

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION RECOMMENDATION

of 19 August 2002

concerning a coordinated Community monitoring programme for 2003 to ensure compliance with maximum levels of pesticide residues in and on cereals and certain other products of plant origin

(notified under document number C(2002) 3084)

(Text with EEA relevance)

(2002/663/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 Commission Directive 2002/42/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 2002/42/EC, and in particular Article 4(2)(b) thereof,

Whereas:

- (1) 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. Article 1(1) of Commission Regulation (EC) No 645/2000 ⁽⁴⁾ provides that such recommendations may cover periods of between one and five years.
- (2) The Commission should progressively work towards a system which would permit the estimation of dietary exposure to actual pesticide, 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. 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 to 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 the three-year period. Each pesticide should thus generally be monitored in 20 to 30 food products over a series of three-year cycles.

- (3) Residues of the pesticides acephate, the benomyl group, chlorpyrifos, iprodione, methamidophos, diazinon, metalaxyl, methidathion, thiaabendazole, triazophos chlorpyrifos-methyl, deltamethrin, endosulfan, imazalil, kresoxim-methyl, lambda-cyhalothrin, the maneb group, mecarbam, permethrin, pirimiphos-methyl, vinclozolin, azinphos-methyl, captan, chlorothalonil, dichlofluanid, dicofol, dimethoate, folpet, malathion, omethoate, oxydemeton-methyl, phorate, procymidone, propyzamide, azoxystrobin, aldicarb, bromopropylate, cypermethrin, methiocarb, methomyl, parathion and tolylfluanid should be monitored in 2003, as this will allow using these data for the estimation of actual dietary exposure to them, since these compounds have already been monitored since 2001.

- (4) A systematic statistical approach to numbers of samples to be taken in each coordinated monitoring exercise is necessary. Such an approach has been set out by the

⁽¹⁾ OJ L 221, 7.8.1986, p. 37.

⁽²⁾ OJ L 134, 22.5.2002, p. 29.

⁽³⁾ OJ L 350, 14.12.1990, p. 71.

⁽⁴⁾ OJ L 78, 29.3.2000, p. 7.

Commission of the Codex Alimentarius⁽¹⁾. Based on a binomial probability distribution it can be calculated that examination of 459 samples gives a 99 % confidence of detecting one sample containing pesticide residues above the limit of determination (LOD) where 1 % of products of plant origin contain residues above the LOD. At least 459 samples should therefore be taken across the Community. 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.

- (5) Draft guidelines concerning Quality Control Procedures for Pesticide Residue Analysis have been published by the Commission⁽²⁾. 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 continuously in the light of experience gained in the monitoring programmes.
- (6) Article 4(2)(a) of Directive 90/642/EEC and Article 7(2)(a) of Directive 86/362/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 following year. 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. Details of accreditation under Council 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.
- (7) Information on the results of monitoring programmes is particularly appropriate for treatment, storage and transmission by electronic/informatic methods. Formats have been developed for supply of data in diskette form 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.
- (8) 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:

Article 1

Member States are invited to take and analyse samples for the product/pesticide residue combinations set out in Annex I, on the basis of the number of samples of each product allocated to them in Annex II, reflecting as appropriate, national, Community and third country share of the Member State's market.

In addition, Member States are invited to specifically monitor for the combination nitrofen/wheat with the same sampling frequency as outlined in Annex II.

For pesticides possibly posing an acute risk, such as OP-esters, endosulfan and N-methylcarbamates, 10 samples of the products grapes, pepper and cucumber should be subjected to individual analysis of the individual units in the laboratory sample in case such pesticides are detected.

Two samples of an appropriate number of units should be taken, where possible the produce of a single producer; if in the first, laboratory sample a detectable level of the pesticide is found, the units of the second sample should be analysed individually.

Article 2

Member States are invited to report the results for the part of the specific exercise allocated for 2003 in Annex I by 31 August 2004, 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.

The report should be produced in a format — including the electronic format — conforming to the Working Document for guidance to the Member States with regard to implementation of Commission recommendations concerning coordinated Community monitoring programmes, set out in Annex III to Commission Recommendation 1999/333/EC⁽⁴⁾.

Article 3

Member States are invited to send to the Commission and to all other Member States, by 31 August 2004, 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 2003 monitoring exercise to ensure, at least by check sampling, compliance with maximum pesticide residue levels including:

- (a) 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;

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

⁽²⁾ Document Number SANCO/3103/2000 (http://europa.eu.int/comm/food/fs/ph_ps/pest/index_en.htm).

⁽³⁾ OJ L 290, 24.11.1993, p. 14.

⁽⁴⁾ OJ L 128, 21.5.1999, p. 25.

- (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 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;
- (d) information about the proficiency tests and ring tests in which the laboratory has participated.

Article 4

Member States are invited to send to the Commission, by 30 September 2003, their intended national programme for monitoring maximum pesticide residue levels fixed by Directive 90/642/EEC and 86/362/EEC for the year 2004.

This Recommendation is addressed to the Member States.

Done at Brussels, 19 August 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

Pesticide/product combinations to be monitored in the specific exercise set out in Article 1 of the Recommendation

Pesticide residue to be analysed for	Years		
	2003	2004 (*)	2005 (*)
Acephate	(b)	(c)	(a)
Aldicarb	(b)	(c)	(a)
Azinphos-methyl	(b)	(c)	(a)
Azoxystrobin	(b)	(c)	(a)
Benomyl group	(b)	(c)	(a)
Bromopropylate	(b)	(c)	(a)
Captan	(b)	(c)	(a)
Chlorothalonil	(b)	(c)	(a)
Chlorpyrifos	(b)	(c)	(a)
Chlorpyrifos-methyl	(b)	(c)	(a)
Cypermethrin	(b)	(c)	(a)
Deltamethrin	(b)	(c)	(a)
Diazinon	(b)	(c)	(a)
Dichlofluanid	(b)	(c)	(a)
Dicofol	(b)	(c)	(a)
Dimethoate	(b)	(c)	(a)
Endosulfan	(b)	(c)	(a)
Folpet	(b)	(c)	(a)
Imazalil	(b)	(c)	(a)
Iprodione	(b)	(c)	(a)
Kresoxim-methyl	(b)	(c)	(a)
Lambda-cyhalothrin	(b)	(c)	(a)
Malathion	(b)	(c)	(a)
Maneb group	(b)	(c)	(a)
Mecarbam	(b)	(c)	(a)
Methamidophos	(b)	(c)	(a)
Metalaxyl	(b)	(c)	(a)
Methidathion	(b)	(c)	(a)

Pesticide residue to be analysed for	Years		
	2003	2004 (*)	2005 (*)
Methiocarb	(b)	(c)	(a)
Methomyl	(b)	(c)	(a)
Omethoate	(b)	(c)	(a)
Oxydemeton-methyl	(b)	(c)	(a)
Parathion	(b)	(c)	(a)
Permethrin	(b)	(c)	(a)
Phorate	(b)	(c)	(a)
Pirimiphos-methyl	(b)	(c)	(a)
Procymidone	(b)	(c)	(a)
Propyzamide	(b)	(c)	(a)
Thiabendazole	(b)	(c)	(a)
Tolylfluanid	(b)	(c)	(a)
Triazophos	(b)	(c)	(a)
Vinclozolin	(b)	(c)	(a)

(a) pears, bananas, beans (fresh or frozen), potatoes, carrots, oranges/mandarines, peaches/nectarins, spinach (fresh or frozen).

(b) cauliflower, peppers, wheat, aubergines, rice, grapes, cucumber, peas (fresh/frozen, without pod).

(c) apples, tomatoes, lettuce, strawberries, leek, orange juice, head cabbage, rye/oats.

(*) Indicative for 2004 and 2005, subject to programmes which will be recommended for these years.

ANNEX II

Number of samples of each product to be taken by each Member State, in the coordinated Community monitoring programme for 2003

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