

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 17 December 1999

concerning a coordinated Community monitoring programme for 2000 to ensure compliance with maximum levels of pesticide residues in and on cereals and certain products of plant origin, including fruit and vegetables

(notified under document number C(1999) 4491)

(Text with EEA relevance)

(2000/43/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁾, as last amended by Directive 1999/71/EC ⁽²⁾, 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 ⁽³⁾, as last amended by Directive 1999/71/EC, and in particular Article 4(2)(b) thereof,

- (1) Whereas Article 7(2)(b) of Directive 86/362/EEC and Article 4(2)(b) of Directive 90/642/EEC require the Commission to submit to the Standing Committee on Plant Health by 31 December each year a recommendation setting out a coordinated Community monitoring programme to ensure compliance for maximum levels of pesticide residues set out in the Annexes II to the said Directives;
- (2) Whereas the Commission should recommend a monitoring programme each year; whereas experience gained by the Commission and the Member States in establishing, carrying out and reporting on the three previous annual coordinated monitoring programmes indicates that multiannual programmes appear to be most effective and practical; whereas it appears appropriate to indicate in this recommendation the framework of future programmes;
- (3) Whereas the Commission should progressively work towards a system which would permit the estimation of actual pesticide dietary exposure, as provided for in the second paragraph of Article 7(3) of Directive 86/362/EEC and the second paragraph of Article 4(3) of Directive 90/642/EEC; whereas to facilitate examination of the feasibility of such estimations, data concerning the

⁽¹⁾ OJ L 221, 7.8.1986, p. 37.

⁽²⁾ OJ L 194, 27.7.1999, p. 36.

⁽³⁾ OJ L 350, 14.12.1990, p. 71.

monitoring of residues of pesticides in a number of food products which constitute major components of European diets should be available; whereas in view of the resources available at national level for pesticide residue monitoring, Member States are only able to analyse samples of four to five products each year within a coordinated monitoring programme; whereas each pesticide should generally be monitored in 20 food products over a series of five-year cycles;

- (4) Whereas the residues recommended to be monitored in 2000 will allow examination of the feasibility of using the data concerning the pesticides acephate, the benomyl group, chlorpyrifos, iprodione and methamidophos as these compounds (identified as group A in Annex IA) have already been monitored between 1996 and 1999 for estimation of actual dietary exposure;
- (5) Whereas the residues recommended to be monitored in 2000 and 2001 will allow examination of the feasibility of using the data concerning the pesticides diazinon, metalaxyl, methidathion, thiabendazole and triazophos as these compounds (identified as group B in Annex IA) have already been monitored between 1997 and 1999 for estimation of actual dietary exposure;
- (6) Whereas the residues recommended to be monitored in 2000, 2001 and 2002 will allow examination of the feasibility of using the data concerning the pesticides chlorpyrifos-methyl, delta-methrin, endosulfan, imazalil, lambda-cyhalothrin, the maneb group, mecarbam, permethrin, pirimiphos-methyl and vinclozolin as these compounds (identified as group C in Annex IA) have already been monitored in 1998 and 1999 for estimation of actual dietary exposure;
- (7) Whereas a systematic statistical approach to numbers of samples to be taken in the specific coordinated exercise is necessary; whereas such an approach has been set out by the Commission of the Codex Alimentarius⁽¹⁾. Based on a binomial probability distribution it can be calculated that examination of a total sample number of 459 gives a 99 % confidence of detecting one sample containing pesticide residues above the LOD if it is anticipated that 1 % of products of plant origin will contain residues above the LOD; whereas the total number of samples to be taken by each Member State should be apportioned on the basis of population and consumer numbers, with a minimum of 12 samples per product and per year, and indicated in Annex IB;
- (8) Whereas draft guidelines concerning quality control procedures for pesticide residue analysis, published as Annex II⁽²⁾ of the monitoring recommendation for 1999 have been discussed by the experts of the Member States at Oeiras, Portugal on 15 and 16 September 1997 and discussed and taken note of in the subgroup pesticide residues of the Working Group on Plant Health on 20 and 21 November 1997; whereas it is agreed that these draft guidelines should be implemented as far as possible by the analytical laboratories of the Member States and should be reviewed in the light of this experience;
- (9) Whereas Article 4(2)(a) of Directive 90/642/EEC requires Member States to specify the criteria applied in drawing up their national inspection programmes when sending to the Commission information on their implementation during the previous year; whereas 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 and the criteria by which the reporting levels have been fixed; whereas details of accreditation under Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs⁽³⁾ of the laboratories carrying out analyses should be indicated;
- (10) Whereas information on the results of monitoring programmes is particularly appropriate for treatment, storage and transmission by electronic/informatic methods; whereas formats have been developed for supply in floppy disk form to the Member States by the Commission; whereas Member States should therefore be able to send their reports to the Commission in the standard format; whereas the further development of such a standard format is most effectively undertaken by the development of guidelines by the Commission;
- (11) Whereas the measures provided for in this recommendation are in accordance with the opinion of the Standing Committee on Plant Health,

⁽¹⁾ *Codex Alimentarius, Pesticide residues in foodstuffs*, Rome 1994, ISBN 92-5-203271-1; Vol. 2, page 372.

⁽²⁾ OJ L 128, 21.5.1999, p. 30, previously published as Commission document VI/7826/97.

⁽³⁾ OJ L 290, 24.11.1993, p. 14.

HEREBY RECOMMENDS THE MEMBER STATES TO:

1. sample and analyse for the product/pesticide residue combinations set out in Annex IA, on the basis of the number of samples of each product allocated to each Member State in Annex IB, reflecting as appropriate, national, Community and third country share of the Member State's market; for at least one pesticide possibly posing an acute risk, one of the products will be subjected to individual analysis of the items in the composite sample: two samples of an appropriate number of items will be taken, where possible the produce of a single producer; if in the first, composite sample a detectable level of the pesticide is found, the items of the second sample will be analysed individually; in 2000 this will include the combination cucumbers/methamidophos and/or pears/chlormequat;
2. by 31 August 2001 report the results for the part of the specific exercise allocated for 2000 in Annex IA, indicating 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 ⁽¹⁾, in a format as set out in the document for guidance to the Member States with regard to implementation of the Commission Recommendations concerning coordinated Community monitoring programmes ⁽²⁾;
3. by 31 August 2000, send to the Commission and to the Member States all the information as required by Article 7(3) of Directive 86/362/EEC and Article 4(3) of Directive 90/642/EEC concerning the 1999 monitoring exercise to ensure, at least by check-sampling, compliance with maximum pesticide residue levels including:
 - 3.1 the results of their national programmes concerning pesticides listed in the Annexes II of Directives 86/362/EEC and 90/642/EEC, in relation to harmonised levels and, where these have not yet been fixed at Community level, in relation to the national levels in force;
 - 3.2 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;
 - 3.3 information on accreditation in accordance with the provisions of Article 3 of Directive 93/99/EEC (including type of accreditation, accreditation body and copy of accreditation certificate) of the laboratories carrying out the analyses.

This Recommendation is addressed to the Member States.

Done at Brussels, 17 December 1999.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 128, 21.5.1999, p. 30.

⁽²⁾ OJ L 128, 21.5.1999, p. 48.

ANNEX IA

Pesticide/product combinations to be monitored in the specific exercise set out in point 1 of the recommendation

Pesticide residue to be analysed for	Years ⁽¹⁾			
	2000	2001	2002	2003 ⁽²⁾
Group A				
Acephate	(a)			
Benomyl group	(a)			
Chlorpyrifos	(a)			
Iprodione	(a)			
Methamidophos	(a)			
Group B				
Diazinon	(a)	(b)		
Metalaxyl	(a)	(b)		
Methidathion	(a)	(b)		
Thiabendazole	(a)	(b)		
Triazophos	(a)	(b)		
Group C				
Chlorpyrifos-methyl	(a)	(b)	(c)	
Deltamethrin	(a)	(b)	(c)	
Endosulfan	(a)	(b)	(c)	
Imazalil	(a)	(b)	(c)	
Lambda-cyhalothrin	(a)	(b)	(c)	
Maneb group	(a)	(b)	(c)	
Mecarbam	(a)	(b)	(c)	
Permethrin	(a)	(b)	(c)	
Pirimiphos-methyl	(a)	(b)	(c)	
Vinclozolin	(a)	(b)	(c)	
Group D				
Azinphos-methyl		(b)	(c)	(d)
Captan		(b)	(c)	(d)
Chlorothalonil		(b)	(c)	(d)
Dichlofluanid		(b)	(c)	(d)
Dicofol		(b)	(c)	(d)
Dimethoate		(b)	(c)	(d)

Pesticide residue to be analysed for	Years ⁽¹⁾			
	2000	2001	2002	2003 ⁽²⁾
Disulfoton		(b)	(c)	(d)
Folpet		(b)	(c)	(d)
Malathion		(b)	(c)	(d)
Omethoate		(b)	(c)	(d)
Oxydemeton-methyl		(b)	(c)	(d)
Phorate		(b)	(c)	(d)
Procymidone		(b)	(c)	(d)
Propyzamide		(b)	(c)	(d)
Thiometon		(b)	(c)	(d)

Group E

Aldicarb			(c)	(d)
Bromopropylate			(c)	(d)
Cypermethrin			(c)	(d)
Deltamethrin			(c)	(d)
Imazalil			(c)	(d)
Lamda-cyhalothrin			(c)	(d)
Methamidophos			(c)	(d)
Methiocarb			(c)	(d)
Methomyl			(c)	(d)
Monocrotophos			(c)	(d)
Parathion			(c)	(d)
Permethrin			(c)	(d)
Pirimiphos-methyl			(c)	(d)
Tolylfluanid			(c)	(d)
Vinclozolin			(c)	(d)

(a) Rice (husked or polished), cucumber, head cabbage, peas (frozen or fresh, analysed without pods).

(b) Apples, barley, tomatoes, lettuce.

(c) Pears, bananas, beans (fresh or frozen), potatoes.

(d) Carrots, oranges, peaches, spinach.

⁽¹⁾ Indicative for 2001, 2002 and 2003, subject to programmes which will be recommended for these years.

⁽²⁾ Group F to be specified later.

ANNEX IB

Number of samples of each product to be taken by each Member State, in the coordinated Community monitoring programme for 2000

B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK	Total
12	12	93	12	45	66	12	65	12	17	12	12	12	12	66	460