH or FROZEN; TREE NUTS		
0110000	Citrus fruits	0.01*	0.01*
0110010	Grapefruits	(+)	(+)
0110020	Oranges	(+)	(+)
0110030	Lemons	(+)	(+)
0110040	Limes	(+)	(+)
0110050	Mandarins	(+)	(+)
0110990	Others (2)		
0120000	Tree nuts	0.01*	0.01*
0120010	Almonds		
0120020	Brazil nuts		
0120030	Cashew nuts		
0120040	Chestnuts		
0120050	Coconuts		
0120060	Hazelnuts/cobnuts		
0120070	Macadamias		
0120080	Pecans		
0120090	Pine nut kernels		
0120100	Pistachios		
0120110	Walnuts		
0120990	Others (2)		
0130000	Pome fruits	0.01*	0.01*
0130010	Apples		
0130020	Pears		
0130030	Quinces		
0130040	Medlars		
0130050	Loquats/Japanese medlars		
0130990	Others (2)		

1	2	3	4
0140000	Stone fruits	0.01*	0.01*
0140010	Apricots		
0140020	Cherries (sweet)		
0140030	Peaches		
0140040	Plums		
0140990	Others (2)		
0150000	Berries and small fruits	0.01*	0.01*
0151000	(a) grapes		
0151010	Table grapes		
0151020	Wine grapes		
0152000	(b) strawberries		
0153000	(c) cane fruits		
0153010	Blackberries		
0153020	Dewberries		
0153030	Raspberries (red and yellow)		
0153990	Others (2)		
0154000	(d) other small fruits and berries		
0154010	Blueberries		
0154020	Cranberries		
0154030	Currants (black, red and white)		
0154040	Gooseberries (green, red and yellow)		
0154050	Rose hips		
0154060	Mulberries (black and white)		
0154070	Azaroles/Mediterranean medlars		
0154080	Elderberries		
0154990	Others (2)		
0160000	Miscellaneous fruitswith		
0161000	(a) edible peel		
0161010	Dates	0.01*	0.01*
0161020	Figs	0.01*	0.01*
0161030	Table olives	3 (+)	1.5 (+)
0161040	Kumquats	0.01*	0.01*
0161050	Carambolas	0.01*	0.01*
0161060	Kaki/Japanese persimmons	0.01*	0.01*
0161070	Jambuls/jambolans	0.01*	0.01*
0161990	Others (2)	0.01*	0.01*

1	2	3	4
0162000	(b) inedible peel, small	0.01*	0.01*
0162010	Kiwi fruits (green, red, yellow)		
0162020	Litchis/lychees		
0162030	Passionfruits/maracujas		
0162040	Prickly pears/cactus fruits		
0162050	Star apples/cainitos		
0162060	American persimmons/Virginia kaki		
0162990	Others (2)		
0163000	(c) inedible peel, large	0.01*	0.01*
0163010	Avocados		
0163020	Bananas		
0163030	Mangoes		
0163040	Papayas		
0163050	Granate apples/pomegranates		
0163060	Cherimoyas		
0163070	Guavas		
0163080	Pineapples		
0163090	Breadfruits		
0163100	Durians		
0163110	Soursops/guanabanas		
0163990	Others (2)		
0200000	VEGETABLES, FRESH or FROZEN		
0210000	Root and tuber vegetables		
0211000	(a) potatoes	0.01*	0.01*
0212000	(b) tropical root and tuber vegetables	0.01*	0.01*
0212010	Cassava roots/manioc		
0212020	Sweet potatoes		
0212030	Yams		
0212040	Arrowroots		
0212990	Others (2)		
0213000	(c) other root and tuber vegetables except sugar beets		
0213010	Beetroots	0.01* (+)	0.01* (+)

1	2	3	4
0213020	Carrots	0.03 (+)	0.02 (+)
0213030	Celeriacs/turnip rooted celeries	0.03 (+)	0.02 (+)
0213040	Horseradishes	0.03 (+)	0.02 (+)
0213050	Jerusalem artichokes	0.01*	0.01*
0213060	Parsnips	0.03 (+)	0.02 (+)
0213070	Parsley roots/Hamburg roots parsley	0.03 (+)	0.02 (+)
0213080	Radishes	0.03 (+)	0.02 (+)
0213090	Salsifies	0.03 (+)	0.02 (+)
0213100	Swedes/rutabagas	0.03 (+)	0.02 (+)
0213110	Turnips	0.03 (+)	0.02 (+)
0213990	Others (2)	0.01*	0.01*
0220000	Bulb vegetables		
0220010	Garlic	0.01* (+)	0.01* (+)
0220020	Onions	0.01* (+)	0.01* (+)
0220030	Shallots	0.01* (+)	0.01* (+)
0220040	Spring onions/green onions and Welsh onions	2 (+)	0.2 (+)
0220990	Others (2)	0.01*	0.01*
0230000	Fruiting vegetables	0.01*	0.01*
0231000	(a) Solanaceae and Malvaceae		
0231010	Tomatoes	(+)	(+)
0231020	Sweet peppers/bell peppers		
0231030	Aubergines/eggplants	(+)	(+)
0231040	Okra/lady's fingers		
0231990	Others (2)		
0232000	(b) cucurbits with edible peel		
0232010	Cucumbers		
0232020	Gherkins		
0232030	Courgettes		
0232990	Others (2)		
0233000	(c) cucurbits with inedible peel		
0233010	Melons		
0233020	Pumpkins	(+)	(+)

1	2	3	4
0233030	Watermelons	(+)	(+)
0233990	Others (2)		
0234000	(d) sweet corn		
0239000	(e) other fruiting vegetables		
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)		0.01*
0241000	(a) flowering brassica	0.02	
0241010	Broccoli	(+)	(+)
0241020	Cauliflowers	(+)	(+)
0241990	Others (2)		
0242000	(b) head brassica		
0242010	Brussels sprouts	0.1* (+)	(+)
0242020	Head cabbages	0.01* (+)	(+)
0242990	Others (2)	0.01*	
0243000	(c) leafy brassica	0.01*	
0243010	Chinese cabbages/pe-tsai		
0243020	Kales		
0243990	Others (2)		
0244000	(d) kohlrabies	0.01*	
0250000	Leaf vegetables, herbs and edible flowers		
0251000	(a) lettuces and salad plants	0.01*	0.01*
0251010	Lamb's lettuces/corn salads		
0251020	Lettuces	(+)	(+)
0251030	Escaroles/broad-leaved endives		
0251040	Cresses and other sprouts and shoots		
0251050	Land cresses		
0251060	Roman rocket/rucola		
0251070	Red mustards		
0251080	Baby leaf crops (including brassica species)		
0251990	Others (2)		
0252000	(b) spinaches and similar leaves	0.01*	0.01*
0252010	Spinaches		

1	2	3	4
0252020	Purslanes		
0252030	Chards/beet leaves		
0252990	Others (2)		
0253000	(c) grape leaves and similar species	0.01*	0.01*
0254000	(d) watercresses	0.01*	0.01*
0255000	(e) witloofs/Belgian endives	0.01*	0.01*
0256000	(f) herbs and edible flowers	0.02*	0.02*
0256010	Chervil		
0256020	Chives		
0256030	Celery leaves		
0256040	Parsley		
0256050	Sage		
0256060	Rosemary		
0256070	Thyme		
0256080	Basil and edible flowers		
0256090	Laurel/bay leaves		
0256100	Tarragon		
0256990	Others (2)		
0260000	Legume vegetables	0.01*	0.01*
0260010	Beans (with pods)		
0260020	Beans (without pods)		
0260030	Peas (with pods)		
0260040	Peas (without pods)		
0260050	Lentils		
0260990	Others (2)		
0270000	Stem vegetables	0.01*	0.01*
0270010	Asparagus	(+)	(+)
0270020	Cardoons		
0270030	Celeries		
0270040	Florence fennels		
0270050	Globe artichokes		
0270060	Leeks		

1	2	3	4
0270070	Rhubarbs		
0270080	Bamboo shoots		
0270090	Palm hearts		
0270990	Others (2)		
0280000	Fungi, mosses and lichens	0.01*	0.01*
0280010	Cultivated fungi		
0280020	Wild fungi		
0280990	Mosses and lichens		
0290000	Algae and prokaryotes organisms	0.01*	0.01*
0300000	PULSES	0.01*	0.01*
0300010	Beans		
0300020	Lentils		
0300030	Peas	(+)	(+)
0300040	Lupins/lupini beans		
0300990	Others (2)		
0400000	OILSEEDS AND OIL FRUITS		
0401000	Oilseeds	0.01*	0.01*
0401010	Linseeds		
0401020	Peanuts/groundnuts		
0401030	Poppy seeds		
0401040	Sesame seeds		
0401050	Sunflower seeds		
0401060	Rapeseeds/canola seeds		
0401070	Soyabeans		
0401080	Mustard seeds		
0401090	Cotton seeds		
0401100	Pumpkin seeds		
0401110	Safflower seeds		
0401120	Borage seeds		
0401130	Gold of pleasure seeds		
0401140	Hemp seeds		
0401150	Castor beans		
0401990	Others (2)		

1	2	3	4
0402000	Oil fruits		
0402010	Olives for oil production	3 (+)	1.5 (+)
0402020	Oil palms kernels	0.01*	0.01*
0402030	Oil palms fruits	0.01*	0.01*
0402040	Kapok	0.01*	0.01*
0402990	Others (2)	0.01*	0.01*
0500000	CEREALS		
0500010	Barley	0.02* (+)	0.02* (+)
0500020	Buckwheat and other pseudocereals	0.01*	0.01*
0500030	Maize/corn	0.01*	0.01*
0500040	Common millet/proso millet	0.01*	0.01*
0500050	Oat	0.02* (+)	0.02* (+)
0500060	Rice	0.01*	0.01*
0500070	Rye	0.02 (+)	0.01* (+)
0500080	Sorghum	0.01*	0.01*
0500090	Wheat	0.05 (+)	0.01* (+)
0500990	Others (2)	0.01*	0.01*
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS		0.05*
0610000	Teas	0.05*	
0620000	Coffee beans	0.05*	
0630000	Herbal infusions from		
0631000	(a) flowers		
0631010	Chamomile	0.05*	
0631020	Hibiscus/roselle	0.05*	
0631030	Rose	0.1 (+)	
0631040	Jasmine	0.05*	
0631050	Lime/linden	0.05*	
0631990	Others (2)	0.05*	
0632000	(b) leaves and herbs	0.05*	
0632010	Strawberry		
0632020	Rooibos		
0632030	Mate/maté		
0632990	Others (2)		

1	2	3	4
0633000	(c) roots	0.05*	
0633010	Valerian		
0633020	Ginseng		
0633990	Others (2)		
0639000	(d) any other parts of the plant	0.05*	
0640000	Cocoa beans	0.05*	
0650000	Carobs/Saint John's breads	0.05*	
0700000	HOPS	0.05*	0.05*
0800000	SPICES		
0810000	Seed spices	5	0.05*
0810010	Anise/aniseed		
0810020	Black caraway/black cumin		
0810030	Celery		
0810040	Coriander		
0810050	Cumin		
0810060	Dill		
0810070	Fennel		
0810080	Fenugreek		
0810090	Nutmeg		
0810990	Others (2)		
0820000	Fruit spices	0.5	0.05*
0820010	Allspice/pimento		
0820020	Sichuan pepper		
0820030	Caraway		
0820040	Cardamom		
0820050	Juniper berry		
0820060	Peppercorn (black, green and white)		
0820070	Vanilla		
0820080	Tamarind		
0820990	Others (2)		
0830000	Bark spices	0.05*	0.05*
0830010	Cinnamon		
0830990	Others (2)		

1	2	3	4
0840000	Root and rhizome spices		
0840010	Liquorice	0.1	0.05*
0840020	Ginger (10)	0.1	0.05*
0840030	Turmeric/curcuma	0.1	0.05*
0840040	Horseradish (11)		
0840990	Others (2)	0.1	0.05*
0850000	Bud spices	0.05*	0.05*
0850010	Cloves		
0850020	Capers		
0850990	Others (2)		
0860000	Flower pistil spices	0.05*	0.05*
0860010	Saffron		
0860990	Others (2)		
0870000	Aril spices	0.05*	0.05*
0870010	Mace		
0870990	Others (2)		
0900000	SUGAR PLANTS		
0900010	Sugar beet roots	0.01* (+)	0.01* (+)
0900020	Sugar canes	0.01*	0.01*
0900030	Chicory roots	0.03 (+)	0.02 (+)
0900990	Others (2)	0.01*	0.01*
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS		
1010000	Commodities from		
1011000	(a) swine		
1011010	Muscle		
1011020	Fat		
1011030	Liver		
1011040	Kidney		
1011050	Edible offals (other than liver and kidney)		
1011990	Others (2)		
1012000	(b) bovine		
1012010	Muscle		

1	2	3	4
1012020	Fat		
1012030	Liver		
1012040	Kidney		
1012050	Edible offals (other than liver and kidney)		
1012990	Others (2)		
1013000	(c) sheep		
1013010	Muscle		
1013020	Fat		
1013030	Liver		
1013040	Kidney		
1013050	Edible offals (other than liver and kidney)		
1013990	Others (2)		
1014000	d) goat		
1014010	Muscle		
1014020	Fat		
1014030	Liver		
1014040	Kidney		
1014050	Edible offals (other than liver and kidney)		
1014990	Others (2)		
1015000	(e) equine		
1015010	Muscle		
1015020	Fat		
1015030	Liver		
1015040	Kidney		
1015050	Edible offals (other than liver and kidney)		
1015990	Others (2)		
1016000	(f) poultry		
1016010	Muscle		
1016020	Fat		
1016030	Liver		
1016040	Kidney		

1	2	3	4
1016050	Edible offals (other than liver and kidney)		
1016990	Others (2)		
1017000	(g) other farmed terrestrial animals		
1017010	Muscle		
1017020	Fat		
1017030	Liver		
1017040	Kidney		
1017050	Edible offals (other than liver and kidney)		
1017990	Others (2)		
1020000	Milk		
1020010	Cattle		
1020020	Sheep		
1020030	Goat		
1020040	Horse		
1020990	Others (2)		
1030000	Birds eggs		
1030010	Chicken		
1030020	Duck		
1030030	Geese		
1030040	Quail		
1030990	Others (2)		
1040000	Honey and other apiculture products (7)		
1050000	Amphibians and Reptiles		
1060000	Terrestrial invertebrate animals		
1070000	Wild terrestrial vertebrate animals		
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)		
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)		
1300000	PROCESSED FOOD PRODUCTS (9)		

(*) Limit of analytical determination

- (a) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

Dimethoate

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0110010 **Grapefruits**

0110020 **Oranges**

0110030 **Lemons**

0110040 **Limes**

0110050 **Mandarins**

0161030 **Table olives**

0213010 **Beetroots**

0213020 **Carrots**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0213030 **Celeriacs/turnip rooted celeries**

0213040 **Horseradishes**

0213060 **Parsnips**

0213070 **Parsley roots/Hamburg roots parsley**

0213080 **Radishes**

0213090 **Salsifies**

0213100 **Swedes/rutabagas**

0213110 **Turnips**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0220010 **Garlic**

0220020 **Onions**

0220030 **Shallots**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0220040 **Spring onions/green onions and Welsh onions**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0231010 **Tomatoes**

0231030 **Aubergines/eggplants**

0233020 **Pumpkins**

0233030 **Watermelons**

0241010 **Broccoli**

0241020 **Cauliflowers**

0242010 **Brussels sprouts**

0242020 **Head cabbages**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0251020 **Lettuces**

0270010 **Asparagus**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0300030 **Peas**

0402010 **Olives for oil production**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0500010 **Barley**

0500050 **Oat**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0500070 **Rye**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0500090 **Wheat**

- (+) The European Food Safety Authority identified some information on monitoring data as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0631030 **Rose**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0900010 **Sugar beet roots**

0900030 **Chicory roots**

Omethoate

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0110010 **Grapefruits**

0110020 **Oranges**

0110030 **Lemons**

0110040 **Limes**

0110050 **Mandarins**

0161030 **Table olives**

0213010 **Beetroots**

0213020 **Carrots**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0213030 **Celeriacs/turnip rooted celeries**

0213040 **Horseradishes**

0213060 **Parsnips**

0213070 **Parsley roots/Hamburg roots parsley**

0213080 **Radishes**

0213090 **Salsifies**

0213100 **Swedes/rutabagas**

0213110 **Turnips**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0220010 **Garlic**

0220020 **Onions**

0220030 **Shallots**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0220040 **Spring onions/green onions and Welsh onions**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0231010 **Tomatoes**

0231030 **Aubergines/eggplants**

0233020 **Pumpkins**

0233030 **Watermelons**

0241010 **Broccoli**

0241020 **Cauliflowers**

0242010 **Brussels sprouts**

0242020 **Head cabbages**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0251020 **Lettuces**

0270010 **Asparagus**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0300030 **Peas**

0402010 **Olives for oil production**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites and residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0500010 **Barley**

0500050 **Oat**

- (+) The European Food Safety Authority identified some information on toxicological data of plant metabolites as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 27 June 2019, or, if that information is not submitted by that date, the lack of it.

0500070 **Rye**

0500090 **Wheat**

0900010 **Sugar beet roots**

0900030 **Chicory roots**

COMMISSION REGULATION (EU) 2020/685**of 20 May 2020****amending Regulation (EC) No 1881/2006 as regards maximum levels of perchlorate in certain foods****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food ⁽¹⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1881/2006 ⁽²⁾ sets maximum levels for certain contaminants in foodstuffs.
- (2) On 30 September 2014, the Scientific Panel on Contaminants in the Food Chain ('the CONTAM Panel') of the European Food Safety Authority ('the Authority') adopted a scientific opinion on the risks to public health related to the presence of perchlorate in food ⁽³⁾. The CONTAM Panel established a tolerable daily intake of 0,3 micrograms per kilogram of body weight per day, based on the inhibition of thyroid iodine uptake in healthy adults. The CONTAM Panel concluded that the current estimated chronic dietary exposure to perchlorate is of potential concern, in particular for the high consumers in the younger age groups of the population with mild to moderate iodine deficiency. Furthermore, it is possible that current estimated short-term exposure to perchlorate is of concern for breast-fed infants and small children with low iodine intake.
- (3) The CONTAM Panel recommended that Member States collect additional data on the occurrence of perchlorate in food in Europe, especially in relation to vegetables, infant formula, milk and dairy products, in order to further reduce the uncertainty in the risk assessment.
- (4) Commission Recommendation (EU) 2015/682 ⁽⁴⁾ was adopted on foot of the scientific report with the objective of monitoring the presence of perchlorate in food, in particular in food sampled after 1 September 2013, when mitigation measures were put in place.
- (5) The Authority carried out a human exposure assessment to perchlorate taking into account the occurrence data available in its database from samples taken after 1 September 2013 and published a scientific report on the 'Dietary exposure assessment to perchlorate in the European population' ⁽⁵⁾ in 2017.

⁽¹⁾ OJ L 37, 13.2.1993, p. 1.

⁽²⁾ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

⁽³⁾ EFSA CONTAM Panel (EFSA Panel on Contaminants in the Food Chain), 2014. Scientific Opinion on the risks to public health related to the presence of perchlorate in food, in particular fruits and vegetables. *EFSA Journal* 2014;12(10):3869, 106 pp. doi:10.2903/j.efsa.2014.3869 <http://www.efsa.europa.eu/en/efsajournal/pub/3869>

⁽⁴⁾ Commission Recommendation (EU) 2015/682 of 29 April 2015 on the monitoring of the presence of perchlorate in food (OJ L 111, 30.4.2015, p. 32).

⁽⁵⁾ EFSA (European Food Safety Authority), Arcella D, Binaglia M and Vernazza F, 2017. Scientific Report on the Dietary exposure assessment to perchlorate in the European population. *EFSA Journal* 2017;15(10):5043, 24 pp. <https://doi.org/10.2903/j.efsa.2017.5043>

- (6) The CONTAM Panel considered the outcome of the report on perchlorate in food at its 87th plenary meeting in November 2017 ⁽⁶⁾ and noted a substantial alignment of the exposure levels estimated in this report with those estimated in the opinion of the CONTAM Panel in 2014. Given the previously established tolerable daily intake of 0,3 µg/kg bw per day, the CONTAM Panel confirmed the conclusion that the current chronic and short-term exposure to perchlorate may pose a possible concern for human health.
- (7) It is therefore appropriate to set maximum levels of perchlorate both in foodstuffs which contain significant levels of perchlorate and which contribute significantly to human exposure and in foodstuffs which are of relevance as regards the possible exposure of vulnerable groups of the population such as infants and young children.
- (8) Regulation (EC) No 1881/2006 should therefore be amended accordingly.
- (9) Food business operators should be allowed time to adapt to the new requirements set out in this Regulation. The date of application of the maximum levels of perchlorate for those foodstuffs should therefore be deferred.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1881/2006 is amended in accordance with the Annex to this Regulation.

Article 2

Foodstuffs listed in the Annex to this Regulation that were lawfully placed on the market before 1 July 2020 may continue to be marketed until their date of minimum durability or use-by-date.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 July 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 20 May 2020.

For the Commission

The President

Ursula VON DER LEYEN

⁽⁶⁾ <http://www.efsa.europa.eu/sites/default/files/event/171121-m.pdf>

ANNEX

In the Annex to Regulation (EC) No 1881/2006, the following 'Section 9 Perchlorate' is added:

'Section 9: Perchlorate

Foodstuffs ⁽¹⁾		Maximum level (mg/kg)
9.	Perchlorate	
9.1.	Fruits and vegetables with the exception of: — <i>Cucurbitaceae</i> and kale — leaf vegetables and herbs	0,05 0,10 0,50
9.2	Tea (<i>Camellia sinensis</i>), dried Herbal and fruit infusions, dried	0,75
9.3	Infant formula, follow-on formula, foods for special medical purposes intended for infants and young children and young child formula ⁽³⁾ (⁴)(*) Babyfood ⁽³⁾ (⁴) Processed cereal based food ⁽³⁾ (²⁹)	0,01 0,02 0,01

(*) young child formula are milk-based drinks and similar protein-based products intended for young children. These products are outside the scope of Regulation (EU) No 609/2013 (Report from the Commission to the European Parliament and the Council on young child formulae (COM/2016/0169 final)
(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016DC0169&qid=1559628885154&from=EN>).