COUNCIL DIRECTIVE 94/30/EC

of 23 June 1994

amending Annex II to Directive 90/642/EEC relating to the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables and providing for the establishment of a list of maximum levels

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/642/EEC of 27 November 1990 relating to the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables [1], and in particular Article 1 thereof,

Having regard to the proposal from the Commission,

Whereas the Commission has received a mandate in the framework of Directive 90/642/EEC to prepare the list of pesticide residues and their maximum levels for approval by Council;

Whereas pesticide residues may arise in products of plant origin, including fruit and vegetables as a result of agricultural practices; whereas, to establish maximum levels for the former, it is necessary to take into account relevant data for both authorized pesticide uses and supervised trials; whereas, however, available data is frequently insufficient by current standards to estabish maximum levels;

Whereas, in order better to estimate dietary intake of pesticide residues, it is prudent to establish simultaneously, where possible, maximum residue levels for individual pesticides in all major components of the diet; whereas these levels represent the use of minimum quantities of pesticide to achieve adequate control, applied in such a manner that the amount of residue is the smallest practicable and is toxicologically acceptable;

Whereas, it is now appropriate that maximum levels be fixed for certain pesticides, namely, daminozide, lambda-cyhalothrin, propiconazole, carbofuran, carbosulfan, benfuracarb, furathiocarb, cyfluthrin, metalaxyl, benalaxyl, fenarimol and ethephon in products of plant origin; whereas, however, it is not possible to establish maximum pesticide residue levels for all pesticide residue product combinations due to insufficient data;

Whereas, in cases of insufficient data availability a period of time should be allowed for the generation of the necessary data; whereas a period not exceeding four years would seem reasonable for this purpose; whereas, therefore, maximum levels should be established on the basis of such data by 30 June 1999 at the latest; whereas failure to provide satisfactory data normally results in the estabishment of levels at the appropriate limit of determination;

Whereas the maximum residue levels established in this Directive will have to be reviewed in the framework of the re-evaluation of active substances provided for in the work programme established in Article 8 (2) of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market [2],

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following pesticide residues shall be added to Annex II to Directive 90/642/EEC:

[1] OJ No L 350, 14. 12. 1990, p. 71. Directive as amended by Directive 93/58/EEC (OJ No L 211, 23. 8. 1993, p. 6).

[2] OJ No L 230, 19. 8. 1991, p. 1. Directive as amended by Commission Directive 93/71/EEC (OJ No L 221, 31. 8. 1993, p. 27).

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethyl-hydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
1. Fruit, fresh, dried or uncooked preserved by freezing not containing added sugar; nuts			
(i) CITRUS FRUIT	0,02 (*)	(a)	0,05 (*)
grapefruit			
lemons			
limes			
mandarins (including clementines and similar hybrids)			
oranges			
pommelo			
others			
(ii) TREE NUTS (shelled or unshelled)	0,05 (*)	0,05 (*)	0,05 (*)
almonds			
brazil nuts			
cashew nuts			
chestnuts			
coconuts			
hazelnuts			
macadamia			
pecans			
pine nuts			
pistachios			
walnuts			
others			
(iii) POME FRUIT		0,1	0,05 (*)
apples	0,02 (*) (×)		
pears			
quinces			
others	0,02 (*)		
(iv) STONE FRUIT	0,02 (*)		
apricots		0,2	0,2
cherries			(b)
peaches (including nectarines and similar hybrids)		0,2	0,2
plums			(b)
others		0,1	0,05 (*)
(v) BERRIES AND SMALL FRUITS	0,02 (*)		
(a) *table and wine grapes*		0,2	0,5
table grapes			
wine grapes			
(b) *strawberries (other than wild)*		(a)	0,05 (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethyl-hydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(c) *cane fruit* (other than wild):		0,02	0,05 (*)
blackberries			
dewberries			
loganberries			
raspberries			
others			
(d) *other small fruit and berries* (other than wild)			0,05
bilberries (fruits of species *vaccinium myrtyllus)*			
cranberries			
currants (red, black and white)		0,1	
gooseberries		0,1	
others		0,02 (*)	
(e) *wild berries and wild fruit*		0,02 (*)	0,05 (*)
(vi) MISCELLANEOUS	0,02 (*)	0,02 (*)	
avocados			
bananas			
dates			
figs			
kiwi			
kumquats			
litchis			
mangoes			
olives			
passion fruit			
pineapples			
pomegranate			
others			0,05 (*)
2. Vegetables, fresh or uncooked, frozen or dry			
(i) ROOT AND TUBER VEGETABLES	0,02 (*)	0,02 (*)	0,05 (*)
Beetroot			
carrots			
celeriac			
horseradish			
jerusalem artichokes			
parsnip			
parsley root			
radishes			
salsify			
sweet potatoes			
swedes			
turnips			
yam			
others			

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethyl-hydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(ii) BULB VEGETABLES	0,02 (*)		0,05 (*)
garlic			
onions			
shallots			
spring onions		(a)	
others		0,02 (*)	
(iii) FRUITING	0,02 (*)		
(a) *Solanacea*		(a)	
tomatoes			
peppers			
aubergines			(b)
others			0,05 (*)
(b) *cucurbits — edible peel*		0,1	(b)
cucumbers			
gherkins			
courgettes			
others			
(c) *cucurbits — inedible peel*		(a)	(b)
melons			
squashes			
watermelons			
others			
(d) *sweet corn*		0,02 (*)	0,05 (*)
(iv) BRASSICA VEGETABLES	0,02 (*)		0,05 (*)
(a) *flowering brassicas*		(a)	
broccoli			
cauliflower			
others			
(b) *head brassicas*			
brussels sprouts		0,05	
head cabbage		0,2	
others		0,02 (*)	
(c) *leafy brassicas*		(a)	
chinese cabbage			
kale			
others			
(d) *kohlrabi*		(a)	
(v) LEAF VEGETABLES AND FRESH HERBS	0,02 (*)		0,05 (*)
(a) *lettuce and similar*		1	
cress			
lamb's lettuce			
lettuce			
scarole			
others			
(b) *spinach and similar*		(a)	
beet leaves (chard)			
(c) *watercress*		0,02 (*)	

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethyl-hydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(d) *witloof*		(a)	
(e) *herbs*		1	
chervil			
chives			
parsley			
celery leaves			
others			
(vi) LEGUME VEGETABLES (fresh)	0,02 (*)		0,05 (*)
beans (with pods)		0,2	
beans (without pods)			
peas (with pods)		0,2	
peas (without pods)		0,2	
others		0,02 (*)	
(vii) STEM VEGETABLES	0,02 (*)		
asparagus		0,02 (*)	
cardoons			(b)
celery			
fennel			(b)
globe artichokes			
leek			
rhubarb			
others		(a)	0,05 (*)
(viii) FUNGI	0,02 (*)		0,05 (*)
cultivated mushrooms		(a)	
wild mushrooms		0,02 (*)	
3. **Pulses**	0,02 (*)	0,02 (*)	0,05 (*)
beans			
lentils			
peas			
others			
4. **Oil seeds**	0,05 (*)	0,02	
linseed			(b)
peanuts			
poppy seed			
sesame seed			
sunflower seed (with shell)			
rape seed			
soya bean			
mustard			
cotton seed			
others			0,05 (*)
5. **Potatoes**	0,02 (*)	0,02 (*)	0,05 (*)
early and ware potatoes			
6. **Tea (black tea processed from the leaves of *camellia sinensis*)**	0,1 (*)	1	0,1 (*)
7. **Hops (dried), including hop pellets and unconcentrated powder**	0,1 (*)	10	0,1 (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Carbofuran (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	Carbosulfan	Benfurocarb	Furathiocarb
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar; nuts				
(i) CITRUS FRUIT	(c)	(b)	(b)	0,05 (*)
grapefruit				
lemons				
limes				
mandarins (including clementines and similar hybrids)				
oranges				
pommelo				
others				
(ii) TREE NUTS (shelled or unshelled)		0,05 (*)		0,05 (*)
almonds				
brazil nuts				
cashew nuts				
chestnuts				
coconuts				
hazelnuts	(c)		(b)	
macadamia				
pecans				
pine nuts				
pistachios				
walnuts				
others	0,1 (*)		0,05 (*)	
(iii) POME FRUIT	(c)	(b)	0,05 (*)	0,05 (*)
apples				
pears				
quinces				
others				
(iv) STONE FRUIT	(c)	(b)	0,05 (*)	0,05 (*)
apricots				
cherries				
peaches (including nectarines and similar hybrids)				
plums				
others				
(v) BERRIES AND SMALL FRUIT		0,05 (*)	0,05 (*)	0,05 (*)
(a) *Table and wine grapes*	0,01 (*)			
table grapes				
wine grapes				
(b) *strawberries* (other than wild)	(c)			
(c) *cane fruit* (other than wild)	0,1 (*)			
blackberries				
dewberries				
loganberries				
raspberries				
others				

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Carbofuran (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	Carbosulfan	Benfurocarb	Furathiocarb
(d) *other small fruit and berries* (other than wild)	0,1 (*)			
bilberries (fruit of species *vaccinium myrtyllus)*				
cranberries				
currants (red, black and white)				
gooseberries *(cynorrhodon)*				
others				
(e) *wild berries and wild fruit*	0,1 (*)			
(vi) MISCELLANEOUS	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
avocados				
bananas				
dates				
figs				
kiwi				
kumquats				
litchis				
mangoes				
olives (table consumption)				
olives (oil extraction)				
passion fruit				
pineapples				
pomegranate				
others				
2. Vegetables, fresh or uncooked, frozen or dry				
(i) ROOT AND TUBER VEGETABLES			0,05 (*)	0,05 (*)
beetroot				
carrots	0,3	0,1		
celeriac	(c)			
horseradish				
jerusalem artichokes				
parsnip	0,3	0,1		
parsley root				
radishes	0,5			
salsify				
sweet potatoes				
swedes	(c)	(b)		
turnips	(c)	(b)		
yam				
others	0,1 (*)	0,05 (*)		
(ii) BULB VEGETABLES			0,05 (*)	0,05 (*)
garlic	0,3			
onions	0,3	(b)		
shallots	0,3			
spring onions				
others	0,1 (*)	0,05 (*)		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Carbofuran (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	Carbosulfan	Benfurocarb	Furathiocarb
(iii) FRUITING				
(a) *Solanacea*	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
tomatoes				
peppers				
aubergines				
others				
(b) *cucurbits — edible peel*	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
cucumbers				
gherkins				
courgettes				
others				
(c) *cucurbits — inedible peel*		(b)	(b)	0,05 (*)
melons	(c)			
squashes				
watermelons				
others	0,1 (*)			
(d) *sweet corn*	(c)	0,05 (*)	0,05 (*)	0,05 (*)
(iv) BRASSICA				
(a) *flowering brassicas*	0,2	(b)	(b)	0,1
broccoli				
cauliflower				
others				
(b) *head brassicas*	(c)	(b)	(b)	0,05
brussels sprouts				
head cabbage				
others				
(c) *leafy brassicas*	(c)	(b)	0,05 (*)	0,05 (*)
chinese cabbage				
kale				
others				
(d) *kohlrabi*	0,2	(b)	0,05 (*)	0,05 (*)
(v) LEAF VEGETABLES AND FRESH HERBS	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
(a) *lettuce and similar*				
cress				
lamb's lettuce				
lettuce				
scarole				
others				
(b) *spinach and similar*				
beet leaves (chard)				
(c) *watercress*				
(d) *witloof*				

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Carbofuran (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	Carbosulfan	Benfurocarb	Furathiocarb
(e) *herbs*				
chervil				
chives				
parsley				
celery leaves				
others				
(vi) LEGUME VEGETABLES (fresh)		0,05 (*)	0,05 (*)	
beans (with pods)	(c)			(b)
beans (without pods)	(c)			(b)
peas (with pods)				
peas (without pods)				
others	0,1 (*)			0,05 (*)
(vii) STEM VEGETABLES			0,05 (*)	
asparagus				
cardoons				
celery	(c)	(b)		(b)
fennel				
globe artichokes				
leek	(c)	(b)		
rhubarb				
others	0,1 (*)	0,05 (*)		0,05 (*)
(viii) FUNGI	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
cultivates mushrooms				
wild mushrooms				
3. **Pulses**		0,05 (*)	0,05 (*)	
beans	(c)			(b)
lentils				
peas				
others	0,1 (*)			0,05 (*)
4. **Oil seeds**		0,05 (*)		
linseed	(c)			
peanuts	(c)			
poppy seed				
sesame seed	(c)			
sunflower seed	(c)	(b)		
rape seed	(c)	(b)		(b)
soya bean	(c)			(b)
mustard				
cotton seed	(c)	(b)	(b)	(b)
others	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
5. **Potatoes**	(c)	0,05 (*)	0,05 (*)	0,05 (*)
Early and ware potatoes				
6. **Tea (black tea processed from the leaves of *camellia sinensis*)**	0,2 (*)	0,1 (*)	0,1 (*)	0,1 (*)
7. **Hops (dried), including hop pellets and unconcentrated powder**	10	(b)	5	5

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)				
	Cyfluthrin, including other mixed isomeric constituents (sum of isomers)	Metalaxyl	Benalaxyl	Fenarimol	Ethephon
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar; nuts					
(i) CITRUS FRUIT	0,02 (*)	(b)	0,05 (*)	0,02 (*)	(b)
grapefruit					
lemons					
limes					
mandarins (including clementines and similar hybrids)					
oranges					
pommelo					
others					
(ii) TREE NUTS (shelled or unshelled)	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,1 (*)
almonds					
brazil nuts					
cashew nuts					
chestnuts					
coconuts					
hazelnuts					
macadamia					
pecans					
pine nuts					
pistachios					
walnuts					
others					
(iii) POME FRUIT	0,2	1	0,05 (*)	0,3	3
apples					
pears					
quinces					
others					
(iv) STONE FRUIT			0,05 (*)	(a)	
apricots					
cherries	0,2	(b)			3
peaches (including nectarines and similar hybrids)		(b)			
plums	0,2				
others	(a)	0,05 (*)			0,05 (*)
(v) BERRIES AND SMALL FRUIT					
(a) *table and wine grapes*	0,3		0,2	0,3	(b)
table grapes		2			
wine grapes		1			
(b) *strawberries* (other than wild)	(a)	0,5	0,05 (*)	0,3	0,05 (*)
(c) *cane fruit* (other than wild)	0,02 (*)	(b)	0,05 (*)		0,05 (*)
blackberries					
dewberries					
loganberries					
raspberries				(a)	
others				0,02 (*)	

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)				
	Cyfluthrin, including other mixed isomeric constituents (sum of isomers)	Metalaxyl	Benalaxyl	Fenarimol	Ethephon
(d) *other small fruit and berries* (other than wild)		0,05 (*)	0,05 (*)		
bilberries (fruit of species *vaccinium myrtyllus)*					
cranberries					
currants (red, black and white)	(a)			1	5
gooseberries	(a)			1	
others	0,02 (*)			0,02 (*)	0,05 (*)
(e) *wild berries and wild fruit*	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,05 (*)
(vi) MISCELLANEOUS	0,02 (*)		0,05 (*)	0,02 (*)	
avocados		(b)			
bananas					
dates					
figs					(b)
kiwi		(b)			
kumquats					
litchis					
mangoes					
olives (table consumption)					(b)
olives (oil extraction)					(b)
passion fruit					
pineapples					(b)
pomegranate					
others		0,05 (*)			0,05 (*)
2. Vegetables, fresh or uncooked, frozen or dry					
(i) ROOT AND TUBER VEGETABLES	0,02 (*)			0,02 (*)	0,05 (*)
beetroot					
carrots		0,1			
celeriac					
horseradish					
jerusalem artichokes					
parsnip		0,1			
parsley root					
radishes					
salsify			(b)		
sweet potatoes					
swedes					
turnips					
yam					
others		0,05 (*)	0,05 (*)		
(ii) BULB VEGETABLES	0,02 (*)	(b)		0,02 (*)	
garlic					
onions			0,2		(b)
shallots					
spring onions					
others			0,05 (*)		0,05 (*)
(iii) FRUITING					
(a) *solanacea*				(a)	
tomatoes	0,05 (*)	(b)	0,2		3
peppers	(a)	(b)	0,2		3
aubergines					
others	0,02 (*)	0,05 (*)	0,05 (*)		0,05 (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)				
	Cyfluthrin, including other mixed isomeric constituents (sum of isomers)	Metalaxyl	Benalaxyl	Fenarimol	Ethephon
(b) *cucurbits — edible peel*	(a)	(b)	0,05 (*)	(a)	0,05 (*)
cucumbers					
gherkins					
courgettes					
others					
(c) *cucurbits — inedible peel*	0,02 (*)			(a)	0,05 (*)
melons		(b)	(b)		
squashes					
watermelons		(b)	(b)		
others		0,05 (*)	0,05 (*)		
(d) *sweet corn*	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	(b)
(iv) BRASSICA VEGETABLES			0,05 (*)	0,02 (*)	0,05 (*)
(a) *flowering brassicas*		(b)			
broccoli	(a)				
cauliflower	0,05				
others	0,02 (*)				
(b) *head brassicas*	0,2				
brussels sprouts					
head cabbage		1			
others		0,05 (*)			
(c) *leafy brassicas*	(a)				
chinese cabbage		(b)			
kale		(b)			
others		0,05 (*)			
(d) *kohlrabi*	0,02 (*)	0,05 (*)			
(v) LEAF VEGETABLES AND FRESH HERBS			0,02 (*)	0,05 (*)	
(a) *lettuce and similar*	0,5	(b)			
cress					
lamb's lettuce					
lettuce			(b)		
scarole					
others			0,05 (*)		
(b) *spinach and similar*	0,02 (*)	(b)	0,05 (*)		
beet leaves (chard)					
(c) *watercress*	0,02 (*)	(b)	0,05 (*)		
(d) *witloof*	0,02 (*)	(b)	0,05 (*)		
(e) *herbs*	0,02 (*)	(b)	0,05 (*)		
chervil					
chives					
parsley					
celery leaves					
others					

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)				
	Cyfluthrin, including other mixed isomeric constituents (sum of isomers)	Metalaxyl	Benalaxyl	Fenarimol	Ethephon
(vi) LEGUME VEGETABLES (fresh)	0,05	0,05 (*)	0,05 (*)		0,05 (*)
beans (with pods)					
beans (without pods)					
peas (with pods)				(a)	
peas (without pods)				(a)	
others				0,02 (*)	
(vii) STEM VEGETABLES			0,05 (*)		0,05 (*)
Asparagus					
cardoons					
celery					
fennel					
globe artichokes		(b)		(a)	
leek	(a)	(b)			
rhubarb					
others	0,02 (*)	0,05 (*)		0,02 (*)	
(viii) FUNGI	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,05 (*)
cultivated mushrooms					
wild mushrooms					
3. **Pulses**	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,05 (*)
beans					
lentils					
peas					
others					
4. **Oil seeds**				0,02 (*)	0,05 (*)
linseed		(b)			
peanuts					
poppy seed					
sesame seed					
sunflower seed					
rape seed	0,05		(b)		
soya bean			(b)		
mustard					
cotton seed					
others	0,02 (*)	0,05 (*)	0,05 (*)		
5. **Potatoes**	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,05 (*)
early and ware potatoes					
6. **Tea (black tea processed from the leaves of *camellia sinensis)***	(c)	0,1 (*)	0,1 (*)	0,05 (*)	0,1 (*)
7. **Hops (dried), including hop pellets and unconcentrated powder**	20	10	0,1 (*)	5	0,1 (*)

(×) As from 1 January 1996.

(*) Indicates limit of analytical determination.

(a) (b) (c) As from 30 June 1999, and save for adoption of other levels, the following maximum limits shall apply:

(a) 0,02 (*)
(b) 0,05 (*)
(c) 0,1 (*)

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than 30 June 1995.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 3

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities.*

Article 4

This Directive is addressed to the Member States.

Done at Luxembourg, 23 June 1994.

For the Council

The President

G. MORAITIS