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Delegations will find attached document D052119/01.

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Brussels, **XXX**
SANTE/10257/2017 Rev. 2 -
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[...] (2017) **XXX** draft

COMMISSION REGULATION (EU) .../...

of XXX

replacing Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council

(Text with EEA relevance)

COMMISSION REGULATION (EU) .../...

of **XXX**

replacing Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council

(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/EEC¹, and in particular Article 4 thereof,

Whereas:

- (1) The products of plant and animal origin to which the maximum residue levels of pesticides ('MRLs') set by Regulation (EC) No 396/2005 apply, subject to the provisions of that Regulation, are listed in Annex I to that Regulation.
- (2) Additional information should be provided by Annex I to that Regulation as regards the products concerned, in particular as regards the synonyms used to indicate the products, the scientific names of the species to which the products belong and the part of the product to which the respective MRLs apply.
- (3) The text of footnote (1) in both Part A and Part B of Annex I should be reworded, in order to avoid ambiguity and different interpretations encountered with the current wording.
- (4) New footnotes (3) and (4) should be inserted in Part A of Annex I, in order to provide additional information as regards the part of the product to which the MRLs of the products concerned apply.
- (5) New footnote (7) should be inserted in Part A of Annex I, in order to clarify that MRLs of honey are not applicable to other apiculture products due to their different chemical characteristics.
- (6) Additional products should be introduced in the Part B of Annex I, in order to attribute them to a specific group or subgroup of Part A.

¹ OJ L 70, 16.3.2005, p. 1.

- (7) Footnotes (2), (3), (4), (5) and (6) in Part B of Annex I should be deleted as the deadlines set out in these footnotes have expired.
- (8) New footnote (2) should be inserted in Part B of Annex I, to allow for a reasonable period to elapse before the modified classification of the product soyabeans/edamame become applicable, in order to permit the food business operators to meet the new requirements which will result from the modification of the product classification.
- (9) Through the World Trade Organisation the trading partners of the Union were consulted and their comments have been taken into account.
- (10) Regulation (EC) No 396/2005 should therefore be amended accordingly.

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 I to Regulation (EC) No 396/2005 is replaced by 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*.

In order to not interfere with the samples collection for the national multiannual residues monitoring program, which is based on calendar years, it shall apply from 1 January 2018.

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

Done at Brussels,

For the Commission
The President
Jean Claude JUNCKER