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In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 673 final

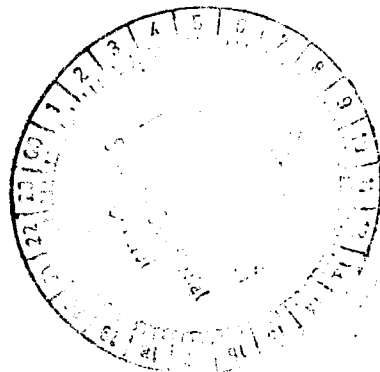
Brussels, 12 November 1981

Proposal for a
COUNCIL DIRECTIVE

amending Annex II to Directive 76/895/EEC relating to the
fixing of maximum levels for pesticide residues in and
on fruit and vegetables

(submitted to the Council by the Commission)

COM(81) 673 final



EXPLANATORY MEMORANDUM

The proposed Council Directive seeks to amend Annex II to Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables (1). Whilst the previous amendments (2) have been limited to the provisions concerning three pesticides and resulted from the application by a Member State of Article 4 (the so-called "safeguard" clause), the present proposal represents a more comprehensive revision of the Annex. Its principal aims are :

- 1) To delete two pesticides which are now obsolete and to simplify the presentation of the Annex;
- 2) To amend, in the light of the development of scientific and technical knowledge, the maximum levels relating to 15 of the pesticide residues already listed in the Annex;
- 3) To bring the Annex further up to date by adding provisions relating to another 33 pesticide residues not hitherto listed;
- 4) In accordance with current international practice, to replace the maximum levels previously expressed as "zero" by finite levels set at or about the lower limit of determination and to round off certain others to a scientifically appropriate number of significant figures.

This proposal for a Directive has been drawn up with the assistance of government experts on agriculture, public health and the environment and after consultation of the Scientific Committee for Pesticides and the professional organisations concerned. In preparing it, account has also been taken of existing international recommendations in this field, notably those of the Codex Alimentarius.

(1) OJ No. L 340, 9.12.1976, p. 26

(2) Directive 80/428/EEC, OJ No. L 102, 19.4.1980, p. 26
Directive 81/36/EEC, OJ No. L 46, 19.2.1981, p. 33

Proposal for a Council Directive amending Annex II to
Directive 76/895/EEC relating to the fixing of maximum levels
for pesticide residues in and on fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables (1), as last amended by Directive 81/36/EEC (2), and in particular Article 5 thereof,

Having regard to the proposal from the Commission,
of Directive 76/895/EEC

Whereas Article 5 provides for the contents of the Annexes to be regularly amended and that in making such amendments account shall be taken of technical and scientific progress as well as the requirements of health and agriculture;

Whereas since it is sufficient to identify pesticide residues by their common names and chemical formulae, it seems desirable to simplify the presentation of Annex II to the said Directive accordingly;

Whereas the pesticides aramite and chlorfenson are no longer of economic importance and their residues are unlikely to occur in foodstuffs;
whereas it is therefore appropriate to delete them from the said Annex II;

Whereas, in the light of the development of technical and scientific knowledge, it is necessary to amend the provisions, particularly the maximum levels, contained in Annex II relating to atrazine, azinphos-ethyl, azinphos-methyl, barban, binapacryl, captan, carbaryl, chlorbenzilate, diallate, endosulphan, lindane, parathion including paraoxon, phosphamidon and folpet;

Whereas, for the same reasons, it seems desirable to bring the Directive up to date by adding provisions relating to further pesticides whose residues may occur in fruit and vegetables, ^{namely} aldrin, dieldrin, bromophos, bromophos-ethyl, bromopropylate, captafol, chlorpropham, chlorbufam, chlordane, chlorfenvinphos, chlormequat, chlorpyrifos, cyhexatin, azocyclotin, DDT, diazinon, dichlofluanid, dichlorvos, dicofol, dioxathion, diquat, fentin, heptachlor, hexachlorobenzene, maleic hydrazide, methidathion, methyl bromide, paraquat, pyrethrins, thiometon, triallate, vamidothion and chinomethionat;

(1) OJ No. L 340, 9.12.1976, p. 26

(2) OJ No. L 46, 19. 2.1981, p. 33

Whereas it also seems desirable, in accordance with current international practice, to replace the maximum levels relating to amitrole, endrin and TEPP, hitherto expressed as "zero", by finite levels set at or about the lower limit of determination;

Whereas, having regard to the errors, particularly of sampling and analysis, inherent in the control of maximum levels, the latter should be expressed to an appropriate number of significant figures; whereas the levels relating to chlorbenside and methyl parathion including methyl-paraoxon should therefore be corrected,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 76/895/EEC is hereby amended as follows:

1. The column headed "EEC No. (1)" and footnote (1) shall be deleted.
2. The items relating to "aramite" and "chlorfenson" shall be deleted.
3. For the pesticides set out below, the particulars contained in the Table, with the exception of the chemical formulae which remain unchanged, shall be replaced by the following:

Common name	Maximum levels (in mg/kg (ppm))
amitrole	0.05
atrazine	0.1
azinphos-ethyl	0.05
azinphos-methyl	2 : citrus fruit 1 : grapes 0.5 : other products
binapacryl	1 : peaches 0.5 : other fruit 0.05 : bulb, tuber and root vegetables 0.3 : other vegetables

Common name	Maximum Levels (in mg/kg (ppm))
captan	20 : strawberries, apricots and cherries
	10 : cucumbers, green beans, lettuce, peppers and raspberries
	15 : other products
carbaryl	2 : root vegetables
	3 : other products
chlorbenside	2
chlorbenzilate	0.2 : nuts
	2 : other products
endosulphan (sum of α - and β -endosulphan and endosulphan sulphate)	0.2 : root vegetables
	1 : other products
endrin	0.02
folpet	20 : blueberries, currants, grapes and strawberries
	15 : cherries, lettuce and raspberries
	10 : citrus fruit and apples
	5 : tomatoes
	2 : other products
lindane	2 : leaf vegetables
	0.5 : tomatoes, stone fruit and grapes
	0.2 : carrots
parathion, including paraoxon	1 : citrus fruit, apricots and peaches
	0.5 : other products
methyl parathion, including methyl-paraoxon	0.2
phosphamidon	0.4 : citrus fruit
	0.2 : other products
TEPP	0.01

4. The following pesticides together with their corresponding particulars shall be inserted

Pesticides		Maximum levels (in mg/kg (ppm))
Common name	Chemical formula	
aldrin (HHDN)	(1R,4S,5S,8R)-1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-1,4:5,8-dimethanonaphthalene	0.05 : fruit and root vegetables
dieldrin (HEOD)	(1R,4S,5S,8R)-1,2,3,4,10,10-hexachloro-1,4,4a,5,6,7,8,8a-octahydro-6,7-epoxy-1,4:5,8-dimethanonaphthalene	0.1 : other products
bromophos	O-(4-bromo-2,5-dichlorophenyl) 0,0-dimethyl phosphorothioate	1 : pome and stone fruit, berries, leeks, radish, carrots and leaf vegetables 0.5 : other products
bromophos-ethyl	O-(4-bromo-2,5-dichlorophenyl) 0,0-diethyl phosphorothioate	1 : pome and stone fruit, berries, leaf vegetables, celery, grapes and cabbage 0.5 : other products
bromopropylate	isopropyl 4,4'-dibromobenzilate	5 : citrus fruit and bananas 2 : pome and stone fruit, strawberries and grapes 1 : vegetables 0.05 : other fruit
captafol	1,2,3,6-tetrahydro-N-(1,1,2,2-tetrachloroethylthio) phthalimide	15 : peaches and apricots 10 : Morello cherries 5 : other fruit 0.5 : onions, carrots 10 : other vegetables
chlordane (sum of cis- and trans-isomers)	1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7A-hexahydro-4,7-methanoindene	0.01 : melons 0.05 : other products
chlorfenvinphos (sum of cis- and trans-isomers)	2-chloro-1-(2,4-dichlorophenyl) vinyl diethyl phosphate	0.5 : bulb, tuber and root vegetables, celery and parsley 0.05 : mushrooms, peanuts, fruit 0.1 : other vegetables

Pesticides		Maximum levels (in mg/kg (ppm))
Common name	Chemical formula	
chlormequat, expressed as chlormequat cation	2-chloroethyltrimethyl ammonium ion	3 : pome fruit
		1 : grapes
		0.05 : other products
chlorpyrifos	0,0-diethyl 0-(3,5,6-trichloro- 2-pyridyl) phosphorothioate	0.5 : tomatoes, apri- cots, peaches, peppers, pome fruit, kale and chinese cabbage
		0.3 : citrus fruit
		0.2 : other vegetables, plums, prunes and grapes
		0.05 : other fruit
cyhexatin) sum) expres- azocyclotin) sed as cyhexa- tin	tricyclohexyltin hydroxide 1- tricyclohexylstannyl-1,2,4- triazol	1 : citrus, pome and stone fruit, grapes, gherkins
		0.2 : berries
		0.5 : other fruiting vegetables
		0.05 : other products
DDT (sum of p,p' DDT; o,p' DDT; p,p' DDE and p,p' TDE)	1,1,1-trichloro-2,2-bis(4- chlorophenyl) ethane	0.5 : pome and stone fruit, grapes
		0.1 : other products
diazinon	0,0-diethyl 0-2-isopropyl-6- methylpyrimidin-4-yl phosphorothioate	0.05 : nuts
		0.5 : other products
dichlofluanid	N-dichlorofluoromethylthio- N,N'-dimethyl-N-phenylsulpha- mide	10 : lettuce, straw- berries, other berries and grapes 5 : other products
dichlorvos	2,2-dichlorovinyl dimethyl phosphate	0.1
dicofol	2,2,2-trichloro-1,1-bis(4- chlorophenyl) ethanol	2 : cucumbers, gherkins
		1 : tomatoes, straw- berries
		3 : other fruit
		0.5 : other vegetables
dioxathion	S,S'-(1,4-dioxane-2,3-diyl) 0,0,0',0'-tetraethyl di (phosphorodithioate)	3 : citrus fruit
		0.4 : grapes
		0.2 : other products

Pesticides		Maximum levels (in mg/kg (ppm))
Common name	Chemical formula	
diquat, expressed as diquat cation	1,1'-ethylene-2,2'-bipyridyldiylm ion	0.1 : onions
		0.05 : other products
fentin compounds (sum expressed as fentin hydroxide)	triphenyltin	1 : celery
		0.5 : other products
heptachlor (sum of heptachlor and heptachlor epoxide)	1,4,5,6,7,8,8-heptachloro-3a,4,7,7a-tetrahydro-4,7-methanoindene	0.05
hexachlorobenzene	hexachlorobenzene	0.1 : vegetables
		0.005 : other products
maleic hydrazide	6-hydroxy-3(2H)-pyridazinone	10 : onions
		1 : other products
methidathion	S-2,3,-dihydro-5-methoxy-2-oxo-1,3,4-thiadiazol-3ylmethyl 0,0-dimethyl phosphorodithioate	2 : citrus fruit
		0.5 : pome fruit
		0.2 : other products
methyl bromide	bromomethane	0.1
paraquat, expressed as paraquat cation	1,1'-dimethyl-4,4'-bipyridyldiylm ion	0.05
pyrethrins (sum of pyrethrins I and II, cinerins I and II, jasmolins I and II)	-	1
thiometon (sum of thiometon, thiometon sulphoxide and thiometon sulphone)	S-2-ethylthioethyl 0,0-dimethyl phosphorodithioate	0.5
vamidothion (sum of vamidothion and vamidothion sulphoxide)	0,0-dimethyl S-2-(1-methyl-carbamoylthio)ethyl phosphorothioate	0.5 : pome fruit
		0.05 : other products
chinomethionat	6-methyl-1,3-dithiolo[4,5-b]quinoxalin-2-one	0.3

5. The items relating to "barban" and "diallate" shall be replaced by groups relating respectively to "barban, chlorpropham, chlorbufam" and "diallate, triallate" as follows:

Pesticides		Maximum levels (in mg/kg (ppm))
Common name	Chemical formula	
barban	4-chlorobut-2-ynyl 3-chloro-	0.05
chlorpropham	carbanilate; isopropyl	
chlorbufam	3-chlorophenyl-carbamate;	
	1-methylprop-2-ynyl	
	3-chlorophenylcarbamate	
	aniline	
diallate	S-2,3-dichloroallyl di-	0.1
triallate	isopropylthiocarbamate;	
	S-2,3,3-trichloroallyl di-	
	isopropylthiocarbamate	

Article 2

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Article 1 not later than 1 July 1983. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels,

For the Council