

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (88) 798 final

Brussels, 19 December 1988

PROPOSAL

for a Council Regulation on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables, and amending the procedural rules of Directive 76/895/EEC relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables

(presented by the Commission)

EXPLANATORY NOTE

The use of pesticides in modern agriculture is considered essential to minimize crop losses resulting from pest and disease attacks. Their use has contributed significantly to improvements in agricultural productivity and also in produce quality. However, it must be realised that pesticides are dangerous and accordingly their residues should only be present in amounts that are absolutely necessary for optimum pesticidal effect and then only if toxicologically acceptable.

The necessity to regulate pesticide residues was formally recognised by the Council in its resolutions of 22 July 1974 (1) relating to veterinary, phytosanitary and animal nutrition sectors, and subsequently by the adoption in 1976 of Council Directive 76/895/EEC relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables (2).

The scope of Community coverage of maximum levels for pesticide residues was significantly enlarged in 1986 by adoption of Council Directives 86/362/EEC and 86/363/EEC (3) covering cereals and products of animal origin respectively.

The Commission never considered Directive 76/895/EEC entirely satisfactory due to the fact that Member States are not required to adopt for their national trade the maximum levels laid down in the Directive. This situation can result in intra-Community trade problems and is, therefore, not consistent with the objective of achieving the Single Market by 1992. Furthermore, the need to obtain unanimity in order to amend and update the

(1) OJ N° C 92 of 6.8.1974, p. 2

(2) OJ N° 340 of 9.12.1976, p. 26

(3) OJ N° 221 of 7.8.1986, p. 37

maximum levels has caused difficulties with the result that Community provisions in this area have become incomplete and out-of-date.

The increased degree of harmonization achieved by Directives 86/362/EEC and 86/363/EEC has resulted in all Member States applying the maximum levels provided for in the two directives. However, the directives do not contain satisfactory provisions for amending and supplementing the maximum levels.

The present proposal, which figures in the Annex to the Commission's White Paper "Completing the Internal Market" (4), has as its main objectives the following:

- (a) Institution of a system for fixing mandatory maximum residue levels for fruit and vegetables presently covered by the provisions of Council Directive 76/895/EEC. These mandatory levels will be included in a list established by the Commission under a Standing Committee procedure. In the case of pesticide residues regulated by Directive 76/895/EEC, upon determination of a mandatory maximum level, the relevant pesticide residue will be removed from the Annex to that Directive and added to this list.
- (b) Extension of the scope of Community measures to products not heretofore covered thereby, including such significant product omissions as potatoes, oil seed, pulses, etc. Adoption of this proposal would result in the possibility of setting Community maximum pesticide residue levels for most major components of the diet.
- (c) To combine in one Community measure maximum pesticide residue levels for fruit and vegetables irrespective of whether the treatment was applied pre or post-harvest. The

(4) COM (85) 310 final

residues of substances used for post-harvest treatment are presently governed by Council Directive 64/54/EEC which concerns food preservatives. There is no toxicological justification for treating these residues in a separate legal instrument. In the case of both pre- and post-harvest treatment, it is the magnitude of the residue in question and its toxicological significance which must be taken into account when deciding on the appropriate maximum level.

Under the proposal a regulatory (Standing) Committee procedure is to be followed for the amendment of the list of products covered by the Regulation, for the establishment (and amendment) of the list of pesticide residues and their maximum levels and for the taking of safeguard measures (see note on Article 9 below). The decision to propose this procedure is without prejudice to future Commission proposals relating to rule-making procedures.

The matters which will come before the regulatory committee are not merely technical but involve important public health issues and provoke wide public interest from consumers. In the light of this, and given also that (safeguard measures apart) they have previously been dealt with on the basis of unanimity, provision is made, at this stage, for a committee procedure which entails close cooperation between Member States and the Commission (in the context of the Standing Committee on Plant Health) and gives Member States a relatively close involvement in rule-making.

On the other hand, for technical matters - for example, sampling and analysis methods (see note on Article 7 below) - the proposal already contains provision for rule-making under an advisory committee procedure.

The proposal is framed as a Regulation so that the maximum residue levels fixed under it are immediately effective.

CONTENT OF THE PROPOSAL

- Article 1 defines to the scope of the Regulation, drawing particular attention to the annex containing the products and the parts thereof to which the maximum levels apply. It provides that the list of pesticide residues and maximum levels shall be established by the Commission under a Standing Committee procedure (Article 11).
- Article 2 defines the terms 'pesticide residues' and 'putting into circulation'.
- Article 3 indicates from when the maximum residue levels are applicable in the distribution chain and how compliance should be checked. In this respect, the provisions for inspections contained in Article 3 of the Commission proposal on the official inspection of foodstuffs shall apply (5).

(5) OJ N° C 20, 27.1.1987, p. 6

- Article 4 provides for an annual report to the Commission of the results of the checks carried out and also for a programme of inspections for the following year. The provisions of Article 11 of the Commission proposal (6) shall apply with the exception of the reporting date, which shall be 1 August.
- Article 5 guarantees free circulation of produce complying with the provisions of the Regulation.
- Article 6 provides for labelling of post-harvest treated fruit and vegetables.
- Article 7 provides for Community methods of sampling and analysis to be determined by the Commission with the aid of an advisory Committee (see Article 10). The latter methods must be used in cases of dispute. The methods of analysis shall comply with the criteria set out in the Annex to Council Directive 85/591/EEC of 20 December 1985 concerning the introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption (6).
- Article 8 provides for amendments to the annex, to be made by the Commission under a Standing Committee procedure (Article 11).
- Article 9 provides for rapid decision-making by the Commission under an expedited Standing Committee procedure (Article 12), should new information or of a reassessment of existing information give rise to fears that human or animal health might be endangered due to an existing maximum residue level.

(6) OJ N° L 372, 31.12.85, p. 50

Articles 10 to 11 and 12 contain the procedural provisions referred to above.

Article 13 amends Directive 76/895/EEC so that certain amendments to its annexes can be made by the Commission under a Standing Committee procedure.

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation (EEC) on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables, and amending Directive 76/895/EEC as regards procedural rules

*COM(88) 798 final**(Submitted by the Commission on 23 December 1988)**(89/C 46/05)*

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas crop production plays a very important role in the Community;

Whereas the yield from that production is continually affected by harmful organisms and weeds;

Whereas it is essential to protect plants and plant products against these organisms, not only to prevent a reduction in yield or damage to the products harvested but also to increase agricultural productivity;

Whereas one of the most important methods of protecting plants and plant products from the effects of these organisms is the use of chemical pesticides;

Whereas, however, their favourable effect on plant production is not the only effect of these pesticides, since they are generally dangerous substances or preparations with dangerous side-effects;

Whereas a large number of these pesticides and of their metabolites or breakdown products may have harmful effects on consumers of plant products; whereas these

pesticides should not be used in circumstances which present a risk to human or animal health;

Whereas these pesticides and the impurities which may accompany them can present dangers for the environment;

Whereas, in order to deal with these problems, Council Directive 76/895/EEC ⁽¹⁾, as last amended by Directive 88/298/EEC ⁽²⁾, fixes maximum levels for pesticide residues in and on fruit and vegetables and ensures the free movement throughout the Community of products with levels less than, or equal to, these maxima; whereas, however, that Directive permits Member States, in cases where they consider this justified, to authorise the movement within their own territories of products containing levels higher than the maxima;

Whereas this last provision leads in some cases to continuing differences between Member States as regards the maximum permissible levels for these pesticide residues, which can help to create barriers to trade and thus hinder the free movement of goods within the Community; whereas, with a view to achieving the single market in 1992, these barriers should be removed;

Whereas, for these reasons, the possibility for Member States to authorize higher levels should be eliminated and maximum levels mandatory in all Member States should be fixed for certain active substances in and on fruit and vegetables, which must be observed when these products are put into circulation;

Whereas, again with a view to ensuring the free movement of goods within the Community, mandatory maximum levels should also be fixed for certain pesticides in and on certain other products of plant origin;

⁽¹⁾ OJ No L 340, 9. 12. 1976, p 26.

⁽²⁾ OJ No L 126, 20. 5. 1988, p. 53.

Whereas, moreover, observance of the maximum levels will ensure that products can move freely and that the health of consumers and of animals is properly protected;

Whereas, however, the determination of mandatory maximum levels for pesticide residues requires lengthy technical consideration, so that such levels cannot be imposed immediately upon the pesticide residues regulated by Directive 76/895/EEC;

Whereas it is therefore necessary to adopt a separate measure providing for these mandatory maximum levels, with a view to transferring pesticide residues from Directive 76/895/EEC to this separate measure progressively as mandatory levels are determined for them;

Whereas, accordingly, subject to certain procedural amendments, this Regulation is without prejudice to Directive 76/895/EEC, which shall continue to apply to certain pesticide residues not subject to this Regulation;

Whereas the establishment of a list of pesticide residues and their maximum levels is a technical and scientific matter which should be determined by means of a procedure involving close cooperation between the Member States and the Commission within the Standing Committee on Plant Health; whereas, however, this list should not include a pesticide residue while it remains subject to Directive 76/895/EEC;

Whereas it is not appropriate to apply this Regulation to products intended for export to third countries, as the maximum levels for pesticide residues applicable there may be different from those fixed for the Community pursuant to this Regulation; nor is it necessary to apply this Regulation to products intended for the manufacture of products other than foodstuffs, or for sowing or planting;

Whereas, in order to guarantee compliance with this Regulation when products are put into circulation, the Member States must take suitable control measures; whereas the necessary inspections should be programmed, carried out and their results reported in accordance with Council Directive .../.../EEC of ... on the official inspection of foodstuffs;

Whereas, in order to ensure that traders and consumers are properly informed, clear indications should be given when products contain residues of pesticides resulting from post-harvest treatment to protect them until sale to the ultimate consumer; whereas this is particularly relevant to certain substances employed for the surface

treatment of citrus fruits and bananas and now regulated by Council Directive 64/54/EEC of 5 November 1963 on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption⁽¹⁾, as last amended by Directive 85/585/EEC⁽²⁾; whereas the use of these substances should more properly be regulated in the framework of Community rules relating to pesticides and it is envisaged that they will, in due course, be brought within the scope of this Regulation; whereas it is therefore necessary to include a provision on indications relating to post-harvest treatment in this Regulation;

Whereas Community methods of sampling and analysis should be established and, in the case of analysis methods, used at least as reference methods; whereas the establishment of these methods is a technical and scientific implementing measure which can be taken by the Commission with the assistance of an advisory committee comprised of the representatives of the Member States; whereas the analysis methods should comply with the criteria set out in the Annex to Council Directive 85/591/EEC of 20 December 1985 concerning the introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption⁽³⁾, as last amended by Directive .../.../EEC;

Whereas future modification of the list of products of plant origin in or on which pesticide residues may be present is a technical and scientific matter which should be determined by means of a procedure involving close cooperation between the Member States and the Commission within the Standing Committee on Plant Health;

Whereas Member States should be allowed to reduce temporarily the levels laid down if they subsequently prove dangerous to human or animal health; whereas it is appropriate in these cases also to establish close cooperation between the Member States and the Commission within the Standing Committee on Plant Health;

Whereas amendments to the list of fruit and vegetables in and on which pesticide residues may be present, contained in Annex I to Directive 76/895/EEC, and amendments to the list of pesticide residues and maximum levels contained in Annex II thereto, are technical and scientific matters which should be determined by means of the procedure laid down in Article 7 of that Directive;

⁽¹⁾ OJ No 12, 27. 1. 1964, p. 161/64.

⁽²⁾ OJ No L 372, 31. 12. 1985, p. 43.

⁽³⁾ OJ No L 372, 31. 12. 1985, p. 50.

Whereas, in order to improve the efficiency of the Community's decision-making process, and in particular to ensure effective action by the Commission in matters delegated to it by the Council, the procedures laid down in Article 7 (4) and 8 (4) of Directive 76/895/EEC should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products within the groups specified in column 1 of the Annex, examples of which are given in column 2, in so far as products in these groups, or the portion of them described in column 3, may contain certain pesticide residues.

The list of pesticide residues concerned and their maximum levels shall be established in accordance with the procedure laid in Article 11. A pesticide residue shall not be included on the list for as long as a maximum level is fixed for it by Directive 76/895/EEC.

2. This Regulation shall apply without prejudice to:

- the provisions of Directive 64/54/EEC relating to biphenyl (diphenyl), orthophenylphenol, sodium orthophenyl phenate and 2-(4-thiazolyl)-benzimidazole (thiabendazole), which shall continue to regulate the use of those substances until they and their maximum levels are included, in accordance with the procedure laid down in Article 11, in the list referred to in paragraph 1,
- the provisions of Council Directive 74/63/EEC ⁽¹⁾,
- subject to Article 13, the provisions of Directive 76/895/EEC,
- the provisions of Council Directive 86/362/EEC ⁽²⁾.

3. This Regulation shall not apply to the products referred to in paragraph 1 where it can be established by appropriate evidence that they are intended for:

- (a) export to third countries;
- (b) the manufacture of products other than foodstuffs;
- (c) sowing or planting.

Article 2

1. For the purposes of this Regulation, 'pesticide residues' mean residues of the pesticides and of their

metabolites, and breakdown or reaction products, included in the list referred to in Article 1, which are present in or on the products referred to in Article 1.

2. For the purposes of this Regulation, 'putting into circulation' means any handing over, whether or not for a consideration, of the products referred to in Article 1.

Article 3

1. The products or, where provided for, the portion of them, referred to in Article 1 shall not contain, from the time they are put into circulation, levels of pesticide residues greater than those specified in the list referred to in Article 1.

2. Member States shall ensure, at least by check sampling, compliance with the maximum levels referred to in paragraph 1. The necessary inspections shall be carried out in accordance with the provisions of Directive .../.../EEC and in particular Article 3 thereof.

Article 4

Programming, and reporting of the results, of the official checks carried out pursuant to Article 3 shall be carried out in accordance with Article 11 of Directive .../.../EEC, except that reports shall be sent to the Commission before 1 August each year rather than 1 May.

Article 5

Member States may not prohibit or impede the putting into circulation within their territories of the products referred to in Article 1 on the ground that they contain pesticide residues, if the quantity of such residues in the products or the relevant portion of them does not exceed the maximum levels specified in the list referred to in Article 1.

Article 6

In the case of fruit and vegetables which contain pesticide residues resulting from post-harvest treatment to protect them until sale to the ultimate consumer, such treatment shall be indicated by the words:

'treated with...'

followed by the common or, if none exists, chemical name of the pesticide used:

- in the wholesale trade, on invoices and on one external surface of the packaging,
- in the retail trade, by some visible indication giving the consumer clear information.

⁽¹⁾ OJ No L 38, 11. 2. 1974, p. 31.

⁽²⁾ OJ No L 221, 7. 8. 1986, p. 37.

Article 7

1. The methods of sampling fruit and vegetables necessary for carrying out the checks provided for in Article 3 shall be those laid down by Commission Directive 79/700/EEC⁽¹⁾. The methods of sampling products, other than fruit and vegetables, and the methods of analysis for all products, necessary for carrying out the said checks, shall be determined in accordance with the procedure laid down in Article 10.

The existence of Community methods of analysis shall not preclude Member States from using other tested and scientifically valid methods provided that this does not hinder the free movement of products recognized by virtue of Community methods as complying with the rules provided for in this Regulation. In the event of differences in the interpretation of results, those obtained by the use of Community methods shall be determinant.

2. The methods of analysis determined under paragraph 1 shall comply with the criteria set out in the Annex to Directive 85/591/EEC.

3. Member States shall inform the other Member States and the Commission of the methods used pursuant to paragraph 1.

Article 8

Amendments to the Annex as a result of developments in scientific or technical knowledge shall be adopted in accordance with the procedure laid down in Article 11.

Article 9

1. Where a Member State, as a result of new information or of a reassessment of existing information, considers that a maximum level fixed in the list referred to in Article 1 endangers human or animal health, and therefore requires swift action to be taken, that Member State may temporarily reduce the level in its own territory. In that case, it shall immediately notify the other Member States and the Commission of the measures, attaching a statement of the reasons therefor.

2. The Commission shall examine as soon as possible the grounds given by the Member State concerned and shall consult the Member States within the Standing Committee on Plant Health, hereinafter referred to as 'the Standing Committee', and shall then deliver its opinion forthwith and take appropriate measures. The Commission shall immediately notify the Council and the Member States of any measures taken. Any Member State may refer the Commission's measures to the Council within 15 days of such notification. The Council acting by a qualified majority may take a different decision within 15 days of the date on which the matter was referred to it.

3. If the Commission considers that the maximum levels laid down in the list referred to in Article 1 should be amended to resolve the difficulties mentioned in paragraph 1 and to ensure the protection of human health, it shall initiate the procedure laid down in Article 12 with a view to adopting those amendments; the Member State which has taken measures under paragraph 1 may in that event maintain them until the Council or the Commission has taken a decision in accordance with the abovementioned procedure.

Article 10

Where the procedure laid down in this Article is to be followed the Commission shall be assisted by a committee of an advisory nature composed of the representatives of the Member States and chaired by a representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

Article 11

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred without delay to the Standing Committee by its chairman, either on his own initiative or at the request of a Member State.

2. The representative of the Commission shall submit to the Standing Committee a draft of the measures to be taken. The Standing Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Standing Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Standing Committee.

4. If the measures are not in accordance with the opinion of the Standing Committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

⁽¹⁾ OJ No L 207, 15. 8. 1979, p. 26.

5. If, within three months following the date on which the matter was referred to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 12

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred without delay to the Standing Committee by its chairman, either on his own initiative or at the request of a Member State.

2. The representative of the Commission shall submit to the Standing Committee a draft of the measures to be taken. The Standing Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Standing Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Standing Committee.

4. If the measures are not in accordance with the opinion of the Standing Committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

5. If, within 15 days following the date on which the matter was referred to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 13

Directive 76/895/EEC is hereby amended as follows:

1. Article 5 is replaced by the following:

Article 5

Without prejudice to Article 4, amendments to Annexes I and II as a result of developments in scientific or technical knowledge shall be adopted in accordance with the procedure laid down in Article 7'.

2. At the end of the second subparagraph of both Article 7 (4) and Article 8 (4) the words 'except where the Council has rejected the said measures by a simple majority' are deleted.

Article 14

This Regulation shall enter into force on 31 December 1989.

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

ANNEX

List of products referred to in Article 1 and the portion of the products to which the maximum residue levels apply

Note: The word 'fresh' is taken to extend to goods which have been chilled or frozen.

1. Groups of products	2. Groups include the following products	3. Part of product to which maximum residue levels apply
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1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar; nuts

(i) CITRUS FRUIT

Grapefruit
Lemons
Limes
Mandarins (including clementines and similar hybrids)
Oranges
Pummelo

Whole product

1. Groups of products	2. Groups include the following products	3. Part of product to which maximum residue levels apply
(ii) TREE NUTS (shelled or unshelled)	Almonds Brazil nuts Cashew nuts Chestnuts Coconuts Hazelnuts Macadamia Pecans Pine nuts Pistachios Walnuts	Whole product after removal of shell
(iii) POME FRUIT	Apples Pears Quinces	Whole product after removal of stems
(iv) STONE FRUIT	Apricots Cherries Peaches (including nectarines and similar hybrids) Plums	Whole product after removal of stems
(v) BERRIES AND SMALL FRUIT	(a) <i>Table and wine grapes</i> (b) <i>Strawberries (other than wild)</i> (c) <i>Cane fruit (other than wild)</i> Blackberries Dewberries Loganberries Raspberries (d) <i>Other small fruit and berries (other than wild)</i> Bilberries (fruit of species <i>vaccinium myrtillus</i>) Cranberries Currants (red, black and white) Gooseberries Rose hips (e) <i>Wild berries and wild fruit</i>	Whole product after removal of caps and stems (if any) and, in the case of currants, fruits with stems
(vi) MISCELLANEOUS FRUIT	Avocados Bananas Dates Figs Kiwi fruit Kumquats Litchis Mangoes Olives Passion fruit Pineapples Pomegranate	Whole fruit after removal of stems (if any) and in the case of pineapple after removal of the crown

1. Groups of products	2. Groups include the following products	3. Part or product to which maximum residue levels apply
2. Vegetables, fresh or uncooked, frozen or dry		
(i) ROOT AND TUBER VEGETABLES	Beetroot Carrots Celeriac Horse radish Jerusalem artichokes Kohlrabi Parsnip Parsley root Radishes Salsify Sweet potatoes Swedes Turnips Yam	Whole product after removal of tops and adhering soil (if any) (removal of soil by rinsing in running water or by gentle brushing of the dry product)
(ii) BULB VEGETABLES	Garlic Onions Shallots Spring onions	Onions (dry), shallots (dry), garlic (dry): whole product after removal of easily detachable skin and soil (if any). Onions, shallots and garlic other than dry, spring onions: whole product after removal of roots and soil (if any)
(iii) FRUITING VEGETABLES	(a) <i>Solanacea</i> Tomatoes Peppers Aubergines Pepinos (b) <i>Cucurbits — edible peel</i> Cucumbers Gherkins Courgettes (c) <i>Cucurbits — inedible peel</i> Melons Squashes Watermelons (d) <i>Sweet corn</i>	Whole product after removal of stems Kernels or cobs without husks
(iv) BRASSICA VEGETABLES	(a) <i>Flowering Brassicas</i> Broccoli Cauliflower (b) <i>Head Brassicas</i> Brussels sprouts Head cabbage (c) <i>Leafy Brassicas</i> Chinese cabbage Kale	Cauliflower and broccoli: curd only Product after removal of decayed leaves (if any)
(v) LEAF VEGETABLES AND FRESH HERBS	(a) <i>Lettuce and similar</i> Cress Lamb's lettuce Lettuce Scarole (b) <i>Spinach and similar</i> Beet leaves (chard) (c) <i>Water cress</i> (d) <i>Witloof</i> (e) <i>Herbs</i> Chervil Chives Parsley	Whole product after removal of decayed outer leaves, root and soil (if any)

1. Groups of products	2. Groups include the following products	3. Part of product to which maximum residue levels apply
(vi) LEGUME VEGETABLES (fresh)	Beans Peas	Whole product after removal of pods or with pods if pods are intended to be eaten
(vii) STEM VEGETABLES	Asparagus Cardoons Celery Fennel Globe artichokes Leek Rhubarb	Whole product after removal of decayed tissue and soil (if any); leeks and fennel: whole product after removal of roots and soil (if any)
(viii) FUNGI	Mushrooms (other than wild) Wild mushrooms	Whole product after removal of growing medium (if any) Whole product after removal of soil (if any)
3. Pulses	Beans Lentils Peas	Whole product
4. Oil seeds	Linseed Peanuts Poppy seed Sesame seed Sunflower seed Rape seed	Whole seed or kernel after removal of shell or husk, when possible
5. Potatoes	Early and ware potatoes	Whole product after removal of soil (if any) (removal of soil by rinsing in running water or by gentle brushing of the dry product)
6. Tea (Black tea processed from the leaves of <i>Camellia sinensis</i>)		Whole product
7. Hops (dried), including hop pellets and unconcentrated powder		Whole product