COMMISSION REGULATION (EU) 2016/1355

of 9 August 2016

amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards thiacloprid

(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 thiacloprid, maximum residue levels (MRLs) were set in Annex II to Regulation (EC) No 396/2005.

(2) In the context of a procedure for the authorisation of the use of a plant protection product containing the active substance thiacloprid on rapeseed, an application was submitted in accordance with Article 6(1) of Regulation (EC) No 396/2005 for modification of the existing MRL in honey and other apiculture products.

(3) In accordance with Article 8 of Regulation (EC) No 396/2005, that application was evaluated by the Member State concerned and the evaluation report was forwarded to the Commission.

(4) The European Food Safety Authority, hereinafter 'the Authority', assessed the application and the evaluation report, examining in particular the risks to the consumer and, where relevant, to animals and gave a reasoned opinion on the proposed MRL ([2]). It forwarded that opinion to the Commission and the Member States and made it available to the public.

(5) The Authority concluded that all requirements with respect to data were met and that the modification to the MRL requested by the applicant was acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. It took into account the most recent information on the toxicological properties of the substance. Neither the lifetime exposure to this substance via consumption of all food products that may contain it nor the short-term exposure due to high consumption of the relevant product showed that there is a risk that the acceptable daily intake or the acute reference dose is exceeded.

(6) The Authority proposed several MRLs for honey, to be considered by the risk managers, which were based on, respectively, the field trials submitted by the applicant and Union wide monitoring data. As there is no risk to consumers, the MRL for thiacloprid in honey should be set at the level of 0,2 mg/kg on the basis of the available residue trials. The monitoring data are in a similar range and confirm such level.

(7) Based on the reasoned opinion of the Authority and taking into account the factors relevant to the matter under consideration, the appropriate modification to the MRL fulfils the requirements of Article 14(2) of Regulation (EC) No 396/2005.

(8) Regulation (EC) No 396/2005 should therefore be amended accordingly.

([1]) OJ L 70, 16.3.2005, p. 1.
([2]) EFSA scientific reports available online: http://www.efsa.europa.eu:
Reasoned opinion on the modification of the existing maximum residue level for thiacloprid in honey. EFSA Journal 2016;14(3):4418 [21 pp.].

(9) In order to minimise the potential market disruptions that may arise from the temporary application of the MRL for honey, set at the limit of determination by Commission Regulation (EU) 2015/1200 [1], this Regulation should enter into force as soon as possible.

(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

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 day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 9 August 2016.

For the Commission
The President
Jean-Claude JUNCKER

[1] Commission Regulation (EU) 2015/1200 of 22 July 2015 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for amidosulfuron, fenhexamid, kresoxim-methyl, thiacloprid and trifloxystrobin in or on certain products (OJ L 195, 23.7.2015, p. 1).

ANNEX

In Annex II to Regulation (EC) No 396/2005, the column for thiacloprid is 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]	Thiacloprid
(1)	(2)	(3)
0100000	**FRUITS, FRESH or FROZEN; TREE NUTS**	
0110000	**Citrus fruits**	0,01 (*)
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others	
0120000	**Tree nuts**	0,02 (*)
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	
0130000	**Pome fruits**	
0130010	Apples	0,3
0130020	Pears	0,3
0130030	Quinces	0,7
0130040	Medlars	0,7

(1)	(2)	(3)
0130050	Loquats/Japanese medlars	0,7
0130990	Others	0,01 (*)
0140000	**Stone fruits**	0,5
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others	
0150000	**Berries and small fruits**	
0151000	(a) *grapes*	0,01 (*)
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) *strawberries*	1
0153000	(c) *cane fruits*	
0153010	Blackberries	1
0153020	Dewberries	1
0153030	Raspberries (red and yellow)	6
0153990	Others	0,01 (*)
0154000	(d) *other small fruits and berries*	1
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	
0160000	**Miscellaneous fruits with**	
0161000	(a) *edible peel*	
0161010	Dates	0,01 (*)
0161020	Figs	0,5

(1)	(2)	(3)
0161030	Table olives	4
0161040	Kumquats	0,01 (*)
0161050	Carambolas	0,01 (*)
0161060	Kaki/Japanese persimmons	0,01 (*)
0161070	Jambuls/jambolans	0,01 (*)
0161990	Others	0,01 (*)
0162000	(b) *inedible peel, small*	
0162010	Kiwi fruits (green, red, yellow)	0,2
0162020	Litchis/lychees	0,01 (*)
0162030	Passionfruits/maracujas	0,01 (*)
0162040	Prickly pears/cactus fruits	0,01 (*)
0162050	Star apples/cainitos	0,01 (*)
0162060	American persimmons/Virginia kaki	0,01 (*)
0162990	Others	0,01 (*)
0163000	(c) *inedible peel, large*	
0163010	Avocados	0,01 (*)
0163020	Bananas	0,01 (*)
0163030	Mangoes	0,01 (*)
0163040	Papayas	0,5
0163050	Granate apples/pomegranates	0,01 (*)
0163060	Cherimoyas	0,01 (*)
0163070	Guavas	0,01 (*)
0163080	Pineapples	0,01 (*)
0163090	Breadfruits	0,01 (*)
0163100	Durians	0,01 (*)
0163110	Soursops/guanabanas	0,01 (*)
0163990	Others	0,01 (*)
0200000	**VEGETABLES, FRESH or FROZEN**	
0210000	**Root and tuber vegetables**	
0211000	(a) *potatoes*	0,02
0212000	(b) *tropical root and tuber vegetables*	0,01 (*)
0212010	Cassava roots/manioc	
0212020	Sweet potatoes	

(1)	(2)	(3)
0212030	Yams	
0212040	Arrowroots	
0212990	Others	
0213000	(c) *other root and tuber vegetables except sugar beets*	
0213010	Beetroots	0,05
0213020	Carrots	0,05
0213030	Celeriacs/turnip rooted celeries	0,05
0213040	Horseradishes	0,05
0213050	Jerusalem artichokes	0,05
0213060	Parsnips	0,05
0213070	Parsley roots/Hamburg roots parsley	0,05
0213080	Radishes	0,05
0213090	Salsifies	0,05
0213100	Swedes/rutabagas	0,01 (*)
0213110	Turnips	0,01 (*)
0213990	Others	0,01 (*)
0220000	**Bulb vegetables**	
0220010	Garlic	0,01 (*)
0220020	Onions	0,01 (*)
0220030	Shallots	0,01 (*)
0220040	Spring onions/green onions and Welsh onions	0,15
0220990	Others	0,01 (*)
0230000	**Fruiting vegetables**	
0231000	(a) *solanacea*	
0231010	Tomatoes	0,5
0231020	Sweet peppers/bell peppers	1
0231030	Aubergines/eggplants	0,7
0231040	Okra/lady's fingers	0,01 (*)
0231990	Others	0,01 (*)
0232000	(b) *cucurbits with edible peel*	0,5
0232010	Cucumbers	
0232020	Gherkins	

(1)	(2)	(3)
0232030	Courgettes	(+)
0232990	Others	
0233000	(c) *cucurbits with inedible peel*	
0233010	Melons	0,2
0233020	Pumpkins	0,01 (*)
0233030	Watermelons	0,2
0233990	Others	0,01 (*)
0234000	(d) *sweet corn*	0,01 (*)
0239000	(e) *other fruiting vegetables*	0,01 (*)
0240000	**Brassica vegetables (excluding brassica roots and brassica baby leaf crops)**	
0241000	(a) *flowering brassica*	0,3 (+)
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others	
0242000	(b) *head brassica*	0,3
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others	
0243000	(c) *leafy brassica*	
0243010	Chinese cabbages/pe-tsai	1
0243020	Kales	0,4
0243990	Others	0,01 (*)
0244000	(d) *kohlrabies*	0,04
0250000	**Leaf vegetables, herbs and edible flowers**	
0251000	(a) *lettuces and salad plants*	
0251010	Lamb's lettuces/corn salads	8
0251020	Lettuces	1
0251030	Escaroles/broad-leaved endives	0,15 (+)
0251040	Cresses and other sprouts and shoots	0,01 (*)

(1)	(2)	(3)
0251050	Land cresses	0,7 (+)
0251060	Roman rocket/rucola	2 (+)
0251070	Red mustards	0,01 (*)
0251080	Baby leaf crops (including brassica species)	2 (+)
0251990	Others	0,01 (*)
0252000	(b) *spinaches and similar leaves*	
0252010	Spinaches	0,15 (+)
0252020	Purslanes	0,01 (*)
0252030	Chards/beet leaves	0,15 (+)
0252990	Others	0,01 (*)
0253000	(c) *grape leaves and similar species*	0,01 (*)
0254000	(d) *watercresses*	0,01 (*)
0255000	(e) *witloofs/Belgian endives*	0,01 (*)
0256000	(f) *herbs and edible flowers*	5
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	
0256080	Basil and edible flowers	
0256090	Laurel/bay leave	
0256100	Tarragon	
0256990	Others	
0260000	**Legume vegetables**	
0260010	Beans (with pods)	0,4 (+)
0260020	Beans (without pods)	0,01 (*)
0260030	Peas (with pods)	0,2
0260040	Peas (without pods)	0,2
0260050	Lentils	0,01 (*)
0260990	Others	0,01 (*)

(1)	(2)	(3)
0270000	**Stem vegetables**	
0270010	Asparagus	0,01 (*)
0270020	Cardoons	0,01 (*)
0270030	Celeries	0,7
0270040	Florence fennels	0,7
0270050	Globe artichokes	0,01 (*)
0270060	Leeks	0,1
0270070	Rhubarbs	0,02
0270080	Bamboo shoots	0,01 (*)
0270090	Palm hearts	0,01 (*)
0270990	Others	0,01 (*)
0280000	**Fungi, mosses and lichens**	0,01 (*)
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	**Algae and prokaryotes organisms**	0,01 (*)
0300000	**PULSES**	
0300010	Beans	0,08 (+)
0300020	Lentils	0,01 (*)
0300030	Peas	0,08 (+)
0300040	Lupins/lupini beans	0,01 (*)
0300990	Others	0,01 (*)
0400000	**OILSEEDS AND OIL FRUITS**	
0401000	**Oilseeds**	
0401010	Linseeds	0,02 (*)
0401020	Peanuts/groundnuts	0,02 (*)
0401030	Poppy seeds	0,3
0401040	Sesame seeds	0,02 (*)
0401050	Sunflower seeds	0,02 (*)
0401060	Rapeseeds/canola seeds	0,6 (+)

(1)	(2)	(3)
0401070	Soyabeans	0,02 (*)
0401080	Mustard seeds	0,6 (+)
0401090	Cotton seeds	0,15
0401100	Pumpkin seeds	0,02 (*)
0401110	Safflower seeds	0,02 (*)
0401120	Borage seeds	0,02 (*)
0401130	Gold of pleasure seeds	0,02 (*)
0401140	Hemp seeds	0,02 (*)
0401150	Castor beans	0,02 (*)
0401990	Others	0,02 (*)
0402000	**Oil fruits**	
0402010	Olives for oil production	4
0402020	Oil palms kernels	0,02 (*)
0402030	Oil palms fruits	0,02 (*)
0402040	Kapok	0,02 (*)
0402990	Others	0,02 (*)
0500000	**CEREALS**	
0500010	Barley	0,9
0500020	Buckwheat and other pseudo-cereals	0,01 (*)
0500030	Maize/corn	0,01* (+)
0500040	Common millet/proso millet	0,01 (*)
0500050	Oat	0,9
0500060	Rice	0,02
0500070	Rye	0,06
0500080	Sorghum	0,01 (*)
0500090	Wheat	0,1
0500990	Others	0,01 (*)
0600000	**TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS**	
0610000	**Teas**	10 (+)
0620000	**Coffee beans**	0,05 (*)

(1)	(2)	(3)
0630000	**Herbal infusions from**	
0631000	(a) *flowers*	0,05 (*)
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others	
0632000	(b) *leaves and herbs*	50 (+)
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others	
0633000	(c) *roots*	0,02 (+)
0633010	Valerian	
0633020	Ginseng	
0633990	Others	
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 (*)
0800000	**SPICES**	
0810000	**Seed spices**	0,08 (+)
0810010	Anise/aniseed	
0810020	Black caraway/black cumin	
0810030	Celery	
0810040	Coriander	
0810050	Cumin	
0810060	Dill	

(1)	(2)	(3)
0810070	Fennel	
0810080	Fenugreek	
0810090	Nutmeg	
0810990	Others	
0820000	**Fruit spices**	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	
0830000	**Bark spices**	0,05 (*)
0830010	Cinnamon	
0830990	Others	
0840000	**Root and rhizome spices**	
0840010	Liquorice	0,05 (*)
0840020	Ginger	0,05 (*)
0840030	Turmeric/curcuma	0,05 (*)
0840040	Horseradish	(+)
0840990	Others	0,05 (*)
0850000	**Bud spices**	0,05 (*)
0850010	Cloves	
0850020	Capers	
0850990	Others	
0860000	**Flower pistil spices**	0,05 (*)
0860010	Saffron	
0860990	Others	

(1)	(2)	(3)
0870000	**Aril spices**	0,05 (*)
0870010	Mace	
0870990	Others	
0900000	**SUGAR PLANTS**	
0900010	Sugar beet roots	0,02
0900020	Sugar canes	0,01 (*)
0900030	Chicory roots	0,05
0900990	Others	0,01 (*)
1000000	**PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS**	
1010000	**Tissues from**	
1011000	(a) *swine*	
1011010	Muscle	0,1
1011020	Fat tissue	0,01 (*)
1011030	Liver	0,5
1011040	Kidney	0,5
1011050	Edible offals (other than liver and kidney)	0,5
1011990	Others	0,01 (*)
1012000	(b) *bovine*	
1012010	Muscle	0,1
1012020	Fat tissue	0,04
1012030	Liver	0,5
1012040	Kidney	0,5
1012050	Edible offals (other than liver and kidney)	0,5
1012990	Others	0,01 (*)
1013000	(c) *sheep*	
1013010	Muscle	0,1
1013020	Fat tissue	0,04
1013030	Liver	0,5
1013040	Kidney	0,5

(1)	(2)	(3)
1013050	Edible offals (other than liver and kidney)	0,5
1013990	Others	0,01 (*)
1014000	(d) *goat*	
1014010	Muscle	0,1
1014020	Fat tissue	0,04
1014030	Liver	0,5
1014040	Kidney	0,5
1014050	Edible offals (other than liver and kidney)	0,5
1014990	Others	0,01 (*)
1015000	(e) *equine*	
1015010	Muscle	0,1
1015020	Fat tissue	0,04
1015030	Liver	0,5
1015040	Kidney	0,5
1015050	Edible offals (other than liver and kidney)	0,5
1015990	Others	0,01 (*)
1016000	(f) *poultry*	
1016010	Muscle	0,02
1016020	Fat tissue	0,01 (*)
1016030	Liver	0,02
1016040	Kidney	0,01 (*)
1016050	Edible offals (other than liver and kidney)	0,02
1016990	Others	0,01 (*)
1017000	(g) *other farmed terrestrial animals*	
1017010	Muscle	0,1
1017020	Fat tissue	0,04
1017030	Liver	0,5
1017040	Kidney	0,5
1017050	Edible offals (other than liver and kidney)	0,5
1017990	Others	0,01 (*)

(1)	(2)	(3)
1020000	**Milk**	0,05
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others	
1030000	**Birds eggs**	0,02 (*)
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others	
1040000	**Honey and other apiculture products**	**0,2**
1050000	**Amphibians and Reptiles**	0,01 (*)
1060000	**Terrestrial invertebrate animals**	0,01 (*)
1070000	**Wild terrestrial vertebrate animals**	0,01 (*)

(*) Indicates lower limit of analytical determination
(**) Pesticide-code combination for which the MRL as set in Annex III Part B applies.

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

Thiacloprid

(+) The European Food Safety Authority identified some information on 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 23 July 2017, or, if that information is not submitted by that date, the lack of it.

0232030 Courgettes

0241000 (a) flowering brassica

0241010 Broccoli

0241020 Cauliflowers

0241990 Others

0251030 Escaroles/broad-leaved endives

0251050 Land cresses

0251060 Roman rocket/rucola

0251080 Baby leaf crops (including brassica species)

0252010 Spinaches

0252030 Chards/beet leaves

0260010 Beans (with pods)

0300010 Beans

0300030 Peas

0401060 Rapeseeds/canola seeds

0401080 Mustard seeds

(+) The European Food Safety Authority identified some information on crop metabolism with seed treatment 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 23 July 2017, or, if that information is not submitted by that date, the lack of it.

0500030 Maize/corn

(+) The European Food Safety Authority identified some information on analytical methods 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 23 July 2017, or, if that information is not submitted by that date, the lack of it.

0610000 Teas

0632000 (b) leaves and herbs

0632010 Strawberry

0632020 Rooibos

0632030 Mate/maté

0632990 Others

0633000 (c) roots

0633010 Valerian

0633020 Ginseng

0633990 Others

0810000 Seed spices

0810010 Anise/aniseed

0810020 Black caraway/black cumin

0810030 Celery

0810040 Coriander

0810050 Cumin

0810060 Dill

0810070 Fennel

0810080 Fenugreek

0810090 Nutmeg

0810990 Others

(+) The applicable maximum residue level for horseradish (Armoracia rusticana) in the spice group (code 0840040) is the one set for horseradish (Armoracia rusticana) in the Vegetables category, root and tuber vegetables group (code 0213040) taking into account changes in the levels by processing (drying) according to Art. 20 (1) of Regulation (EC) No 396/2005.

0840040 Horseradish'