

## COMMISSION REGULATION (EU) 2022/85

of 20 January 2022

**amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for flonicamid 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 <sup>(1)</sup>, and in particular Article 14(1)(a) thereof,

Whereas:

- (1) Maximum residue levels ('MRLs') for flonicamid were set in Annex II to Regulation (EC) No 396/2005.
- (2) In the context of a procedure for the authorisation of the use of a plant protection product containing the active substance flonicamid on citrus fruits, cherries, plums, strawberries, blackberries, raspberries, 'other small fruits and berries', 'other root and tuber vegetables', tomatoes, aubergines, courgettes, cucurbits with inedible peel, 'lettuces and salad plants', pulses, rye, wheat and hops, applications were submitted in accordance with Article 6(1) of Regulation (EC) No 396/2005 for modification of the existing MRLs.
- (3) In accordance with Article 8 of Regulation (EC) No 396/2005, those applications were evaluated by the Member States concerned and the evaluation reports were forwarded to the Commission.
- (4) The European Food Safety Authority ('the Authority') assessed the applications and the evaluation reports, examining in particular the risks to the consumer and, where relevant, to animals and gave reasoned opinions on the proposed MRLs <sup>(2)</sup>. It forwarded those opinions to the applicants, the Commission and the Member States and made them available to the public.
- (5) As regards citrus fruits, cherries, plums, tomatoes, aubergines, courgettes, cucurbits with inedible peel, rye, wheat and hops, the applicants submitted information previously unavailable during the review conducted in accordance with Article 12 of Regulation (EC) No 396/2005. That information concerns analytical methods, residue trials, storage stability and hydrolysis studies.
- (6) The Authority concluded that, for all the products listed in recital 2, all requirements with respect to data were met and that the modifications to the MRLs requested by the applicants were acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. It took into account the most recent information on the toxicological properties of flonicamid. Neither the lifetime exposure to this substance via consumption of all food products that may contain it, 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.

<sup>(1)</sup> OJ L 70, 16.3.2005, p. 1.

<sup>(2)</sup> EFSA scientific reports available online: <http://www.efsa.europa.eu>:  
Reasoned opinion on the modification of the existing maximum residue levels for flonicamid in strawberries and other berries. *EFSA Journal* 2019;17(7):5745.  
Reasoned opinion on the modification of the existing maximum residue levels for flonicamid in various crops. *EFSA Journal* 2018;16(9):5410.  
Reasoned opinion on the modification of the existing maximum residue levels for flonicamid in various root crops. *EFSA Journal* 2018;16(9):5414.  
Reasoned Opinion on the evaluation of confirmatory data following the Article 12 MRL review for flonicamid. *EFSA Journal* 2020;18(5):6117.

- (7) Based on the reasoned opinions of the Authority and taking into account the factors relevant to the matter under consideration, the respective modifications to the MRLs fulfil the requirements of Article 14(2) of Regulation (EC) No 396/2005.
- (8) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (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 II 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*.

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

Done at Brussels, 20 January 2022.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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## ANNEX

In Annex II to Regulation (EC) No 396/2005, the column for flonicamid 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 (*)	Flonicamid (sum of flonicamid, TFNA and TFNG expressed as flonicamid) (R)
(1)	(2)	(3)
0100000	<b>FRUITS, FRESH or FROZEN; TREE NUTS</b>	
0110000	<b>Citrus fruits</b>	<b>0,15</b>
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others (2)	
0120000	<b>Tree nuts</b>	<b>0,06 (*)</b>
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts/cobnuts	
0120070	Macadamias	
0120080	Pecans	
0120090	Pine nut kernels	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others (2)	
0130000	<b>Pome fruits</b>	<b>0,3</b>
0130010	Apples	
0130020	Pears	
0130030	Quinces	
0130040	Medlars	
0130050	Loquats/Japanese medlars	
0130990	Others (2)	

(1)	(2)	(3)
0140000	<b>Stone fruits</b>	
0140010	Apricots	0,3
0140020	Cherries (sweet)	<b>0,4</b>
0140030	Peaches	0,4
0140040	Plums	<b>0,3</b>
0140990	Others (2)	0,03 (*)
0150000	<b>Berries and small fruits</b>	
0151000	(a) <i>grapes</i>	0,03 (*)
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) <i>strawberries</i>	<b>0,7</b>
0153000	(c) <i>cane fruits</i>	
0153010	Blackberries	<b>1</b>
0153020	Dewberries	0,03 (*)
0153030	Raspberries (red and yellow)	<b>1</b>
0153990	Others (2)	0,03 (*)
0154000	(d) <i>other small fruits and berries</i>	
0154010	Blueberries	<b>0,8</b>
0154020	Cranberries	<b>0,8</b>
0154030	Currants (black, red and white)	<b>0,8</b>
0154040	Gooseberries (green, red and yellow)	<b>0,8</b>
0154050	Rose hips	<b>0,7</b>
0154060	Mulberries (black and white)	<b>0,7</b>
0154070	Azaroles/Mediterranean medlars	<b>0,7</b>
0154080	Elderberries	<b>0,7</b>
0154990	Others (2)	<b>0,7</b>
0160000	<b>Miscellaneous fruitswith</b>	0,03 (*)
0161000	(a) <i>edible peel</i>	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	
0161070	Jambuls/jambolans	
0161990	Others (2)	
0162000	(b) <i>inedible peel, small</i>	
0162010	Kiwi fruits (green, red, yellow)	
0162020	Litchis/lychees	
0162030	Passionfruits/maracujas	

(1)	(2)	(3)
0162040	Prickly pears/cactus fruits	
0162050	Star apples/cainitos	
0162060	American persimmons/Virginia kaki	
0162990	Others (2)	
0163000	(c) <i>inedible peel, large</i>	
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	<b>VEGETABLES, FRESH or FROZEN</b>	
0210000	<b>Root and tuber vegetables</b>	
0211000	(a) <i>potatoes</i>	0,09
0212000	(b) <i>tropical root and tuber vegetables</i>	0,03 (*)
0212010	Cassava roots/manioc	
0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroots	
0212990	Others (2)	
0213000	(c) <i>other root and tuber vegetables except sugar beets</i>	
0213010	Beetroots	<b>0,3</b>
0213020	Carrots	<b>0,3</b>
0213030	Celeriacs/turnip rooted celeries	<b>0,3</b>
0213040	Horseradishes	<b>0,3</b>
0213050	Jerusalem artichokes	<b>0,3</b>
0213060	Parsnips	<b>0,3</b>
0213070	Parsley roots/Hamburg roots parsley	<b>0,3</b>
0213080	Radishes	<b>0,6</b>
0213090	Salsifies	<b>0,3</b>
0213100	Swedes/rutabagas	<b>0,3</b>

(1)	(2)	(3)
0213110	Turnips	<b>0,3</b>
0213990	Others (2)	<b>0,3</b>
0220000	<b>Bulb vegetables</b>	0,03 (*)
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others (2)	
0230000	<b>Fruiting vegetables</b>	
0231000	(a) <i>Solanaceae and Malvaceae</i>	
0231010	Tomatoes	<b>0,5</b>
0231020	Sweet peppers/bell peppers	0,3
0231030	Aubergines/eggplants	<b>0,5</b>
0231040	Okra/lady's fingers	0,03 (*)
0231990	Others (2)	0,03 (*)
0232000	(b) <i>cucurbits with edible peel</i>	0,5
0232010	Cucumbers	
0232020	Gherkins	
0232030	Courgettes	
0232990	Others (2)	
0233000	(c) <i>cucurbits with inedible peel</i>	<b>0,4</b>
0233010	Melons	
0233020	Pumpkins	
0233030	Watermelons	
0233990	Others (2)	
0234000	(d) <i>sweet corn</i>	0,03 (*)
0239000	(e) <i>other fruiting vegetables</i>	0,03 (*)
0240000	<b>Brassica vegetables(excluding brassica roots and brassica baby leaf crops)</b>	
0241000	(a) <i>flowering brassica</i>	0,03 (*)
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others (2)	
0242000	(b) <i>head brassica</i>	
0242010	Brussels sprouts	0,6
0242020	Head cabbages	0,5
0242990	Others (2)	0,03 (*)

(1)	(2)	(3)
0243000	(c) <i>leafy brassica</i>	0,03 (*)
0243010	Chinese cabbages/pe-tsai	
0243020	Kales	
0243990	Others (2)	
0244000	(d) <i>kohlrabies</i>	0,03 (*)
0250000	<b>Leaf vegetables, herbs and edible flowers</b>	
0251000	(a) <i>lettuces and salad plants</i>	<b>0,07</b>
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) <i>spinaches and similar leaves</i>	0,03 (*)
0252010	Spinaches	
0252020	Purslanes	
0252030	Chards/beet leaves	
0252990	Others (2)	
0253000	(c) <i>grape leaves and similar species</i>	0,03 (*)
0254000	(d) <i>watercresses</i>	0,03 (*)
0255000	(e) <i>witloofs/Belgian endives</i>	0,03 (*)
0256000	(f) <i>herbs and edible flowers</i>	6
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)	
0260000	<b>Legume vegetables</b>	
0260010	Beans (with pods)	1.5
0260020	Beans (without pods)	0,03 (*)

(1)	(2)	(3)
0260030	Peas (with pods)	1,5
0260040	Peas (without pods)	0,7
0260050	Lentils	0,03 (*)
0260990	Others (2)	0,03 (*)
0270000	<b>Stem vegetables</b>	0,03 (*)
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	<b>Fungi, mosses and lichens</b>	0,03 (*)
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	<b>Algae and prokaryotes organisms</b>	0,03 (*)
0300000	<b>PULSES</b>	<b>0,8</b>
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others (2)	
0400000	<b>OILSEEDS AND OIL FRUITS</b>	
0401000	<b>Oilseeds</b>	
0401010	Linseeds	0,06 (*)
0401020	Peanuts/groundnuts	0,06 (*)
0401030	Poppy seeds	0,06 (*)
0401040	Sesame seeds	0,06 (*)
0401050	Sunflower seeds	0,06 (*)
0401060	Rapeseeds/canola seeds	0,06 (*)
0401070	Soyabeans	0,06 (*)
0401080	Mustard seeds	0,06 (*)
0401090	Cotton seeds	0,2
0401100	Pumpkin seeds	0,06 (*)
0401110	Safflower seeds	0,06 (*)



(1)	(2)	(3)
0401120	Borage seeds	0,06 (*)
0401130	Gold of pleasure seeds	0,06 (*)
0401140	Hemp seeds	0,06 (*)
0401150	Castor beans	0,06 (*)
0401990	Others (2)	0,06 (*)
0402000	<b>Oil fruits</b>	0,06 (*)
0402010	Olives for oil production	
0402020	Oil palms kernels	
0402030	Oil palms fruits	
0402040	Kapok	
0402990	Others (2)	
0500000	<b>CEREALS</b>	
0500010	Barley	0,4
0500020	Buckwheat and other pseudocereals	0,03 (*)
0500030	Maize/corn	0,03 (*)
0500040	Common millet/proso millet	0,03 (*)
0500050	Oat	0,4
0500060	Rice	0,03 (*)
0500070	Rye	2
0500080	Sorghum	0,03 (*)
0500090	Wheat	2
0500990	Others (2)	0,03 (*)
0600000	<b>TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS</b>	0,1 (*)
0610000	<b>Teas</b>	
0620000	<b>Coffee beans</b>	
0630000	<b>Herbal infusions from</b>	
0631000	(a) <i>flowers</i>	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others (2)	
0632000	(b) <i>leaves and herbs</i>	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others (2)	

(1)	(2)	(3)
0633000	(c) roots	
0633010	Valerian	
0633020	Ginseng	
0633990	Others (2)	
0639000	(d) any other parts of the plant	
0640000	<b>Cocoa beans</b>	
0650000	<b>Carobs/Saint John's breads</b>	
0700000	<b>HOPS</b>	<b>3</b>
0800000	<b>SPICES</b>	
0810000	<b>Seed spices</b>	0,1 (*)
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	<b>Fruit spices</b>	0,1 (*)
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	<b>Bark spices</b>	0,1 (*)
0830010	Cinnamon	
0830990	Others (2)	
0840000	<b>Root and rhizome spices</b>	
0840010	Liquorice	0,1 (*)
0840020	Ginger (10)	
0840030	Turmeric/curcuma	0,1 (*)
0840040	Horseradish (11)	
0840990	Others (2)	0,1 (*)

(1)	(2)	(3)
0850000	<b>Bud spices</b>	0,1 (*)
0850010	Cloves	
0850020	Capers	
0850990	Others (2)	
0860000	<b>Flower pistil spices</b>	0,1 (*)
0860010	Saffron	
0860990	Others (2)	
0870000	<b>Aril spices</b>	0,1 (*)
0870010	Mace	
0870990	Others (2)	
0900000	<b>SUGAR PLANTS</b>	0,03 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others (2)	
1000000	<b>PRODUCTS OF ANIMAL ORIGIN -TERRESTRIAL ANIMALS</b>	
1010000	<b>Commodities from</b>	
1011000	(a) <i>swine</i>	
1011010	Muscle	0,15
1011020	Fat	0,05
1011030	Liver	0,2
1011040	Kidney	0,2
1011050	Edible offals (other than liver and kidney)	0,2
1011990	Others (2)	0,03
1012000	(b) <i>bovine</i>	
1012010	Muscle	0,15
1012020	Fat	0,05
1012030	Liver	0,2
1012040	Kidney	0,2
1012050	Edible offals (other than liver and kidney)	0,2
1012990	Others (2)	0,04
1013000	(c) <i>sheep</i>	
1013010	Muscle	0,15
1013020	Fat	0,05
1013030	Liver	0,2
1013040	Kidney	0,2
1013050	Edible offals (other than liver and kidney)	0,2
1013990	Others (2)	0,04

(1)	(2)	(3)
1014000	(d) <i>goat</i>	
1014010	Muscle	0,15
1014020	Fat	0,05
1014030	Liver	0,2
1014040	Kidney	0,2
1014050	Edible offals (other than liver and kidney)	0,2
1014990	Others (2)	0,04
1015000	(e) <i>equine</i>	
1015010	Muscle	0,15
1015020	Fat	0,05
1015030	Liver	0,2
1015040	Kidney	0,2
1015050	Edible offals (other than liver and kidney)	0,2
1015990	Others (2)	0,04
1016000	(f) <i>poultry</i>	
1016010	Muscle	0,1
1016020	Fat	0,05
1016030	Liver	0,1
1016040	Kidney	0,1
1016050	Edible offals (other than liver and kidney)	0,1
1016990	Others (2)	0,03
1017000	(g) <i>other farmed terrestrial animals</i>	
1017010	Muscle	0,15
1017020	Fat	0,05
1017030	Liver	0,2
1017040	Kidney	0,2
1017050	Edible offals (other than liver and kidney)	0,2
1017990	Others (2)	0,04
1020000	<b>Milk</b>	0,15
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others (2)	
1030000	<b>Birds eggs</b>	0,15
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others (2)	

(1)	(2)	(3)
1040000	<b>Honey and other apiculture products (7)</b>	0,05 (*)
1050000	<b>Amphibians and Reptiles</b>	0,02 (*)
1060000	<b>Terrestrial invertebrate animals</b>	0,02 (*)
1070000	<b>Wild terrestrial vertebrate animals</b>	0,02 (*)
1100000	<b>PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)</b>	
1200000	<b>PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)</b>	
1300000	<b>PROCESSED FOOD PRODUCTS (9)</b>	

(\*) 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.

**Flonicamid (sum of flonicamid, TFNA and TFNG expressed as flonicamid) (R)**

(R) = The residue definition differs for the following combinations pesticide-code number:

Flonicamid — code 1000000, except code 1040000: Sum of flonicamid and TFNA-AM, expressed as flonicamid'