

COMMISSION REGULATION (EU) 2021/663**of 22 April 2021****amending Annex III to Regulation (EC) No 396/2005 of the European Parliament and of the Council
as regards maximum residue levels for chlordecone 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)(a) in conjunction with Article 16(1)(a) thereof,

Whereas:

- (1) For chlordecone, maximum residue levels (MRLs) were set in Annex III to Regulation (EC) No 396/2005.
- (2) Regulation (EC) No 850/2004 of the European Parliament and of the Council ⁽²⁾ prohibited the placing on the market and use of plant protection products containing chlordecone. Residues of chlordecone are resulting from environmental contamination in soil due to the use of this persistent compound in the past.
- (3) On 12 July 2019, the French competent authorities notified to the Commission two emergency measures ⁽³⁾ ⁽⁴⁾, which had been taken at national level pursuant to Article 54 of Regulation (EC) No 178/2002 of the European Parliament and of the Council ⁽⁵⁾. Following the opinions ⁽⁶⁾ ⁽⁷⁾ of the French Agency for Food, Environmental and Occupational Health & Safety (ANSES), France had fixed national MRLs for chlordecone in bovine, ovine, caprine, porcine and poultry products at lower values than the ones currently applicable under Regulation (EC) No 396/2005, to ensure the protection of consumers in Guadeloupe and Martinique.
- (4) The Commission requested the European Food Safety Authority ('the Authority') to carry out a consumer exposure assessment in relation to the MRLs recommended by ANSES for chlordecone in products of animal origin.
- (5) The Authority submitted a scientific statement for chlordecone in certain products of animal origin ⁽⁸⁾ in accordance with Article 43 of Regulation (EC) No 396/2005. In that statement, the Authority concluded that the MRLs proposed in the opinions of ANSES for animal products, rounded according to the Organisation for Economic Cooperation and Development (OECD) guidelines on the MRL calculation, are acceptable with regard to consumer

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants and amending Directive 79/117/EEC (OJ L 158, 30.4.2004, p. 7).

⁽³⁾ Arrêté du 25 janvier 2019 modifiant l'arrêté du 30 juin 2008 relatif aux limites maximales applicables aux résidus de chlordécone que ne doivent pas dépasser certaines denrées alimentaires d'origine végétale et animale pour être reconnues propres à la consommation humaine (NOR: AGRG1901040A).

⁽⁴⁾ Arrêté du 23 mai 2019 modifiant l'arrêté du 25 janvier 2019 relatif aux limites maximales applicables aux résidus de chlordécone que ne doivent pas dépasser certaines denrées alimentaires d'origine végétale et animale pour être reconnues propres à la consommation humaine (NOR: AGRG1913466A).

⁽⁵⁾ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

⁽⁶⁾ Note d'appui scientifique et technique de l'Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail relative à la fixation d'une limite maximale de résidus de chlordécone dans la graisse pour les denrées carnées (2018-SA-0202).

⁽⁷⁾ Avis de l'Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail relatif à la fixation d'une limite maximale de résidus de chlordécone dans les muscles et dans la graisse pour les denrées carnées (2018-SA-0265).

⁽⁸⁾ Statement on the dietary exposure assessment for the temporary maximum residue levels for chlordecone in certain products of animal origin. *EFSA Journal* 2020;18(3):6052.

safety. Neither the lifetime nor the short-term exposure due to high consumption of the relevant products showed that there is a risk that the acceptable daily intake or the acute reference dose is exceeded. The MRLs for chlordecone should be set as temporary in Annex III to Regulation (EC) No 396/2005. Those MRLs will be reviewed; the review will take into account the information available within 10 years from the publication of this Regulation.

- (6) Through the World Trade Organisation, the trading partners of the Union were consulted on the new MRLs and their comments have been taken into account.
- (7) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (8) A reasonable period should be allowed to elapse before the modified MRLs become applicable in order to permit Member States, third countries and food business operators to prepare themselves to meet the new requirements which will result from the modification of the MRLs.
- (9) 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

Annex III to Regulation (EC) No 396/2005 is 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*.

It shall apply from 13 November 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 April 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Part A of Annex III to Regulation (EC) No 396/2005, the column for chlordecone 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 ⁽⁴⁾	Chlordecone ^(F)
(1)	(2)	(3)
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	
0110000	Citrus fruits	0,02
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others (2)	
0120000	Tree nuts	
0120010	Almonds	0,01 (*)
0120020	Brazil nuts	0,02
0120030	Cashew nuts	0,02
0120040	Chestnuts	0,01 (*)
0120050	Coconuts	0,02
0120060	Hazelnuts/cobnuts	0,01 (*)
0120070	Macadamias	0,01 (*)
0120080	Pecans	0,01 (*)
0120090	Pine nut kernels	0,01 (*)
0120100	Pistachios	0,01 (*)
0120110	Walnuts	0,01 (*)
0120990	Others (2)	0,01 (*)
0130000	Pome fruits	0,01 (*)
0130010	Apples	
0130020	Pears	
0130030	Quinces	
0130040	Medlars	
0130050	Loquats/Japanese medlars	
0130990	Others (2)	

(1)	(2)	(3)
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	
0151010	Table grapes	0,02
0151020	Wine grapes	0,01 (*)
0152000	(b) strawberries	0,02
0153000	(c) cane fruits	0,01 (*)
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others (2)	
0154000	(d) other small fruits and berries	0,01 (*)
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	
0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others (2)	
0160000	Miscellaneous fruits with	0,02
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)
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	
0210000	Root and tuber vegetables	0,02
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)
0213110	Turnips	
0213990	Others (2)	
0220000	Bulb vegetables	0,02
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others (2)	
0230000	Fruiting vegetables	0,02
0231000	(a) Solanaceae and Malvaceae	
0231010	Tomatoes	
0231020	Sweet peppers/bell peppers	
0231030	Aubergines/eggplants	
0231040	Okra/lady's fingers	
0231990	Others (2)	
0232000	(b) cucurbits with edible peel	
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes	
0232990	Others (2)	
0233000	(c) cucurbits with inedible peel	
0233010	Melons	
0233020	Pumpkins	
0233030	Watermelons	
0233990	Others (2)	
0234000	(d) sweet corn	
0239000	(e) other fruiting vegetables	
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)	0,02
0241000	(a) flowering brassica	
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others (2)	
0242000	(b) head brassica	
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others (2)	

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

(1)	(2)	(3)
0260000	Legume vegetables	0,02
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others (2)	
0270000	Stem vegetables	0,02
0270010	Asparagus	
0270020	Cardoons	
0270030	Celeries	
0270040	Florence fennels	
0270050	Globe artichokes	
0270060	Leeks	
0270070	Rhubarbs	
0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others (2)	
0280000	Fungi, mosses and lichens	
0280010	Cultivated fungi	0,01 (*)
0280020	Wild fungi	0,02
0280990	Mosses and lichens	0,01 (*)
0290000	Algae and prokaryotes organisms	0,01 (*)
0300000	PULSES	
0300010	Beans	0,02
0300020	Lentils	0,02
0300030	Peas	0,01 (*)
0300040	Lupins/lupini beans	0,01 (*)
0300990	Others (2)	0,01 (*)
0400000	OILSEEDS AND OIL FRUITS	
0401000	Oilseeds	
0401010	Linseeds	0,01 (*)
0401020	Peanuts/groundnuts	0,02
0401030	Poppy seeds	0,01 (*)
0401040	Sesame seeds	0,01 (*)
0401050	Sunflower seeds	0,01 (*)
0401060	Rapeseeds/canola seeds	0,01 (*)
0401070	Soyabeans	0,02
0401080	Mustard seeds	0,01 (*)

(1)	(2)	(3)
0401090	Cotton seeds	0,02
0401100	Pumpkin seeds	0,02
0401110	Safflower seeds	0,01 (*)
0401120	Borage seeds	0,01 (*)
0401130	Gold of pleasure seeds	0,01 (*)
0401140	Hemp seeds	0,01 (*)
0401150	Castor beans	0,02
0401990	Others (2)	0,01 (*)
0402000	Oil fruits	
0402010	Olives for oil production	0,01 (*)
0402020	Oil palms kernels	0,01 (*)
0402030	Oil palms fruits	0,02
0402040	Kapok	0,02
0402990	Others (2)	0,01 (*)
0500000	CEREALS	
0500010	Barley	0,01 (*)
0500020	Buckwheat and other pseudocereals	0,01 (*)
0500030	Maize/corn	0,02
0500040	Common millet/proso millet	0,02
0500050	Oat	0,01 (*)
0500060	Rice	0,01 (*)
0500070	Rye	0,01 (*)
0500080	Sorghum	0,01 (*)
0500090	Wheat	0,01 (*)
0500990	Others (2)	0,01 (*)
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,02
0610000	Teas	
0620000	Coffee beans	
0630000	Herbal infusions from	
0631000	(a) flowers	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others (2)	

(1)	(2)	(3)
0632000	(b) leaves and herbs	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others (2)	
0633000	(c) roots	
0633010	Valerian	
0633020	Ginseng	
0633990	Others (2)	
0639000	(d) any other parts of the plant	
0640000	Cocoa beans	
0650000	Carobs/Saint John's breads	
0700000	HOPS	0,02
0800000	SPICES	0,02
0810000	Seed spices	
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	
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	
0830010	Cinnamon	
0830990	Others (2)	

(1)	(2)	(3)
0840000	Root and rhizome spices	
0840010	Liquorice	
0840020	Ginger (10)	
0840030	Turmeric/curcuma	
0840040	Horseradish (11)	
0840990	Others (2)	
0850000	Bud spices	
0850010	Cloves	
0850020	Capers	
0850990	Others (2)	
0860000	Flower pistil spices	
0860010	Saffron	
0860990	Others (2)	
0870000	Aril spices	
0870010	Mace	
0870990	Others (2)	
0900000	SUGAR PLANTS	
0900010	Sugar beet roots	0,01 (*)
0900020	Sugar canes	0,02
0900030	Chicory roots	0,01 (*)
0900990	Others (2)	0,01 (*)
1000000	PRODUCTS OF ANIMAL ORIGIN - TERRESTRIAL ANIMALS	
1010000	Commodities from	(+)
1011000	(a) swine	0,02
1011010	Muscle	
1011020	Fat	
1011030	Liver	
1011040	Kidney	
1011050	Edible offals (other than liver and kidney)	
1011990	Others (2)	
1012000	(b) bovine	
1012010	Muscle	0,02
1012020	Fat	0,03
1012030	Liver	0,02
1012040	Kidney	0,02
1012050	Edible offals (other than liver and kidney)	0,02
1012990	Others (2)	0,02

(1)	(2)	(3)
1013000	(c) sheep	0,02
1013010	Muscle	
1013020	Fat	
1013030	Liver	
1013040	Kidney	
1013050	Edible offals (other than liver and kidney)	
1013990	Others (2)	
1014000	d) goat	0,02
1014010	Muscle	
1014020	Fat	
1014030	Liver	
1014040	Kidney	
1014050	Edible offals (other than liver and kidney)	
1014990	Others (2)	
1015000	(e) equine	0,02
1015010	Muscle	
1015020	Fat	
1015030	Liver	
1015040	Kidney	
1015050	Edible offals (other than liver and kidney)	
1015990	Others (2)	
1016000	(f) poultry	0,02
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	0,02
1017010	Muscle	
1017020	Fat	
1017030	Liver	
1017040	Kidney	
1017050	Edible offals (other than liver and kidney)	
1017990	Others (2)	

(1)	(2)	(3)
1020000	Milk	0,02
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others (2)	
1030000	Birds eggs	0,02
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others (2)	
1040000	Honey and other apiculture products (7)	0,02
1050000	Amphibians and Reptiles	0,02
1060000	Terrestrial invertebrate animals	0,02
1070000	Wild terrestrial vertebrate animals	0,02
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)	

(*) Limit of analytical determination

(†) For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

(F) = Fat soluble

Chlordecone (F)

(+) Monitoring data show that an unavoidable cross-contamination occurs. When re-viewing the MRL, the Commission will take into account the information available within 10 years from the date of publication.

1010000 Commodities from

1011000 (a) swine

1012000 (b) bovine

1013000 (c) sheep

1014000 (d) goat

1015000 (e) equine

1016000 (f) poultry

1017000 (g) other farmed terrestrial animals'