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⁽¹⁾ Text with EEA relevance

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 897/2012

of 1 October 2012

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 acibenzolar-S-methyl, amisulbrom, cyazofamid, diflufenican, dimoxystrobin, methoxyfenozide and nicotine 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 ⁽¹⁾, and in particular Article 14(1)(a) thereof,

Whereas:

- (1) For acibenzolar-S-methyl, cyazofamid and methoxyfenozide maximum residue levels (MRLs) were set in Annex II and Part B of Annex III to Regulation (EC) No 396/2005. For amisulbrom, diflufenican, dimoxystrobin and nicotine, MRLs were set in Part A of Annex III 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 acibenzolar-S-methyl on lettuce and other salad plants including *Brassicaceae* an application was made under Article 6(1) of Regulation (EC) No 396/2005 for modification of the existing MRLs.
- (3) As regards amisulbrom, such an application was made for tomatoes, aubergines and lettuce. As regards cyazofamid, such an application was made for horseradish. As

regards diflufenican, such an application was made for olives for oil production. As regards dimoxystrobin, such an application was made for rye, mustard seed and sunflower seed. As regards methoxyfenozide such an application was made for leafy vegetables and fresh herbs (except scarole, vine leaves, water cress and witloof).

- (4) In accordance with Article 8 of Regulation (EC) No 396/2005 these applications were evaluated by the Member States concerned and the evaluation reports were forwarded to the Commission.
- (5) As regards nicotine in wild mushrooms, temporary MRLs were set with a condition to review those MRLs based on the evaluation of new data and information, including any scientific evidence on the natural occurrence or formation of nicotine in wild fungi. The Commission received new data and information from European food business operators, which confirm the presence of nicotine in wild mushrooms at levels compatible with the current MRLs. However, scientific evidence is still not available to demonstrate that nicotine occurs naturally in wild mushrooms and to elucidate its mechanism of formation. Therefore, the management decision taken at the Standing Committee of the Food Chain and Animal Health (SCoFAH) on 11 May 2009 regarding the levels set in wild mushrooms for two years is still valid although, it is appropriate to extend the validity of these MRLs for another two years, pending the availability of such information.
- (6) The European Food Safety Authority, hereinafter "the Authority", assessed the applications and the evaluation reports, examining in particular the risks to the consumer

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

and where relevant to animals and gave reasoned opinions on the proposed MRLs ⁽¹⁾. It forwarded these opinions to the Commission and the Member States and made them available to the public.

(7) As regards all other applications, the Authority concluded that all requirements with respect to data were met and that the modifications to the MRLs requested by the applicants were 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 substances. Neither the lifetime exposure to these substances via consumption of all food products that may contain these substances, nor the short term exposure due to extreme consumption of the relevant crops and products showed that there is a risk that the acceptable daily intake (ADI) or the acute reference dose (ARfD) is exceeded.

(8) Based on the reasoned opinions of the Authority and taking into account the factors relevant to the matter

under consideration, the appropriate modifications to the MRLs fulfil the requirements of Article 14(2) of Regulation (EC) No 396/2005.

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

(10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II and III to Regulation (EC) No 396/2005 are amended in accordance with 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*.

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

Done at Brussels, 1 October 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ EFSA scientific reports available online: <http://www.efsa.europa.eu>:
European Food Safety Authority; Reasoned opinion on the modification of the existing MRL for acibenzolar-S-methyl in lettuce and other salad plants including Brassicaceae. EFSA Journal 2012; 10(3):2632.
European Food Safety Authority; Reasoned opinion on the setting of new MRLs for amisulbrom in tomatoes, aubergines and lettuce. EFSA Journal 2012;10(4):2686. [29 pp.] doi:10.2903/j.efsa.2012.2686.
European Food Safety Authority; Reasoned Opinion Reasoned opinion on the modification of the existing MRL for cyazofamid in horseradish. EFSA Journal 2012;10(3):2647. [22 pp.] doi:10.2903/j.efsa.2012.2647.
European Food Safety Authority; Reasoned opinion on the modification of the existing MRLs for diflufenican in olives for oil production. EFSA Journal 2012;10(3):2649. [23 pp.] doi:10.2903/j.efsa.2012.2649.
European Food Safety Authority; Reasoned opinion on the modification of the existing MRLs for dimoxystrobin in rye, sunflower seed and mustard seed. EFSA Journal 2012;10(3):2648. [28 pp.] doi:10.2903/j.efsa.2012.2648.
European Food Safety Authority; Reasoned opinion on the modification of the existing MRLs for methoxyfenozide in various leafy vegetables. EFSA Journal 2012;10(4):2667. [30 pp.] doi:10.2903/j.efsa.2012.2667.

ANNEX

Annexes II and III to Regulation (EC) No 396/2005 are amended as follows:

(1) In Annex II, the columns for acibenzolar-S-methyl, cyazofamid and methoxyfenozide are 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)	Acibenzolar-S-methyl (sum of acybenzolar-S-methyl and acibenzolar acid (CGA 210007) expressed as acybenzolar-S-methyl)	Cyazofamid	Methoxyfenozide (F)
(1)	(2)	(3)	(4)	(5)
0100000	1. FRUIT FRESH OR FROZEN; NUTS			
0110000	(i) Citrus fruit	0,02 (*)	0,01 (*)	1
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)			
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)			
0110030	Lemons (Citron, lemon)			
0110040	Limes			
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids)			
0110990	Others			
0120000	(ii) Tree nuts (shelled or unshelled)		0,01 (*)	0,02 (*)
0120010	Almonds	0,02 (*)		
0120020	Brazil nuts	0,02 (*)		
0120030	Cashew nuts	0,02 (*)		
0120040	Chestnuts	0,02 (*)		
0120050	Coconuts	0,02 (*)		
0120060	Hazelnuts (Filbert)	0,1		
0120070	Macadamia	0,02 (*)		
0120080	Pecans	0,02 (*)		
0120090	Pine nuts	0,02 (*)		
0120100	Pistachios	0,02 (*)		
0120110	Walnuts	0,02 (*)		
0120990	Others	0,02 (*)		
0130000	(iii) Pome fruit	0,02 (*)	0,01 (*)	2
0130010	Apples (Crab apple)			
0130020	Pears (Oriental pear)			
0130030	Quinces			

(1)	(2)	(3)	(4)	(5)
0130040	Medlar	(**)	(**)	(**)
0130050	Loquat	(**)	(**)	(**)
0130990	Others			
0140000	(iv) Stone fruit		0,01 (*)	
0140010	Apricots	0,2		0,3
0140020	Cherries (sweet cherries, sour cherries)	0,02 (*)		0,02 (*)
0140030	Peaches (Nectarines and similar hybrids)	0,2		0,3
0140040	Plums (Damson, greengage, mirabelle, sloe)	0,02 (*)		0,1
0140990	Others	0,02 (*)		0,02 (*)
0150000	(v) Berries & small fruit	0,02 (*)		
0151000	(a) <i>Table and wine grapes</i>		0,5	1
0151010	Table grapes			
0151020	Wine grapes			
0152000	(b) <i>Strawberries</i>		0,01 (*)	2
0153000	(c) <i>Cane fruit</i>		0,01 (*)	0,02 (*)
0153010	Blackberries			
0153020	Dewberries (Loganberries, boysenberries, and cloudberrys)			
0153030	Raspberries (Wineberries, arctic bramble/raspberry, (<i>Rubus arcticus</i>), nectar raspberries (<i>Rubus arcticus</i> x <i>idaeus</i>))			
0153990	Others			
0154000	(d) <i>Other small fruit & berries</i>		0,01 (*)	
0154010	Blueberries (Bilberries)			4
0154020	Cranberries (Cowberries (red bilberries))			0,7
0154030	Currants (red, black and white)			0,02 (*)
0154040	Gooseberries (Including hybrids with other ribes species)			0,02 (*)
0154050	Rose hips	(**)	(**)	(**)
0154060	Mulberries (arbutus berry)	(**)	(**)	(**)
0154070	Azarole (mediteranean medlar) (Kiwiberry (<i>Actinidia arguta</i>))	(**)	(**)	(**)
0154080	Elderberries (Black chokeberry (appleberry), mountain ash, buckthorn (sea sallow-thorn), hawthorn, service berries, and other treeberries)	(**)	(**)	(**)
0154990	Others			0,02 (*)
0160000	(vi) Miscellaneous fruit		0,01 (*)	
0161000	(a) <i>Edible peel</i>	0,02 (*)		0,02 (*)
0161010	Dates			
0161020	Figs			
0161030	Table olives			
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (<i>Citrus aurantifolia</i> x <i>Fortunella</i> spp.))			

(1)	(2)	(3)	(4)	(5)
0161050	Carambola (Bilimbi)	(**)	(**)	(**)
0161060	Persimmon	(**)	(**)	(**)
0161070	Jambolan (java plum) (Java apple (water apple), pommerac, rose apple, Brazilian cherry Surinam cherry (grumichama Eugenia uniflora))	(**)	(**)	(**)
0161990	Others			
0162000	(b) <i>Inedible peel, small</i>	0,02 (*)		
0162010	Kiwi			1
0162020	Lychee (Litchi) (Pulasan, rambutan (hairy litchi), mangosteen)			0,02 (*)
0162030	Passion fruit			0,02 (*)
0162040	Prickly pear (cactus fruit)	(**)	(**)	(**)
0162050	Star apple	(**)	(**)	(**)
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel (yellow sapote), and mammey sapote)	(**)	(**)	(**)
0162990	Others			0,02 (*)
0163000	(c) <i>Inedible peel, large</i>			
0163010	Avocados	0,02 (*)		0,7
0163020	Bananas (Dwarf banana, plantain, apple banana)	0,1		0,02 (*)
0163030	Mangoes	0,5		0,02 (*)
0163040	Papaya	0,02 (*)		1
0163050	Pomegranate	0,02 (*)		0,6
0163060	Cherimoya (Custard apple, sugar apple (sweetsop), llama and other medium sized Annonaceae)	(**)	(**)	(**)
0163070	Guava (Red pitaya or dragon fruit (Hylocereus undatus))	(**)	(**)	(**)
0163080	Pineapples	0,02 (*)		0,02 (*)
0163090	Bread fruit (Jackfruit)	(**)	(**)	(**)
0163100	Durian	(**)	(**)	(**)
0163110	Soursop (guanabana)	(**)	(**)	(**)
0163990	Others	0,02 (*)		0,02 (*)
0200000	2. VEGETABLES FRESH OR FROZEN			
0210000	(i) Root and tuber vegetables	0,02 (*)		
0211000	(a) <i>Potatoes</i>		0,01 (*)	0,02 (*)
0212000	(b) <i>Tropical root and tuber vegetables</i>		0,01 (*)	0,02 (*)
0212010	Cassava (Dasheen, eddoe (Japanese taro), tannia)			
0212020	Sweet potatoes			
0212030	Yams (Potato bean (yam bean), Mexican yam bean)			
0212040	Arrowroot	(**)	(**)	(**)

(1)	(2)	(3)	(4)	(5)
0212990	Others			
0213000	(c) <i>Other root and tuber vegetables except sugar beet</i>			
0213010	Beetroot		0,01 (*)	0,02 (*)
0213020	Carrots		0,01 (*)	0,5
0213030	Celeriac		0,01 (*)	0,02 (*)
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots,)		0,1	0,02 (*)
0213050	Jerusalem artichokes		0,01 (*)	0,02 (*)
0213060	Parsnips		0,01 (*)	0,02 (*)
0213070	Parsley root		0,01 (*)	0,02 (*)
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (<i>Cyperus esculentus</i>))		0,01 (*)	0,4
0213090	Salsify (<i>Scorzonera</i> , Spanish salsify (Spanish oysterplant))		0,01 (*)	0,02 (*)
0213100	Swedes		0,01 (*)	0,02 (*)
0213110	Turnips		0,01 (*)	0,02 (*)
0213990	Others		0,01 (*)	0,02 (*)
0220000	(ii) Bulb vegetables	0,02 (*)	0,01 (*)	0,02 (*)
0220010	Garlic			
0220020	Onions (Silverskin onions)			
0220030	Shallots			
0220040	Spring onions (Welsh onion and similar varieties)			
0220990	Others			
0230000	(iii) Fruiting vegetables			
0231000	(a) <i>Solanacea</i>			
0231010	Tomatoes (Cherry tomatoes, tree tomato, <i>Physalis</i> , gojiberry, wolfberry (<i>Lycium barbarum</i> and <i>L. chinense</i>))	1	0,2	2
0231020	Peppers (Chilli peppers)	0,02 (*)	0,01 (*)	1
0231030	Aubergines (egg plants) (Pepino)	0,02 (*)	0,01 (*)	0,5
0231040	Okra, lady's fingers	0,02 (*)	0,01 (*)	0,02 (*)
0231990	Others	0,02 (*)	0,01 (*)	0,02 (*)
0232000	(b) <i>Cucurbits - edible peel</i>	0,02 (*)	0,1	0,02 (*)
0232010	Cucumbers			
0232020	Gherkins			
0232030	Courgettes (Summer squash, marrow (<i>patisson</i>))			
0232990	Others			
0233000	(c) <i>Cucurbits-inedible peel</i>	0,02 (*)	0,1	0,02 (*)
0233010	Melons (Kiwano)			
0233020	Pumpkins (Winter squash)			
0233030	Watermelons			

(1)	(2)	(3)	(4)	(5)
0233990	Others			
0234000	(d) <i>Sweet corn</i>	0,02 (*)	0,01 (*)	0,02 (*)
0239000	(e) <i>Other fruiting vegetables</i>	0,02 (*)	0,01 (*)	0,02 (*)
0240000	(iv) Brassica vegetables	0,02 (*)	0,01 (*)	0,02 (*)
0241000	(a) <i>Flowering brassica</i>			
0241010	Broccoli (Calabrese, Chinese broccoli, broccoli raab)			
0241020	Cauliflower			
0241990	Others			
0242000	(b) <i>Head brassica</i>			
0242010	Brussels sprouts			
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)			
0242990	Others			
0243000	(c) <i>Leafy brassica</i>			
0243010	Chinese cabbage (Indian (Chinese) mustard, pak choi, Chinese flat cabbage (tai goo choi), choi sum, peking cabbage (pe-tsai),)			
0243020	Kale (Borecole (curly kale), collards, Portuguese Kale, Portuguese cabbage, cow cabbage)			
0243990	Others			
0244000	(d) <i>Kohlrabi</i>			
0250000	(v) Leaf vegetables & fresh herbs		0,01 (*)	
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>	0,3 (+)		
0251010	Lamb's lettuce (Italian cornsalad)			4
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)			4
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curld leave endive, sugar loaf)			0,02 (*)
0251040	Cress			4
0251050	Land cress	(**)	(**)	(**)
0251060	Rocket, Rucola (Wild rocket)			4
0251070	Red mustard	(**)	(**)	(**)
0251080	Leaves and sprouts of Brassica spp (Mizuna, leaves of peas and radish and other babyleaf brassica crops (crops harvested up to 8 true leaf stage))			4
0251990	Others			4
0252000	(b) <i>Spinach & similar (leaves)</i>			4
0252010	Spinach (New Zealand spinach, amaranthus spinach)	0,3		

(1)	(2)	(3)	(4)	(5)
0252020	Purslane (Winter purslane (miner's lettuce), garden purslane, common purslane, sorrel, glassworth, Agretti (<i>Salsola soda</i>))	(**)	(**)	(**)
0252030	Beet leaves (chard) (Leaves of beetroot)	0,02 (*)		
0252990	Others	0,02 (*)		
0253000	(c) <i>Vine leaves (grape leaves)</i>	(**)	(**)	(**)
0254000	(d) <i>Water cress</i>	0,02 (*)		0,02 (*)
0255000	(e) <i>Witloof</i>	0,02 (*)		0,02 (*)
0256000	(f) <i>Herbs</i>	0,3		4
0256010	Chervil			
0256020	Chives			
0256030	Celery leaves (Fennel leaves, Coriander leaves, dill leaves, Caraway leaves, lovage, angelica, sweet cicely and other Apiacea leaves)			
0256040	Parsley			
0256050	Sage (Winter savory, summer savory,)	(**)	(**)	(**)
0256060	Rosemary	(**)	(**)	(**)
0256070	Thyme (Marjoram, oregano)	(**)	(**)	(**)
0256080	Basil (Balm leaves, mint, peppermint)	(**)	(**)	(**)
0256090	Bay leaves (laurel)	(**)	(**)	(**)
0256100	Tarragon (Hyssop)	(**)	(**)	(**)
0256990	Others (Edible flowers)			
0260000	(vi) Legume vegetables (fresh)	0,02 (*)	0,01 (*)	
0260010	Beans (with pods) (Green bean (french beans, snap beans), scarlet runner bean, slicing bean, yardlong beans)			2
0260020	Beans (without pods) (Broad beans, Flageolets, jack bean, lima bean, cowpea)			0,3
0260030	Peas (with pods) (Mangetout (sugar peas, snow peas))			0,02 (*)
0260040	Peas (without pods) (Garden pea, green pea, chickpea)			0,3
0260050	Lentils			0,02 (*)
0260990	Others			0,02 (*)
0270000	(vii) Stem vegetables (fresh)	0,02 (*)	0,01 (*)	0,02 (*)
0270010	Asparagus			
0270020	Cardoons			
0270030	Celery			
0270040	Fennel			
0270050	Globe artichokes			
0270060	Leek			
0270070	Rhubarb			

(1)	(2)	(3)	(4)	(5)
0270080	Bamboo shoots	(**)	(**)	(**)
0270090	Palm hearts	(**)	(**)	(**)
0270990	Others			
0280000	(viii) Fungi	0,02 (*)	0,01 (*)	0,02 (*)
0280010	Cultivated (Common mushroom, Oyster mushroom, Shi-take)			
0280020	Wild (Chanterelle, Truffle, Morel, Cep)			
0280990	Others			
0290000	(ix) Sea weeds	(**)	(**)	(**)
0300000	3. PULSES, DRY	0,02 (*)	0,01 (*)	
0300010	Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)			5
0300020	Lentils			0,02 (*)
0300030	Peas (Chickpeas, field peas, chickling vetch)			0,02 (*)
0300040	Lupins			0,02 (*)
0300990	Others			0,02 (*)
0400000	4. OILSEEDS AND OILFRUITS			
0401000	(i) Oilseeds	0,05 (*)	0,02 (*)	
0401010	Linseed			0,05 (*)
0401020	Peanuts			0,05 (*)
0401030	Poppy seed			0,05 (*)
0401040	Sesame seed			0,05 (*)
0401050	Sunflower seed			0,05 (*)
0401060	Rape seed (Bird rapeseed, turnip rape)			0,05 (*)
0401070	Soya bean			2
0401080	Mustard seed			0,05 (*)
0401090	Cotton seed			2
0401100	Pumpkin seeds (Other seeds of cucurbitacea)			0,05 (*)
0401110	Safflower	(**)	(**)	(**)
0401120	Borage	(**)	(**)	(**)
0401130	Gold of pleasure	(**)	(**)	(**)
0401140	Hempseed			0,05 (*)
0401150	Castor bean	(**)	(**)	(**)
0401990	Others			0,05 (*)
0402000	(ii) Oilfruits			
0402010	Olives for oil production	0,02 (*)	0,01 (*)	0,02 (*)
0402020	Palm nuts (palmoil kernels)	(**)	(**)	(**)
0402030	Palmfruit	(**)	(**)	(**)
0402040	Kapok	(**)	(**)	(**)

(1)	(2)	(3)	(4)	(5)
0402990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0500000	5. CEREALS	0,05 (*)	0,02 (*)	0,05 (*)
0500010	Barley			
0500020	Buckwheat (Amaranthus, quinoa)			
0500030	Maize			
0500040	Millet (Foxtail millet, teff)			
0500050	Oats			
0500060	Rice			
0500070	Rye			
0500080	Sorghum			
0500090	Wheat (Spelt, triticale)			
0500990	Others			
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	0,05 (*)	0,02 (*)	0,05 (*)
0610000	(i) Tea (dried leaves and stalks, fermented or otherwise of Camellia sinensis)			
0620000	(ii) Coffee beans	(**)	(**)	(**)
0630000	(iii) Herbal infusions (dried)	(**)	(**)	(**)
0631000	(a) <i>Flowers</i>	(**)	(**)	(**)
0631010	Camomille flowers	(**)	(**)	(**)
0631020	Hybiscus flowers	(**)	(**)	(**)
0631030	Rose petals	(**)	(**)	(**)
0631040	Jasmine flowers (Elderflowers (Sambucus nigra))	(**)	(**)	(**)
0631050	Lime (linden)	(**)	(**)	(**)
0631990	Others	(**)	(**)	(**)
0632000	(b) <i>Leaves</i>	(**)	(**)	(**)
0632010	Strawberry leaves	(**)	(**)	(**)
0632020	Rooibos leaves (Ginkgo leaves)	(**)	(**)	(**)
0632030	Maté	(**)	(**)	(**)
0632990	Others	(**)	(**)	(**)
0633000	(c) <i>Roots</i>	(**)	(**)	(**)
0633010	Valerian root	(**)	(**)	(**)
0633020	Ginseng root	(**)	(**)	(**)
0633990	Others	(**)	(**)	(**)
0639000	(d) <i>Other herbal infusions</i>	(**)	(**)	(**)
0640000	(iv) Cocoa (fermented beans)	(**)	(**)	(**)
0650000	(v) Carob (st johns bread)	(**)	(**)	(**)
0700000	7. HOPS (dried), including hop pellets and unconcentrated powder	0,05 (*)	0,02 (*)	0,05 (*)

(1)	(2)	(3)	(4)	(5)
0800000	8. SPICES	(**)	(**)	(**)
0810000	(i) Seeds	(**)	(**)	(**)
0810010	Anise	(**)	(**)	(**)
0810020	Black caraway	(**)	(**)	(**)
0810030	Celery seed (Lovage seed)	(**)	(**)	(**)
0810040	Coriander seed	(**)	(**)	(**)
0810050	Cumin seed	(**)	(**)	(**)
0810060	Dill seed	(**)	(**)	(**)
0810070	Fennel seed	(**)	(**)	(**)
0810080	Fenugreek	(**)	(**)	(**)
0810090	Nutmeg	(**)	(**)	(**)
0810990	Others	(**)	(**)	(**)
0820000	(ii) Fruits and berries	(**)	(**)	(**)
0820010	Allspice	(**)	(**)	(**)
0820020	Anise pepper (Japan pepper)	(**)	(**)	(**)
0820030	Caraway	(**)	(**)	(**)
0820040	Cardamom	(**)	(**)	(**)
0820050	Juniper berries	(**)	(**)	(**)
0820060	Pepper, black and white (Long pepper, pink pepper)	(**)	(**)	(**)
0820070	Vanilla pods	(**)	(**)	(**)
0820080	Tamarind	(**)	(**)	(**)
0820990	Others	(**)	(**)	(**)
0830000	(iii) Bark	(**)	(**)	(**)
0830010	Cinnamon (Cassia)	(**)	(**)	(**)
0830990	Others	(**)	(**)	(**)
0840000	(iv) Roots or rhizome	(**)	(**)	(**)
0840010	Liquorice	(**)	(**)	(**)
0840020	Ginger	(**)	(**)	(**)
0840030	Turmeric (Curcuma)	(**)	(**)	(**)
0840040	Horseradish	(**)	(**)	(**)
0840990	Others	(**)	(**)	(**)
0850000	(v) Buds	(**)	(**)	(**)
0850010	Cloves	(**)	(**)	(**)
0850020	Capers	(**)	(**)	(**)
0850990	Others	(**)	(**)	(**)
0860000	(vi) Flower stigma	(**)	(**)	(**)
0860010	Saffron	(**)	(**)	(**)
0860990	Others	(**)	(**)	(**)

(1)	(2)	(3)	(4)	(5)
0870000	(vii) Aril	(**)	(**)	(**)
0870010	Mace	(**)	(**)	(**)
0870990	Others	(**)	(**)	(**)
0900000	9. SUGAR PLANTS	(**)	(**)	(**)
0900010	Sugar beet (root)	(**)	(**)	(**)
0900020	Sugar cane	(**)	(**)	(**)
0900030	Chicory roots	(**)	(**)	(**)
0900990	Others	(**)	(**)	(**)
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS	0,02 (*)	0,01 (*)	
1010000	(i) Meat, preparations of meat, offals, blood, animal fats fresh chilled or frozen, salted, in brine, dried or smoked or processed as flours or meals other processed products such as sausages and food preparations based on these			
1011000	(a) <i>Swine</i>			
1011010	Meat			0,2
1011020	Fat free of lean meat			0,2
1011030	Liver			0,1
1011040	Kidney			0,1
1011050	Edible offal			0,1
1011990	Others			0,01 (*)
1012000	(b) <i>Bovine</i>			
1012010	Meat			0,2
1012020	Fat			0,2
1012030	Liver			0,1
1012040	Kidney			0,1
1012050	Edible offal			0,1
1012990	Others			0,01 (*)
1013000	(c) <i>Sheep</i>			
1013010	Meat			0,2
1013020	Fat			0,2
1013030	Liver			0,1
1013040	Kidney			0,1
1013050	Edible offal			0,1
1013990	Others			0,01 (*)
1014000	(d) <i>Goat</i>			
1014010	Meat			0,2
1014020	Fat			0,2
1014030	Liver			0,1

(1)	(2)	(3)	(4)	(5)
1014040	Kidney			0,1
1014050	Edible offal			0,1
1014990	Others			0,01 (*)
1015000	(e) <i>Horses, asses, mules or hinnies</i>	(**)	(**)	(**)
1015010	Meat	(**)	(**)	(**)
1015020	Fat	(**)	(**)	(**)
1015030	Liver	(**)	(**)	(**)
1015040	Kidney	(**)	(**)	(**)
1015050	Edible offal	(**)	(**)	(**)
1015990	Others	(**)	(**)	(**)
1016000	(f) <i>Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>			0,01 (*)
1016010	Meat			
1016020	Fat			
1016030	Liver			
1016040	Kidney			
1016050	Edible offal			
1016990	Others			
1017000	(g) <i>Other farm animals (Rabbit, Kangaroo)</i>	(**)	(**)	(**)
1017010	Meat	(**)	(**)	(**)
1017020	Fat	(**)	(**)	(**)
1017030	Liver	(**)	(**)	(**)
1017040	Kidney	(**)	(**)	(**)
1017050	Edible offal	(**)	(**)	(**)
1017990	Others	(**)	(**)	(**)
1020000	(ii) Milk and cream, not concentrated, nor containing added sugar or sweetening matter, butter and other fats derived from milk, cheese and curd			0,05
1020010	Cattle			
1020020	Sheep			
1020030	Goat			
1020040	Horse			
1020990	Others			
1030000	(iii) Birds' eggs, fresh preserved or cooked Shelled eggs and egg yolks fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or sweetening matter			0,01 (*)
1030010	Chicken			
1030020	Duck	(**)	(**)	(**)

(1)	(2)	(3)	(4)	(5)
1030030	Goose	(**)	(**)	(**)
1030040	Quail	(**)	(**)	(**)
1030990	Others	(**)	(**)	(**)
1040000	(iv) Honey (Royal jelly, pollen)	(**)	(**)	(**)
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)	(**)	(**)	(**)
1060000	(vi) Snails	(**)	(**)	(**)
1070000	(vii) Other terrestrial animal products	(**)	(**)	(**)

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

(*) Indicates lower limit of analytical determination

(**) Pesticide-code combination for which the MRL as set in Annex III Part B applies.

(F) = Fat soluble

Acibenzolar-S-methyl (sum of acybenzolar-S-methyl and acibenzolar acid (CGA 210007) expressed as acybenzolar-S-methyl)

(+) Residue trials of open leaf lettuce varieties to be submitted to the evaluating Member State, the Authority and the European Commission by 1 October 2014 at the latest. Reassessment of data may lead to modification of the MRL

0251000	(a) <i>Lettuce and other salad plants including Brassicaceae</i>
0251010	Lamb's lettuce (Italian cornsalad)
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curld leave endive, sugar loaf)
0251040	Cress
0251060	Rocket, Rucola (Wild rocket)
0251080	Leaves and sprouts of Brassica spp (Mizuna, leaves of peas and radish and other babyleaf brassica crops (crops harvested up to 8 true leaf stage))
0251990	Others'

(2) Annex III is ammended as follows:

(a) Part A is amended as follows:

(i) the columns for amisulbrom, diflufenican, dimoxystrobin and nicotine are 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 (^e)	Amisulbrom	Diflufenican	Dimoxystrobin	Nicotine
(1)	(2)	(3)	(4)	(5)	(6)
0100000	1. FRUIT FRESH OR FROZEN; NUTS		0,05 (*)	0,01 (*)	
0110000	(i) Citrus fruit	0,01 (*)			
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)				
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)				
0110030	Lemons (Citron, lemon)				
0110040	Limes				
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids)				
0110990	Others				
0120000	(ii) Tree nuts (shelled or unshelled)	0,01 (*)			
0120010	Almonds				
0120020	Brazil nuts				

(1)	(2)	(3)	(4)	(5)	(6)
0120030	Cashew nuts				
0120040	Chestnuts				
0120050	Coconuts				
0120060	Hazelnuts (Filbert)				
0120070	Macadamia				
0120080	Pecans				
0120090	Pine nuts				
0120100	Pistachios				
0120110	Walnuts				
0120990	Others				
0130000	(iii) Pome fruit	0,01 (*)			
0130010	Apples (Crab apple)				
0130020	Pears (Oriental pear)				
0130030	Quinces				
0130040	Medlar				
0130050	Loquat				
0130990	Others				
0140000	(iv) Stone fruit	0,01 (*)			
0140010	Apricots				
0140020	Cherries (sweet cherries, sour cherries)				
0140030	Peaches (Nectarines and similar hybrids)				
0140040	Plums (Damson, greengage, mirabelle, sloe)				
0140990	Others				
0150000	(v) Berries & small fruit				
0151000	(a) <i>Table and wine grapes</i>	0,3			
0151010	Table grapes				
0151020	Wine grapes				
0152000	(b) <i>Strawberries</i>	0,01 (*)			
0153000	(c) <i>Cane fruit</i>	0,01 (*)			
0153010	Blackberries				
0153020	Dewberries (Loganberries, boysenberries, and cloudberries)				
0153030	Raspberries (Wineberries, arctic bramble/raspberry, (Rubus arcticus), nectar raspberries (Rubus arcticus x idaeus))				
0153990	Others				
0154000	(d) <i>Other small fruit & berries</i>	0,01 (*)			
0154010	Blueberries (Bilberries)				
0154020	Cranberries (Cowberries (red bilberries))				

(1)	(2)	(3)	(4)	(5)	(6)
0154030	Currants (red, black and white)				0,3 (+)
0154040	Gooseberries (Including hybrids with other ribes species)				
0154050	Rose hips				
0154060	Mulberries (arbutus berry)				
0154070	Azarole (mediteranean medlar) (Kiwiberry (Actinidia arguta))				
0154080	Elderberries (Black chokeberry (appleberry), mountain ash, buckthorn (sea sallowthorn), hawthorn, service berries, and other treeberries)				
0154990	Others				
0160000	(vi) Miscellaneous fruit	0,01 (*)			
0161000	(a) <i>Edible peel</i>				
0161010	Dates				
0161020	Figs				
0161030	Table olives				
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (Citrus aurantifolia x Fortunella spp.))				
0161050	Carambola (Bilimbi)				
0161060	Persimmon				
0161070	Jambolan (java plum) (Java apple (water apple), pomerac, rose apple, Brazilian cherry Surinam cherry (grumichama Eugenia uniflora).)				
0161990	Others				
0162000	(b) <i>Inedible peel, small</i>				
0162010	Kiwi				
0162020	Lychee (Litchi) (Pulasan, rambutan (hairy litchi), mangosteen)				
0162030	Passion fruit				
0162040	Prickly pear (cactus fruit)				
0162050	Star apple				
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel (yellow sapote), and mammey sapote)				
0162990	Others				
0163000	(c) <i>Inedible peel, large</i>				
0163010	Avocados				
0163020	Bananas (Dwarf banana, plantain, apple banana)				
0163030	Mangoes				
0163040	Papaya				
0163050	Pomegranate				
0163060	Cherimoya (Custard apple, sugar apple (sweetsop), llama and other medium sized Annonaceae)				
0163070	Guava (Red pitaya or dragon fruit (Hylocereus undatus))				
0163080	Pineapples				

(1)	(2)	(3)	(4)	(5)	(6)
0163090	Bread fruit (Jackfruit)				
0163100	Durian				
0163110	Soursop (guanabana)				
0163990	Others				
0200000	2. VEGETABLES FRESH OR FROZEN		0,05 (*)	0,01 (*)	
0210000	(i) Root and tuber vegetables	0,01 (*)			
0211000	(a) Potatoes				
0212000	(b) Tropical root and tuber vegetables				
0212010	Cassava (Dasheen, eddoe (Japanese taro), tannia)				
0212020	Sweet potatoes				
0212030	Yams (Potato bean (yam bean), Mexican yam bean)				
0212040	Arrowroot				
0212990	Others				
0213000	(c) Other root and tuber vegetables except sugar beet				
0213010	Beetroot				
0213020	Carrots				
0213030	Celeriac				
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots,)				
0213050	Jerusalem artichokes				
0213060	Parsnips				
0213070	Parsley root				
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (Cyperus esculentus))				
0213090	Salsify (Scorzonera, Spanish salsify (Spanish oysterplant))				
0213100	Swedes				
0213110	Turnips				
0213990	Others				
0220000	(ii) Bulb vegetables	0,01 (*)			
0220010	Garlic				
0220020	Onions (Silverskin onions)				
0220030	Shallots				
0220040	Spring onions (Welsh onion and similar varieties)				
0220990	Others				
0230000	(iii) Fruiting vegetables				
0231000	(a) Solanacea				
0231010	Tomatoes (Cherry tomatoes, tree tomato, Physalis, goji berry, wolfberry (Lycium barbarum and L. chinense))	0,4			

(1)	(2)	(3)	(4)	(5)	(6)
0231020	Peppers (Chilli peppers)	0,01 (*)			
0231030	Aubergines (egg plants) (Pepino)	0,4			
0231040	Okra, lady's fingers	0,01 (*)			
0231990	Others	0,01 (*)			
0232000	(b) <i>Cucurbits - edible peel</i>	0,01 (*)			
0232010	Cucumbers				
0232020	Gherkins				
0232030	Courgettes (Summer squash, marrow (patisson))				
0232990	Others				
0233000	(c) <i>Cucurbits-inedible peel</i>	0,01 (*)			
0233010	Melons (Kiwano)				
0233020	Pumpkins (Winter squash)				
0233030	Watermelons				
0233990	Others				
0234000	(d) <i>Sweet corn</i>	0,01 (*)			
0239000	(e) <i>Other fruiting vegetables</i>	0,01 (*)			
0240000	(iv) Brassica vegetables	0,01 (*)			
0241000	(a) <i>Flowering brassica</i>				
0241010	Broccoli (Calabrese, Chinese broccoli, broccoli raab)				
0241020	Cauliflower				
0241990	Others				
0242000	(b) <i>Head brassica</i>				
0242010	Brussels sprouts				
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)				
0242990	Others				
0243000	(c) <i>Leafy brassica</i>				
0243010	Chinese cabbage (Indian (Chinese) mustard, pak choi, Chinese flat cabbage (tai goo choi), choi sum, peking cabbage (pe-tsai),)				
0243020	Kale (Borecole (curly kale), collards, Portuguese Kale, Portuguese cabbage, cow cabbage)				
0243990	Others				
0244000	(d) <i>Kohlrabi</i>				
0250000	(v) Leaf vegetables & fresh herbs				
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>				
0251010	Lamb's lettuce (Italian cornsalad)	0,01 (*)			

(1)	(2)	(3)	(4)	(5)	(6)
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)	4			
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curld leave endive, sugar loaf)	0,01 (*)			
0251040	Cress	0,01 (*)			
0251050	Land cress	0,01 (*)			
0251060	Rocket, Rucola (Wild rocket)	0,01 (*)			
0251070	Red mustard	0,01 (*)			
0251080	Leaves and sprouts of Brassica spp (Mizuna, leaves of peas and radish and other babyleaf brassica crops (crops harvested up to 8 true leaf stage))	0,01 (*)			
0251990	Others	0,01 (*)			
0252000	(b) <i>Spinach & similar (leaves)</i>	0,01 (*)			
0252010	Spinach (New Zealand spinach, amaranthus spinach)				
0252020	Purslane (Winter purslane (miner's lettuce), garden purslane, common purslane, sorrel, glassworth, Agretti (Salsola soda))				
0252030	Beet leaves (chard) (Leaves of beetroot)				
0252990	Others				
0253000	(c) <i>Vine leaves (grape leaves)</i>	0,01 (*)			
0254000	(d) <i>Water cress</i>	0,01 (*)			
0255000	(e) <i>Witloof</i>	0,01 (*)			
0256000	(f) <i>Herbs</i>	0,01 (*)			0,4 (+)
0256010	Chervil				
0256020	Chives				
0256030	Celery leaves (Fennel leaves, Coriander leaves, dill leaves, Caraway leaves, lovage, angelica, sweet cicely and other Apiacea leaves)				
0256040	Parsley				
0256050	Sage (Winter savory, summer savory,)				
0256060	Rosemary				
0256070	Thyme (Marjoram, oregano)				
0256080	Basil (Balm leaves, mint, peppermint)				
0256090	Bay leaves (laurel)				
0256100	Tarragon (Hyssop)				
0256990	Others (Edible flowers)				
0260000	(vi) Legume vegetables (fresh)	0,01 (*)			
0260010	Beans (with pods) (Green bean (french beans, snap beans), scarlet runner bean, slicing bean, yardlong beans)				
0260020	Beans (without pods) (Broad beans, Flageolets, jack bean, lima bean, cowpea)				
0260030	Peas (with pods) (Mangetout (sugar peas, snow peas))				

(1)	(2)	(3)	(4)	(5)	(6)
0260040	Peas (without pods) (Garden pea, green pea, chickpea)				
0260050	Lentils				
0260990	Others				
0270000	(vii) Stem vegetables (fresh)	0,01 (*)			
0270010	Asparagus				
0270020	Cardoons				
0270030	Celery				
0270040	Fennel				
0270050	Globe artichokes				
0270060	Leek				
0270070	Rhubarb				
0270080	Bamboo shoots				
0270090	Palm hearts				
0270990	Others				
0280000	(viii) Fungi	0,01 (*)			
0280010	Cultivated (Common mushroom, Oyster mushroom, Shi-take)				
0280020	Wild (Chanterelle, Truffle, Morel, Cep)				0,04 (+)
0280990	Others				
0290000	(ix) Sea weeds	0,01 (*)			
0300000	3. PULSES, DRY	0,01 (*)	0,05 (*)	0,01 (*)	
0300010	Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)				
0300020	Lentils				
0300030	Peas (Chickpeas, field peas, chickling vetch)				
0300040	Lupins				
0300990	Others				
0400000	4. OILSEEDS AND OILFRUITS	0,01 (*)			
0401000	(i) Oilseeds		0,05 (*)		
0401010	Linseed			0,01 (*)	
0401020	Peanuts			0,01 (*)	
0401030	Poppy seed			0,01 (*)	
0401040	Sesame seed			0,01 (*)	
0401050	Sunflower seed			0,3	
0401060	Rape seed (Bird rapeseed, turnip rape)			0,05	
0401070	Soya bean			0,01 (*)	
0401080	Mustard seed			0,05	
0401090	Cotton seed			0,01 (*)	

(1)	(2)	(3)	(4)	(5)	(6)
0401100	Pumpkin seeds (Other seeds of cucurbitacea)			0,01 (*)	
0401110	Safflower			0,01 (*)	
0401120	Borage			0,01 (*)	
0401130	Gold of pleasure			0,01 (*)	
0401140	Hempseed			0,01 (*)	
0401150	Castor bean			0,01 (*)	
0401990	Others			0,01 (*)	
0402000	(ii) Oilfruits			0,01 (*)	
0402010	Olives for oil production		0,2		
0402020	Palm nuts (palmoil kernels)		0,05 (*)		
0402030	Palmfruit		0,05 (*)		
0402040	Kapok		0,05 (*)		
0402990	Others		0,05 (*)		
0500000	5. CEREALS	0,01 (*)	0,05 (*)		
0500010	Barley			0,1	
0500020	Buckwheat (Amaranthus, quinoa)			0,01 (*)	
0500030	Maize			0,01 (*)	
0500040	Millet (Foxtail millet, teff)			0,01 (*)	
0500050	Oats			0,01 (*)	
0500060	Rice			0,01 (*)	
0500070	Rye			0,08	
0500080	Sorghum			0,01 (*)	
0500090	Wheat (Spelt, triticale)			0,1	
0500990	Others			0,01 (*)	
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	0,01 (*)	0,05 (*)	0,01 (*)	
0610000	(i) Tea (dried leaves and stalks, fermented or otherwise of Camellia sinensis)				0,6 (+)
0620000	(ii) Coffee beans				
0630000	(iii) Herbal infusions (dried)				0,5 (+)
0631000	(a) <i>Flowers</i>				
0631010	Camomille flowers				
0631020	Hybiscus flowers				
0631030	Rose petals				
0631040	Jasmine flowers (Elderflowers (Sambucus nigra))				
0631050	Lime (linden)				
0631990	Others				

(1)	(2)	(3)	(4)	(5)	(6)
0632000	(b) <i>Leaves</i>				
0632010	Strawberry leaves				
0632020	Rooibos leaves (Ginkgo leaves)				
0632030	Maté				
0632990	Others				
0633000	(c) <i>Roots</i>				
0633010	Valerian root				
0633020	Ginseng root				
0633990	Others				
0639000	(d) <i>Other herbal infusions</i>				
0640000	(iv) Cocoa (fermented beans)				
0650000	(v) Carob (st johns bread)				
0700000	7. HOPS (dried), including hop pellets and unconcentrated powder	0,01 (*)	0,05 (*)	0,01 (*)	
0800000	8. SPICES	0,01 (*)	0,05 (*)	0,01 (*)	
0810000	(i) Seeds				0,3 (+)
0810010	Anise				
0810020	Black caraway				
0810030	Celery seed (Lovage seed)				
0810040	Coriander seed				
0810050	Cumin seed				
0810060	Dill seed				
0810070	Fennel seed				
0810080	Fenugreek				
0810090	Nutmeg				
0810990	Others				
0820000	(ii) Fruits and berries				0,3 (+)
0820010	Allspice				
0820020	Anise pepper (Japan pepper)				
0820030	Caraway				
0820040	Cardamom				
0820050	Juniper berries				
0820060	Pepper, black and white (Long pepper, pink pepper)				
0820070	Vanilla pods				
0820080	Tamarind				
0820990	Others				

(1)	(2)	(3)	(4)	(5)	(6)
0830000	(iii) Bark				4 (+)
0830010	Cinnamon (Cassia)				
0830990	Others				
0840000	(iv) Roots or rhizome				4 (+)
0840010	Liquorice				
0840020	Ginger				
0840030	Turmeric (Curcuma)				
0840040	Horseradish				
0840990	Others				
0850000	(v) Buds				4 (+)
0850010	Cloves				
0850020	Capers				
0850990	Others				
0860000	(vi) Flower stigma				4 (+)
0860010	Saffron				
0860990	Others				
0870000	(vii) Aril				4 (+)
0870010	Mace				
0870990	Others				
0900000	9. SUGAR PLANTS	0,01 (*)	0,05 (*)	0,01 (*)	
0900010	Sugar beet (root)				
0900020	Sugar cane				
0900030	Chicory roots				
0900990	Others				
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS	0,01 (*)	0,05 (*)		
1010000	(i) Meat, preparations of meat, offals, blood, animal fats fresh chilled or frozen, salted, in brine, dried or smoked or processed as flours or meals other processed products such as sausages and food preparations based on these			0,05 (*)	
1011000	(a) <i>Swine</i>				
1011010	Meat				
1011020	Fat free of lean meat				
1011030	Liver				
1011040	Kidney				
1011050	Edible offal				
1011990	Others				

(1)	(2)	(3)	(4)	(5)	(6)
1012000	(b) <i>Bovine</i>				
1012010	Meat				
1012020	Fat				
1012030	Liver				
1012040	Kidney				
1012050	Edible offal				
1012990	Others				
1013000	(c) <i>Sheep</i>				
1013010	Meat				
1013020	Fat				
1013030	Liver				
1013040	Kidney				
1013050	Edible offal				
1013990	Others				
1014000	(d) <i>Goat</i>				
1014010	Meat				
1014020	Fat				
1014030	Liver				
1014040	Kidney				
1014050	Edible offal				
1014990	Others				
1015000	(e) <i>Horses, asses, mules or hinnies</i>				
1015010	Meat				
1015020	Fat				
1015030	Liver				
1015040	Kidney				
1015050	Edible offal				
1015990	Others				
1016000	(f) <i>Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>				
1016010	Meat				
1016020	Fat				
1016030	Liver				
1016040	Kidney				
1016050	Edible offal				
1016990	Others				

(1)	(2)	(3)	(4)	(5)	(6)
1017000	(g) <i>Other farm animals (Rabbit, Kangaroo)</i>				
1017010	Meat				
1017020	Fat				
1017030	Liver				
1017040	Kidney				
1017050	Edible offal				
1017990	Others				
1020000	(ii) Milk and cream, not concentrated, nor containing added sugar or sweetening matter, butter and other fats derived from milk, cheese and curd			0,01 (*)	
1020010	Cattle				
1020020	Sheep				
1020030	Goat				
1020040	Horse				
1020990	Others				
1030000	(iii) Birds' eggs, fresh preserved or cooked Shelled eggs and egg yolks fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or sweetening matter			0,05 (*)	
1030010	Chicken				
1030020	Duck				
1030030	Goose				
1030040	Quail				
1030990	Others				
1040000	(iv) Honey (Royal jelly, pollen)			0,05 (*)	
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)			0,05 (*)	
1060000	(vi) Snails			0,05 (*)	
1070000	(vii) Other terrestrial animal products			0,05 (*)	

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

(*) Indicates lower limit of analytical determination

Nicotine

(+) This MRL shall be reviewed in 2 years, to evaluate new data and information that will become available, including any scientific evidence on the natural occurrence or formation of nicotine in the concerned crop.

0154050	Rose hips
0256000	(f) <i>Herbs</i>
0256010	Chervil
0256020	Chives
0256030	Celery leaves (Fennel leaves, Coriander leaves, dill leaves, Caraway leaves, lovage, angelica, sweet cicely and other Apiacea leaves)
0256040	Parsley
0256050	Sage (Winter savory, summer savory.)
0256060	Rosemary
0256070	Thyme (Marjoram, oregano)
0256080	Basil (Balm leaves, mint, peppermint)
0256090	Bay leaves (laurel)

0256100	Tarragon (Hyssop)
0256990	Others (Edible flowers)

(+) The following MRLs apply to dried wild mushrooms: 2,3 mg/kg for ceps, 1,2 mg/kg for dried wild mushrooms other than ceps. These MRLs shall be reviewed by 30 November 2014. Confirmatory data including any scientific evidence on the natural occurrence or formation of nicotine in the concerned crop will be evaluated. Reassessment of data may lead to modification of MRLs

0280020	Wild (Chanterelle, Truffle, Morel, Cep)
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(+) This MRL shall be reviewed in 2 years, to evaluate new data and information that will become available, including any scientific evidence on the natural occurrence or formation of nicotine in the concerned crop.

0610000 (i) **Tea (dried leaves and stalks, fermented or otherwise of *Camellia sinensis*)**

0630000 (iii) **Herbal infusions (dried)**

0631000 (a) *Flowers*

0631010 Camomille flowers.

0631020 Hybiscus flowers

0631030 Rose petals

0631040 Jasmine flowers (Elderflowers (*Sambucus nigra*))

0631050 Lime (linden)

0631990 Others

0632000 (b) *Leaves*

0632010 Strawberry leaves

0632020 Rooibos leaves (*Ginkgo* leaves)

0632030 Maté

0632990 Others

0633000 (c) *Roots*

0633010 Valerian root

0633020 Ginseng root

0633990 Others

0639000 (d) *Other herbal infusions*

0810000 (i) **Seeds**

0810010 Anise

0810020 Black caraway

0810030 Celery seed (*Lovage* seed)

0810040 Coriander seed

0810050 Cumin seed

0810060 Dill seed

0810070 Fennel seed

0810080 Fenugreek

0810090 Nutmeg

0810990 Others

0820000 (ii) **Fruits and berries**

0820010 Allspice

0820020 Anise pepper (*Japan* pepper)

0820030 Caraway

0820040 Cardamom

0820050 Juniper berries

0820060 Pepper, black and white (*Long* pepper, pink pepper)

0820070 Vanilla pods

0820080 Tamarind

0820990 Others

0830000 (iii) **Bark**

0830010 Cinnamon (*Cassia*)

0830990 Others

0840000 (iv) **Roots or rhizome**

0840010 Liquorice

0840020	Ginger
0840030	Turmeric (Curcuma)
0840040	Horseradish
0840990	Others
0850000	(v) Buds
0850010	Cloves
0850020	Capers
0850990	Others
0860000	(vi) Flower stigma
0860010	Saffron
0860990	Others
0870000	(vii) Aril
0870010	Mace
0870990	Others'

(b) In Part B, the columns for acibenzolar-S-methyl, cyazofamid and methoxyfenozide are 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)	Acibenzolar-S-methyl (sum of acybenzolar-S-methyl and acibenzolar acid (CGA 210007) expressed as acybenzolar-S-methyl)	Cyazofamid	Methoxyfenozide (F)
(1)	(2)	(3)	(4)	(5)
0130040	Medlar	0,02 (*)	0,01 (*)	2
0130050	Loquat	0,02 (*)	0,01 (*)	2
0154050	Rose hips	0,02 (*)	0,01 (*)	0,02 (*)
0154060	Mulberries (arbutus berry)	0,02 (*)	0,01 (*)	0,02 (*)
0154070	Azarole (mediteranean medlar) (Kiwiberry (Actinidia arguta))	0,02 (*)	0,01 (*)	0,02 (*)
0154080	Elderberries (Black chokeberry (appleberry), mountain ash, buckthorn (sea sallow-thorn), hawthorn, service berries, and other treeberries)	0,02 (*)	0,01 (*)	0,02 (*)
0161050	Carambola (Bilimbi)	0,02 (*)	0,01 (*)	0,02 (*)
0161060	Persimmon	0,02 (*)	0,01 (*)	0,02 (*)
0161070	Jambolan (java plum) (Java apple (water apple), pomerac, rose apple, Brazilian cherry Surinam cherry (grumichama Eugenia uniflora),)	0,02 (*)	0,01 (*)	0,02 (*)
0162040	Prickly pear (cactus fruit)	0,02 (*)	0,01 (*)	0,02 (*)
0162050	Star apple	0,02 (*)	0,01 (*)	0,02 (*)
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel (yellow sapote), and mammey sapote)	0,02 (*)	0,01 (*)	0,02 (*)
0163060	Cherimoya (Custard apple, sugar apple (sweetsop), llama and other medium sized Annonaceae)	0,02 (*)	0,01 (*)	0,02 (*)
0163070	Guava (Red pitaya or dragon fruit (Hylocereus undatus))	0,02 (*)	0,01 (*)	0,02 (*)
0163090	Bread fruit (Jackfruit)	0,02 (*)	0,01 (*)	0,02 (*)
0163100	Durian	0,02 (*)	0,01 (*)	0,02 (*)
0163110	Soursop (guanabana)	0,02 (*)	0,01 (*)	0,02 (*)
0212040	Arrowroot	0,02 (*)	0,01 (*)	0,02 (*)
0251050	Land cress	0,3 (+)	0,01 (*)	4
0251070	Red mustard	0,3 (+)	0,01 (*)	4
0252020	Purslane (Winter purslane (miner's lettuce), garden purslane, common purslane, sorrel, glassworth, Agretti (Salsola soda))	0,02 (*)	0,01 (*)	4

(1)	(2)	(3)	(4)	(5)
0253000	(c) <i>Vine leaves (grape leaves)</i>	0,02 (*)	0,01 (*)	0,02 (*)
0256050	Sage (Winter savory, summer savory,)	0,3	0,01 (*)	4
0256060	Rosemary	0,3	0,01 (*)	4
0256070	Thyme (Marjoram, oregano)	0,3	0,01 (*)	4
0256080	Basil (Balm leaves, mint, peppermint)	0,3	0,01 (*)	4
0256090	Bay leaves (laurel)	0,3	0,01 (*)	4
0256100	Tarragon (Hyssop)	0,3	0,01 (*)	4
0270080	Bamboo shoots	0,02 (*)	0,01 (*)	0,02 (*)
0270090	Palm hearts	0,02 (*)	0,01 (*)	0,02 (*)
0290000	(ix) Sea weeds	0,02 (*)		0,02 (*)
0401110	Safflower	0,05 (*)	0,02 (*)	0,05 (*)
0401120	Borage	0,05 (*)	0,02 (*)	0,05 (*)
0401130	Gold of pleasure	0,05 (*)	0,02 (*)	0,05 (*)
0401150	Castor bean	0,05 (*)	0,02 (*)	0,05 (*)
0402020	Palm nuts (palmoil kernels)	0,05 (*)	0,02 (*)	0,05 (*)
0402030	Palmfruit	0,05 (*)	0,02 (*)	0,05 (*)
0402040	Kapok	0,05 (*)	0,02 (*)	0,05 (*)
0620000	(ii) Coffee beans	0,05 (*)	0,02 (*)	0,05 (*)
0630000	(iii) Herbal infusions (dried)	0,05 (*)	0,02 (*)	0,05 (*)
0631000	(a) <i>Flowers</i>	0,05 (*)	0,02 (*)	0,05 (*)
0631010	Camomille flowers	0,05 (*)	0,02 (*)	0,05 (*)
0631020	Hybiscus flowers	0,05 (*)	0,02 (*)	0,05 (*)
0631030	Rose petals	0,05 (*)	0,02 (*)	0,05 (*)
0631040	Jasmine flowers (Elderflowers (Sambucus nigra))	0,05 (*)	0,02 (*)	0,05 (*)
0631050	Lime (linden)	0,05 (*)	0,02 (*)	0,05 (*)
0631990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0632000	(b) <i>Leaves</i>	0,05 (*)	0,02 (*)	0,05 (*)
0632010	Strawberry leaves	0,05 (*)	0,02 (*)	0,05 (*)
0632020	Rooibos leaves (Ginkgo leaves)	0,05 (*)	0,02 (*)	0,05 (*)
0632030	Maté	0,05 (*)	0,02 (*)	0,05 (*)
0632990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0633000	(c) <i>Roots</i>	0,05 (*)	0,02 (*)	0,05 (*)
0633010	Valerian root	0,05 (*)	0,02 (*)	0,05 (*)
0633020	Ginseng root	0,05 (*)	0,02 (*)	0,05 (*)
0633990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0639000	(d) <i>Other herbal infusions</i>	0,05 (*)	0,02 (*)	0,05 (*)
0640000	(iv) Cocoa (fermented beans)	0,05 (*)	0,02 (*)	0,05 (*)
0650000	(v) Carob (st johns bread)	0,05 (*)	0,02 (*)	0,05 (*)

(1)	(2)	(3)	(4)	(5)
0800000	8. SPICES	0,05 (*)		0,05 (*)
0810000	(i) Seeds	0,05 (*)	0,02 (*)	0,05 (*)
0810010	Anise	0,05 (*)	0,02 (*)	0,05 (*)
0810020	Black caraway	0,05 (*)	0,02 (*)	0,05 (*)
0810030	Celery seed (Lovage seed)	0,05 (*)	0,02 (*)	0,05 (*)
0810040	Coriander seed	0,05 (*)	0,02 (*)	0,05 (*)
0810050	Cumin seed	0,05 (*)	0,02 (*)	0,05 (*)
0810060	Dill seed	0,05 (*)	0,02 (*)	0,05 (*)
0810070	Fennel seed	0,05 (*)	0,02 (*)	0,05 (*)
0810080	Fenugreek	0,05 (*)	0,02 (*)	0,05 (*)
0810090	Nutmeg	0,05 (*)	0,02 (*)	0,05 (*)
0810990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0820000	(ii) Fruits and berries	0,05 (*)	0,02 (*)	0,05 (*)
0820010	Allspice	0,05 (*)	0,02 (*)	0,05 (*)
0820020	Anise pepper (Japan pepper)	0,05 (*)	0,02 (*)	0,05 (*)
0820030	Caraway	0,05 (*)	0,02 (*)	0,05 (*)
0820040	Cardamom	0,05 (*)	0,02 (*)	0,05 (*)
0820050	Juniper berries	0,05 (*)	0,02 (*)	0,05 (*)
0820060	Pepper, black and white (Long pepper, pink pepper)	0,05 (*)	0,02 (*)	0,05 (*)
0820070	Vanilla pods	0,05 (*)	0,02 (*)	0,05 (*)
0820080	Tamarind	0,05 (*)	0,02 (*)	0,05 (*)
0820990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0830000	(iii) Bark	0,05 (*)	0,02 (*)	0,05 (*)
0830010	Cinnamon (Cassia)	0,05 (*)	0,02 (*)	0,05 (*)
0830990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0840000	(iv) Roots or rhizome	0,05 (*)		0,05 (*)
0840010	Liquorice	0,05 (*)	0,02 (*)	0,05 (*)
0840020	Ginger	0,05 (*)	0,02 (*)	0,05 (*)
0840030	Turmeric (Curcuma)	0,05 (*)	0,02 (*)	0,05 (*)
0840040	Horseradish	0,05 (*)	0,1	0,05 (*)
0840990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0850000	(v) Buds	0,05 (*)	0,02 (*)	0,05 (*)
0850010	Cloves	0,05 (*)	0,02 (*)	0,05 (*)
0850020	Capers	0,05 (*)	0,02 (*)	0,05 (*)
0850990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0860000	(vi) Flower stigma	0,05 (*)	0,02 (*)	0,05 (*)
0860010	Saffron	0,05 (*)	0,02 (*)	0,05 (*)
0860990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0870000	(vii) Aril	0,05 (*)	0,02 (*)	0,05 (*)
0870010	Mace	0,05 (*)	0,02 (*)	0,05 (*)

(1)	(2)	(3)	(4)	(5)
0870990	Others	0,05 (*)	0,02 (*)	0,05 (*)
0900000	9. SUGAR PLANTS	0,02 (*)	0,01 (*)	
0900010	Sugar beet (root)	0,02 (*)	0,01 (*)	0,3
0900020	Sugar cane	0,02 (*)	0,01 (*)	0,02 (*)
0900030	Chicory roots	0,02 (*)	0,01 (*)	0,02 (*)
0900990	Others	0,02 (*)	0,01 (*)	0,02 (*)
1015000	(e) <i>Horses, asses, mules or hinnies</i>	0,02 (*)	0,01 (*)	
1015010	Meat	0,02 (*)	0,01 (*)	0,2
1015020	Fat	0,02 (*)	0,01 (*)	0,2
1015030	Liver	0,02 (*)	0,01 (*)	0,1
1015040	Kidney	0,02 (*)	0,01 (*)	0,1
1015050	Edible offal	0,02 (*)	0,01 (*)	0,1
1015990	Others	0,02 (*)	0,01 (*)	0,01 (*)
1017000	(g) <i>Other farm animals (Rabbit, Kangaroo)</i>	0,02 (*)	0,01 (*)	
1017010	Meat	0,02 (*)	0,01 (*)	0,2
1017020	Fat	0,02 (*)	0,01 (*)	0,2
1017030	Liver	0,02 (*)	0,01 (*)	0,1
1017040	Kidney	0,02 (*)	0,01 (*)	0,1
1017050	Edible offal	0,02 (*)	0,01 (*)	0,1
1017990	Others	0,02 (*)	0,01 (*)	0,01 (*)
1030020	Duck	0,02 (*)	0,01 (*)	0,01 (*)
1030030	Goose	0,02 (*)	0,01 (*)	0,01 (*)
1030040	Quail	0,02 (*)	0,01 (*)	0,01 (*)
1030990	Others	0,02 (*)	0,01 (*)	0,01 (*)
1040000	(iv) Honey (Royal jelly, pollen)	0,02 (*)	0,01 (*)	0,01 (*)
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)	0,02 (*)	0,01 (*)	0,01 (*)
1060000	(vi) Snails	0,02 (*)	0,01 (*)	0,01 (*)
1070000	(vii) Other terrestrial animal products	0,02 (*)	0,01 (*)	0,01 (*)

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

(*) Indicates lower limit of analytical determination

(F) = Fat soluble

Acibenzolar-S-methyl (sum of acybenzolar-S-methyl and acibenzolar acid (CGA 210007) expressed as acybenzolar-S-methyl)

(+) Residue trials of open leaf lettuce varieties to be submitted to the evaluating Member State, the Authority and the European Commission by 1 October 2014 at the latest. Reassessment of data may lead to modification of the MRL.

0251050	Land cress
0251070	Red mustard

COMMISSION IMPLEMENTING REGULATION (EU) No 898/2012**of 1 October 2012****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 1 October 2012.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	59,9
	XS	50,7
	ZZ	55,3
0707 00 05	MK	27,7
	TR	126,8
	ZZ	77,3
0709 93 10	TR	114,4
	ZZ	114,4
0805 50 10	AR	94,5
	CL	108,8
	TR	72,2
	UY	67,8
	ZA	96,1
	ZZ	87,9
0806 10 10	MK	35,9
	TR	120,7
	ZZ	78,3
0808 10 80	BR	89,7
	CL	180,3
	NZ	139,2
	US	145,3
	ZA	110,7
	ZZ	133,0
0808 30 90	AR	193,5
	CN	64,0
	TR	112,6
	ZZ	123,4

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL DECISION

of 24 September 2012

on the position to be taken by the European Union within the Joint Committee set up by Article 11 of the Agreement between the European Union and Georgia on protection of geographical indications of agricultural products and foodstuffs, as regards the adoption of the rules of procedure of the Joint Committee

(2012/533/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement between the European Union and Georgia on protection of geographical indications of agricultural products and foodstuffs ⁽¹⁾ ('the Agreement') entered into force on 1 April 2012.
- (2) Article 11 of the Agreement establishes a Joint Committee which shall, inter alia, ensure that the Agreement operates properly.
- (3) According to Article 11(2) of the Agreement, the Joint Committee determines its own rules of procedure.
- (4) The position of the Union within the Joint Committee as regards the adoption of the rules of procedure of that Joint Committee should be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted by the European Union within the Joint Committee set up by Article 11 of the Agreement between the European Union and Georgia on protection of geographical indications of agricultural products and foodstuffs, as regards the adoption of the rules of procedure of that Joint Committee, shall be based on the draft Decision of the Joint Committee, attached to this Decision.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 24 September 2012.

For the Council
The President
S. ALETRARIS

⁽¹⁾ OJ L 93, 30.3.2012, p. 3.

DRAFT

DECISION OF THE JOINT COMMITTEE
of ...
on the adoption of its Rules of Procedure

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Union and Georgia on protection of geographical indications of agricultural products and foodstuffs, and in particular Article 11 thereof,

Whereas that Agreement entered into force on 1 April 2012,

HAS ADOPTED THIS DECISION:

Article 1

Heads of Delegation

1. The European Union and Georgia ('the Parties'), shall each appoint a Head of Delegation who shall be the contact person for all matters relating to the Committee.

2. Each Head of Delegation may delegate all or any of the functions of Head of Delegation to a nominated deputy, in which case all references hereafter to the Head of Delegation apply equally to the nominated deputy.

Article 2

Chair

1. The office of Chair of the Committee shall be held alternately, for a period of one calendar year, by the Head of Delegation of each Party.

2. The Chair shall be responsible for the secretarial duties of the Committee.

Article 3

Meetings

1. The Chair shall fix the date and venue or, in the case of meetings by electronic means, the technical arrangements, of meetings in agreement with the other Head of Delegation. The Chair and the other Head of Delegation shall, in agreeing the time and place of the meeting, observe the requirement to hold a meeting within 90 days.

2. Unless otherwise jointly agreed, the meetings of the Committee shall not be public.

Article 4

Correspondence

1. All correspondence to or for the Committee shall be sent to the Chair of the Committee. The latter shall send a copy of all correspondence relating to the Committee to the other Head of Delegation, to the Head of the Georgian Mission in Brussels and to the Head of the Delegation of the EU in Tbilisi.

2. Correspondence between the Chair and the other Head of Delegation may be by any written means, including electronic mail.

Article 5

Agendas for the meetings

1. The Chair shall draw up the draft agenda prior to a meeting. The draft agenda shall be sent to the other Head of Delegation no later than 20 working days before the start of the meeting. The draft agenda circulated by the Chair shall include any item covered by Article 11(3) of the Agreement, chosen by the Chair.

2. The Heads of Delegation may request additional items covered by Article 11(3) at least 10 working days before the start of the meeting, which the Chair must include on the draft agenda.

3. A final draft agenda shall be circulated to the other Head of Delegation by the Chair at least five working days before the start of the meeting.

4. The agenda shall be adopted by joint agreement by the Chair and the other Head of Delegation at the start of each meeting. An item other than those appearing on the draft agenda may be placed on the agenda if the Chair and other Head of Delegation so agree.

Article 6

Adoption of instruments

1. The decisions of the Committee within the meaning of Article 11(2) of the Agreement shall be addressed to the Parties and shall bear the signatures of the Chair and of the other Head of Delegation.

2. Either Party may decide to publish any decision adopted by the Committee.

Article 7

Written procedure

1. A decision of the Committee may be adopted by a written procedure where the Chair and the other Head of Delegation so agree.

2. The Head of Delegation proposing the use of the written procedure shall submit the draft decision to the other Head of Delegation. The other Head of Delegation shall reply, indicating whether he or she accepts or does not accept the draft, proposes any amendments, or requests further time for reflection. If the draft is adopted, it shall be finalised in accordance with Article 6(1).

*Article 8***Minutes**

1. The Chair shall draw up draft minutes of each meeting and submit them to the other Head of Delegation within 20 working days of the meeting. The draft minutes shall state the recommendations made and may also note any other conclusions reached. The other Head of Delegation shall agree to the draft, or submit proposed amendments. Once there is agreement on the draft minutes, two original copies shall be signed by the Chair and by the other Head of Delegation. An original copy of the minutes shall be kept by the Chair and one by the other Head of Delegation.

2. In the event there is no agreement on the minutes before the subsequent meeting is convened, the minutes shall record

the draft drawn up by the Chair to which shall be annexed the proposed amendments submitted by the other Head of Delegation.

*Article 9***Expenses**

Each Party shall bear the expenses it incurs in taking part in the meetings of the Committee.

*Article 10***Confidentiality**

The deliberations of the Committee shall be confidential.

COUNCIL DECISION

of 24 September 2012

on the position to be taken by the European Union within the EU-ICAO Joint Committee, concerning the Decision on the adoption of an Annex on aviation security to the Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation

(2012/534/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision 2012/243/EU of 8 March 2012 on the conclusion of a Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation, and laying down procedural arrangements related thereto ⁽¹⁾ ('Memorandum of Cooperation'), entered into force on 29 March 2012.
- (2) Pursuant to Article 7.3(c) of the Memorandum of Cooperation, the Joint Committee established by Article 7.1 of the Memorandum of Cooperation may adopt annexes to the Memorandum of Cooperation.
- (3) It is appropriate to establish the position to be taken by the European Union within the Joint Committee with regard to the adoption of an annex on aviation security to be added to the Memorandum of Cooperation,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union within the EU-ICAO Joint Committee, as referred to in Article 7.3(c) of the Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation ('the Memorandum of Cooperation'), with regard to the adoption of an Annex on aviation security to the Memorandum of Cooperation, shall be based on the draft Decision of the EU-ICAO Joint Committee, attached to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 24 September 2012.

For the Council
The President
S. ALETRARIS

⁽¹⁾ OJ L 121, 8.5.2012, p. 16.

DRAFT

DECISION OF THE EU-ICAO JOINT COMMITTEE

of ...

on the adoption of an annex on aviation security to the Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation

THE EU-ICAO JOINT COMMITTEE,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Memorandum of Cooperation between the European Union and the International Civil Aviation Organization providing a framework for enhanced cooperation (the ICAO MoC), and in particular Article 7.3(c) thereof,

The Annex to this Decision is hereby adopted and shall form an integral part of the ICAO MoC.

Article 2

This Decision shall enter into force on the day of its adoption.

Whereas:

Done at ...

It is appropriate to include an annex on Aviation Security in the ICAO MoC,

*For the EU-ICAO Joint Committee
The Chairpersons*

ANNEX

'ANNEX II — AVIATION SECURITY

1. Objectives
 - 1.1. The Parties agree to cooperate in the field of aviation security within the framework of the Memorandum of Cooperation (MOC) between the European Union and the International Civil Aviation Organization (ICAO) signed in Montreal on 28 April 2011 and in Brussels on 4 May 2011.
 - 1.2. Consistent with their commitment to achieving an appropriate and sustainable level of aviation security on a global basis, notably through ICAO Standards and Recommended Practices (SARPs), the Parties agree to cooperate closely in the conduct of their aviation security activities.
2. Scope
 - 2.1. In pursuit of the objectives specified in paragraph 1, the Parties agree to cooperate by:
 - (a) conducting regular dialogue on aviation security matters of mutual interest;
 - (b) conducting a regular exchange of relevant aviation security information in accordance with applicable rules;
 - (c) participating in aviation security activities;
 - (d) analysing, as relevant, States' compliance with ICAO Standards, adherence to Recommended Practices, and effective implementation of an aviation security oversight system;
 - (e) monitoring EU States' compliance with ICAO Standards, adherence to Recommended Practices, and effective implementation of an aviation security oversight system;
 - (f) continuing cooperation in regulatory and standard-setting matters;
 - (g) developing and providing technical assistance;
 - (h) promoting regional cooperation;
 - (i) exchanging experts; and
 - (j) providing aviation security-related training.
3. Implementation
 - 3.1. The Parties may establish working arrangements specifying mutually agreed mechanisms and procedures to effectively implement cooperation in the areas referred to in Article 2.1. These working arrangements shall be adopted by the Joint Committee.
4. Dialogue
 - 4.1. The Parties shall convene meetings and/or teleconferences on a regular basis to discuss aviation security matters of mutual interest and, where appropriate, coordinate activities.
5. Sharing of aviation security information, research/studies and analysis
 - 5.1. Without prejudice to their applicable rules, the Parties shall establish working arrangements specifying what information and analyses can be shared with one another on the basis of information gathered by their respective audit and inspection programmes, as well as the sharing mechanism to guarantee the confidentiality of information received from the other Party in accordance with Article 6 of the MOC.
 - 5.2. The Parties shall collaborate in aviation security activities through the exchange of relevant and appropriate data, research, studies, information and documentation, and by facilitating mutual participation in meetings.

6. Participation in aviation security activities
 - 6.1. For the purpose of implementing this Annex, each Party shall, as appropriate, invite the other Party to participate, in accordance with established rules or procedures, in aviation security-related activities and meetings with a view to ensuring close cooperation and coordination. The modalities for such participation shall be established in working arrangements agreed by the Parties.
7. Regulatory matters
 - 7.1. Each Party shall ensure that the other Party is kept informed of all its relevant laws, regulations, standards, requirements and recommended practices, which may affect the implementation of this Annex, as well as any modification thereof.
 - 7.2. The Parties shall notify each other in a timely manner of any proposed modifications to their relevant laws, regulations, standards, requirements and recommended practices, in so far as these modifications may have an impact on this Annex.
 - 7.3. With a view to the global harmonisation of aviation security regulations and standards, the Parties shall inform each other on technical regulatory matters in the field of aviation security during the different stages of the rule-making or SARP-development processes, and may be invited to participate in the associated technical bodies, when appropriate.
 - 7.4. The Parties shall provide each other with timely information on decisions and recommendations affecting aviation security.
 - 7.5. The EU shall, where appropriate, engage in dialogue with ICAO to provide technical information in instances where issues related to compliance with ICAO Standards and adherence to ICAO Recommended Practices emerge pursuant to the application of EU legislation.
8. Technical assistance
 - 8.1. The Parties shall coordinate assistance to States in an effort to ensure the effective use of resources and prevent a duplication of effort, and shall exchange information on aviation security-related technical assistance projects and programmes.
 - 8.2. The Parties shall cooperate closely in assisting EU States and other States as deemed necessary in improving their level of effective implementation of the critical elements of State security oversight systems and their level of compliance with ICAO SARPs. Such cooperation shall include but not be limited to the exchange of information, facilitating dialogue between the Parties concerned, and the coordination of any technical assistance activities.
9. Regional cooperation
 - 9.1. The Parties shall give priority to activities aimed at accelerating implementation of SARPs where the regional approach offers opportunities for improved cost-efficiency, oversight and/or standardisation processes.
10. Expert assistance
 - 10.1. Without prejudice to expert assistance schemes developed outside the scope of this Annex, the Parties shall endeavour to make experts with technical expertise in relevant fields of aviation security available to each other, upon request, to perform tasks and participate in activities falling within the scope of this Annex. The conditions of such expert assistance shall be specified in a working arrangement between the Parties.
11. Training
 - 11.1. Where appropriate, each Party shall facilitate the participation of staff of the other Party in any aviation security-related training programmes which it provides.
 - 11.2. The Parties shall exchange information on materials relating to aviation security-related training programmes and, where appropriate, coordinate and cooperate in the development of training programmes.
 - 11.3. In the framework of the activities covered in point 9 of this Annex, the Parties shall cooperate in facilitating and coordinating the participation in training programmes of trainees who come from States or regions to which technical assistance is being provided by either Party.

12. Review

12.1. The Parties shall review the implementation of this Annex on a regular basis and, as necessary, take into account any relevant policy or regulatory developments.

12.2. Any review of this Annex shall be conducted by the Joint Committee established pursuant to Article 7 of the MOC.

13. Entry into force, amendments and termination

13.1. This Annex shall enter into force on the date of its adoption by the Joint Committee and shall remain in force until terminated.

13.2. Working arrangements agreed pursuant to this Annex shall enter into force on the date of their adoption by the Joint Committee.

13.3. Any amendments to, or termination of, working arrangements adopted pursuant to this Annex shall be agreed by the Joint Committee.

13.4. This Annex may be terminated at any time by either Party. Such termination shall be effective 6 months following receipt of written notification of termination by one party from the other party, unless the said notice of termination has been withdrawn by mutual consent of the Parties before the six-month period has expired.

13.5. Notwithstanding any other provision of this Article, if the MOC is terminated, this Annex and any working arrangement adopted pursuant to it shall terminate simultaneously.'

COMMISSION IMPLEMENTING DECISION

of 26 September 2012

on emergency measures to prevent the spread within the Union of *Bursaphelenchus xylophilus*
(Steiner et Buhrer) Nickle et al. (the pine wood nematode)

(notified under document C(2012) 6543)

(2012/535/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, and in particular Article 16(3) fourth sentence thereof,

Whereas:

- (1) Commission Decision 2006/133/EC⁽²⁾ requires Member States temporarily to take additional measures against the dissemination of pine wood nematode (PWN) as regards areas in Portugal, other than those in which it is known not to occur. PWN outbreaks in Spain and repeated interceptions by other Member States of PWN-infested pine wood, wood packaging material and bark from Portugal show that the risk has increased that PWN might spread out of areas in Portugal, in which PWN is known to occur. The economic, social and environmental impact of PWN spread across the Union would be unacceptably large. It is therefore appropriate to extend the scope of the measures concerning PWN to all Member States.
- (2) With a view to prevent PWN introduction and spread, Member States should carry out annual surveys for the presence of PWN in areas where it is not known to occur and adopt contingency plans to be prepared for findings of the presence of PWN.
- (3) In case PWN is found to be present in an area where it was not known to occur, Member States should demarcate the areas where eradication measures are to be applied. Those measures should include precautionary felling of susceptible plants in the infested zone and in a zone with a radius of 500 m around the plants infested with PWN, together with intensified surveillance for the presence of PWN throughout the demarcated area.
- (4) Where a Member State concludes that the felling of susceptible plants up to 500 m from the plants infested with PWN would be disproportionate, for example when

the affected zone includes areas protected in accordance with Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora⁽³⁾ and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds⁽⁴⁾, alternative risk management options should be available involving a reduced amount of felling of susceptible plants. In that case, alternative safeguards should be provided to ensure an equivalent level of mitigation of the risk of spread of PWN.

- (5) The main objective of measures concerning PWN should be eradication, with containment being allowed only in areas where eradication is not a feasible goal. In order to ensure that eradication is achieved where possible, Member States should implement eradication measures for as a minimum of four years. However, where eradication is impossible, Member States should, in certain cases, be allowed to apply containment measures even before the expiry of the four-year period.
- (6) Member States should communicate the eradication and containment measures that they have taken or have decided to take to the Commission and the other Member States.
- (7) The operators concerned and the public should be informed about eradication and containment measures taken.
- (8) Movements of susceptible plants and susceptible wood and bark within demarcated areas and out of those areas should be subject to certain restrictions. Member States should carry out checks on whether those prohibitions and restrictions are complied with and, where relevant, impose corrective measures.
- (9) Where the restrictions concerning movement of susceptible wood and bark include requirements for treatment of such wood and bark, Member States should authorise and supervise facilities which are adequately equipped to carry out such treatment and to issue plant passports or to mark treated susceptible wood or bark. Rules should be set out for the authorisation and supervision of such facilities. Rules should also be set out for the authorisation and supervision of wood packaging material producers that apply such marking.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 52, 23.2.2006, p. 34.

⁽³⁾ OJ L 206, 22.7.1992, p. 7.

⁽⁴⁾ OJ L 20, 26.1.2010, p. 7.

- (10) Member States and operators should have access to information concerning those authorised facilities. The Commission should therefore set up and maintain a list of authorised treatment facilities and authorised wood packaging material producers.
- (11) Decision 2006/133/EC should therefore be repealed.
- (12) This Decision should be reviewed after three years to take account of the technical and scientific developments.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Definitions

For the purposes of this Decision, the following definitions shall apply:

- (a) 'susceptible plants' means plants (other than fruit and seeds) of *Abies* Mill., *Cedrus* Trew, *Larix* Mill., *Picea* A. Dietr., *Pinus* L., *Pseudotsuga* Carr. and *Tsuga* Carr.;
- (b) 'susceptible wood' means wood of conifers (*Coniferales*), with the exception of sawn wood and logs of *Taxus* L. and *Thuja* L.;
- (c) 'susceptible bark' means bark of conifers (*Coniferales*);
- (d) 'place of production' means any premises operated as a single production unit. This may include production sites which are separately managed for phytosanitary purposes;
- (e) 'vector' means beetles belonging to the genus *Monochamus* Megerle in Dejean, 1821;
- (f) 'flight season of the vector' means the period from 1 April to 31 October, except where there is technical-scientific justification for a different duration of the flight season of the vector, taking into account a safety margin of four additional weeks at the beginning and at the end of the expected flight season;
- (g) 'wood packaging material' means wood or wood products used in supporting, protecting or carrying a commodity, in the form of packing cases, boxes, crates, drums and similar packings, pallets, box pallets and other load boards, pallet collars and dunnage, whether or not actually in use in the transport of objects. Processed wood produced by glue, heat or pressure or a combination thereof and packaging material entirely composed of wood of 6 mm of thickness or less are excluded.

Article 2

Surveys in areas in which PWN is not known to occur

1. Member States shall annually conduct surveys for *Bursaphelenchus xylophilus* (Steiner et Buhrer) Nickle et al. (the pine

wood nematode), hereinafter 'PWN', on susceptible plants, susceptible wood and bark and on the vector, and determine whether there is any evidence of the presence of PWN in their territory in areas in which PWN was previously not known to occur.

Those surveys shall consist of the collection and laboratory testing of samples of susceptible plants, susceptible wood and bark and vectors. The number of samples shall be determined in accordance with sound scientific and technical principles.

2. Member States shall communicate to the Commission a description of the surveys referred to in paragraph 1 setting out the number of survey sites, the areas to be surveyed and the number of samples to be subjected to laboratory testing each year. That description shall indicate the scientific and technical principles on which those surveys are based.

That description shall be communicated to the Commission by 1 March of the year in which the surveys are to be conducted.

3. Each Member State shall communicate the results of the surveys referred to in paragraph 1 to the Commission and to the other Member States by 1 March of the year following the year in which the surveys were conducted.

Article 3

Laboratory testing

Laboratory testing for the presence of PWN in susceptible plants, susceptible wood and bark and vectors shall be carried out according to the diagnostic protocol for *Bursaphelenchus xylophilus* provided in EPPO Standard PM7/4(2) ⁽¹⁾. The methods in that standard may be supplemented or replaced with scientifically validated molecular diagnostic methods shown to have at least a sensitivity and reliability equal to those in the EPPO standard.

Article 4

Contingency plans

1. By 31 December 2013 each Member State shall establish a plan setting out the actions to be taken in its territory in accordance with Articles 5 to 16, in case of a confirmed presence or a suspicion of the presence of PWN, hereinafter 'the contingency plan'.

2. The contingency plan shall set out the following:

- (a) the roles and responsibilities of the bodies involved and the single authority in those actions;
- (b) rules on the communication of those actions between the bodies involved, the Single Authority, the concerned private sector and the public;
- (c) rules on laboratory testing; and
- (d) rules on training of personnel of the bodies involved in those actions.

⁽¹⁾ EPPO Bulletin 39(3):344-353.

3. Member States shall provide for the evaluation and review of their contingency plans.

4. Member States shall communicate their contingency plans to the Commission at its request.

Article 5

Demarcated areas

1. Where the results of an annual survey, as provided for in Article 2(1), show the presence of PWN in a susceptible plant in a part of the territory of a Member State in which it was previously not known to occur, or where there is evidence of such a presence by other means, that Member State shall without delay demarcate an area in accordance with paragraph 2, hereinafter 'the demarcated area'.

Where the presence of PWN is found in the vector or in a consignment of susceptible wood, susceptible bark or in wood packaging material, the Member State concerned shall conduct an investigation in the proximity of where the vector was caught or where the susceptible wood, the susceptible bark or the wood packaging material were at the time of the finding. Where the results of that investigation show the presence of PWN in a susceptible plant, subparagraph 1 shall also apply.

2. The demarcated area shall consist of a zone in which PWN was found to be present, hereinafter 'the infested zone', and of a zone surrounding the infested zone, hereinafter 'the buffer zone'. The buffer zone shall be of a width of at least 20 km.

Where eradication measures in accordance with Article 6 are applied, the Member State concerned may decide to reduce the width of the buffer zone to no less than 6 km provided that that reduction does not jeopardise eradication.

3. Where PWN is found to be present in a buffer zone, a new demarcated area shall, without delay, be established in accordance with paragraph 1 to take into account that finding.

The existing demarcated area may, instead, be amended to take into account that finding where that area is subject to eradication measures in accordance with Article 6.

Any evidence of presence of PWN in a buffer zone shall be notified immediately to the Commission and the other Member States.

4. Where PWN is found to be present in the territory of a Member State and the demarcated area would extend into the territory of one or more other Member States, the other Member State or Member States shall, in accordance with paragraph 1, establish a demarcated area or demarcated areas which complete the buffer zone by a buffer zone or buffer zones whose width correspond to the width of the buffer zone in the Member State of the finding.

5. Member States shall communicate the demarcated areas in their territory to the Commission and the other Member States within one month from the date on which PWN was found to be present in the area concerned.

That communication shall include a description of the demarcated areas, their location and the names of the administrative entities concerned by the demarcation, accompanied by a map indicating the location of each demarcated area, infested zone and buffer zone.

Member States shall communicate amendments to the demarcated areas in their territory to the Commission and the other Member States within one month of that amendment.

6. Where the annual surveys of the susceptible plants and the vector, as set out in point 6 of Annex I, show that no PWN has been found to be present in the demarcated area concerned for the preceding four years, the Member State concerned may decide that that area is no longer demarcated. A Member State in the situation referred to in point 5 of Annex I may decide that the area is no longer demarcated in case the absence of PWN is confirmed by the sampling and testing referred to in point 7 of that Annex.

It shall inform the Commission and the other Member States about that decision within one month.

7. The Commission shall establish a list of the demarcated areas and communicate that list to the Member States.

That list shall be updated according to the communications received by the Commission pursuant to paragraphs 5 and 6.

Article 6

Eradication

1. Member States shall take measures, as set out in Annex I, to eradicate PWN present in demarcated areas in their territory.

PWN shall be considered as eradicated where the annual surveys of the susceptible plants and the vector, as set out in point 6 of Annex I, show that in the demarcated area concerned no PWN has been found for the preceding four years, or in case the absence of PWN is confirmed by the sampling and testing referred to in the third subparagraph of point 7 of Annex I.

2. Member States shall ensure that the measures referred to in paragraph 1 are carried out by technically qualified personnel of the responsible official bodies or by any other technically qualified persons acting under the supervision of the responsible official bodies.

Article 7

Containment

1. Where the annual surveys of the susceptible plants and the vector, as set out in point 6 of Annex I, show the presence of PWN in a demarcated area during a period of at least four consecutive years and the experience gathered shows that, in the situation concerned, it is impossible to eradicate PWN, the Member State concerned may instead decide to contain PWN within that area.

The Member State concerned may, however, before the end of that period, decide to contain PWN, instead of eradicating it, in cases where the diameter of the infested zone exceeds 20 km, there is evidence of the presence of PWN throughout the infested zone and the experience gathered shows that, in the situation concerned, it is impossible to eradicate PWN in that area.

Containment measures shall be taken, as set out in Annex II.

2. Where a Member State decides in accordance with paragraph 1 to apply containment measures instead of eradication measures, it shall inform the Commission of that decision setting out its reasons.

Where the second subparagraph of paragraph 1 applies, the Commission shall carry out investigations in that Member State to verify whether the conditions provided for in that subparagraph are fulfilled.

3. Demarcated areas subject to containment measures in accordance with paragraph 1 shall be marked as such in the list referred to in Article 5(7). Member States may only apply containment measures in demarcated areas that have been marked in that list as subject to containment of PWN.

4. Member States shall ensure that the measures referred to in paragraph 1 are carried out by technically qualified personnel of the responsible official bodies or by any other technically qualified persons acting under the supervision of the responsible official bodies.

Article 8

Information of the operators and the public

Where eradication measures in accordance with Article 6 or containment measures in accordance with Article 7 are applied, the Member States concerned shall provide for measures for the information of the operators concerned and of the public.

Article 9

Communication on national measures

1. Member States shall, within one month of the notification provided for in the first subparagraph of Article 16(1) of Directive 2000/29/EC of the appearance of PWN in a part of its territory in which its presence was previously unknown, communicate to the Commission and the other Member States the measures that they have taken and those that they have decided to take for the eradication of PWN in accordance with Article 6.

2. Where a Member State takes measures for the eradication of PWN in accordance with Article 6, the communication of the measures referred to in paragraph 1 shall include the measures concerning the felling, sampling, testing, removal and disposal of susceptible plants, as set out in points 2, 3, 4, 5, 7, 8 and 9 of Annex I, and the design and organisation of the surveys including the number of inspections, samples to be taken and laboratory tests to be carried out, as set out in point 6 of Annex I.

Where a Member State takes measures for the containment of PWN in accordance with Article 7, the communication of the measures referred to in paragraph 1 shall include the measures concerning the felling, sampling, testing, removal and disposal of susceptible plants and the design and organisation of the surveys including the number of inspections, samples to be taken and laboratory tests to be carried out, as set out in points 2 and 3 of Annex II.

That communication of the measures shall also include a description of the measures for the information of the operators concerned and the public pursuant to Article 8 and of the checks to be carried out pursuant to Article 11(1).

3. Member States shall communicate to the Commission and the other Member States by 1 March of each year a report of the results of the measures taken pursuant to Articles 6 and 7 in the preceding year.

That report shall include the numbers and locations of findings of the presence of PWN, including maps, the number of plants in poor health and dead plants that were identified, felled, sampled and tested, and the outcome of those tests.

4. Member States shall, by 1 March of each year following the notification referred to in paragraph 1, communicate to the Commission and the other Member States the measures that they have decided to take in that year for the eradication of PWN in accordance with Article 6.

5. Where a Member State decides to contain PWN in a demarcated area in accordance with Article 7(1), it shall immediately communicate to the Commission and the other Member States an accordingly revised version of the communication of the measures referred to in paragraph 1.

That communication of the measures may cover a period of up to five years in the case of a demarcated area subject to containment measures in accordance with Article 7. Where the communication covers more than one year, the Member States concerned shall communicate to the Commission and the other Member States a revised version of that communication of the measures by 31 October of the year of its expiration.

When significant changes to the containment measures are decided, that communication of the measures shall be revised and communicated to the Commission and the other Member States without delay.

Article 10

Movement of susceptible plants and susceptible wood and bark within the Union

1. Susceptible plants and susceptible wood and bark shall only be moved from demarcated areas into areas other than demarcated areas and from infested zones into buffer zones if the conditions, as set out in Section 1 of Annex III, are fulfilled.

2. Susceptible plants and susceptible wood and bark shall only be moved within infested zones subject to eradication measures if the conditions, as set out in Section 2 of Annex III, are fulfilled.

3. Member States may restrict the movement of susceptible plants and susceptible wood and bark within infested zones subject to containment measures.

Article 11

Checks concerning movements from demarcated areas to areas other than demarcated areas and from infested zones to buffer zones

1. Member States shall carry out frequent random checks on susceptible plants and susceptible wood and bark being moved from demarcated areas situated in their territory to areas other than demarcated areas and from infested zones situated in their territory to buffer zones.

When deciding in a specific case where to carry out the checks, Member States shall base their decision on the risk that the plants or wood and bark to be checked carry live PWN, taking into account the provenance of the consignments, the degree of susceptibility of the plants and wood and bark concerned, and past compliance with this Decision and Decision 2006/133/EC by the operator responsible for the movement.

Checks of the susceptible plants and the susceptible wood and bark shall be carried out in the following places:

- (a) at the points where they are moved from infested zones into buffer zones;
- (b) at the points where they are moved from buffer zones into non-demarcated areas;
- (c) at their place of destination in the buffer zone; and
- (d) at their place of origin in the infested zone, such as sawmills, from which they are moved out of the infested zone.

Member States may decide to carry out checks additionally in other places than those referred to in points (a) to (d).

Those checks shall include a documentary check as regards the requirements laid down in Section 1 of Annex III, an identity check and, in the case of non-compliance or a suspicion of non-compliance with those requirements, a plant health check which includes testing for the presence of PWN.

2. Member States shall carry out random checks on susceptible plants and susceptible wood and bark being moved from demarcated areas situated outside their territory into areas in their territory other than demarcated areas.

These checks shall include a documentary check as regards the requirements laid down in Section 1 of Annex III, an identity check and a plant health check which includes testing for the presence of PWN.

3. The results of the checks referred to in paragraph 1 shall be communicated to the Commission and the other Member States on a monthly basis and those referred to in paragraph 2 on an annual basis, by 1 March.

Where those checks show that PWN is present in susceptible plants or susceptible wood or bark, the Member State shall immediately notify the Commission and the other Member States of that finding.

Article 12

Measures in case of non-compliance with Article 10

Where the checks referred to in Article 11 show that Section 1 or 2 of Annex III is not complied with, the Member State which carried out those checks shall immediately subject the non-compliant material to one of the following measures:

- (a) destruction;
- (b) movement under official supervision to a treatment facility specifically authorised for this purpose, where it is subjected to a heat treatment to achieve a minimum temperature of 56 °C for at least 30 minutes throughout the susceptible wood and bark ensuring freedom from live PNWs and live vectors;
- (c) where the non-compliant material consists of wood packaging material actually in use in the transport of objects, and without prejudice to Annex III, return under official supervision to the place of dispatch, or a location nearby the location of the interception, for repackaging of those objects and destruction of that wood packaging material, while avoiding any risk of spreading of PWN.

Article 13

Authorisation of treatment facilities

1. Member States in whose territory there is a demarcated area shall authorise treatment facilities adequately equipped to carry out one or more of the following tasks, as set out in Annex III:

- (a) treatment of susceptible wood and bark, as set out in point 2(a) of Section 1 of that Annex and point (c) of the first subparagraph of point 2 of Section 2 of that Annex;
- (b) issuing of plant passports referred to in Commission Directive 92/105/EEC⁽¹⁾ for susceptible wood and bark treated by the treatment facility concerned in accordance with point (a) of this paragraph, as set out in point 2(b) of Section 1 of Annex III and point (b) of the second subparagraph of point 2 of Section 2 of that Annex;
- (c) treatment of wood packaging material, as set out in point 3(a) of Section 1 of that Annex and point 3 of Section 2 of that Annex; and
- (d) marking of wood packaging material treated by the treatment facility concerned in accordance with point (c), as set out in point 3(b) of Section 1 of Annex III and point 3 of Section 2 of that Annex, in accordance with Annex II to the FAO International Standard for Phytosanitary Measures No 15.

Those facilities are referred to hereinafter as 'authorised treatment facilities'.

⁽¹⁾ OJ L 4, 8.1.1993, p. 22.

2. Authorised treatment facilities shall ensure the traceability of the treated susceptible wood, bark and wood packaging material.

Article 14

Marking authorisation

1. Member States in whose territory there is a demarcated area shall authorise producers of wood packaging material adequately equipped to mark, in accordance with Annex II to the FAO International Standard for Phytosanitary Measures No 15, the wood packaging material they assemble from wood treated by an authorised treatment facility and accompanied by the plant passport referred to in Directive 92/105/EEC.

Those producers are referred to hereinafter as 'authorised wood packaging material producers'.

2. Authorised wood packaging material producers shall exclusively use wood from treatment facilities specifically authorised for this purpose and accompanied by the plant passport referred to in Directive 92/105/EEC for the production of wood packaging material and shall ensure that the wood used for that purpose can be traced back to those treatment facilities.

Article 15

Supervision of authorised treatment facilities and authorised wood packaging material producers

Member States shall supervise the authorised treatment facilities and the authorised wood packaging material producers to ensure that they correctly perform their tasks, as set out in their authorisation.

Member States shall ensure that that supervision is carried out by technically qualified personnel of the responsible official bodies or by any other technically qualified persons acting under the supervision of the responsible official bodies.

Article 16

Withdrawal of authorisations of authorised treatment facilities and authorised wood packaging material producers

1. Where the Member State which granted the authorisation becomes aware of the presence of PWN in susceptible wood, bark or wood packaging material treated by an authorised treatment facility, it shall immediately withdraw that authorisation.

Where the Member State which granted the authorisation becomes aware of the presence of PWN in susceptible wood packaging material marked by an authorised wood packaging material producer, it shall immediately withdraw that authorisation.

2. Without prejudice to paragraph 1, where the Member State which granted the authorisation becomes aware of the fact that an authorised treatment facility or an authorised wood packaging material producer does not correctly perform its tasks, as set out in its authorisation, it shall take the necessary measures to ensure that Articles 13 and 14 are complied with.

Article 17

List of authorised treatment facilities and authorised wood packaging material producers

1. Member States shall inform the Commission when they authorise a treatment facility in accordance with Article 13 or a wood packaging material producer in accordance with Article 14 and when they withdraw such an authorisation.

2. The Commission shall establish a list of the authorised treatment facilities and authorised wood packaging material producers and shall transmit that list to the Member States. Part A of that list shall set out the authorised treatment facilities. Part B of that list shall set out the authorised wood packaging material producers. That list shall be updated on the basis of the information received from the Member States.

Article 18

Repeal

Decision 2006/133/EC is repealed.

Article 19

Review

This Decision shall be reviewed by 31 July 2015 at the latest.

Article 20

Date of application

The second sentence of point 2(a) of Section 1 of Annex III and the second sentence of point 2(c) of Section 2 of that Annex shall apply from 1 January 2013.

Article 21

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 26 September 2012.

For the Commission

John DALLI

Member of the Commission

ANNEX I

Eradication measures provided for in Article 6

1. Member States shall in accordance with Article 6 take measures in the demarcated areas to eradicate PWN, as set out in points 2 to 10.

Member States shall include a detailed description of those measures in the communication provided for in Article 9(1).

2. When establishing a demarcated area, the Member State concerned shall immediately, in that area, create a zone with a minimum radius of 500 m around each susceptible plant in which PWN has been found to be present, hereinafter 'the clear-cut zone'. The actual radius of that zone shall be determined, for each susceptible plant in which PWN has been found to be present, based on the risk of transmission of PWN by the vector further than 500 m away from that susceptible plant.

In the clear-cut zone all susceptible plants shall be felled, removed and disposed of. The felling and destruction of those plants shall be carried out from the outside of the zone towards the centre. All necessary precautions shall be taken to avoid spreading PWN and its vector during felling.

All dead plants, all plants in poor health and a number of healthy-looking plants selected based on the risk of spreading the PWN in the particular case shall be sampled after felling. The sampling shall be carried out in several parts of each plant including the crown. All samples shall be tested for the presence of PWN.

3. Where a Member State concludes that creation of a 500 m-radius clear-cut zone, as referred to in point 2, has unacceptable social or environmental impacts, the minimum radius of the clear-cut zone may be reduced to 100 m around each susceptible plant in which PWN has been found to be present.

In exceptional cases of certain individual plants located within that clear-cut zone, where the Member State concludes that the felling of those plants is inappropriate, an alternative eradication measure may be applied to those plants only, offering the same level of protection against the spread of PWN. The reason for that conclusion and the description of that measure shall be notified to the Commission in the communication referred to in Article 9(1).

4. Where point 3 applies, all susceptible plants located between 100 m and 500 m from the susceptible plants in which PWN has been found to be present and exempted from felling, shall be subject to the following measures:

- (a) annual sampling and testing of those susceptible plants for the presence of PWN, using a sampling scheme able to confirm with 99 % reliability that the level of presence of PWN in those susceptible plants is below 0,1 %;
- (b) from the first year on until completion of eradication as provided for in Article 6(1) or until a decision to apply containment measures as provided for in Article 7(1), inspections every two months by Member States during the flight season of the vector of those susceptible plants for signs or symptoms of the presence of PWN, followed by sampling and testing of those plants for the presence of PWN where those signs or symptoms are observed.

The reasons for the conclusion referred to in point 3 and the description of the measures set out in points (a) and (b) shall be included in the communication provided for in Article 9(1).

5. Where a Member State has evidence that the vector is not present in its territory, based on surveys for the presence of the vector in its territory in the last three years, the minimum radius of the clear-cut zone shall be 100 m around each susceptible plant in which PWN has been found to be present, unless the surveys referred to in point 6 demonstrate the presence of the vector in the demarcated area.

That evidence shall be included in the communication provided for in Article 9(1).

6. Member States shall perform annual surveys of the susceptible plants and the vector in the demarcated areas by inspecting, sampling and testing those plants and the vector for the presence of PWN. Those surveys shall give particular attention to susceptible plants which are dead, in poor health or situated in fire- or storm-affected areas. Those surveys shall also include systematic sampling of healthy-looking susceptible plants. The intensity of the surveys 3 000 m around each susceptible plant in which PWN has been found shall be at least four times higher than from 3 000 m thereof to the outer limit of the buffer zone.

7. Member States shall, throughout the demarcated area, identify and fell all susceptible plants in which PWN has been found to be present, and those which are dead, in poor health or situated in fire- or storm-affected areas. They shall remove and dispose of plants felled and logging remains, taking all necessary precautions to avoid spreading of PWN and its vector until the end of felling. They shall respect the following conditions:

- (a) susceptible plants identified outside the flight season of the vector shall, before the next flight season, be felled and either destroyed on site or removed and their wood and bark treated, as set out in point 2(a) of Section 1 of Annex III, or processed, as set out in point 2(b) of Section 2 of Annex III;
- (b) susceptible plants identified during the flight season of the vector shall, immediately, be felled and either destroyed on site or removed and their wood and bark treated, as set out in point 2(a) of Section 1 of Annex III, or processed, as set out in point 2(b) of Section 2 of Annex III.

Felled susceptible plants in which PWN has not already been found to be present shall be sampled and tested for the presence of PWN, according to a sampling scheme able to confirm with 99 % reliability that the level of presence of PWN in those susceptible plants is below 0,1 %.

Where point 5 applies, Member States may, however, decide to sample and test for the presence of PWN the susceptible plants referred to in the first subparagraph without felling them, according to a sampling scheme able to confirm with 99 % reliability that the level of presence of PWN in those susceptible plants is below 0,1 %. The first sentence shall not apply to susceptible plants in which PWN has been found to be present.

8. As regards susceptible wood identified in the demarcated area during the flight season of the vector, as referred to in point 7(b), Member States shall strip logs of felled susceptible plants of their bark, or treat those logs with an insecticide known to be effective against the vector or cover those logs with an insect net drenched with such an insecticide immediately after felling. After stripping, treating or covering, the susceptible wood shall, under official supervision, immediately be moved to a storage place or to an authorised treatment facility. Wood, which was not stripped of its bark, shall, immediately, at its storage place or at the authorised treatment facility, once more, be treated with an insecticide known to be effective against the vector or covered with an insect net drenched in such an insecticide.

Wood waste produced at the time of felling of susceptible plants which is left on site shall be chipped into pieces of less than 3 cm thickness and width.

9. Member States shall remove and dispose of all susceptible plants grown in places of production of plants for planting where PWN has been detected since the beginning of the last complete growing cycle, taking all necessary precautions to avoid spreading of PWN and its vector during those activities.
10. Member States shall provide for a hygiene protocol for all vehicles transporting forest products and machinery for processing forest products, to ensure that PWN cannot be spread with those vehicles and machinery.
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ANNEX II

Containment measures provided for in Article 7

1. Member States shall in accordance with Article 7 take measures in the demarcated areas, which shall have a buffer zone having a width of at least 20 km, to contain PWN, as set out in points 2 and 3.

Member States shall include a detailed description of those measures in the communication provided for in Article 9(1).

2. Member States shall perform annual surveys of the susceptible plants and the vector in the infested zones by inspecting, sampling and testing those plants and the vector for the presence of PWN. Those surveys shall give particular attention to susceptible plants which are dead, in poor health or situated in fire- or storm-affected areas. Member States shall fell all susceptible plants in which PWN is found to be present and remove and dispose of those plants and their logging remains, taking all necessary precautions to avoid spreading of PWN and its vector.

3. Member States shall take the following measures in the buffer zones:

- (a) Member States shall perform annual surveys of the susceptible plants and the vector in the buffer zones by inspecting, sampling and testing those plants and the vector for the presence of PWN. Those surveys shall give particular attention to susceptible plants which are dead, in poor health or situated in fire- or storm-affected areas. Those surveys shall also include systematic sampling of healthy-looking susceptible plants.

- (b) Member States shall, throughout the concerned buffer zones, identify and fell all susceptible plants which are dead, in poor health or situated in fire- or storm-affected areas. They shall remove and dispose of plants felled and logging remains, taking all necessary precautions to avoid spreading of PWN and its vector up to and during felling and under the following conditions:

- (i) Susceptible plants identified outside the flight season of the vector shall, before the next flight season, be felled and destroyed on site, moved under official control into the infested zone or removed. In the last case the wood and bark of those plants shall either be treated, as set out in point 2(a) of Section 1 of Annex III, or processed, as set out in point 2(b) of Section 2 of Annex III.

- (ii) Susceptible plants identified during the flight season of the vector shall, immediately, be felled and destroyed on site, moved under official control into the infested zone or removed. In the last case the wood and bark of those plants shall either be treated, as set out in point 2(a) of Section 1 of Annex III, or processed, as set out in point 2(b) of Section 2 of Annex III.

Felled susceptible plants, other than plants completely destroyed by forest fires, shall be sampled and tested for the presence of PWN, according to a sampling scheme able to confirm with 99 % reliability that the level of presence of PWN in those susceptible plants is below 0,02 %.

- (c) As regards susceptible wood identified in the buffer zone during the flight season of the vector, as referred to in point 3(b), Member States shall strip logs of felled susceptible plants of their bark, or treat those logs with an insecticide known to be effective against the vector or cover those logs with an insect net drenched in such an insecticide immediately after felling. After stripping, treating or covering, the susceptible wood shall, under official supervision, immediately be moved to a storage place or to an authorised treatment facility. Wood, which was not stripped of its bark, shall, immediately, at its storage place or at the authorised treatment facility, once more, be treated with an insecticide known to be effective against the vector or covered with an insect net drenched in such an insecticide.

Wood waste produced at the time of felling of susceptible plants which is left on site shall be chipped into pieces of less than 3 cm thickness and width.

4. Member States shall provide for a hygiene protocol for all vehicles transporting forest products and machinery for processing forest products, to ensure that PWN cannot be spread with those vehicles and machinery.

ANNEX III

Conditions for movement of susceptible plants and susceptible wood and bark within the Union, as provided for in Article 10

SECTION 1

Conditions for movement of susceptible plants and susceptible wood and bark from demarcated areas into areas other than demarcated areas and from infested zones into buffer zones

1. Susceptible plants may be moved provided that those plants fulfil the following conditions:
 - (a) they have been grown in places of production where no PWN or its symptoms have been observed since the beginning of the last complete growing cycle;
 - (b) they have been grown throughout their life under complete physical protection ensuring that the vector cannot reach the plants;
 - (c) they have been officially inspected, tested, and found free from PWN and the vector;
 - (d) they are accompanied by a plant passport prepared and issued in accordance with Directive 92/105/EEC for destinations within the Union;
 - (e) they are transported outside the flight season of the vector or in closed containers or packaging ensuring that infestation with PWN or the vector cannot occur.
2. Susceptible wood and bark, with exception of wood packaging material, may be moved provided that that wood or bark fulfils the following conditions:
 - (a) It has undergone an appropriate heat treatment in an authorised treatment facility to achieve a minimum temperature of 56 °C for at least 30 minutes throughout that wood and bark ensuring freedom from live PWNs and live vectors. In the case of a composting heat treatment, the composting shall be carried out in accordance with a treatment specification approved in accordance with the procedure referred to in Article 18(2) of Directive 2000/29/EC.
 - (b) It is accompanied by the plant passport referred to in Directive 92/105/EEC and issued by an authorised treatment facility.
 - (c) It is moved outside the flight season of the vector or, except in the case of wood free from any bark, with a protective covering ensuring that infestation with PWN or the vector cannot occur.
3. Susceptible wood in the form of wood packaging material may be moved provided that that wood packaging material fulfils the following conditions:
 - (a) it has been subjected in an authorised treatment facility to one of the approved treatments, specified in Annex I to the FAO International Standard for Phytosanitary Measures No 15 on *Regulation of wood packaging material in international trade* ⁽¹⁾, ensuring freedom from live PWNs and live vectors;
 - (b) it is marked in accordance with Annex II to that International Standard.
4. By way of derogation from points 2 and 3, susceptible wood may be moved out of the demarcated area, or out of the infested zone into the buffer zone, to the authorised treatment facility located at the shortest distance from that demarcated area or infested zone for immediate treatment where no appropriate treatment facility is located inside that area or zone.

The derogation shall apply only if the following conditions are fulfilled:

 - (a) the management, treatment, storage and transport of felled susceptible plants in accordance with points 8 and 10 of Annex I, and point 3(c) and point 4 of Annex II, ensure that the vector cannot be present on or escape from that wood;
 - (b) the movements take place outside the flight season of the vector or with a protective covering ensuring that infestation of other plants, wood or bark with PWN or the vector cannot occur;
 - (c) the movements are subject to regular on-site control by the competent authorities.
5. By way of derogation from points 2 and 3, susceptible wood and bark chipped into pieces of less than 3 cm thickness and width may be moved out of the demarcated area to the authorised treatment facility located at the shortest distance from that area, or out of the infested zone into the buffer zone, to be used as fuel, provided that points (b) and (c) of the second subparagraph of point 4 are fulfilled.

⁽¹⁾ Secretariat of the International Plant Protection Convention (2009), International Standard for Phytosanitary Measures 15: Regulation of wood packaging material in international trade.

SECTION 2

Conditions for movement of susceptible plants and susceptible wood and bark within infested zones subject to eradication measures

1. Susceptible plants for planting may be moved provided that those plants fulfil the same conditions as set out in point 1 of Section 1.
2. Susceptible wood and bark may be moved in order for that wood or bark to be subjected to one of the following treatments:
 - (a) It is to be destroyed by burning in a nearby location within the demarcated area designated for this purpose.
 - (b) It is to be used in a processing facility as fuel or for other destructive purposes ensuring freedom from live PWNs and live vectors.
 - (c) It is to undergo an appropriate heat treatment in an authorised treatment facility to achieve a minimum temperature of 56 °C for at least 30 minutes throughout that wood and bark ensuring freedom from live PWNs and live vectors. In the case of a composting heat treatment, the composting shall be carried out in accordance with a treatment specification approved in accordance with the procedure referred to in Article 18(2) of Directive 2000/29/EC.

The following conditions shall apply to those movements:

- (a) the wood or bark is to be moved under official supervision and outside the flight season of the vector or with a protective covering ensuring that infestation of other plants, wood or bark with PWN or the vector cannot occur; or
- (b) wood or bark having undergone the treatment referred to in point (c) of the first paragraph may be moved, provided that it is accompanied by a plant passport issued by an authorised treatment facility.

This point shall neither apply to wood packaging material nor to susceptible wood obtained from plants individually tested and found free from PWN.

3. Susceptible wood in the form of wood packaging material may be moved if it fulfils the conditions set out in point 3 of Section 1.
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