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⁽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.

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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) 2023/163

of 18 January 2023

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 DDT and oxathiapiprolin 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), point (a), and Article 16 thereof,

Whereas:

- (1) For oxathiapiprolin, maximum residue levels ('MRLs') were set in Annex II to Regulation (EC) No 396/2005. For DDT, MRLs were set in in Annex II and Part B of Annex III to that Regulation, depending on the product.
- (2) An application for import tolerance pursuant to Article 6(2) and (4) of Regulation (EC) No 396/2005 was submitted for oxathiapiprolin used in the United States on blueberries. The applicant provided data showing that the authorised uses of that substance on this crop in the United States lead to residues exceeding the MRL contained in Regulation (EC) No 396/2005 and that a higher MRL is necessary to avoid trade barriers for the importation into the Union of that crop.
- (3) In accordance with Article 8 of Regulation (EC) No 396/2005, this application was evaluated by the Member State concerned and the evaluation report was forwarded to the Commission.
- (4) The European Food Safety Authority ('the Authority') assessed the application and the evaluation report, examining in particular the risks to consumers and, where relevant, to animals, and gave a reasoned opinion on the proposed MRL ⁽²⁾. It forwarded this opinion to the applicant, the Commission and the Member States and made them available to the public.
- (5) The Authority concluded that all requirements with respect to completeness of data submission were met and that the modification to the MRL requested by the applicant was acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. In so concluding, the Authority took into account the most recent data on the toxicological properties of the substance. Neither the long-term exposure to this substance via consumption of all food products that may contain it, nor the short-term exposure due to high consumption of the relevant product showed a risk that the acceptable daily intake or the acute reference dose is exceeded.

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ EFSA scientific reports are available online: <http://www.efsa.europa.eu>.

Reasoned Opinion on the setting of an import tolerance for oxathiapiprolin in blueberries. *EFSA Journal* 2022;20(5):7347.

- (6) Based on the reasoned opinion of the Authority and taking into account the relevant factors listed in Article 14(2) of Regulation (EC) No 396/2005, the proposed modification to the MRLs fulfils the requirements of Article 14(2) of Regulation (EC) No 396/2005.
- (7) As regards DDT, this active substance is a persistent organic pollutant (POP), and as such the placing on the market and use of plant protection products containing it was prohibited by Commission Directive 83/131/EEC ⁽³⁾. Nevertheless, despite the fact that DDT is no longer used in the Union, it can still be detected at very low levels in some plant and animal products due to its persistency in the environment. Therefore, MRLs were set for DDT in all products of plant and animal origin by Commission Regulation (EC) No 149/2008 ⁽⁴⁾. That Regulation set the MRLs for commodities from swine (which include farmed wild boars) at 1 mg/kg, and the MRL for wild terrestrial animals (which include wild boars) at 0,05 mg/kg.
- (8) The Authority provided to the Commission monitoring data ranging from 2016 to 2020, showing that residues of DDT occur in wild boar products at levels higher than the current MRL for wild terrestrial animals, but in the same order of magnitude as the current MRL set for swine. Based on those most recent monitoring data, which reflect persistent levels in the environment, and in order to allow consistency in enforcement action taken by Member States, it is appropriate to align the existing MRL for DDT in wild boars with the MRL for that substance in swine.
- (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 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

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 2023.

For the Commission
The President
Ursula VON DER LEYEN

⁽³⁾ Commission Directive 83/131/EEC of 14 March 1983 amending the Annex to Council Directive 79/117/EEC prohibiting the placing on the market and use of plant protection products containing certain active substances (OJ L 91, 9.4.1983, p. 35).

⁽⁴⁾ Commission Regulation (EC) No 149/2008 of 29 January 2008 amending Regulation (EC) No 396/2005 of the European Parliament and of the Council by establishing Annexes II, III and IV setting maximum residue levels for products covered by Annex I thereto (OJ L 58, 1.3.2008, p. 1).

ANNEX

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

(1) in Annex II, the columns for DDT and oxathiapiprolin 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)	DDT (sum of p,p'-DDT, o,p'-DDT, p,p'-DDE and p,p'-DDE (DDD) expressed as DDT) ^(f)	Oxathiapiprolin
(1)	(2)	(3)	(4)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	0,05 (*)	
0110000	Citrus fruits		0,05
0110010	Grapefruits		
0110020	Oranges		
0110030	Lemons		
0110040	Limes		
0110050	Mandarins		
0110990	Others (2)		
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 (2)		
0130000	Pome fruits		0,01 (*)
0130010	Apples		
0130020	Pears		
0130030	Quinces		
0130040	Medlars	(**)	
0130050	Loquats/Japanese medlars	(**)	
0130990	Others (2)		

(1)	(2)	(3)	(4)
0140000	Stone fruits		0,01 (*)
0140010	Apricots		
0140020	Cherries (sweet)		
0140030	Peaches		
0140040	Plums		
0140990	Others (2)		
0150000	Berries and small fruits		
0151000	(a) grapes		0,7
0151010	Table grapes		
0151020	Wine grapes		
0152000	(b) strawberries		0,01 (*)
0153000	(c) cane fruits		
0153010	Blackberries		0,5
0153020	Dewberries		0,01 (*)
0153030	Raspberries (red and yellow)		0,5
0153990	Others (2)		0,01 (*)
0154000	(d) other small fruits and berries		
0154010	Blueberries		0,5
0154020	Cranberries		0,01 (*)
0154030	Currants (black, red and white)		0,01 (*)
0154040	Gooseberries (green, red and yellow)		0,01 (*)
0154050	Rose hips	(**)	0,01 (*)
0154060	Mulberries (black and white)	(**)	0,01 (*)
0154070	Azaroles/Mediterranean medlars	(**)	0,01 (*)
0154080	Elderberries	(**)	0,01 (*)
0154990	Others (2)		0,01 (*)
0160000	Miscellaneous fruitswith		0,01 (*)
0161000	(a) edible peel		
0161010	Dates		
0161020	Figs		
0161030	Table olives		
0161040	Kumquats		
0161050	Carambolas	(**)	
0161060	Kaki/Japanese persimmons	(**)	
0161070	Jambuls/jambolans	(**)	
0161990	Others (2)		
0162000	(b) inedible peel, small		
0162010	Kiwi fruits (green, red, yellow)		
0162020	Litchis/lychees		

(1)	(2)	(3)	(4)
0162030	Passionfruits/maracujas		
0162040	Prickly pears/cactus fruits	(**)	
0162050	Star apples/cainitos	(**)	
0162060	American persimmons/Virginia kaki	(**)	
0162990	Others (2)		
0163000	(c) inedible peel, large		
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 (2)		
0200000	VEGETABLES, FRESH or FROZEN	0,05 (*)	
0210000	Root and tuber vegetables		0,01 (*)
0211000	(a) potatoes		
0212000	(b) tropical root and tuber vegetables		
0212010	Cassava roots/manioc		
0212020	Sweet potatoes		
0212030	Yams		
0212040	Arrowroots	(**)	
0212990	Others (2)		
0213000	(c) other root and tuber vegetables except sugar beets		
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		

(1)	(2)	(3)	(4)
0213110	Turnips		
0213990	Others (2)		
0220000	Bulb vegetables		
0220010	Garlic		0,04
0220020	Onions		0,04
0220030	Shallots		0,04
0220040	Spring onions/green onions and Welsh onions		2
0220990	Others (2)		0,04
0230000	Fruiting vegetables		
0231000	(a) Solanaceae and Malvaceae		
0231010	Tomatoes		0,4
0231020	Sweet peppers/bell peppers		0,2
0231030	Aubergines/eggplants		0,4
0231040	Okra/lady's fingers		0,2
0231990	Others (2)		0,2
0232000	(b) cucurbits with edible peel		0,2
0232010	Cucumbers		
0232020	Gherkins		
0232030	Courgettes		
0232990	Others (2)		
0233000	(c) cucurbits with inedible peel		0,2
0233010	Melons		
0233020	Pumpkins		
0233030	Watermelons		
0233990	Others (2)		
0234000	(d) sweet corn		0,01 (*)
0239000	(e) other fruiting vegetables		0,01 (*)
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)		
0241000	(a) flowering brassica		1,5
0241010	Broccoli		
0241020	Cauliflowers		
0241990	Others (2)		
0242000	(b) head brassica		
0242010	Brussels sprouts		0,01 (*)
0242020	Head cabbages		0,7
0242990	Others (2)		0,01 (*)

(1)	(2)	(3)	(4)
0243000	(c) leafy brassica		
0243010	Chinese cabbages/pe-tsai		9
0243020	Kales		0,01 (*)
0243990	Others (2)		0,01 (*)
0244000	(d) kohlrabies		0,01 (*)
0250000	Leaf vegetables, herbs and edible flowers		
0251000	(a) lettuces and salad plants		5
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 (2)		
0252000	(b) spinaches and similar leaves		15
0252010	Spinaches		
0252020	Purslanes	(**)	
0252030	Chards/beet leaves		
0252990	Others (2)		
0253000	(c) grape leaves and similar species	(**)	40
0254000	(d) watercresses		0,01 (*)
0255000	(e) witloofs/Belgian endives		0,01 (*)
0256000	(f) herbs and edible flowers		
0256010	Chervil		0,02 (*)
0256020	Chives		0,02 (*)
0256030	Celery leaves		0,02 (*)
0256040	Parsley		0,02 (*)
0256050	Sage	(**)	0,02 (*)
0256060	Rosemary	(**)	0,02 (*)
0256070	Thyme	(**)	0,02 (*)
0256080	Basil and edible flowers	(**)	10
0256090	Laurel/bay leaves	(**)	0,02 (*)
0256100	Tarragon	(**)	0,02 (*)
0256990	Others (2)		0,02 (*)

(1)	(2)	(3)	(4)
0260000	Legume vegetables		
0260010	Beans (with pods)		0,01 (*)
0260020	Beans (without pods)		0,01 (*)
0260030	Peas (with pods)		1
0260040	Peas (without pods)		0,01 (*)
0260050	Lentils		0,01 (*)
0260990	Others (2)		0,01 (*)
0270000	Stem vegetables		
0270010	Asparagus		2
0270020	Cardoons		0,01 (*)
0270030	Celeries		0,01 (*)
0270040	Florence fennels		0,01 (*)
0270050	Globe artichokes		0,01 (*)
0270060	Leeks		2
0270070	Rhubarbs		0,01 (*)
0270080	Bamboo shoots	(**)	0,01 (*)
0270090	Palm hearts	(**)	0,01 (*)
0270990	Others (2)		0,01 (*)
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	0,05 (*)	0,01 (*)
0300010	Beans		
0300020	Lentils		
0300030	Peas		
0300040	Lupins/lupini beans		
0300990	Others (2)		
0400000	OILSEEDS AND OIL FRUITS	0,05 (*)	0,01 (*)
0401000	Oilseeds		
0401010	Linseeds		
0401020	Peanuts/groundnuts		
0401030	Poppy seeds		
0401040	Sesame seeds		
0401050	Sunflower seeds		
0401060	Rapeseeds/canola seeds		
0401070	Soyabeans		
0401080	Mustard seeds		

(1)	(2)	(3)	(4)
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 (2)		
0402000	Oil fruits		
0402010	Olives for oil production		
0402020	Oil palms kernels	(**)	
0402030	Oil palms fruits	(**)	
0402040	Kapok	(**)	
0402990	Others (2)		
0500000	CEREALS	0,05 (*)	0,01 (*)
0500010	Barley		
0500020	Buckwheat and other pseudocereals		
0500030	Maize/corn		
0500040	Common millet/proso millet		
0500050	Oat		
0500060	Rice		
0500070	Rye		
0500080	Sorghum		
0500090	Wheat		
0500990	Others (2)		
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS		
0610000	Teas	0,2 (*)	0,05 (*)
0620000	Coffee beans	(**)	0,05 (*)
0630000	Herbal infusions from		
0631000	(a) flowers	(**)	0,05 (*)
0631010	Chamomile	(**)	
0631020	Hibiscus/roselle	(**)	
0631030	Rose	(**)	
0631040	Jasmine	(**)	
0631050	Lime/linden	(**)	
0631990	Others (2)	(**)	
0632000	(b) leaves and herbs	(**)	0,05 (*)
0632010	Strawberry	(**)	

(1)	(2)	(3)	(4)
0632020	Rooibos	(**)	
0632030	Mate/maté	(**)	
0632990	Others (2)	(**)	
0633000	(c) roots	(**)	
0633010	Valerian	(**)	0,05 (*)
0633020	Ginseng	(**)	0,15
0633990	Others (2)	(**)	0,05 (*)
0639000	(d) any other parts of the plant	(**)	0,05 (*)
0640000	Cocoa beans	(**)	0,05 (*)
0650000	Carobs/Saint John's breads	(**)	0,05 (*)
0700000	HOPS	0,05 (*)	8
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 (2)	(**)	
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 (2)	(**)	
0830000	Bark spices	(**)	0,05 (*)
0830010	Cinnamon	(**)	
0830990	Others (2)	(**)	
0840000	Root and rhizome spices	(**)	
0840010	Liquorice	(**)	0,05 (*)
0840020	Ginger (10)	(**)	

(1)	(2)	(3)	(4)
0840030	Turmeric/curcuma	(**)	0,05 (*)
0840040	Horseradish (11)	(**)	
0840990	Others (2)	(**)	0,05 (*)
0850000	Bud spices	(**)	0,05 (*)
0850010	Cloves	(**)	
0850020	Capers	(**)	
0850990	Others (2)	(**)	
0860000	Flower pistil spices	(**)	0,05 (*)
0860010	Saffron	(**)	
0860990	Others (2)	(**)	
0870000	Aril spices	(**)	0,05 (*)
0870010	Mace	(**)	
0870990	Others (2)	(**)	
0900000	SUGAR PLANTS	(**)	0,01 (*)
0900010	Sugar beet roots	(**)	
0900020	Sugar canes	(**)	
0900030	Chicory roots	(**)	
0900990	Others (2)	(**)	
1000000	PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS		
1010000	Commodities from	1	0,01 (*)
1011000	(a) swine		
1011010	Muscle		
1011020	Fat		
1011030	Liver		
1011040	Kidney		
1011050	Edible offals (other than liver and kidney)		
1011990	Others (2)		
1012000	(b) bovine		
1012010	Muscle		
1012020	Fat		
1012030	Liver		
1012040	Kidney		
1012050	Edible offals (other than liver and kidney)		
1012990	Others (2)		
1013000	(c) sheep		
1013010	Muscle		
1013020	Fat		

(1)	(2)	(3)	(4)
1013030	Liver		
1013040	Kidney		
1013050	Edible offals (other than liver and kidney)		
1013990	Others (2)		
1014000	d) goat		
1014010	Muscle		
1014020	Fat		
1014030	Liver		
1014040	Kidney		
1014050	Edible offals (other than liver and kidney)		
1014990	Others (2)		
1015000	(e) equine	(**)	
1015010	Muscle	(**)	
1015020	Fat	(**)	
1015030	Liver	(**)	
1015040	Kidney	(**)	
1015050	Edible offals (other than liver and kidney)	(**)	
1015990	Others (2)	(**)	
1016000	(f) poultry		
1016010	Muscle		
1016020	Fat		
1016030	Liver		
1016040	Kidney		
1016050	Edible offals (other than liver and kidney)		
1016990	Others (2)		
1017000	(g) other farmed terrestrial animals	(**)	
1017010	Muscle	(**)	
1017020	Fat	(**)	
1017030	Liver	(**)	
1017040	Kidney	(**)	
1017050	Edible offals (other than liver and kidney)	(**)	
1017990	Others (2)	(**)	
1020000	Milk	0,04	0,01 (*)
1020010	Cattle		
1020020	Sheep		
1020030	Goat		

(1)	(2)	(3)	(4)
1020040	Horse		
1020990	Others (2)		
1030000	Birds eggs	0,05	0,01 (*)
1030010	Chicken		
1030020	Duck	(**)	
1030030	Geese	(**)	
1030040	Quail	(**)	
1030990	Others (2)	(**)	
1040000	Honey and other apiculture products (7)	(**)	0,05 (*)
1050000	Amphibians and Reptiles	(**)	0,01 (*)
1060000	Terrestrial invertebrate animals	(**)	0,01 (*)
1070000	Wild terrestrial vertebrate animals	(**)(+)	0,01 (*)
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)		
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)		
1300000	PROCESSED FOOD PRODUCTS (9)		

(*) Indicates lower limit of analytical determination

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

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

DDT (sum of p,p'-DDT, o,p'-DDT, p-p'-DDE and p,p'-TDE (DDD) expressed as DDT) (F)

(F) Fat soluble

For wild boar, the same MRL as for swine applies.

1070000 Wild terrestrial vertebrate animals'

(2) in Part B of Annex III, the column for DDT 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 (^e)	DDT (sum of p,p'-DDT, o,p'-DDT, p-p'-DDE and p,p'-TDE (DDD) expressed as DDT) (F)
(1)	(2)	(3)
0130040	Medlars	0,05 (*)
0130050	Loquats/Japanese medlars	0,05 (*)
0154050	Rose hips	0,05 (*)

(1)	(2)	(3)
0154060	Mulberries (black and white)	0,05 (*)
0154070	Azaroles/Mediterranean medlars	0,05 (*)
0154080	Elderberries	0,05 (*)
0161050	Carambolas	0,05 (*)
0161060	Kaki/Japanese persimmons	0,05 (*)
0161070	Jambuls/jambolans	0,05 (*)
0162040	Prickly pears/cactus fruits	0,05 (*)
0162050	Star apples/cainitos	0,05 (*)
0162060	American persimmons/Virginia kaki	0,05 (*)
0163060	Cherimoyas	0,05 (*)
0163070	Guavas	0,05 (*)
0163090	Breadfruits	0,05 (*)
0163100	Durians	0,05 (*)
0163110	Soursops/guanabanas	0,05 (*)
0212040	Arrowroots	0,05 (*)
0251050	Land cresses	0,05 (*)
0251070	Red mustards	0,05 (*)
0252020	Purslanes	0,05 (*)
0253000	(c) grape leaves and similar species	0,05 (*)
0256050	Sage	0,05 (*)
0256060	Rosemary	0,05 (*)
0256070	Thyme	0,05 (*)
0256080	Basil and edible flowers	0,05 (*)
0256090	Laurel/bay leaves	0,05 (*)
0256100	Tarragon	0,05 (*)
0270080	Bamboo shoots	0,05 (*)
0270090	Palm hearts	0,05 (*)
0290000	Algae and prokaryotes organisms	0,05 (*)
0401110	Safflower seeds	0,05 (*)
0401120	Borage seeds	0,05 (*)
0401130	Gold of pleasure seeds	0,05 (*)
0401150	Castor beans	0,05 (*)
0402020	Oil palms kernels	0,05 (*)
0402030	Oil palms fruits	0,05 (*)
0402040	Kapok	0,05 (*)
0620000	Coffee beans	1
0630000	Herbal infusions from	
0631000	(a) flowers	0,5
0631010	Chamomile	0,5

(1)	(2)	(3)
0631020	Hibiscus/roselle	0,5
0631030	Rose	0,5
0631040	Jasmine	0,5
0631050	Lime/linden	0,5
0631990	Others (2)	0,5
0632000	(b) leaves and herbs	0,5
0632010	Strawberry	0,5
0632020	Rooibos	0,5
0632030	Mate/maté	0,5
0632990	Others (2)	0,5
0633000	(c) roots	0,5
0633010	Valerian	0,5
0633020	Ginseng	0,5
0633990	Others (2)	0,5
0639000	(d) any other parts of the plant	0,2
0640000	Cocoa beans	0,5
0650000	Carobs/Saint John's breads	0,2
0800000	SPICES	
0810000	Seed spices	1
0810010	Anise/aniseed	1
0810020	Black caraway/black cumin	1
0810030	Celery	1
0810040	Coriander	1
0810050	Cumin	1
0810060	Dill	1
0810070	Fennel	1
0810080	Fenugreek	1
0810090	Nutmeg	1
0810990	Others (2)	1
0820000	Fruit spices	1
0820010	Allspice/pimento	1
0820020	Sichuan pepper	1
0820030	Caraway	1
0820040	Cardamom	1
0820050	Juniper berry	1
0820060	Peppercorn (black, green and white)	1
0820070	Vanilla	1
0820080	Tamarind	1
0820990	Others (2)	1

(1)	(2)	(3)
0830000	Bark spices	1
0830010	Cinnamon	1
0830990	Others (2)	1
0840000	Root and rhizome spices	
0840010	Liquorice	1
0840020	Ginger (10)	
0840030	Turmeric/curcuma	1
0840040	Horseradish (11)	
0840990	Others (2)	1
0850000	Bud spices	1
0850010	Cloves	1
0850020	Capers	1
0850990	Others (2)	1
0860000	Flower pistil spices	1
0860010	Saffron	1
0860990	Others (2)	1
0870000	Aril spices	1
0870010	Mace	1
0870990	Others (2)	1
0900000	SUGAR PLANTS	0,05 (*)
0900010	Sugar beet roots	0,05 (*)
0900020	Sugar canes	0,05 (*)
0900030	Chicory roots	0,05 (*)
0900990	Others (2)	0,05 (*)
1015000	(e) equine	1
1015010	Muscle	1
1015020	Fat	1
1015030	Liver	1
1015040	Kidney	1
1015050	Edible offals (other than liver and kidney)	1
1015990	Others (2)	1
1017000	(g) other farmed terrestrial animals	1
1017010	Muscle	1
1017020	Fat	1
1017030	Liver	1
1017040	Kidney	1
1017050	Edible offals (other than liver and kidney)	1
1017990	Others (2)	1
1030020	Duck	0,05

(1)	(2)	(3)
1030030	Geese	0,05
1030040	Quail	0,05
1030990	Others (2)	0,05
1040000	Honey and other apiculture products (7)	0,05
1050000	Amphibians and Reptiles	0,05
1060000	Terrestrial invertebrate animals	0,05
1070000	Wild terrestrial vertebrate animals	0,05(+)

(*) Indicates lower limit of analytical determination

(e) For the complete list of products of plant and animal origin to which MRL's apply, reference should be made to Annex I

DDT (sum of p,p'-DDT, o,p'-DDT, p-p'-DDE and p,p'-TDE (DDD) expressed as DDT) (F)

(F) Fat soluble

For wild boar, the same MRL as for swine applies.

1070000 Wild terrestrial vertebrate animals'

DECISIONS

POLITICAL AND SECURITY COMMITTEE DECISION (CFSP) 2023/164

of 24 January 2023

**on the appointment of the Head of Mission of the European Union Mission in Armenia (EUMA)
(EUMA/1/2023)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 38 thereof,

Having regard to the Council Decision (CFSP) 2023/162 of 23 January 2023 on a European Union Mission in Armenia (EUMA) ⁽¹⁾, and in particular Article 8 thereof,

Whereas:

- (1) By means of Decision (CFSP) 2023/162, the Council authorised the Political and Security Committee, in accordance with Article 38 of the Treaty on European Union, to take the relevant decisions concerning the political control and strategic direction of EUMA, including the decisions on the appointment of the Head of Mission.
- (2) The High Representative of the Union for Foreign Affairs and Security Policy proposed that Mr. Markus RITTER be appointed as Head of Mission.
- (3) A decision on the appointment of the Head of Mission should be taken,

HAS ADOPTED THIS DECISION:

Article 1

Mr. Markus RITTER is hereby appointed as Head of Mission of the European Union Mission in Armenia (EUMA) from 24 January 2023 to 20 February 2024.

Article 2

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

Done at Brussels, 24 January 2023.

For the Political and Security Committee
The Chairperson
D. PRONK

⁽¹⁾ OJ L 22, 24.1.2023, p. 29.

COMMISSION IMPLEMENTING DECISION (EU) 2023/165**of 12 January 2023****on the request for registration of the European citizens' initiative entitled 'Article 4: Stop torture and inhuman treatment at Europe's borders', pursuant to Regulation (EU) 2019/788 of the European Parliament and of the Council***(notified under document C(2023) 39)***(Only the Italian text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative ⁽¹⁾, and in particular Article 6(2) and (3) thereof,

Whereas:

- (1) A request for registration of a European citizens' initiative entitled 'Article 4: Stop torture and inhuman treatment at Europe's borders' was submitted to the Commission on 14 November 2022.
- (2) The general objective of the initiative as expressed by the organisers is: 'In the context of the EU's powers in the area of justice, freedom and security – as set out in Article 78 TFEU on policies relating to border checks, asylum and immigration – we call for appropriate regulations to ensure that Article 4 of the Charter of Fundamental Rights is applied effectively and that the use of violence, torture and inhuman and degrading treatment is banned at EU borders and in non-EU countries which the European institutions or one or more Member States have concluded agreements with restricting the entry of migrants or asylum seekers into Europe, as well as in the Member States themselves in managing reception, with penalties imposed for non-compliance with the obligations laid down'.
- (3) An annex to the initiative provides further details on the subject matter, objectives and background to the initiative. The organisers claim that, in recent years, increasing violence has been perpetrated against migrants and reported by international organisations such as the United Nations High Commissioner for Refugees (UNHCR), Amnesty International and Human Rights Watch. The organisers urge the Union to use its powers to put an end to those alleged violations of Article 4 of the Charter of Fundamental Rights, notably '(1) on entry into the common European area, by regulating border checks and imposing penalties on countries that openly violate the ban on the use of violence, torture and inhuman and degrading treatment; (2) in non-EU countries, in the context of operations to externalise EU borders, by imposing penalties on Member States which conclude agreements that do not provide for the monitoring of compliance with Article 4; (3) in setting reception standards for the entire period of residence in the EU, by imposing penalties on countries whose authorities and/or law enforcement agencies infringe the rights of migrants or asylum seekers'.
- (4) As such, it appears that the main objective of the initiative is to establish a framework for ensuring compliance with the prohibition of violence and inhuman and degrading treatments enshrined in Article 4 of the Charter of Fundamental Rights in relation to the Union policy concerning border controls, asylum and immigration. In so far as the initiative pursues this objective in relation to border controls, the Commission has the power to present proposals for legal acts on the basis of Article 77(2) TFEU. In so far as the initiative pursues this objective in relation to the common policy on asylum, subsidiary protection and temporary protection, the Commission has the power to present proposals for legal acts on the basis of Article 78(2) TFEU. In so far as the initiative pursues this objective in relation to the common immigration policy, the Commission has the power to present proposals for legal acts on the basis of Article 79(2) TFEU.

⁽¹⁾ OJ L 130, 17.5.2019, p. 55.

- (5) For those reasons, none of the parts of the initiative manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties.
- (6) This conclusion is without prejudice to the assessment of whether the concrete substantive conditions required for the Commission to act, including compliance with the principles of proportionality and subsidiarity and compatibility with fundamental rights, would be met in this case.
- (7) The group of organisers has provided appropriate evidence that it fulfils the requirements laid down in Article 5(1) and (2) of Regulation (EU) 2019/788, it has designated the contact persons in accordance with Article 5(3), first subparagraph, of that Regulation. A legal entity has been created specifically for the purpose of managing the initiative.
- (8) The initiative is not manifestly abusive, frivolous or vexatious, nor is it manifestly contrary to the values of the Union as set out in Article 2 of the Treaty on European Union and to the rights enshrined in the Charter of Fundamental Rights of the European Union.
- (9) The initiative entitled 'Article 4: Stop torture and inhuman treatment at Europe's borders' should therefore be registered.
- (10) The conclusion that the conditions for registration under Article 6(3) of Regulation (EU) 2019/788 are fulfilled does not imply that the Commission in any way confirms the factual correctness of the content of the initiative, which is the sole responsibility of the group of organisers of the initiative. The content of the initiative only expresses the views of the group of organisers, and can in no way be taken to reflect the views of the Commission,

HAS ADOPTED THIS DECISION:

Article 1

The European citizens' initiative entitled 'Article 4: Stop torture and inhuman treatment at Europe's borders' shall be registered.

Article 2

This Decision is addressed to the group of organisers of the citizens' initiative entitled 'Article 4: Stop torture and inhuman treatment at Europe's borders', represented by Mr Marco CIURCINA and Ms Maria Cristina FRANCESCONI, acting as contact persons.

Done at Brussels, 12 January 2023.

For the Commission
Věra JOUROVÁ
Vice-President

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