

Official Journal of the European Union

L 14



English edition

Legislation

Volume 61

19 January 2018

Contents

II *Non-legislative acts*

REGULATIONS

- ★ **Council Regulation (EU) 2018/76 of 23 October 2017 on the allocation of fishing opportunities under the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius** 1
- ★ **Commission Implementing Regulation (EU) 2018/77 of 15 January 2018 concerning the classification of certain goods in the Combined Nomenclature** 3
- ★ **Commission Regulation (EU) 2018/78 of 16 January 2018 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 2-phenylphenol, bensulfuron-methyl, dimethachlor and lufenuron in or on certain products ⁽¹⁾** 6
- ★ **Commission Regulation (EU) 2018/79 of 18 January 2018 amending Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food ⁽¹⁾** 31
- Commission Implementing Regulation (EU) 2018/80 of 18 January 2018 on the minimum selling price for skimmed milk powder for the 16th partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) 2016/2080 35

⁽¹⁾ Text with EEA relevance.

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2018/76

of 23 October 2017

on the allocation of fishing opportunities under the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 28 January 2014, the Council adopted Decision 2014/146/EU ⁽¹⁾ on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ('the Agreement').
- (2) The first Protocol ⁽²⁾ to the Agreement set out, for a period of 3 years, the fishing opportunities granted to Union vessels in the fishing zone under the sovereignty or jurisdiction of the Republic of Mauritius ('Mauritius') and the financial contribution granted by the Union. The period of application of that Protocol expired on 27 January 2017.
- (3) In accordance with Council Decision (EU) 2017/1960 ⁽³⁾, a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius ('the Protocol') was signed on 8 December 2017.
- (4) The method for allocating the fishing opportunities among the Member States should be defined for the entire period of application of the Protocol.
- (5) Article 10(1) of Council Regulation (EC) No 1006/2008 ⁽⁴⁾ provides that the Commission is to inform the Member States concerned if it appears that the number of fishing authorisations or the amount of fishing opportunities allocated to the Union under the Protocol are not fully utilised, and request them to confirm not making use of those fishing opportunities. The absence of a reply within a set deadline is to be considered as confirmation that the vessels of the Member State concerned are not making full use of their fishing opportunities during the period in question. That deadline should be set.

⁽¹⁾ Council Decision 2014/146/EU of 28 January 2014 on the conclusion of the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 79, 18.3.2014, p. 2).

⁽²⁾ Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 79, 18.3.2014, p. 9).

⁽³⁾ Council Decision (EU) 2017/1960 of 23 October 2017 on the signing, on behalf of the Union, and provisional application of a Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (OJ L 279, 28.10.2017, p. 1).

⁽⁴⁾ Council Regulation (EC) No 1006/2008 of 29 September 2008 concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third country vessels to Community waters, amending Regulations (EEC) No 2847/93 and (EC) No 1627/94 and repealing Regulation (EC) No 3317/94 (OJ L 286, 29.10.2008, p. 33).

- (6) The Protocol will apply on a provisional basis from its date of signature, in order to ensure an expeditious start to fishing activities of Union vessels. This Regulation should therefore also apply from that date,

HAS ADOPTED THIS REGULATION:

Article 1

- (1) The fishing opportunities established under the Protocol shall be allocated among the Member States as follows:

- (a) tuna seiners:

Spain:	22 vessels
France:	16 vessels
Italy:	2 vessels

- (b) surface long-liners:

Spain:	12 vessels
France:	29 vessels
Portugal:	4 vessels

- (2) Regulation (EC) No 1006/2008 shall apply without prejudice to the Agreement and the Protocol.

- (3) If applications for fishing authorisations from the Member States referred to in paragraph 1 do not exhaust the fishing opportunities established by the Protocol, the Commission shall consider applications for fishing authorisations from any other Member State in accordance with Article 10 of Regulation (EC) No 1006/2008.

- (4) The deadline referred to in Article 10(1) of Regulation (EC) No 1006/2008 shall be set at 10 working days as from the date on which the Commission submits its request.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 8 December 2017.

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

Done at Luxembourg, 23 October 2017.

For the Council
The President
K. IVA

COMMISSION IMPLEMENTING REGULATION (EU) 2018/77
of 15 January 2018
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Article 57(4) and Article 58(2) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Council Regulation (EEC) No 2658/87 ⁽²⁾, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.
- (4) It is appropriate to provide that binding tariff information issued in respect of the goods concerned by this Regulation which does not conform to this Regulation may, for a certain period, continue to be invoked by the holder in accordance with Article 34(9) of Regulation (EU) No 952/2013. That period should be set at 3 months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information which does not conform to this Regulation may continue to be invoked in accordance with Article 34(9) of Regulation (EU) No 952/2013 for a period of 3 months from the date of entry into force of this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

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

Done at Brussels, 15 January 2018.

*For the Commission,
On behalf of the President,
Stephen QUEST
Director-General
Directorate-General for Taxation and Customs Union*

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
A cuboid textile article (so-called 'mattress cover') made of printed woven textile fabrics of man-made fibres (100 % polyester) which is a washable fabric, of a measurement of approximately 200 × 60 × 8 cm. The article has a zip closure along one of the long sides to enable a mattress to be inserted. On one of the long sides a textile handle is attached. See image (*).	6302 22 90	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 6302, 6302 22 and 6302 22 90. The article is made of washable material and has a zip closure enabling the removal of the article from the mattress at any time, and is thus suitable for laundering (see also Harmonised System Explanatory Notes (HSEN) to heading 6302, first paragraph). Consequently, it has the objective characteristics and properties of bedlinen. The article is therefore to be classified under CN code 6302 22 90 as 'bedlinen, other than knitted or crocheted, of man-made fibres'.

(*) The image is purely for information.



COMMISSION REGULATION (EU) 2018/78**of 16 January 2018****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 2-phenylphenol, bensulfuron-methyl, dimethachlor and lufenuron 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) and Article 49(2) thereof,

Whereas:

- (1) For 2-phenylphenol maximum residue levels (MRLs) were set in Annex II to Regulation (EC) No 396/2005. For dimethachlor and lufenuron MRLs were set in Part A of Annex III to that Regulation. For bensulfuron-methyl MRLs were not yet set before.
- (2) For 2-phenylphenol the European Food Safety Authority, hereinafter 'the Authority', submitted a reasoned opinion on the review of the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005 ⁽²⁾. It proposed to change the residue definition for plant products and recommended lowering the MRLs for muscle, fat, liver and kidney from swine, bovine and equine, and for milk from cattle and horse. It concluded that concerning the MRL for citrus, some information was not available and that further consideration by risk managers was required. As there is no risk for consumers, the MRL for this product should be set in Annex II to Regulation (EC) No 396/2005 at the existing level or the level identified by the Authority. As regards the MRL for pears the Codex maximum residue limit is safe for consumers. It is therefore appropriate to set the MRL for pears at the same level.
- (3) For bensulfuron-methyl the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005 ⁽³⁾. It recommended raising or keeping the existing MRLs.
- (4) For dimethachlor the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005 ⁽⁴⁾. It recommended raising or keeping the existing MRLs.
- (5) For lufenuron the Authority submitted a reasoned opinion on the existing MRLs in accordance with Article 12(1) of Regulation (EC) No 396/2005 ⁽⁵⁾. It proposed to change the residue definition for all products and recommended lowering the MRLs for citrus fruits, pome fruits, cherries sweet, plums, table grapes, wine grapes, figs, kaki/Japanese persimmons, kiwi fruits, potatoes, tomatoes, sweet peppers/bell peppers, cucumbers, courgettes and soya bean. For other products it recommended raising or keeping the existing MRLs. It concluded that concerning the MRLs for apricot, peaches, strawberries, gherkins, lamb's lettuces/corn salads, lettuces, escaroles/broad leaved endives, cresses and other sprouts and shoots, land cresses, roman rocket/rucola, red mustards, baby leaf crops (including *Brassica* species), liver and kidney from swine, bovine, sheep, goat, equine and poultry liver, some information was not available and that further consideration by risk managers was required.

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for 2-phenylphenol according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2017;15(1):4696.

⁽³⁾ European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for bensulfuron-methyl according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2016;14(10):4596.

⁽⁴⁾ European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for dimethachlor according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2016;14(11):4632.

⁽⁵⁾ European Food Safety Authority; Reasoned opinion on the review of the existing maximum residue levels for lufenuron according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2017;15(1):4652.

As there is no risk for consumers, the MRLs for those products should be set in Annex II to Regulation (EC) No 396/2005 at the existing level or the level identified by the Authority. These MRLs will be reviewed; the review will take into account the information available within two years from the publication of this Regulation.

- (6) As regards products on which the use of the plant protection product concerned is not authorised, and for which no import tolerances or Codex maximum residue limits (CXLs) exist, MRLs should be set at the specific limit of determination or the default MRL should apply, as provided for in Article 18(1)(b) of Regulation (EC) No 396/2005.
- (7) The Commission consulted the European Union reference laboratories for residues of pesticides as regards the need to adapt certain limits of determination. As regards several substances, those laboratories concluded that for certain commodities technical development requires the setting of specific limits of determination.
- (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) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.
- (10) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (11) In order to allow for the normal marketing, processing and consumption of products, this Regulation should provide for a transitional arrangement for products which have been produced before the modification of the MRLs and for which information shows that a high level of consumer protection is maintained.
- (12) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were lawfully produced before 8 August 2018.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 8 August 2018.

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

Done at Brussels, 16 January 2018.

For the Commission

The President

Jean-Claude JUNKER

ANNEX

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

(1) Annex II is amended as follows:

(a) the column for 2-phenylphenol is replaced by the following:

'Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	2-phenylphenol (sum of 2-phenylphenol and its conjugates, expressed as 2-phenylphenol) (R)
(1)	(2)	(3)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	
0110000	Citrus fruits	10
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others	
0120000	Tree nuts	0,01 (*)
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts/cobnuts	
0120070	Macadamias	
0120080	Pecans	
0120090	Pine nut kernels	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others	
0130000	Pome fruits	0,01 (*)
0130010	Apples	0,01 (*)
0130020	Pears	20
0130030	Quinces	0,01 (*)
0130040	Medlars	0,01 (*)
0130050	Loquats/Japanese medlars	0,01 (*)
0130990	Others	0,01 (*)

(1)	(2)	(3)
0140000	Stone fruits	0,01 (*)
0140010	Apricots	
0140020	Cherries (sweet)	
0140030	Peaches	
0140040	Plums	
0140990	Others	
0150000	Berries and small fruits	0,01 (*)
0151000	(a) <i>grapes</i>	
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) <i>strawberries</i>	
0153000	(c) <i>cane fruits</i>	
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others	
0154000	(d) <i>other small fruits and berries</i>	
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	
0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others	
0160000	Miscellaneous fruits with	0,01 (*)
0161000	(a) <i>edible peel</i>	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	
0161070	Jambuls/jambolans	
0161990	Others	

(1)	(2)	(3)
0162000	(b) <i>inedible peel, small</i>	
0162010	Kiwi fruits (green, red, yellow)	
0162020	Litchis/lychees	
0162030	Passionfruits/maracujas	
0162040	Prickly pears/cactus fruits	
0162050	Star apples/cainitos	
0162060	American persimmons/Virginia kaki	
0162990	Others	
0163000	(c) <i>inedible peel, large</i>	
0163010	Avocados	
0163020	Bananas	
0163030	Mangoes	
0163040	Papayas	
0163050	Granate apples/pomegranates	
0163060	Cherimoyas	
0163070	Guavas	
0163080	Pineapples	
0163090	Breadfruits	
0163100	Durians	
0163110	Soursops/guanabanas	
0163990	Others	
0200000	VEGETABLES, FRESH or FROZEN	
0210000	Root and tuber vegetables	0,01 (*)
0211000	(a) <i>potatoes</i>	
0212000	(b) <i>tropical root and tuber vegetables</i>	
0212010	Cassava roots/manioc	
0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroots	
0212990	Others	
0213000	(c) <i>other root and tuber vegetables except sugar beets</i>	
0213010	Beetroots	
0213020	Carrots	
0213030	Celeriacs/turnip rooted celeries	
0213040	Horseradishes	
0213050	Jerusalem artichokes	
0213060	Parsnips	
0213070	Parsley roots/Hamburg roots parsley	

(1)	(2)	(3)
0213080	Radishes	
0213090	Salsifies	
0213100	Swedes/rutabagas	
0213110	Turnips	
0213990	Others	
0220000	Bulb vegetables	0,01 (*)
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others	
0230000	Fruiting vegetables	0,01 (*)
0231000	(a) <i>solanacea</i>	
0231010	Tomatoes	
0231020	Sweet peppers/bell peppers	
0231030	Aubergines/eggplants	
0231040	Okra/lady's fingers	
0231990	Others	
0232000	(b) <i>cucurbits with edible peel</i>	
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes	
0232990	Others	
0233000	(c) <i>cucurbits with inedible peel</i>	
0233010	Melons	
0233020	Pumpkins	
0233030	Watermelons	
0233990	Others	
0234000	(d) <i>sweet corn</i>	
0239000	(e) <i>other fruiting vegetables</i>	
0240000	Brassica vegetables (excluding brassica roots and brassica baby leaf crops)	0,01 (*)
0241000	(a) <i>flowering brassica</i>	
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others	

(1)	(2)	(3)
0242000	(b) <i>head brassica</i>	
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others	
0243000	(c) <i>leafy brassica</i>	
0243010	Chinese cabbages/pe-tsai	
0243020	Kales	
0243990	Others	
0244000	(d) <i>kohlrabies</i>	
0250000	Leaf vegetables, herbs and edible flowers	
0251000	(a) <i>lettuces and salad plants</i>	0,01 (*)
0251010	Lamb's lettuces/corn salads	
0251020	Lettuces	
0251030	Escaroles/broad-leaved endives	
0251040	Cresses and other sprouts and shoots	
0251050	Land cresses	
0251060	Roman rocket/rucola	
0251070	Red mustards	
0251080	Baby leaf crops (including brassica species)	
0251990	Others	
0252000	(b) <i>spinaches and similar leaves</i>	0,01 (*)
0252010	Spinaches	
0252020	Purslanes	
0252030	Chards/beet leaves	
0252990	Others	
0253000	(c) <i>grape leaves and similar species</i>	0,01 (*)
0254000	(d) <i>watercresses</i>	0,01 (*)
0255000	(e) <i>witloofs/Belgian endives</i>	0,01 (*)
0256000	(f) <i>herbs and edible flowers</i>	0,02 (*)
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	
0256080	Basil and edible flowers	

(1)	(2)	(3)
0256090	Laurel/bay leave	
0256100	Tarragon	
0256990	Others	
0260000	Legume vegetables	0,01 (*)
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others	
0270000	Stem vegetables	0,01 (*)
0270010	Asparagus	
0270020	Cardoons	
0270030	Celeries	
0270040	Florence fennels	
0270050	Globe artichokes	
0270060	Leeks	
0270070	Rhubarbs	
0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others	
0280000	Fungi, mosses and lichens	0,01 (*)
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	Algae and prokaryotes organisms	0,01 (*)
0300000	PULSES	0,02 (*)
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others	
0400000	OILSEEDS AND OIL FRUITS	0,01 (*)
0401000	Oilseeds	
0401010	Linseeds	
0401020	Peanuts/groundnuts	
0401030	Poppy seeds	
0401040	Sesame seeds	
0401050	Sunflower seeds	

(1)	(2)	(3)
0401060	Rapeseeds/canola seeds	
0401070	Soyabeans	
0401080	Mustard seeds	
0401090	Cotton seeds	
0401100	Pumpkin seeds	
0401110	Safflower seeds	
0401120	Borage seeds	
0401130	Gold of pleasure seeds	
0401140	Hemp seeds	
0401150	Castor beans	
0401990	Others	
0402000	Oil fruits	
0402010	Olives for oil production	
0402020	Oil palms kernels	
0402030	Oil palms fruits	
0402040	Kapok	
0402990	Others	
0500000	CEREALS	0,02 (*)
0500010	Barley	
0500020	Buckwheat and other pseudo-cereals	
0500030	Maize/corn	
0500040	Common millet/proso millet	
0500050	Oat	
0500060	Rice	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat	
0500990	Others	
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,05 (*)
0610000	Teas	
0620000	Coffee beans	
0630000	Herbal infusions from	
0631000	(a) <i>flowers</i>	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others	

(1)	(2)	(3)
0632000	(b) <i>leaves and herbs</i>	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others	
0633000	(c) <i>roots</i>	
0633010	Valerian	
0633020	Ginseng	
0633990	Others	
0639000	(d) <i>any other parts of the plant</i>	
0640000	Cocoa beans	
0650000	Carobs/Saint John's breads	
0700000	HOPS	0,05 (*)
0800000	SPICES	
0810000	Seed spices	0,05 (*)
0810010	Anise/aniseed	
0810020	Black caraway/black cumin	
0810030	Celery	
0810040	Coriander	
0810050	Cumin	
0810060	Dill	
0810070	Fennel	
0810080	Fenugreek	
0810090	Nutmeg	
0810990	Others	
0820000	Fruit spices	0,05 (*)
0820010	Allspice/pimento	
0820020	Sichuan pepper	
0820030	Caraway	
0820040	Cardamom	
0820050	Juniper berry	
0820060	Peppercorn (black, green and white)	
0820070	Vanilla	
0820080	Tamarind	
0820990	Others	

(1)	(2)	(3)
0830000	Bark spices	0,05 (*)
0830010	Cinnamon	
0830990	Others	
0840000	Root and rhizome spices	
0840010	Liquorice	0,05 (*)
0840020	Ginger	0,05 (*)
0840030	Turmeric/curcuma	0,05 (*)
0840040	Horseradish	(+)
0840990	Others	0,05 (*)
0850000	Bud spices	0,05 (*)
0850010	Cloves	
0850020	Capers	
0850990	Others	
0860000	Flower pistil spices	0,05 (*)
0860010	Saffron	
0860990	Others	
0870000	Aril spices	0,05 (*)
0870010	Mace	
0870990	Others	
0900000	SUGAR PLANTS	0,01 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others	
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS	
1010000	Tissues from	0,01 (*)
1011000	(a) <i>swine</i>	
1011010	Muscle	
1011020	Fat tissue	
1011030	Liver	
1011040	Kidney	
1011050	Edible offals (other than liver and kidney)	
1011990	Others	
1012000	(b) <i>bovine</i>	
1012010	Muscle	
1012020	Fat tissue	

(1)	(2)	(3)
1012030	Liver	
1012040	Kidney	
1012050	Edible offals (other than liver and kidney)	
1012990	Others	
1013000	(c) <i>sheep</i>	
1013010	Muscle	
1013020	Fat tissue	
1013030	Liver	
1013040	Kidney	
1013050	Edible offals (other than liver and kidney)	
1013990	Others	
1014000	(d) <i>goat</i>	
1014010	Muscle	
1014020	Fat tissue	
1014030	Liver	
1014040	Kidney	
1014050	Edible offals (other than liver and kidney)	
1014990	Others	
1015000	(e) <i>equine</i>	
1015010	Muscle	
1015020	Fat tissue	
1015030	Liver	
1015040	Kidney	
1015050	Edible offals (other than liver and kidney)	
1015990	Others	
1016000	(f) <i>poultry</i>	
1016010	Muscle	
1016020	Fat tissue	
1016030	Liver	
1016040	Kidney	
1016050	Edible offals (other than liver and kidney)	
1016990	Others	
1017000	(g) <i>other farmed terrestrial animals</i>	
1017010	Muscle	
1017020	Fat tissue	
1017030	Liver	
1017040	Kidney	
1017050	Edible offals (other than liver and kidney)	
1017990	Others	

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

(*) Limit of analytical determination

(F) = Fat soluble

2-phenylphenol (sum of 2-phenylphenol and its conjugates, expressed as 2-phenylphenol)

(R) = The residue definition differs for the following combinations pesticide-code number:

2-phenylphenol - code 100000, except 1040000: 2-phenylphenol

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

0840040 Horseradish'

(b) the following columns for bensulfuron-methyl, dimethachlor and lufenuron are added:

'Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Bensulfuron-methyl	Dimethachlor	Lufenuron (any ratio of constituent isomers) (F)
(1)	(2)	(3)	(4)	(5)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	0,01 (*)	0,01 (*)	
0110000	Citrus fruits			0,01 (*)
0110010	Grapefruits			
0110020	Oranges			
0110030	Lemons			

(1)	(2)	(3)	(4)	(5)
0110040	Limes			
0110050	Mandarins			
0110990	Others			
0120000	Tree nuts			0,01 (*)
0120010	Almonds			
0120020	Brazil nuts			
0120030	Cashew nuts			
0120040	Chestnuts			
0120050	Coconuts			
0120060	Hazelnuts/cobnuts			
0120070	Macadamias			
0120080	Pecans			
0120090	Pine nut kernels			
0120100	Pistachios			
0120110	Walnuts			
0120990	Others			
0130000	Pome fruits			0,15
0130010	Apples			
0130020	Pears			
0130030	Quinces			
0130040	Medlars			
0130050	Loquats/Japanese medlars			
0130990	Others			
0140000	Stone fruits			
0140010	Apricots			0,2 (+)
0140020	Cherries (sweet)			0,01 (*)
0140030	Peaches			0,2 (+)
0140040	Plums			0,01 (*)
0140990	Others			0,01 (*)
0150000	Berries and small fruits			0,01 (*)
0151000	(a) <i>grapes</i>			
0151010	Table grapes			
0151020	Wine grapes			
0152000	(b) <i>strawberries</i>			
0153000	(c) <i>cane fruits</i>			
0153010	Blackberries			
0153020	Dewberries			
0153030	Raspberries (red and yellow)			
0153990	Others			

(1)	(2)	(3)	(4)	(5)
0154000	(d) <i>other small fruits and berries</i>			
0154010	Blueberries			
0154020	Cranberries			
0154030	Currants (black, red and white)			
0154040	Gooseberries (green, red and yellow)			
0154050	Rose hips			
0154060	Mulberries (black and white)			
0154070	Azaroles/Mediterranean medlars			
0154080	Elderberries			
0154990	Others			
0160000	Miscellaneous fruits with			0,01 (*)
0161000	(a) <i>edible peel</i>			
0161010	Dates			
0161020	Figs			
0161030	Table olives			
0161040	Kumquats			
0161050	Carambolas			
0161060	Kaki/Japanese persimmons			
0161070	Jambuls/jambolans			
0161990	Others			
0162000	(b) <i>inedible peel, small</i>			
0162010	Kiwi fruits (green, red, yellow)			
0162020	Litchis/lychees			
0162030	Passionfruits/maracujas			
0162040	Prickly pears/cactus fruits			
0162050	Star apples/cainitos			
0162060	American persimmons/Virginia kaki			
0162990	Others			
0163000	(c) <i>inedible peel, large</i>			
0163010	Avocados			
0163020	Bananas			
0163030	Mangoes			
0163040	Papayas			
0163050	Granate apples/pomegranates			
0163060	Cherimoyas			
0163070	Guavas			
0163080	Pineapples			
0163090	Breadfruits			

(1)	(2)	(3)	(4)	(5)
0163100	Durians			
0163110	Soursops/guanabanas			
0163990	Others			
0200000	VEGETABLES, FRESH or FROZEN			
0210000	Root and tuber vegetables	0,01 (*)	0,01 (*)	0,01 (*)
0211000	(a) <i>potatoes</i>			
0212000	(b) <i>tropical root and tuber vegetables</i>			
0212010	Cassava roots/manioc			
0212020	Sweet potatoes			
0212030	Yams			
0212040	Arrowroots			
0212990	Others			
0213000	(c) <i>other root and tuber vegetables except sugar beets</i>			
0213010	Beetroots			
0213020	Carrots			
0213030	Celeriacs/turnip rooted celeries			
0213040	Horseradishes			
0213050	Jerusalem artichokes			
0213060	Parsnips			
0213070	Parsley roots/Hamburg roots parsley			
0213080	Radishes			
0213090	Salsifies			
0213100	Swedes/rutabagas			
0213110	Turnips			
0213990	Others			
0220000	Bulb vegetables	0,01 (*)	0,01 (*)	0,01 (*)
0220010	Garlic			
0220020	Onions			
0220030	Shallots			
0220040	Spring onions/green onions and Welsh onions			
0220990	Others			
0230000	Fruiting vegetables	0,01 (*)	0,01 (*)	
0231000	(a) <i>solanacea</i>			
0231010	Tomatoes			0,4
0231020	Sweet peppers/bell peppers			0,8
0231030	Aubergines/eggplants			0,3
0231040	Okra/lady's fingers			0,01 (*)
0231990	Others			0,01 (*)

(1)	(2)	(3)	(4)	(5)
0232000	(b) <i>cucurbits with edible peel</i>			
0232010	Cucumbers			0,15
0232020	Gherkins			0,15
0232030	Courgettes			0,15
0232990	Others			0,01 (*)
0233000	(c) <i>cucurbits with inedible peel</i>			
0233010	Melons			0,4
0233020	Pumpkins			0,4
0233030	Watermelons			0,4
0233990	Others			0,01 (*)
0234000	(d) <i>sweet corn</i>			0,01 (*)
0239000	(e) <i>other fruiting vegetables</i>			0,01 (*)
0240000	Brassica vegetables (excluding brassica roots and brassica baby leaf crops)	0,01 (*)	0,01 (*)	0,01 (*)
0241000	(a) <i>flowering brassica</i>			
0241010	Broccoli			
0241020	Cauliflowers			
0241990	Others			
0242000	(b) <i>head brassica</i>			
0242010	Brussels sprouts			
0242020	Head cabbages			
0242990	Others			
0243000	(c) <i>leafy brassica</i>			
0243010	Chinese cabbages/pe-tsai			
0243020	Kales			
0243990	Others			
0244000	(d) <i>kohlrabies</i>			
0250000	Leaf vegetables, herbs and edible flowers			
0251000	(a) <i>lettuces and salad plants</i>	0,01 (*)	0,01 (*)	0,01 (*)
0251010	Lamb's lettuces/corn salads			
0251020	Lettuces			
0251030	Escaroles/broad-leaved endives			
0251040	Cresses and other sprouts and shoots			
0251050	Land cresses			
0251060	Roman rocket/rucola			
0251070	Red mustards			
0251080	Baby leaf crops (including brassica species)			
0251990	Others			

(1)	(2)	(3)	(4)	(5)
0252000	(b) <i>spinaches and similar leaves</i>	0,01 (*)	0,01 (*)	0,01 (*)
0252010	Spinaches			
0252020	Purslanes			
0252030	Chards/beet leaves			
0252990	Others			
0253000	(c) <i>grape leaves and similar species</i>	0,01 (*)	0,01 (*)	0,01 (*)
0254000	(d) <i>watercresses</i>	0,01 (*)	0,01 (*)	0,01 (*)
0255000	(e) <i>witloofs/Belgian endives</i>	0,01 (*)	0,01 (*)	0,01 (*)
0256000	(f) <i>herbs and edible flowers</i>	0,02 (*)	0,02 (*)	0,02 (*)
0256010	Chervil			
0256020	Chives			
0256030	Celery leaves			
0256040	Parsley			
0256050	Sage			
0256060	Rosemary			
0256070	Thyme			
0256080	Basil and edible flowers			
0256090	Laurel/bay leave			
0256100	Tarragon			
0256990	Others			
0260000	Legume vegetables	0,01 (*)	0,01 (*)	0,01 (*)
0260010	Beans (with pods)			
0260020	Beans (without pods)			
0260030	Peas (with pods)			
0260040	Peas (without pods)			
0260050	Lentils			
0260990	Others			
0270000	Stem vegetables	0,01 (*)	0,01 (*)	0,01 (*)
0270010	Asparagus			
0270020	Cardoons			
0270030	Celeries			
0270040	Florence fennels			
0270050	Globe artichokes			
0270060	Leeks			
0270070	Rhubarbs			
0270080	Bamboo shoots			
0270090	Palm hearts			
0270990	Others			

(1)	(2)	(3)	(4)	(5)
0280000	Fungi, mosses and lichens	0,01 (*)	0,01 (*)	0,01 (*)
0280010	Cultivated fungi			
0280020	Wild fungi			
0280990	Mosses and lichens			
0290000	Algae and prokaryotes organisms	0,01 (*)	0,01 (*)	0,01 (*)
0300000	PULSES	0,01 (*)	0,01 (*)	0,01 (*)
0300010	Beans			
0300020	Lentils			
0300030	Peas			
0300040	Lupins/lupini beans			
0300990	Others			
0400000	OILSEEDS AND OIL FRUITS	0,01 (*)		0,01 (*)
0401000	Oilseeds			
0401010	Linseeds		0,01 (*)	
0401020	Peanuts/groundnuts		0,01 (*)	
0401030	Poppy seeds		0,01 (*)	
0401040	Sesame seeds		0,01 (*)	
0401050	Sunflower seeds		0,01 (*)	
0401060	Rapeseeds/canola seeds		0,02 (*)	
0401070	Soyabeans		0,01 (*)	
0401080	Mustard seeds		0,02 (*)	
0401090	Cotton seeds		0,01 (*)	
0401100	Pumpkin seeds		0,01 (*)	
0401110	Safflower seeds		0,01 (*)	
0401120	Borage seeds		0,01 (*)	
0401130	Gold of pleasure seeds		0,02 (*)	
0401140	Hemp seeds		0,01 (*)	
0401150	Castor beans		0,01 (*)	
0401990	Others		0,01 (*)	
0402000	Oil fruits		0,01 (*)	
0402010	Olives for oil production			
0402020	Oil palms kernels			
0402030	Oil palms fruits			
0402040	Kapok			
0402990	Others			
0500000	CEREALS	0,01 (*)	0,01 (*)	0,01 (*)
0500010	Barley			
0500020	Buckwheat and other pseudo-cereals			
0500030	Maize/corn			

(1)	(2)	(3)	(4)	(5)
0500040	Common millet/proso millet			
0500050	Oat			
0500060	Rice			
0500070	Rye			
0500080	Sorghum			
0500090	Wheat			
0500990	Others			
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAR- OBS	0,05 (*)	0,05 (*)	0,05 (*)
0610000	Teas			
0620000	Coffee beans			
0630000	Herbal infusions from			
0631000	(a) <i>flowers</i>			
0631010	Chamomile			
0631020	Hibiscus/roselle			
0631030	Rose			
0631040	Jasmine			
0631050	Lime/linden			
0631990	Others			
0632000	(b) <i>leaves and herbs</i>			
0632010	Strawberry			
0632020	Rooibos			
0632030	Mate/maté			
0632990	Others			
0633000	(c) <i>roots</i>			
0633010	Valerian			
0633020	Ginseng			
0633990	Others			
0639000	(d) <i>any other parts of the plant</i>			
0640000	Cocoa beans			
0650000	Carobs/Saint John's breads			
0700000	HOPS	0,05 (*)	0,05 (*)	0,05 (*)
0800000	SPICES	0,05 (*)		
0810000	Seed spices		0,05 (*)	0,05 (*)
0810010	Anise/aniseed			
0810020	Black caraway/black cumin			

(1)	(2)	(3)	(4)	(5)
0810030	Celery			
0810040	Coriander			
0810050	Cumin			
0810060	Dill			
0810070	Fennel			
0810080	Fenugreek			
0810090	Nutmeg			
0810990	Others			
0820000	Fruit spices		0,05 (*)	0,05 (*)
0820010	Allspice/pimento			
0820020	Sichuan pepper			
0820030	Caraway			
0820040	Cardamom			
0820050	Juniper berry			
0820060	Peppercorn (black, green and white)			
0820070	Vanilla			
0820080	Tamarind			
0820990	Others			
0830000	Bark spices		0,05 (*)	0,05 (*)
0830010	Cinnamon			
0830990	Others			
0840000	Root and rhizome spices			
0840010	Liquorice		0,05 (*)	0,05 (*)
0840020	Ginger		0,05 (*)	0,05 (*)
0840030	Turmeric/curcuma		0,05 (*)	0,05 (*)
0840040	Horseradish	(+)	(+)	(+)
0840990	Others		0,05 (*)	0,05 (*)
0850000	Bud spices		0,05 (*)	0,05 (*)
0850010	Cloves			
0850020	Capers			
0850990	Others			
0860000	Flower pistil spices		0,05 (*)	0,05 (*)
0860010	Saffron			
0860990	Others			
0870000	Aril spices		0,05 (*)	0,05 (*)
0870010	Mace			
0870990	Others			

(1)	(2)	(3)	(4)	(5)
0900000	SUGAR PLANTS	0,01 (*)	0,01 (*)	0,01 (*)
0900010	Sugar beet roots			
0900020	Sugar canes			
0900030	Chicory roots			
0900990	Others			
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS			
1010000	Tissues from	0,01 (*)	0,01 (*)	
1011000	(a) <i>swine</i>			
1011010	Muscle			0,03
1011020	Fat tissue			0,7
1011030	Liver			0,04 (+)
1011040	Kidney			0,04 (+)
1011050	Edible offals (other than liver and kidney)			0,7
1011990	Others			0,02 (*)
1012000	(b) <i>bovine</i>			
1012010	Muscle			0,03
1012020	Fat tissue			0,7
1012030	Liver			0,04 (+)
1012040	Kidney			0,04 (+)
1012050	Edible offals (other than liver and kidney)			0,7
1012990	Others			0,02 (*)
1013000	(c) <i>sheep</i>			
1013010	Muscle			0,03
1013020	Fat tissue			0,7
1013030	Liver			0,04 (+)
1013040	Kidney			0,04 (+)
1013050	Edible offals (other than liver and kidney)			0,7
1013990	Others			0,02 (*)
1014000	(d) <i>goat</i>			
1014010	Muscle			0,03
1014020	Fat tissue			0,7
1014030	Liver			0,04 (+)
1014040	Kidney			0,04 (+)
1014050	Edible offals (other than liver and kidney)			0,7
1014990	Others			0,02 (*)
1015000	(e) <i>equine</i>			
1015010	Muscle			0,03
1015020	Fat tissue			0,7

(1)	(2)	(3)	(4)	(5)
1015030	Liver			0,04 (+)
1015040	Kidney			0,04 (+)
1015050	Edible offals (other than liver and kidney)			0,7
1015990	Others			0,02 (*)
1016000	(f) <i>poultry</i>			
1016010	Muscle			0,02 (*)
1016020	Fat tissue			0,04
1016030	Liver			0,02 (*) (+)
1016040	Kidney			0,02 (*) (+)
1016050	Edible offals (other than liver and kidney)			0,04
1016990	Others			0,02 (*)
1017000	(g) <i>other farmed terrestrial animals</i>			
1017010	Muscle			0,03
1017020	Fat tissue			0,7
1017030	Liver			0,04 (+)
1017040	Kidney			0,04 (+)
1017050	Edible offals (other than liver and kidney)			0,7
1017990	Others			0,02 (*)
1020000	Milk	0,01 (*)	0,01 (*)	0,1
1020010	Cattle			
1020020	Sheep			
1020030	Goat			
1020040	Horse			
1020990	Others			
1030000	Birds eggs	0,01 (*)	0,01 (*)	0,02 (*)
1030010	Chicken			
1030020	Duck			
1030030	Geese			
1030040	Quail			
1030990	Others			
1040000	Honey and other apiculture products	0,05 (*)	0,05 (*)	0,05 (*)
1050000	Amphibians and Reptiles	0,01 (*)	0,01 (*)	0,02 (*)
1060000	Terrestrial invertebrate animals	0,01 (*)	0,01 (*)	0,02 (*)
1070000	Wild terrestrial vertebrate animals	0,01 (*)	0,01 (*)	0,02 (*)

(*) Limit of analytical determination

(F) = Fat soluble

Bensulfuron-methyl

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

0840040 Horseradish

Dimethachlor

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

0840040 Horseradish**Lufenuron (any ratio of constituent isomers) (F)**

- (+) The European Food Safety Authority identified some information on residue trials as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 19 march 2020, or, if that information is not submitted by that date, the lack of it.

0140010 Apricots**0140030 Peaches**

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

0840040 Horseradish

- (+) The European Food Safety Authority identified some information on analytical methods as unavailable. When re-viewing the MRL, the Commission will take into account the information referred to in the first sentence, if it is submitted by 19 march 2020, or, if that information is not submitted by that date, the lack of it.

1011030 Liver**1011040 Kidney****1012030 Liver****1012040 Kidney****1013030 Liver****1013040 Kidney****1014030 Liver****1014040 Kidney****1015030 Liver****1015040 Kidney****1016030 Liver****1016040 Kidney****1017030 Liver****1017040 Kidney'**

(2) in Annex III, the columns for dimethachlor and lufenuron are deleted.

COMMISSION REGULATION (EU) 2018/79**of 18 January 2018****amending Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food****(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 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC ⁽¹⁾, and in particular Article 5(1)(a), (d), (e), (h) and (i), Article 11(3) and Article 12(6) thereof,

Whereas:

- (1) Commission Regulation (EU) No 10/2011 ⁽²⁾ ('the Regulation') establishes a Union list of authorised substances which may be used in plastic materials and articles intended to come into contact with food.
- (2) Since the last amendment to Regulation (EU) No 10/2011, the European Food Safety Authority ('the Authority') has published further scientific opinions on particular substances that may be used in food contact materials ('FCM') as well as on the permitted use of already authorised substances. In order to ensure that the Regulation (EU) No 10/2011 reflects the most recent findings of the Authority, that Regulation should be amended.
- (3) The Authority adopted a favourable scientific opinion ⁽³⁾ on the use of the substance (butadiene, styrene, methyl methacrylate, butyl acrylate) copolymer cross-linked with divinylbenzene or 1,3-butanediol dimethacrylate (FCM substance No 856 and CAS No 25101-28-4). The Authority concluded that the substance is not of a safety concern for the consumer if used as a polymeric additive at up to 40 % w/w in blends of styrene acrylonitrile copolymer (SAN)/poly(methyl methacrylate) (PMMA) repeat-use articles intended for contact at room temperature with aqueous, acidic and/or low alcoholic (< 20 %) foodstuffs for less than 1 day and with dry foodstuffs for any duration of contact including long-term storage. The current authorisation of this substance should be extended to include that use, provided that those specifications are met.
- (4) The Authority adopted a favourable scientific opinion ⁽⁴⁾ on the use of the monomer 2,4,4'-trifluorobenzophenone (FCM substance No 1061 and CAS No 80512-44-3). The Authority concluded that this substance is not of a safety concern for the consumer if used as co-monomer up to 0,3 % w/w based on the final material in the manufacture of polyether ether ketone plastics. That monomer should therefore be included in the Union list of authorised substances with the restriction that this specification should be met.
- (5) The Authority adopted a favourable scientific opinion ⁽⁵⁾ on the use of the monomer 2,3,3,4,4,5,5-heptafluoro-1-pentene (FCM substance No 1063 and CAS No 1547-26-8). The Authority concluded that the substance is not of a safety concern for the consumer if used as co-monomer together with tetrafluoroethylene and/or ethylene co-monomers to manufacture fluorocopolymers that are only intended to be applied as polymer processing aids at up to 0,2 % w/w of the FCM. For this application, the low molecular mass fraction below 1 500 Da in the fluorocopolymer should be no greater than 30 mg/kg. That monomer should be included in the Union list of authorised substances with the restriction that those specifications should be met.
- (6) The Authority adopted a favourable scientific opinion ⁽⁶⁾ on the use of the substance tungsten oxide (WO_n (n = 2,72-2,90)) (FCM substance No 1064 and CAS No 39318-18-8). The Authority concluded that the substance is not of a safety concern for the consumer if the additive is used as a reheat agent in polyethylene terephthalate (PET). The Authority considered that due to the insolubility of the substance, low migration

⁽¹⁾ OJ L 338, 13.11.2004, p. 4.

⁽²⁾ Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food (OJ L 12, 15.1.2011, p. 1).

⁽³⁾ EFSA Journal 2016;14(11):4637.

⁽⁴⁾ EFSA Journal 2016;14(7):4532.

⁽⁵⁾ EFSA Journal 2016;14(10):4582.

⁽⁶⁾ EFSA Journal 2017;15(1):4661.

is expected for any foreseeable use as a reheat additive in PET. Therefore, verification of the migration limit is not necessary. For other technical functions or for use in other polymers, the Authority concluded that the migration should not exceed 0,05 mg/kg (expressed as tungsten). That substance should be included in the Union list of authorised substances with the restriction that those specifications should be met.

- (7) The Authority adopted a favourable scientific opinion ⁽¹⁾ on the use of the mixture of methyl-branched and linear C₁₄-C₁₈ alkanamides, derived from fatty acids (FCM substance No 1065 and CAS No 85711-28-0). The Authority concluded that the substance is not of a safety concern for the consumer if used in the manufacture of polyolefin articles intended for contact with all foodstuffs other than fatty foods (as defined by simulant D2) and when its migration does not exceed 5 mg/kg food. That mixture should therefore be included in the Union list of authorised substances with the restriction that these specifications should be met.
- (8) Annex I to Regulation (EU) No 10/2011 should therefore be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 10/2011 is amended in accordance with the Annex to this Regulation.

Article 2

Plastic materials and articles complying with Regulation (EU) No 10/2011 as applicable before the entry into force of this Regulation, may be placed on the market until 8 February 2019 and may remain on the market until exhaustion of stocks.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 18 January 2018.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ EFSA Journal 2017;15(2):4724.

ANNEX

Annex I to Regulation (EU) No 10/2011 is amended as follows:

(1) in point 1, Table 1 is amended as follows:

(a) the entry concerning FCM substance No 856 is replaced by the following:

'856	40563	25101-28-4	(butadiene, styrene, methyl methacrylate, butyl acrylate) copolymer cross-linked with divinylbenzene or 1,3-butanediol dimethacrylate	yes	no	no			Only to be used in: — rigid poly(vinyl chloride) (PVC) at a maximum level of 12 % at room temperature or below; or — at up to 40 % w/w in blends of styrene acrylonitrile copolymer (SAN)/poly(methyl methacrylate) (PMMA) repeat-use articles at room temperature or below, and when either in contact only with aqueous, acidic and/or low alcoholic (< 20 %) food-stuffs for less than 1 day, or when in contact only with dry food-stuffs for any duration of time.'
------	-------	------------	---	-----	----	----	--	--	--

(b) the following entries are inserted in numerical order of the FCM substance numbers:

'1061		80512-44-3	2,4,4'-tri-fluoroben-zophenone	no	yes	no			Only to be used as a co-monomer in the manufacture of polyether ether ketone plastics up to 0,3 % w/w of the final material.	
1063		1547-26-8	2,3,3,4,4,5,5-hepta-fluoro-1-pentene	no	yes	no			Only to be used together with tetrafluoroethylene and/or ethylene co-monomers to manufacture fluorocopoly-mers for application as poly-mer processing aid at up to 0,2 % w/w of the food contact material, and when the low-molecular mass fraction below 1 500 Da in the fluorocopolymer does not ex-ceed 30 mg/kg.	
1064		39318-18-8	tungsten oxide	yes	no	no	0,05		Stoichiometry: WO _n , n = 2,72-2,90	(25)

1065		85711-28-0	mixture of methyl-branched and linear C ₁₄ -C ₁₈ alkanamides, derived from fatty acids	yes	no	no	5		Only to be used in the manufacture of articles made of polyolefins, and which do not come into contact with foods for which food simulant D2 is assigned in Table 2 of Annex III.	(26)
------	--	------------	--	-----	----	----	---	--	---	------

(2) in point 3, in Table 3, the following entries are added:

(25)	When used as reheat agent in polyethylene terephthalate (PET) verification of compliance with the specific migration limit is not required; in all other cases compliance with the specific migration limit shall be verified in accordance with Article 18; the specific migration limit is expressed as mg tungsten/kg food.
(26)	Migration of stearamide, listed in Table 1 under FCM substance No 306 to which no specific migration limit applies, shall be excluded from verification of the compliance of the migration of the mixture with the specific migration limit laid down for the mixture.'

COMMISSION IMPLEMENTING REGULATION (EU) 2018/80**of 18 January 2018****on the minimum selling price for skimmed milk powder for the 16th partial invitation to tender within the tendering procedure opened by Implementing Regulation (EU) 2016/2080**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,Having regard to Commission Implementing Regulation (EU) 2016/1240 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage ⁽²⁾, and in particular Article 32 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2080 ⁽³⁾ has opened the sale of skimmed milk powder by a tendering procedure.
- (2) In the light of the tenders received for the 16th partial invitation to tender, a minimum selling price should be fixed.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

For the 16th partial invitation to tender for the selling of skimmed milk powder within the tendering procedure opened by Implementing Regulation (EU) 2016/2080, in respect of which the period during which tenders were to be submitted ended on 16 January 2018, the minimum selling price shall be 119,00 EUR/100 kg.

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, 18 January 2018.

*For the Commission,
On behalf of the President,
Jerzy PLEWA*

*Director-General
Directorate-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 206, 30.7.2016, p. 71.

⁽³⁾ Commission Implementing Regulation (EU) 2016/2080 of 25 November 2016 opening the sale of skimmed milk powder by a tendering procedure (OJ L 321, 29.11.2016, p. 45).

ISSN 1977-0677 (electronic edition)
ISSN 1725-2555 (paper edition)



Publications Office of the European Union
2985 Luxembourg
LUXEMBOURG

EN