



Council of the  
European Union

089894/EU XXV. GP  
Eingelangt am 13/01/16

Brussels, 13 January 2016  
(OR. en)

5216/16

AGRILEG 4

## COVER NOTE

From:	European Commission
date of receipt:	12 January 2016
To:	General Secretariat of the Council
No. Cion doc.:	D042722/16
Subject:	COMMISSION REGULATION (EU) .../...of XXX amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for atrazine in or on certain products

Delegations will find attached document D042722/16.

Encl.: D042722/16



EUROPEAN  
COMMISSION

Brussels, **XXX**  
SANTE/11654/2015  
(POOL/E3/2015/11654/11654-EN.doc)  
D042722/02  
[...](2015) **XXX** draft

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

**of **XXX****

**amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European  
Parliament and of the Council as regards maximum residue levels for atrazine in or on  
certain products**

(Text with EEA relevance)

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

of **XXX**

**amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for atrazine in or on certain products**

(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<sup>1</sup>, and in particular Article 14(1)(a) in conjunction with Article 17 and Article 49(2) thereof,

Whereas:

- (1) For atrazine, maximum residue limits (MRLs) were set in Annex II and Part B of Annex III to Regulation (EC) No 396/2005.
- (2) All existing authorisations for plant protection products containing atrazine have been revoked. In accordance with Article 17 of Regulation (EC) No 396/2005, the MRLs set out for that active substance in Annexes II and III should be deleted.
- (3) In accordance with Article 43 of Regulation (EC) No 396/2005, the Commission requested the European Food Safety Authority, hereinafter 'the Authority', to provide a scientific opinion on the temporary MRLs, which were set for cereals, following an import tolerance request made by Argentina. Based on residue trials submitted by the applicant in support of the use of atrazine on maize in accordance with Argentinian Good Agricultural Practices, the Authority concluded<sup>2</sup> that the MRLs for atrazine in cereals should be lowered to a level of 0.05 mg/kg. Such level corresponds to the existing relevant limit of determination for atrazine in products of plant origin. The proposed MRLs do not pose a consumer health risk for the European consumers.
- (4) 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.

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<sup>1</sup> OJ L 70, 16.3.2005, p. 1.

<sup>2</sup> Reasoned opinion on the setting of a new maximum residue level for atrazine in cereals. EFSA Journal 2015;13(6):4126 [21 pp.].

- (5) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (6) In order to allow for the normal marketing, processing and consumption of products, this Regulation should provide for a transitional arrangement for products which have been produced before the modification of the MRLs made by this Regulation and for which information shows that a high level of consumer protection is maintained.
- (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*

Annexes II, III and V to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

#### *Article 2*

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were produced before *[Office of Publications: please insert date 6 months after entry into force of this Regulation]*.

#### *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 *[Office of Publications: please insert date 6 months after entry into force]*.

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*