



Notification Number: 2008/539/F

Order of XXXXX amending the Order of 5 August 1992 on the maximum permissible levels of pesticide residues on and in certain products of plant origin.

Date received : 01/12/2008
End of Standstill : 09/03/2009
Issue of comments by : Commission, Italy

Message

Message 002

Communication from the Commission - SG(2008) D/52329
Directive 98/34/EC
Translation of the message 001
Notification: 2008/0539/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays
N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késésekét - Ma' jiftaħx il-perjodi ta' dawmien - Ge
terminjbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда пер
на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200802329.EN)

1. Structured Information Line

MSG 002 IND 2008 0539 F EN 01-12-2008 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

Ministère de l'Agriculture et de la Pêche, Direction générale de l'alimentation, Sous direction de la Qualité et de la Protection des végétaux, Bureau de la réglementation
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4. Notification Number

2008/539/F - C40A

5. Title

Order of XXXXX amending the Order of 5 August 1992 on the maximum permissible levels of pesticide residues on and in certain products of plant origin.

6. Products Concerned

Foodstuffs of plant origin
Maximum residue levels

7. Notification Under Another Act

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8. Main Content

The draft Order of XXXXX amending the Order of 5 August 1992 on the maximum permissible levels of pesticide residues on and in certain products of plant origin lay
down the maximum levels of piperonyl butoxide residues in beans, lentils, horse beans and peas.

9. Brief Statement of Grounds

An application for the extension of uses for stored pulses has been requested for a phytopharmaceutical product intended for the insecticide treatment of stored cereal



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based on deltamethrine and piperonyl butoxide acting as a pyrethrine synergist in insects.

Piperonyl butoxide is not a pesticide within the meaning of Directive 91/414/EEC and does not therefore fall under 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.

A national MLR value of 3 mg/kg in beans, lentils and horse beans has been laid down by national Order, subsequent to the opinion of the French Food Safety Agency

10. Reference Documents - Basic Texts

Order of 5 August 1992 on the maximum permissible levels of pesticide residues on and in certain products of plant origin.

http://www.legifrance.gouv.fr/affichTexte.do;jsessionid=C8CE403E8B2F225EA0118A2B07674BD3.tpdjo13v_2?cidTexte=JORFTEXT000000176835&dateTexte=2008

OPINION of the French Food Safety Agency relating to an application for authorisation to market the preparation K-Obiol ULV6, filed by the company, BAYER ENVIRONMENTAL SCIENCE SAS, after registration of the active substance in Annex I to Directive 91/414/EEC (cf attachment)

11. Invocation of the Emergency Procedure

YES

12. Grounds for the Emergency

Further to receipt of the opinion of the French Food Safety Agency, marketing authorisation concerning the extension of uses requested has now been granted by the Ministry of Agriculture and Fisheries, given the needs of the sectors concerned.

It would be appropriate that the MLRs laid down be published in order to guarantee respect for the health of the consumer.

13. Confidentiality

NO

14. Fiscal measures

NO

15. Impact assessment

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16. TBT and SPS aspects

TBT and SPS aspects

TBT aspect

NO

The draft is not a technical regulation or a conformity assessment procedure pursuant to Annex 1 to the TBT Agreement.

SPS aspect

YES

* For Directive 2006/123/EC on services in the internal market, Member States specify under this point the provisions of the notified draft in terms of services which contain requirements referred to in Article 15 §2 of Directive 2006/123/EC. In addition, they mention which requirements of those listed below are referred to in the draft. The grounds for notification under Directive 2006/123/EC should be mentioned under point 9 (notably in terms of necessity, non-discrimination and proportionality).

Memorandum item, the requirements of Article 15 §2 of Directive 2006/123/EC are as follows:

- a) Quantitative or territorial restrictions, in particular in the form of limits fixed according to population or of a minimum geographical distance between providers;
- (b) An obligation on a provider to take a specific legal form;
- (c) Requirements which relate to the shareholding of a company;
- (d) Requirements, other than those concerning matters covered by Directive 2005/36/EC or provided for in other Community instruments, which reserve access to the service activity in question to particular providers by virtue of the specific nature of the activity;
- (e) A ban on having more than one establishment in the territory of the same State;
- (f) Requirements fixing a minimum number of employees;
- (g) Fixed minimum and/or maximum tariffs with which the provider must comply;
- (h) The obligation on the provider to supply other specific services jointly with his service.

Catherine Day
Secrétaire général
Commission européenne

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