

RECOMMENDATIONS

COMMISSION

COMMISSION RECOMMENDATION

of 4 February 2008

concerning a coordinated Community monitoring programme for 2008 to ensure compliance with maximum levels of pesticide residues in and on cereals and certain other products of plant origin and national monitoring programmes for 2009

(notified under document number C(2008) 369)

(Text with EEA relevance)

(2008/103/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 211 thereof,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽¹⁾, and in particular Article 7(2)(b) thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables ⁽²⁾, and in particular Article 4(2)(b) thereof,

Whereas:

(1) Directives 86/362/EEC and 90/642/EEC provide that the Commission should progressively work towards a system which would permit the estimation of dietary exposure to pesticides. To make realistic estimations possible, data on the monitoring of pesticide residues should be available in a number of food products which constitute major components of the European diet. It is generally recognised that major components of the European diet are constituted by some 20-30 food products. In view of the resources available at national level for pesticide

residue monitoring, Member States are only able to analyse samples of eight products each year within a coordinated monitoring programme. Pesticide uses show changes within the timescale of three-year cycles. Each pesticide should thus generally be monitored in 20-30 food products over a series of three-year cycles.

(2) Residues of the pesticides covered by this Recommendation should be monitored in 2008, as this will allow using these data for the estimation of actual dietary exposure to them. As monitoring has to cover three-year cycles and to allow Member States to submit their monitoring programmes for 2009, this Recommendation should further set out indications for the monitoring to be carried out in 2009 and 2010.

(3) On the basis of a binomial probability distribution, it can be calculated that examination of 642 samples allows with a certainty of more than 99 %, the detection of a sample containing pesticide residues above the limit of determination (LOD), provided that not less than 1 % of products of plant origin contain residues above that limit. Collection of these samples should be apportioned between Member States on the basis of population and consumer numbers, with a minimum of 12 samples per product and per year.

(4) Guidelines concerning 'Quality Control Procedures for Pesticide Residue Analysis' are published on the Commission website ⁽³⁾. It is agreed that these guidelines should be applied as far as possible by the analytical laboratories of the Member States and should be reviewed continuously in the light of experience gained in the monitoring programmes.

⁽¹⁾ OJ L 221, 7.8.1986, p. 37. Directive as last amended by Commission Directive 2007/73/EC (OJ L 329, 14.12.2007, p. 40).

⁽²⁾ OJ L 350, 14.12.1990, p. 71. Directive as last amended by Directive 2007/73/EC.

⁽³⁾ Document SANCO/3131/2007 of 31 October 2007 (http://europa.eu.int/comm/food/plant/protection/resources/qualcontrol_en.pdf).

- (5) Commission Directive 2002/63/EC of 11 July 2002 establishing Community methods of sampling for the official control of pesticide residues in and on products of plant and animal origin and repealing Directive 79/700/EEC⁽¹⁾ incorporates the sampling methods and procedures recommended by the Codex Alimentarius Commission.
- (6) Regarding the analysis of animal products expected to be carry out from 2009 onwards, the official laboratories need to know well in advance in order to be adapted to this recommendation, which pesticides and commodities of animal origin are going to be sought, these combinations are indicated in Annex I with a (d).
- (7) Directives 86/362/EEC and 90/642/EEC require Member States to specify the criteria applied in drawing up their national inspection programmes. Such information should include the criteria applied in determining the numbers of samples to be taken and analyses to be carried out and the reporting levels applied, the criteria by which the reporting levels have been fixed and details of accreditation under the Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules⁽²⁾. As regards the accreditation of laboratories, the derogation provided for in Article 18 of Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004⁽³⁾, should be taken into account. The number and type of infringements and the action taken should also be indicated.
- (8) Maximum residue levels for baby food have been established in accordance with Article 6 of Commission Directive 91/321/EEC of 14 May 1991 on infant formulae and follow-on formulae⁽⁴⁾ and Article 7 of Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children⁽⁵⁾.
- (9) Information on the results of monitoring programmes is particularly appropriate for treatment, storage and transmission by electronic/informatics methods. Formats have

been developed for supply of data by e-mail from the Member States to the Commission. Member States should therefore be able to send their reports to the Commission in the standard format. The further development of such a standard format is most effectively undertaken by the development of guidelines by the Commission.

- (10) The measures provided for in this recommendation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HEREBY RECOMMENDS:

1. Member States are invited, during the year 2008, to take and analyse samples for the product/pesticide residue combinations set out in Annex I except for animal products (d) that it will be for 2009 onwards. The number of samples of each product are allocated to them in Annex II, reflecting as appropriate, national, Community and third country share of the Member State's market.

The lot to be sampled should be chosen randomly, in line with a monitoring approach.

The sampling procedure, including the number of units, should be in line with Directive 2002/63/EC.

2. The samples taken and analysed by each Member State in accordance with Annexes I and II, should include at least:
 - (a) 10 samples of baby food based mainly on vegetables, fruits or cereals;
 - (b) one sample, where available, from produce originating from organic farming that reflects the market share of organic produce in each Member State.
3. Member States are invited to report the results of the analysis of samples tested for the product/pesticide residue combinations set out in Annex I by 31 August 2009 at the latest, indicating:

(a) The analytical methods used and reporting levels achieved, in accordance with the quality control procedures set out in the Quality Control Procedures for Pesticide Residue Analysis;

(b) The number and type of infringements and the action taken.

⁽¹⁾ OJ L 187, 16.7.2002, p. 30.

⁽²⁾ OJ L 165, 30.4.2004, p. 1, as corrected by OJ L 191, 28.5.2004, p. 1. Regulation as last amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽³⁾ OJ L 338, 22.12.2005, p. 83. Regulation as last amended by Regulation (EC) No 1246/2007 (OJ L 281, 25.10.2007, p. 21).

⁽⁴⁾ OJ L 175, 4.7.1991, p. 35. Directive as last amended by Directive 2006/82/EC (OJ L 362, 20.12.2006, p. 94).

⁽⁵⁾ OJ L 339, 6.12.2006, p. 16.

4. The report should be produced in a format — including the electronic format — conforming to the guidance to the Member States with regard to implementation of Commission recommendations concerning coordinated Community monitoring programmes provided by the Standing Committee on the Food Chain and Animal Health.

The results concerning samples taken from baby food and produce originating from organic farming should be reported in separate datasheets.

5. Member States are invited to send to the Commission and to the other Member States, by 31 August 2008 at the latest, the information required under Article 7(3) of Directive 86/362/EEC and Article 4(3) of Directive 90/642/EEC concerning the 2007 monitoring exercise to ensure, at least by check sampling, compliance with maximum pesticide residue levels including:

- (a) The results of their national programmes concerning pesticide residues;
- (b) Information on their laboratories quality control procedures and, in particular, information concerning aspects of the guidelines concerning Quality Control Procedures for Pesticide Residue Analysis which they have not been able to apply or have had difficulty in applying;
- (c) Information on accreditation in accordance with Article 12 of Regulation (EC) No 882/2004, including the scope

of the accreditation, the accreditation body and a copy of the accreditation certificate, of the laboratories carrying out the analyses;

(d) Information about the proficiency tests and ring tests in which the laboratory has participated.

6. Member States are invited to send to the Commission, by 30 September 2008 at the latest, their intended national programme for monitoring maximum pesticide residue levels fixed by Directives 90/642/EEC and 86/362/EEC for the year 2009, including information on:

- (a) The criteria applied in determining the number of samples to be taken and analyses to be carried out;
- (b) The reporting levels applied and the criteria by which the reporting levels have been fixed, and
- (c) Details of accreditation, under Regulation (EC) No 882/2004, of the laboratories carrying out analyses.

Done at Brussels, 4 February 2008.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

PESTICIDE/PRODUCT COMBINATIONS TO BE MONITORED

	2008	2009 (*)	2010 (*)
Acephate	(a)	(b)	(c)
Acetamiprid	(a)	(b)	(c)
Aldicarb	(a)	(b)	(c)
Amitraz		(b)	(c)
Azinphos-methyl	(a)	(b)	(c)
Azoxystrobin	(a)	(b)	(c)
Benomyl + carbendazim (expressed as carbendazim)	(a)	(b)	(c)
Bifenthrin	(a)	(b) (d)	(b) (d)
Bromide total		(b)	(c)
Bromopropylate	(a)	(b)	(c)
Bupirimate	(a)	(b)	(c)
Buprofezin	(a)	(b)	(c)
Captan	(a)	(b)	(c)
Folpet	(a)	(b)	(c)
Carbaryl	(a)	(b)	(c)
chlofentezin	(a)	(b)	(c)
Chlormequat (**)	(a)	(b)	(c)
Chlorothalonil	(a)	(b)	(c)
Chlorpropham	(a)	(b)	(c)
Chlorpyrifos	(a)	(b) (d)	(b) (d)
Chlorpyrifos-methyl	(a)	(b) (d)	(b) (d)
Cypermethrin	(a)	(b) (d)	(b) (d)
Cyprodinil	(a)	(b)	(c)
Deltamethrin	(a)	(b) (d)	(b) (d)
Diazinon	(a)	(b) (d)	(b) (d)
Dichlofluanid	(a)	(b)	(c)
Dichlorvos	(a)	(b)	(c)
Dicofol	(a)	(b)	(c)
Dimethoate + Omethoate (sum expressed as dimethoate)	(a)	(b)	(c)
Dinocap		(b)	(c)
Diphenylamine	(a)	(b)	(c)
Endosulfan	(a)	(b) (d)	(b) (d)
fenarimol	(a)	(b)	(c)
Fenhexamid	(a)	(b)	(c)
Fenitrothion	(a)	(b)	(c)
Fludioxonil	(a)	(b)	(c)
flusilazole	(a)	(b)	(c)

	2008	2009 (*)	2010 (*)
Glyphosate (***)			(c)
Hexaconazole	(a)	(b)	(c)
Hexythiazox	(a)	(b)	(c)
Imazalil	(a)	(b)	(c)
Imidacloprid	(a)	(b)	(c)
Indoxacarb	(a)	(b)	(c)
Iprodione	(a)	(b)	(c)
Iprovalicarb	(a)	(b)	(c)
Kresoxim-methyl	(a)	(b)	(c)
Lambda-cyhalothrin	(a)	(b)	(c)
Malathion	(a)	(b)	(c)
Maneb group	(a)	(b)	(c)
Mepanipyrim	(a)	(b)	(c)
Mepiquat (**)	(a)	(b)	(c)
Metalaxyl	(a)	(b)	(c)
Methamidophos	(a)	(b)	(c)
Methidathion	(a)	(b)	(c)
Methiocarb	(a)	(b)	(c)
Methomyl/Thiodicarb (sum expressed as methomyl)	(a)	(b)	(c)
Myclobutanil	(a)	(b)	(c)
Oxydemeton-methyl	(a)	(b)	(c)
Parathion	(a)	(b) (d)	(b) (d)
Penconazole	(a)	(b)	(c)
Phosalone	(a)	(b)	(c)
Pirimicarb	(a)	(b)	(c)
Pirimiphos-methyl	(a)	(b) (d)	(b) (d)
Prochloraz	(a)	(b)	(c)
Procymidone	(a)	(b)	(c)
Profenofos	(a)	(b) (d)	(b) (d)
Propargite	(a)	(b)	(c)
Pyrethrins	(a)		
Pyrimethanil	(a)	(b)	(c)
Pyriproxyfen	(a)	(b)	(c)
Oxamyl	(a)	(b)	(c)
Quinoxifen	(a)	(b)	(c)
Spiroxamine	(a)	(b)	(c)
Tebuconazole	(a)	(b)	(c)
Thiophanate-methyl	(a)	(b)	(c)
Tebufenozide	(a)	(b)	(c)
trifloxystrobin	(a)	(b)	(c)

	2008	2009 (*)	2010 (*)
Thiabendazole	(a)	(b)	(c)
Tolclofos-methyl	(a)	(b)	(c)
Tolyfluanid	(a)	(b)	(c)
Triademefon + Triadimenol (expressed as sum of triadimenol and triadimefon)	(a)	(b)	(c)
Vinclozolin	(a)	(b)	(c)
Boscalid		(b)	(c)
Carbofuran		(b)	(c)
Chlorfenvinphos		(b) (d)	(b) (d)
Cyfluthrin (including beta-)		(b)	(c)
Difenoconazole		(b)	(c)
Dimethomorph		(b)	(c)
Ethion		(b)	(c)
Fenoxycarb		(b)	(c)
Fipronil		(b)	(c)
Flufenoxuron		(b)	(c)
Formetanate		(b)	(c)
Linuron		(b)	(c)
Monocrotophos		(b)	(c)
Parathion-Methyl		(b)	(c)
Phosmet		(b)	(c)
Pyridaben		(b)	(c)
Tebufenpyrad		(b)	(c)
Teflubenzuron		(b)	(c)
Tetradifon		(b)	(c)
Thiacloprid		(b)	(c)
Triazophos		(b)	(c)
Propamocarb		(b)	(c)
Haloxfop			(c)
Fluazifop			(c)
2,4-D			(c)
Abamectin (sum)		(b)	(c)
Acrinathrin			(c)
Bitertanol			(c)
Chlorfenapyr			(c)
Clothianidin			(c)
Dicloran			(c)
Epoxiconazole			(c)
Fenazaquin			(c)
Fenpropimorph			(c)
Fenthion (sum)			(c)

	2008	2009 (*)	2010 (*)
Fenvalerate/Esfenvalerate (sum)			(c)
Lufenuron			(c)
Methoxyfenozide			(c)
Oxadixyl			(c)
Pendimethalin			(c)
Phenthoate			(c)
Propiconazole			(c)
Propyzamide			(c)
Spinosad (sum)			(c)
Tetraconazole			(c)
Thiamethoxam			(c)
Trifluralin			(c)
Aldrin		(d)	(d)
Azinphos-ethyl		(d)	(d)
Chlordane-cis		(d)	(d)
Chlordane-trans		(d)	(d)
Oxychlordane		(d)	(d)
Chlorfenvinphos (sum of isomers)		(d)	(d)
Chlorobenzilate		(d)	(d)
Cyfluthrin (sum of isomers)		(d)	(d)
DDD-p,p'		(d)	(d)
DDE-p,p'		(d)	(d)
DDT-o,p'		(d)	(d)
DDT-p,p'		(d)	(d)
Deltamethrin		(d)	(d)
Diazinon		(d)	(d)
Dieldrin		(d)	(d)
Endosulfan-alpha		(d)	(d)
Endosulfan-beta		(d)	(d)
Endosulfan sulphate		(d)	(d)
Endrin		(d)	(d)
Fenthion		(d)	(d)
Fenvalerat/Esfenvalerat (sum of RS/SR and RR/SS isomers)		(d)	(d)
Formothion		(d)	(d)
HCB		(d)	(d)
HCH-alpha		(d)	(d)
HCH-beta		(d)	(d)
HCH-gamma (lindane)		(d)	(d)
Heptachlor		(d)	(d)
Heptachlor epoxide (cis)		(d)	(d)

	2008	2009 (*)	2010 (*)
Heptachlor epoxide (trans)		(d)	(d)
Methacrifos		(d)	(d)
Methidathion		(d)	(d)
4,4'-Methoxychlor		(d)	(d)
Nitrofen		(d)	(d)
Parathion		(d)	(d)
Parathion-methyl		(d)	(d)
Parlar 26 (Camphechlor)		(d)	(d)
Parlar 50 (Camphechlor)		(d)	(d)
Parlar 62 (Camphechlor)		(d)	(d)
Permethrin (sum of isomers)		(d)	(d)
Pirimiphos-methyl		(d)	(d)
Profenofos		(d)	(d)
Pyrazophos		(d)	(d)
Quintozene		(d)	(d)
Resmethrin (sum of isomers)		(d)	(d)
Tecnazene		(d)	(d)
Triazophos		(d)	(d)

(a) Beans (fresh or frozen, without pod), carrots, cucumbers, oranges or mandarins, pears, potatoes, rice, spinach (fresh or frozen).

(b) Aubergines, bananas, cauliflower, table grapes, orange juice ⁽¹⁾, peas (fresh/frozen, without pod), peppers (sweet), wheat.

(c) Apples, head cabbage, leek, lettuce, tomatoes, peaches including nectarines and similar hybrids; rye or oats, strawberries.

(d) Butter, Ham (smoked or air-dried), Egg (liquid or dried).

(*) Indicative for 2009 and 2010 subject to programmes which will be recommended for these years.

(**) Chlormequat and mepiquat should be analysed in cereals (excluding rice), carrots, fruiting vegetables and pears.

(***) Only cereals.

⁽¹⁾ For orange juice Member States should specify the source (concentrates or fresh fruits).

ANNEX II

Number of samples of each product to be taken and analysed by each Member State.

Country code	Samples	Country code	Samples
AT	12 (*) 15 (**)	IE	12 (*) 15 (**)
BE	12 (*) 15 (**)	LU	12 (*) 15 (**)
BG	12 (*) 15 (**)	LT	12 (*) 15 (**)
CY	12 (*) 15 (**)	LV	12 (*) 15 (**)
CZ	12 (*) 15 (**)	MT	12 (*) 15 (**)
DE	93	NL	17
DK	12 (*) 15 (**)	PT	12 (*) 15 (**)
ES	45	PL	45
EE	12 (*) 15 (**)	RO	17
EL	12 (*) 15 (**)	SE	12 (*) 15 (**)
FR	66	SI	12 (*) 15 (**)
FI	12 (*) 15 (**)	SK	12 (*) 15 (**)
HU	12 (*) 15 (**)	UK	66
IT	65		

Total minimum number of samples: 642

(*) Minimum number of samples for each single residue method applied.

(**) Minimum number of samples for each multi-residue method applied.