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Subject:	ANNEX to the COMMISSION REGULATION (EU) .../... amending Regulation (EC) No 1881/2006 as regards maximum levels of ergot sclerotia and ergot alkaloids in certain foodstuffs.

Delegations will find attached document D071863/03 ANNEX.

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ANNEX

ANNEX

to the

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

**amending Regulation (EC) No 1881/2006 as regards maximum levels of ergot sclerotia
and ergot alkaloids in certain foodstuffs.**

ANNEX

The Annex to Regulation (EC) No 1881/2006 is amended as follows:

- (1) In section 2, the entries ‘2.9 Ergot sclerotia and ergot alkaloids’ are replaced by the following:

‘Foodstuffs’ ⁽¹⁾		Maximum level
2.9	Ergot sclerotia and ergot alkaloids	
2.9.1.	Ergot sclerotia	
2.9.1.1.	Unprocessed cereals ⁽¹⁸⁾ with the exception of - maize, rye and rice	0.2 g/kg
2.9.1.2.	Unprocessed rye ⁽¹⁸⁾	0.5 g/kg until 30.6.2024 0.2 g/kg as from 1.7.2024
2.9.2.	Ergot alkaloids (*)	
2.9.2.1.	Milling products of barley, wheat, spelt and oats (with an ash content lower than 900mg/100g)	100 µg/kg 50 µg/kg as from 1.7.2024
2.9.2.2.	Milling products of barley, wheat, spelt and oats (with an ash content equal or higher than 900mg/100g) Barley, wheat, spelt and oats grains placed on the market for the final consumer	150 µg/kg
2.9.2.3.	Rye milling products Rye placed on the market for the final consumer	500 µg/kg until 30.6.2024 250 µg/kg as from 1.7.2024
2.9.2.4.	Wheat gluten	400 µg/kg
2.9.2.5.	Processed cereal based food for infants and young children ⁽³⁾ ⁽²⁹⁾	20 µg/kg

- (*) The maximum level for ergot alkaloids refers to the lowerbound sum of the following 12 ergot alkaloids: ergocornine/ergocorninine; ergocristine/ergocristinine; ergocryptine/ergocryptinine (α - and β -form); ergometrine/ergometrinine; ergosine/ergosinine; ergotamine/ergotaminine. In the lowerbound sum, the contribution of each non-quantified epimer is set at zero.

- (2) Footnote 1 is replaced by the following:

‘⁽¹⁾ As regards fruits, vegetables and cereals, reference is made to the foodstuffs listed in the relevant category as defined in Annex I 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 (OJ L 70, 16.3.2005, p. 1). This means, *inter alia*, that buckwheat (*Fagopyrum* sp) is

included in ‘cereals’ and buckwheat products are included in ‘cereal products’.
Tree nuts are not covered by the maximum level for fruit.’

(3) Footnote 18 is replaced by the following:

‘⁽¹⁸⁾ The maximum level applies to unprocessed cereals placed on the market before first-stage processing. In integrated production and processing systems the maximum level applies in the production chain at the stage before first-stage processing. Integrated production and processing systems means systems where all incoming lots are cleaned, sorted and processed in the same establishment.

Drying and cleaning, including sorting (colour sorting where applicable) and scouring, are not considered to be “first-stage processing” insofar as the whole grain remains intact.

Scouring is cleaning cereals by brushing or scrubbing it vigorously, combined with dust removal (e.g. aspiration).

In case scouring is applied in the presence of ergot sclerotia the cereals need to firstly undergo a cleaning step before scouring.’