Brussels, XXX
PLAN/2026/2405_Rev0
[…](2026) XXX draft

COMMISSION REGULATION (EU) …/…

of XXX

amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for acequinocyl, aclonifen, dodine, potassium phosphonates and propyzamide in or on certain products

(Text with EEA relevance)

DRAFT

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission. The information transmitted is intended only for the Member State or entity to which it is addressed for discussions and may contain confidential and/or privileged material.

COMMISSION REGULATION (EU) …/…

of XXX

amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for acequinocyl, aclonifen, dodine, potassium phosphonates and propyzamide 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), point (a), thereof,

Whereas:

(1) For the active substances acequinocyl, aclonifen, dodine, potassium phosphonates and propyzamide, maximum residue levels ('MRLs') were set in Annex II to Regulation (EC) No 396/2005.

(2) As regards acequinocyl, an application requesting a modification of the existing MRL was submitted for blackberries, dewberries, raspberries (red and yellow), other cane fruits, blueberries, cranberries, currants (red, black and white), gooseberries (green, red and yellow), rose hips, mulberries (black and white), azarole/Mediterranean medlar, elderberries, other small fruits and berries, and honey and other apiculture products, and another application was submitted for celeries, florence fennels and rhubarbs, pursuant to Article 6(1) of Regulation (EC) No 396/2005. As regards dodine, such an application was submitted for honey and other apiculture products. As regards potassium phosphonates, three applications were submitted, one application for bananas, pineapples, radishes (roots and leaves), beans without pods and peas without pods, another one for sugar beet roots, and another one for beans without pods and for peas with and without pods. As regards propyzamide, such an application was submitted for linseeds, sesame seeds, rapeseeds/canola seeds, mustard seeds, borage seeds, gold of pleasure seeds, hemp seeds, and honey and other apiculture products. As regards aclonifen, an application requesting a modification of the existing MRL in lupins/ lupini beans was submitted pursuant to Article 6(1) of Regulation (EC) No 396/2005. As regards this application, a Member State made a request to use the fast-track procedure, provided for in the Technical Guidelines on the MRL setting procedure[2], to set an MRL based on residue trials for dry beans and dry peas.

(3) The European Food Safety Authority ('the Authority') assessed these applications for acequinocyl, dodine, potassium phosphonates and propyzamide, and the evaluation

-

[1] OJ L 70, 16.3.2005, p. 1, ELI: http://data.europa.eu/eli/reg/2005/396/oj.

[2] Technical guidelines MRL setting procedure in accordance with Articles 6 to 11 of Regulation (EC) No 396/2005 and Article 8 of Regulation (EC) No 1107/2009 (SANTE/2015/10595 Rev. 6.1).

reports prepared by the Evaluating Member States, examining in particular the risks to consumers and, where relevant, to animals, and gave reasoned opinions on the proposed MRLs[3]. It forwarded those opinions to the applicants, the Commission and the Member States and made them available to the public.

(4) As regards applications for acequinocyl in blackberries, dewberries, raspberries (red and yellow), other cane fruits, blueberries, cranberries, currants (red, black and white), gooseberries (green, red and yellow), rose hips, mulberries (black and white), azarole/Mediterranean medlar, elderberries, other small fruits and berries, honey and other apiculture products, celeries, florence fennels and rhubarbs; for dodine in honey and other apiculture products; for potassium phosphonates in bananas, pineapples, radishes (roots and leaves), beans without pods, peas without pods, sugar beet roots; and for propyzamide in linseeds, sesame seeds, rapeseeds/canola seeds, mustard seeds, borage seeds, gold of pleasure seeds, hemp seeds, and honey and other apiculture products, the Authority concluded that the data were appropriate to derive MRL proposals for these commodities under assessment. It is, therefore, appropriate to set the requested MRLs at the levels recommended by the Authority. As regards the application for potassium phosphonates in peas with pods, the Authority concluded that data were insufficient to derive a new MRL. It is, therefore, appropriate to maintain the existing MRL, which was the product-specific limit of determination ('LOD'). For large radish leaves, the Authority concluded that a risk manager decision was required to decide whether the MRL should be set at 20 mg/kg or 150 mg/kg, both levels found to be safe for consumers under the current Acceptable Daily Intake ('ADI'). It was considered appropriate to set the MRL for kales at the requested level of 150 mg/kg, given that the application was submitted before Regulation (EU) 2024/3196[4] split the commodity of 'radish leaves' into two separate commodities: large radish leaves (currently covered under kales) and small radish leaves (currently covered under rucola).

(5) For aclonifen, the Authority assessed residue trials on dry beans and dry peas in the framework of the review of the existing MRLs according to Article 12 of Regulation (EC) No 396/2005 and gave a reasoned opinion on the proposed MRL[5]. That opinion relies on the current scientific and technical knowledge on the subject. As it is appropriate to extrapolate from the residue trials on dry beans and dry peans to lupins/ lupini beans according to Technical Guidelines on the MRL setting procedure, it is unnecessary to request the Authority to provide a reasoned opinion on lupins/ lupini beans specifically.

---

3 Modification of the existing maximum residue levels for acequinocyl in cane fruits and other small fruits and berries. EFSA Journal 2026; 24(5): e10101, https://doi.org/10.2903/j.efsa.2026.10101.
Modification of the existing maximum residue levels for acequinocyl in celeries, Florence fennel and rhubarb. EFSA Journal 2026; 24(7): e10261, https://doi.org/10.2903/j.efsa.2026.10261.
Modification of the existing maximum residue level for dodine in honey. EFSA Journal 2026; 24(5): e10109, https://doi.org/10.2903/j.efsa.2026.10109.
Modification of the existing maximum residue levels for potassium phosphonates in various crops. EFSA Journal 2026; 24(8): e10290,https://doi.org/10.2903/j.efsa.2026.10290.
Modification of the existing maximum residue levels for propyzamide in oilseeds and honey. EFSA Journal 2026; 24(10): e10324, https://doi.org/10.2903/j.efsa.2026.10324.

4 Commission Regulation (EU) 2024/3196 of 18 December 2024 amending Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards radish leaves (OJ L, 2024/3196, 19.12.2024, ELI: http://data.europa.eu/eli/reg/2024/3196/oj).

5 Review of the existing maximum residue levels for aclonifen according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2015; 13(11):4323, doi:10.2903/j.efsa.2015.4323.

(6) Regulation (EC) No 396/2005 should therefore be amended accordingly.

(7) 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,

For the Commission
The President
Ursula VON DER LEYEN

DRAFT