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Price: EUR 4

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⁽¹⁾ Text with EEA relevance

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DECISIONS

2011/306/EU:

★ Commission Implementing Decision of 20 May 2011 establishing that Article 30(1) of Directive 2004/17/EC of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors is not applicable to the bituminous coal mining in the Czech Republic (notified under document C(2011) 3406) ⁽¹⁾	55
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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 21 March 2011

on the conclusion, on behalf of the European Union, of an Agreement between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein on supplementary rules in relation to the External Borders Fund for the period 2007 to 2013

(2011/305/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2)(d) in conjunction with Article 218(6)(a)(v) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) According to Article 11 of Decision No 574/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme 'Solidarity and Management of Migration Flows' ⁽¹⁾ the third countries associated with the implementation, application and development of the Schengen *acquis* shall participate in the Fund in accordance with its provisions and arrangements should be concluded to specify supplementary rules necessary for such participation, including provisions ensuring the protection of the Community's financial interests and the power of audit of the Court of Auditors.
- (2) Following the authorisation given to the Commission on 20 December 2007, negotiations with the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein were concluded on 30 June 2009.
- (3) According to Council Decision 2010/374/EC of 30 November 2009 ⁽²⁾, and pending its conclusion at a later date, the Agreement between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein on supplementary rules in relation to the External Borders Fund for the period 2007 to 2013 (hereinafter referred to as 'the Agreement') was signed on 19 March 2010 on behalf of the Union, and applied on a provisional basis.
- (4) As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, a Joint Declaration by the European Union and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein on the Agreement between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein on supplementary rules in relation to the External Borders Fund for the period 2007 to 2013 has been agreed by all Parties at the time of the signature, and attached to the Agreement, stating that the European Union has replaced and succeeded the European Community.
- (5) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it, or subject to its application. Given that this Decision builds upon the Schengen *acquis*, Denmark shall, in accordance with Article 4 of that Protocol, decide within a period of 6 months after the Council has decided on this Decision whether it will implement it in its national law.

⁽¹⁾ OJ L 144, 6.6.2007, p. 22.⁽²⁾ OJ L 169, 3.7.2010, p. 22.

- (6) This Decision constitutes a development of the provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* ⁽¹⁾. The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.
- (7) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ⁽²⁾. Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.
- (8) The Agreement should be concluded,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein on supplementary

rules in relation to the External Borders Fund for the period 2007 to 2013 (hereinafter referred to as 'the Agreement') ⁽³⁾ and the Declarations thereto are hereby approved on behalf of the Union.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to deposit on behalf of the Union the instrument of approval provided for in Article 13(2) of the Agreement in order to bind the Union.

Article 3

This Decision shall enter into force on the day of its adoption.

Article 4

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 21 March 2011.

For the Council
The President
MARTONYI J.

⁽¹⁾ OJ L 131, 1.6.2000, p. 43.

⁽²⁾ OJ L 64, 7.3.2002, p. 20.

⁽³⁾ The Agreement has been published in OJ L 169, 3.7.2010, p. 24 together with the decision on signature.

REGULATIONS

COMMISSION REGULATION (EU) No 508/2011

of 24 May 2011

amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for abamectin, acetamiprid, cyprodinil, difenoconazole, dimethomorph, fenhexamid, proquinazid, prothioconazole, pyraclostrobin, spirotetramat, thiacloprid, thiamethoxam and trifloxystrobin 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) thereof,

Whereas:

(1) For abamectin, acetamiprid, fenhexamid, pyraclostrobin, thiacloprid and trifloxystrobin maximum residue levels (MRLs) were set in Annex II and Part B of Annex III to Regulation (EC) No 396/2005. For cyprodinil, difenoconazole, dimethomorph, proquinazid, prothioconazole, spirotetramat, and thiamethoxam, MRLs were set in Part A of Annex III to Regulation (EC) No 396/2005.

(2) In the context of a procedure, in accordance with Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽²⁾, for the authorisation of the use of a plant protection product containing the active substance fenhexamid on onions an application was made under Article 6(1) of Regulation (EC) No 396/2005 for modification of the existing MRLs.

(3) As regards abamectin, such an application was made for the use on apricots and peaches. As regards acetamiprid, such an application was made for the use on land cress and red mustard. As regards cyprodinil, such application was made for the use in fresh lentils. As regards difenoconazole, such an application was made for the use on peppers and aubergines. As regards dimethomorph, such an application was made for the use in garlic, onions, shallots, aubergines and globe artichokes. As regards proquinazid, such an application was made for the use on strawberries. As regards prothioconazole, such an application was made for the use on various root vegetables. As regards pyraclostrobin, such an application was made for the use on tomatoes, aubergines, globe

artichokes and celeriac. As regards spirotetramat, such an application was made for the use in various crops outside the European Union. As regards thiacloprid, such an application was made for the use on cotton seed and figs. As regards thiamethoxam, such an application was made for the use in strawberries and beans (with pods). As regards trifloxystrobin, such an application was made for the use on leafy brassica.

(4) Regarding trifloxystrobin, the European Food Safety Authority, hereinafter 'the Authority' has reviewed not only the use on leafy brassica but also the animal feeding studies and has concluded that it is necessary to set MRLs for products of animal origin with an amended residue definition at the limit of determination for enforcement purposes.

(5) In accordance with Article 8 of Regulation (EC) No 396/2005, these applications were evaluated by the Member States concerned and the evaluation reports were forwarded to the Commission.

(6) 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 ⁽³⁾. It forwarded these opinions to the Commission and the Member States and made them available to the public.

(7) The Authority concluded in its reasoned opinions that all requirements with respect to data were met and that the modifications to the MRLs as recommended by the Authority 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 the substances. Neither the lifetime exposure to these substances via consumption of all food products that may contain these substances, nor the short term exposure due to extreme consumption of the relevant crops showed that there is a risk that the acceptable daily intake (ADI) or the acute reference dose (ARfD) is exceeded.

- (8) Based on the reasoned opinions and statement of the Authority and taking into account the factors relevant to the matter under consideration, the appropriate modifications to the MRLs fulfil the requirements of Article 14(2)(a) of Regulation (EC) No 396/2005.
- (9) Annex II and III to Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II and III to Regulation (EC) No 396/2005 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 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, 24 May 2011.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ OJ L 230, 19.8.1991, p. 1.

⁽³⁾ EFSA scientific reports available on <http://www.efsa.europa.eu>:

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for abamectin in apricots and peaches (including nectarines), EFSA Journal 2010; 8(7):1683. Published: 13 July 2010 Adopted: 12 July 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for acetamiprid in land cress and red mustard, EFSA Journal 2010; 8(6):1643. Published: 7 June 2010 Adopted: 3 June 2010.

Reasoned opinion of EFSA: Modification of the existing MRL for cyprodinil in fresh lentils EFSA Journal 2010; 8(3):1529. Published: 10 March 2010 Adopted: 8 March 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for difenoconazole in peppers and aubergines, EFSA Journal 2010; 8(6):1651. Published: 25 June 2010 Adopted: 24 June 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for dimethomorph in various crops, EFSA Journal 2010; 8(5):1622. Published: 21 May 2010 Adopted: 20 May 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for fenhexamid in onions, EFSA Journal 2010; 8(7):1696. Published: 13 July 2010 Adopted: 12 July 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for proquinazid in strawberries, EFSA Journal 2010; 8(8):1712. Published: 26 July 2010 Adopted: 20 July 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for prothioconazole in various root vegetables, EFSA Journal 2010; 8(7):1675. Published: 8 July 2010 Adopted: 7 July 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for pyraclostrobin in tomatoes, aubergines, globe artichokes and celeriac EFSA Journal 2010; 8(6):1630. Published: 7 June 2010 Adopted: 28 May 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for spirotetramat in various crops, EFSA Journal 2010; 8(7):1665. Published: 1 July 2010 Adopted: 29 June 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for thiacloprid in figs and various crops, EFSA Journal 2010; 8(7):1668. Published: 1 July 2010 Adopted: 29 June 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for thiacloprid in cotton seed, EFSA Journal 2010; 8(8):1713. Published: 27 August 2010 Adopted: 26 August 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for thiamethoxam in strawberries and beans (with pods), EFSA Journal 2010; 8(6):1647. Published: 24 June 2010 Adopted: 22 June 2010.

Reasoned opinion of EFSA prepared by the Pesticides Unit (PRAPeR) on the modification of existing MRL for trifloxystrobin in leafy brassica, EFSA Journal 2010; 8(6):1648. Published: 28 June 2010 Adopted: 23 June 2010.

ANNEX

Annexes II and III to Regulation (EC) No 396/2005 are amended as follows:

- (1) In Annex II the columns for abamectin, fenhexamid, pyraclostrobin, thiacloprid and trifloxystrobin are 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 (*)	Abamectin (sum of avermectin B1a, avermectinB1b and delta-8,9 isomer of avermectin B1a) (F)	Fenhexamid	Pyraclostrobin (F)	Thiacloprid (F)	Trifloxystrobin (F)
1	2	3	4	5	6	7
0100000	1. FRUIT FRESH OR FROZEN; NUTS					
0110000	(i) Citrus fruit	0,01 (*)	0,05 (*)	1	0,02 (*)	0,3
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)					
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)					
0110030	Lemons (Citron, lemon)					
0110040	Limes					
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids)					
0110990	Others					
0120000	(ii) Tree nuts (shelled or unshelled)	0,01 (*)	0,05 (*)		0,02 (*)	0,02 (*)
0120010	Almonds			0,02 (*)		
0120020	Brazil nuts			0,02 (*)		
0120030	Cashew nuts			0,02 (*)		
0120040	Chestnuts			0,02 (*)		
0120050	Coconuts			0,02 (*)		
0120060	Hazelnuts (Filbert)			0,02 (*)		
0120070	Macadamia			0,02 (*)		
0120080	Pecans			0,02 (*)		
0120090	Pine nuts			0,02 (*)		
0120100	Pistachios			1		
0120110	Walnuts			0,02 (*)		

1	2	3	4	5	6	7
0120990	Others			0,02 (*)		
0130000	(iii) Pome fruit	0,01 (*)	0,05 (*)	0,3	0,3	0,5
0130010	Apples (Crab apple)					
0130020	Pears (Oriental pear)					
0130030	Quinces					
0130040	Medlar	(**)	(**)	(**)	(**)	(**)
0130050	Loquat	(**)	(**)	(**)	(**)	(**)
0130990	Others					
0140000	(iv) Stone fruit					
0140010	Apricots	0,02	5	0,2	0,3	1
0140020	Cherries (sweet cherries, sour cherries)	0,01 (*)	5	2	0,3	1
0140030	Peaches (Nectarines and similar hybrids)	0,02	5	0,2	0,3	1
0140040	Plums (Damson, greengage, mirabelle, sloe)	0,01 (*)	1	0,5	0,1	0,2
0140990	Others	0,01 (*)	0,05 (*)	0,02 (*)	0,02 (*)	0,02 (*)
0150000	(v) Berries & small fruit					
0151000	(a) <i>Table and wine grapes</i>	0,01 (*)	5		0,02 (*)	5
0151010	Table grapes			1		
0151020	Wine grapes			2		
0152000	(b) <i>Strawberries</i>	0,1	5	1	1	0,5
0153000	(c) <i>Cane fruit</i>		10	2		0,02 (*)
0153010	Blackberries	0,1			3	
0153020	Dewberries (Loganberries, boysenberries, and cloudberrries)	0,01 (*)			1	

1	2	3	4	5	6	7
0153030	Raspberries (Wineberries, arctic bramble/raspberry, (Rubus arcticus), nectar raspberries (Rubus arcticus x idaeus))	0,1			3	
0153990	Others	0,01 (*)			1	
0154000	(d) <i>Other small fruit & berries</i>	0,01 (*)		3	1	
0154010	Blueberries (Bilberries)		5			2
0154020	Cranberries (Cowberries (red bilberries))		5			0,02 (*)
0154030	Currants (red, black and white)		5			1
0154040	Gooseberries (Including hybrids with other ribes species)		5			1
0154050	Rose hips	(**)	(**)	(**)	(**)	(**)
0154060	Mulberries (arbutus berry)	(**)	(**)	(**)	(**)	(**)
0154070	Azarole (mediteranean medlar) (Kiwiberry (Actinidia arguta))	(**)	(**)	(**)	(**)	(**)
0154080	Elderberries (Black chokeberry (appleberry), mountain ash, buckthorn (sea sallowthorn), hawthorn, service berries, and other treeberries)	(**)	(**)	(**)	(**)	(**)
0154990	Others		5			0,02 (*)
0160000	(vi) Miscellaneous fruit					
0161000	(a) <i>Edible peel</i>	0,01 (*)	0,05 (*)	0,02 (*)		
0161010	Dates				0,02 (*)	0,02 (*)
0161020	Figs				0,4	0,02 (*)
0161030	Table olives				4	0,3
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (Citrus aurantifolia x Fortunella spp.))				0,02 (*)	0,02 (*)
0161050	Carambola (Bilimbi)	(**)	(**)	(**)	(**)	(**)

1	2	3	4	5	6	7
0161060	Persimmon	(**)	(**)	(**)	(**)	(**)
0161070	Jambolan (java plum) (Java apple (water apple), pomerac, rose apple, Brazilian cherry Surinam cherry (grumichama Eugenia uniflora),)	(**)	(**)	(**)	(**)	(**)
0161990	Others				0,02 (*)	0,02 (*)
0162000	(b) <i>Inedible peel, small</i>	0,01 (*)		0,02 (*)	0,02 (*)	
0162010	Kiwi		10			0,02 (*)
0162020	Lychee (Litchi) (Pulasan, rambutan (hairy litchi), mangosteen)		0,05 (*)			0,02 (*)
0162030	Passion fruit		0,05 (*)			4
0162040	Prickly pear (cactus fruit)	(**)	(**)	(**)	(**)	(**)
0162050	Star apple	(**)	(**)	(**)	(**)	(**)
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel (yellow sapote), and mammey sapote)	(**)	(**)	(**)	(**)	(**)
0162990	Others		0,05 (*)			0,02 (*)
0163000	(c) <i>Inedible peel, large</i>		0,05 (*)			
0163010	Avocados	0,01 (*)		0,02 (*)	0,02 (*)	0,02 (*)
0163020	Bananas (Dwarf banana, plantain, apple banana)	0,01 (*)		0,02 (*)	0,02 (*)	0,05
0163030	Mangoes	0,01 (*)		0,05	0,02 (*)	0,5
0163040	Papaya	0,05		0,05	0,5	1
0163050	Pomegranate	0,01 (*)		0,02 (*)	0,02 (*)	0,02 (*)
0163060	Cherimoya (Custard apple, sugar apple (sweetsop), llama and other medium sized Annonaceae)	(**)	(**)	(**)	(**)	(**)
0163070	Guava (Red pitaya or dragon fruit (Hylocereus undatus))	(**)	(**)	(**)	(**)	(**)

1	2	3	4	5	6	7
0163080	Pineapples	0,01 (*)		0,02 (*)	0,02 (*)	0,02 (*)
0163090	Bread fruit (Jackfruit)	(**)	(**)	(**)	(**)	(**)
0163100	Durian	(**)	(**)	(**)	(**)	(**)
0163110	Soursop (guanabana)	(**)	(**)	(**)	(**)	(**)
0163990	Others	0,01 (*)		0,02 (*)	0,02 (*)	0,02 (*)
0200000	2. VEGETABLES FRESH OR FROZEN					
0210000	(i) Root and tuber vegetables	0,01 (*)	0,05 (*)			
0211000	(a) Potatoes			0,02 (*)	0,02 (*)	0,02 (*)
0212000	(b) Tropical root and tuber vegetables			0,02 (*)	0,02 (*)	0,02 (*)
0212010	Cassava (Dasheen, eddoe (Japanese taro), tannia)					
0212020	Sweet potatoes					
0212030	Yams (Potato bean (yam bean), Mexican yam bean)					
0212040	Arrowroot	(**)	(**)	(**)	(**)	(**)
0212990	Others					
0213000	(c) Other root and tuber vegetables except sugar beet					
0213010	Beetroot			0,1	0,05	0,02 (*)
0213020	Carrots			0,1	0,05	0,05
0213030	Celeriac			0,3	0,1	0,02 (*)
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots,)			0,3	0,05	0,02 (*)
0213050	Jerusalem artichokes			0,02 (*)	0,02 (*)	0,02 (*)
0213060	Parsnips			0,3	0,05	0,04
0213070	Parsley root			0,1	0,05	0,04

1	2	3	4	5	6	7
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (Cyperus esculentus))			0,2	0,02 (*)	0,02 (*)
0213090	Salsify (Scorzonera, Spanish salsify (Spanish oysterplant))			0,1	0,05	0,04
0213100	Swedes			0,02 (*)	0,02 (*)	0,04
0213110	Turnips			0,02 (*)	0,02 (*)	0,04
0213990	Others			0,02 (*)	0,02 (*)	0,02 (*)
0220000	(ii) Bulb vegetables	0,01 (*)				0,02 (*)
0220010	Garlic		0,05 (*)	0,2	0,02 (*)	
0220020	Onions (Silverskin onions)		0,6	0,2	0,02 (*)	
0220030	Shallots		0,05 (*)	0,2	0,02 (*)	
0220040	Spring onions (Welsh onion and similar varieties)		0,05 (*)	1,5	0,1	
0220990	Others		0,05 (*)	0,02 (*)	0,02 (*)	
0230000	(iii) Fruiting vegetables					
0231000	(a) <i>Solanacea</i>					
0231010	Tomatoes (Cherry tomatoes, tree tomato, Physalis, gojiberry, wolfberry (Lycium barbarum and L. chinense))	0,02	1	0,3	0,5	0,5
0231020	Peppers (Chilli peppers)	0,05	2	0,5	1	0,3
0231030	Aubergines (egg plants) (Pepino)	0,02	1	0,3	0,5	0,02 (*)
0231040	Okra, lady's fingers	0,01 (*)	0,05 (*)	0,02 (*)	0,02 (*)	0,02 (*)
0231990	Others	0,01 (*)	0,05 (*)	0,02 (*)	0,02 (*)	0,02 (*)
0232000	(b) <i>Cucurbits - edible peel</i>	0,02	1		0,3	0,2
0232010	Cucumbers			0,3		
0232020	Gherkins			0,5		

1	2	3	4	5	6	7
0232030	Courgettes (Summer squash, marrow (patisson))			0,5		
0232990	Others			0,02 (*)		
0233000	(c) <i>Cucurbits-inedible peel</i>	0,01 (*)	0,05 (*)	0,5		
0233010	Melons (Kiwano)				0,2	0,3
0233020	Pumpkins (Winter squash)				0,02 (*)	0,2
0233030	Watermelons				0,2	0,2
0233990	Others				0,02 (*)	0,02 (*)
0234000	(d) <i>Sweet corn</i>	0,01 (*)	0,05 (*)	0,02 (*)	0,1	0,02 (*)
0239000	(e) <i>Other fruiting vegetables</i>	0,01 (*)	0,05 (*)	0,02 (*)	0,02 (*)	0,02 (*)
0240000	(iv) Brassica vegetables	0,01 (*)	0,05 (*)			
0241000	(a) <i>Flowering brassica</i>			0,1	0,1	
0241010	Broccoli (Calabrese, Chinese broccoli, broccoli raab)					0,05
0241020	Cauliflower					0,05
0241990	Others					0,02 (*)
0242000	(b) <i>Head brassica</i>					
0242010	Brussels sprouts			0,2	0,05	0,5
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)			0,2	0,2	0,3
0242990	Others			0,02 (*)	0,02 (*)	0,02 (*)
0243000	(c) <i>Leafy brassica</i>			0,02 (*)	1	3
0243010	Chinese cabbage (Indian (Chinese) mustard, pak choi, Chinese flat cabbage (tai goo choi), choi sum, peking cabbage (pe-tsai),)					

1	2	3	4	5	6	7
0243020	Kale (Borecole (curly kale), collards, Portuguese Kale, Portuguese cabbage, cow cabbage)					
0243990	Others					
0244000	(d) <i>Kohlrabi</i>			0,02 (*)	0,05	0,5
0250000	(v) Leaf vegetables & fresh herbs					
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>	0,1				
0251010	Lamb's lettuce (Italian cornsalad)		30	10	5	0,02 (*)
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)		40	2	2	10
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curld leave endive, sugar loaf)		30	2	2	10
0251040	Cress		30	2	2	0,02 (*)
0251050	Land cress	(**)	(**)	(**)	(**)	(**)
0251060	Rocket, Rucola (Wild rocket)		30	2	3	0,02 (*)
0251070	Red mustard	(**)	(**)	(**)	(**)	(**)
0251080	Leaves and sprouts of Brassica spp (Mizuna, leaves of peas and radish and other babyleaf brassica crops (crops harvested up to 8 true leaf stage))		30	2	2	0,02 (*)
0251990	Others		30	2	2	0,02 (*)
0252000	(b) <i>Spinach & similar (leaves)</i>	0,01 (*)	0,05 (*)		0,02 (*)	0,02 (*)
0252010	Spinach (New Zealand spinach, amaranthus spinach)			0,5		
0252020	Purslane (Winter purslane (miner's lettuce), garden purslane, common purslane, sorrel, glassworth, Agretti (Salsola soda))	(**)	(**)	(**)	(**)	(**)
0252030	Beet leaves (chard) (Leaves of beetroot)			0,5		

1	2	3	4	5	6	7
0252990	Others			0,5		
0253000	(c) <i>Vine leaves (grape leaves)</i>	(**)	(**)	(**)	(**)	(**)
0254000	(d) <i>Water cress</i>	0,01 (*)	0,05 (*)	0,02 (*)	0,02 (*)	0,02 (*)
0255000	(e) <i>Witloof</i>	0,01 (*)	0,05 (*)	0,02 (*)	0,02 (*)	0,02 (*)
0256000	(f) <i>Herbs</i>	1	30	2	5	10
0256010	Chervil					
0256020	Chives					
0256030	Celery leaves (Fennel leaves, Coriander leaves, dill leaves, Caraway leaves, lovage, angelica, sweet cicely and other Apiacea leaves)					
0256040	Parsley					
0256050	Sage (Winter savory, summer savory,)	(**)	(**)	(**)	(**)	(**)
0256060	Rosemary	(**)	(**)	(**)	(**)	(**)
0256070	Thyme (Marjoram, oregano)	(**)	(**)	(**)	(**)	(**)
0256080	Basil (Balm leaves, mint, peppermint)	(**)	(**)	(**)	(**)	(**)
0256090	Bay leaves (laurel)	(**)	(**)	(**)	(**)	(**)
0256100	Tarragon (Hyssop)	(**)	(**)	(**)	(**)	(**)
0256990	Others (Edible flowers)					
0260000	(vi) Legume vegetables (fresh)	0,01 (*)		0,02 (*)		
0260010	Beans (with pods) (Green bean (french beans, snap beans), scarlet runner bean, slicing bean, yardlong beans)		2		1	0,5
0260020	Beans (without pods) (Broad beans, Flageolets, jack bean, lima bean, cowpea)		0,05 (*)		0,02 (*)	0,02 (*)

1	2	3	4	5	6	7
0260030	Peas (with pods) (Mangetout (sugar peas, snow peas))		0,05 (*)		0,02 (*)	0,02 (*)
0260040	Peas (without pods) (Garden pea, green pea, chickpea)		0,05 (*)		0,2	0,02 (*)
0260050	Lentils		0,05 (*)		0,02 (*)	0,02 (*)
0260990	Others		0,05 (*)		0,02 (*)	0,02 (*)
0270000	(vii) Stem vegetables (fresh)	0,01 (*)	0,05 (*)			
0270010	Asparagus			0,02 (*)	0,02 (*)	0,02 (*)
0270020	Cardoons			0,02 (*)	0,02 (*)	0,02 (*)
0270030	Celery			0,02 (*)	0,5	1
0270040	Fennel			0,02 (*)	0,5	0,02 (*)
0270050	Globe artichokes			2	0,02 (*)	0,02 (*)
0270060	Leek			0,5	0,1	0,2
0270070	Rhubarb			0,02 (*)	0,02 (*)	0,02 (*)
0270080	Bamboo shoots	(**)	(**)	(**)	(**)	(**)
0270090	Palm hearts	(**)	(**)	(**)	(**)	(**)
0270990	Others			0,02 (*)	0,02 (*)	0,02 (*)
0280000	(viii) Fungi	0,01 (*)	0,05 (*)	0,02 (*)	0,02 (*)	0,02 (*)
0280010	Cultivated (Common mushroom, Oyster mushroom, Shi-take)					
0280020	Wild (Chanterelle, Truffle, Morel, Cep)					
0280990	Others					
0290000	(ix) Sea weeds	(**)	(**)	(**)	(**)	(**)
0300000	3. PULSES, DRY	0,01 (*)	0,05 (*)	0,3	0,1	0,02 (*)

1	2	3	4	5	6	7
0300010	Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)					
0300020	Lentils					
0300030	Peas (Chickpeas, field peas, chickling vetch)					
0300040	Lupins					
0300990	Others					
0400000	4. OILSEEDS AND OILFRUITS					
0401000	(i) Oilseeds	0,02 (*)	0,1 (*)			0,05 (*)
0401010	Linseed			0,02 (*)	0,05 (*)	
0401020	Peanuts			0,02 (*)	0,05 (*)	
0401030	Poppy seed			0,02 (*)	0,3	
0401040	Sesame seed			0,02 (*)	0,05 (*)	
0401050	Sunflower seed			0,3	0,05 (*)	
0401060	Rape seed (Bird rapeseed, turnip rape)			0,02 (*)	0,3	
0401070	Soya bean			0,02 (*)	0,05 (*)	
0401080	Mustard seed			0,02 (*)	0,2	
0401090	Cotton seed			0,02 (*)	0,15	
0401100	Pumpkin seeds (Other seeds of cucurbitacea)			0,02 (*)	0,05 (*)	
0401110	Safflower	(**)	(**)	(**)	(**)	(**)
0401120	Borage	(**)	(**)	(**)	(**)	(**)
0401130	Gold of pleasure	(**)	(**)	(**)	(**)	(**)
0401140	Hempseed			0,02 (*)	0,05 (*)	

1	2	3	4	5	6	7
0401150	Castor bean	(**)	(**)	(**)	(**)	(**)
0401990	Others			0,02 (*)	0,05 (*)	
0402000	(ii) Oilfruits			0,02 (*)		
0402010	Olives for oil production	0,01 (*)	0,05 (*)		4	0,3
0402020	Palm nuts (palmoil kernels)	(**)	(**)	(**)	(**)	(**)
0402030	Palmfruit	(**)	(**)	(**)	(**)	(**)
0402040	Kapok	(**)	(**)	(**)	(**)	(**)
0402990	Others	0,02 (*)	0,1 (*)		0,05 (*)	0,05 (*)
0500000	5. CEREALS	0,01 (*)	0,05 (*)			
0500010	Barley			0,3	1	0,3
0500020	Buckwheat (Amaranthus, quinoa)			0,02 (*)	0,05	0,02 (*)
0500030	Maize			0,02 (*)	0,05	0,02 (*)
0500040	Millet (Foxtail millet, teff)			0,02 (*)	0,05	0,02 (*)
0500050	Oats			0,3	1	0,02 (*)
0500060	Rice			0,02 (*)	0,05	0,02 (*)
0500070	Rye			0,1	0,05	0,05
0500080	Sorghum			0,02 (*)	0,05	0,02 (*)
0500090	Wheat (Spelt, tritcale)			0,1	0,1	0,05
0500990	Others			0,02 (*)	0,05	0,02 (*)
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA	0,02 (*)	0,1 (*)			0,05 (*)
0610000	(i) Tea (dried leaves and stalks, fermented or otherwise of Camellia sinensis)			0,05 (*)	10	

1	2	3	4	5	6	7
0620000	(ii) Coffee beans	(**)	(**)	(**)	(**)	(**)
0630000	(iii) Herbal infusions (dried)	(**)	(**)	(**)	(**)	(**)
0631000	(a) <i>Flowers</i>	(**)	(**)	(**)	(**)	(**)
0631010	Camomille flowers	(**)	(**)	(**)	(**)	(**)
0631020	Hybiscus flowers	(**)	(**)	(**)	(**)	(**)
0631030	Rose petals	(**)	(**)	(**)	(**)	(**)
0631040	Jasmine flowers (Elderflowers (Sambucus nigra))	(**)	(**)	(**)	(**)	(**)
0631050	Lime (linden)	(**)	(**)	(**)	(**)	(**)
0631990	Others	(**)	(**)	(**)	(**)	(**)
0632000	(b) <i>Leaves</i>	(**)	(**)	(**)	(**)	(**)
0632010	Strawberry leaves	(**)	(**)	(**)	(**)	(**)
0632020	Rooibos leaves (Ginkgo leaves)	(**)	(**)	(**)	(**)	(**)
0632030	Maté	(**)	(**)	(**)	(**)	(**)
0632990	Others	(**)	(**)	(**)	(**)	(**)
0633000	(c) <i>Roots</i>	(**)	(**)	(**)	(**)	(**)
0633010	Valerian root	(**)	(**)	(**)	(**)	(**)
0633020	Ginseng root	(**)	(**)	(**)	(**)	(**)
0633990	Others	(**)	(**)	(**)	(**)	(**)
0639000	(d) <i>Other herbal infusions</i>	(**)	(**)	(**)	(**)	(**)
0640000	(iv) Cocoa (fermented beans)	(**)	(**)	(**)	(**)	(**)
0650000	(v) Carob (st johns bread)	(**)	(**)	(**)	(**)	(**)

1	2	3	4	5	6	7
0700000	7. HOPS (dried) , including hop pellets and unconcentrated powder	0,05	0,1 (*)	10	0,1	30
0800000	8. SPICES	(**)	(**)	(**)	(**)	(**)
0810000	(i) Seeds	(**)	(**)	(**)	(**)	(**)
0810010	Anise	(**)	(**)	(**)	(**)	(**)
0810020	Black caraway	(**)	(**)	(**)	(**)	(**)
0810030	Celery seed (Lovage seed)	(**)	(**)	(**)	(**)	(**)
0810040	Coriander seed	(**)	(**)	(**)	(**)	(**)
0810050	Cumin seed	(**)	(**)	(**)	(**)	(**)
0810060	Dill seed	(**)	(**)	(**)	(**)	(**)
0810070	Fennel seed	(**)	(**)	(**)	(**)	(**)
0810080	Fenugreek	(**)	(**)	(**)	(**)	(**)
0810090	Nutmeg	(**)	(**)	(**)	(**)	(**)
0810990	Others	(**)	(**)	(**)	(**)	(**)
0820000	(ii) Fruits and berries	(**)	(**)	(**)	(**)	(**)
0820010	Allspice	(**)	(**)	(**)	(**)	(**)
0820020	Anise pepper (Japan pepper)	(**)	(**)	(**)	(**)	(**)
0820030	Caraway	(**)	(**)	(**)	(**)	(**)
0820040	Cardamom	(**)	(**)	(**)	(**)	(**)
0820050	Juniper berries	(**)	(**)	(**)	(**)	(**)
0820060	Pepper, black and white (Long pepper, pink pepper)	(**)	(**)	(**)	(**)	(**)
0820070	Vanilla pods	(**)	(**)	(**)	(**)	(**)
0820080	Tamarind	(**)	(**)	(**)	(**)	(**)
0820990	Others	(**)	(**)	(**)	(**)	(**)

1	2	3	4	5	6	7
0830000	(iii) Bark	(**)	(**)	(**)	(**)	(**)
0830010	Cinnamon (Cassia)	(**)	(**)	(**)	(**)	(**)
0830990	Others	(**)	(**)	(**)	(**)	(**)
0840000	(iv) Roots or rhizome	(**)	(**)	(**)	(**)	(**)
0840010	Liquorice	(**)	(**)	(**)	(**)	(**)
0840020	Ginger	(**)	(**)	(**)	(**)	(**)
0840030	Turmeric (Curcuma)	(**)	(**)	(**)	(**)	(**)
0840040	Horseradish	(**)	(**)	(**)	(**)	(**)
0840990	Others	(**)	(**)	(**)	(**)	(**)
0850000	(v) Buds	(**)	(**)	(**)	(**)	(**)
0850010	Cloves	(**)	(**)	(**)	(**)	(**)
0850020	Capers	(**)	(**)	(**)	(**)	(**)
0850990	Others	(**)	(**)	(**)	(**)	(**)
0860000	(vi) Flower stigma	(**)	(**)	(**)	(**)	(**)
0860010	Saffron	(**)	(**)	(**)	(**)	(**)
0860990	Others	(**)	(**)	(**)	(**)	(**)
0870000	(vii) Aril	(**)	(**)	(**)	(**)	(**)
0870010	Mace	(**)	(**)	(**)	(**)	(**)
0870990	Others	(**)	(**)	(**)	(**)	(**)
0900000	9. SUGAR PLANTS	(**)	(**)	(**)	(**)	(**)
0900010	Sugar beet (root)	(**)	(**)	(**)	(**)	(**)
0900020	Sugar cane	(**)	(**)	(**)	(**)	(**)

1	2	3	4	5	6	7
0900030	Chicory roots	(**)	(**)	(**)	(**)	(**)
0900990	Others	(**)	(**)	(**)	(**)	(**)
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS		0,05 (*)			
1010000	(i) Meat, preparations of meat, offals, blood, animal fats fresh chilled or frozen, salted, in brine, dried or smoked or processed as flours or meals other processed products such as sausages and food preparations based on these			0,05 (*)		0,04 (*)
1011000	(a) <i>Swine</i>	0,01 (*)				
1011010	Meat				0,05	
1011020	Fat free of lean meat				0,05	
1011030	Liver				0,3	
1011040	Kidney				0,3	
1011050	Edible offal				0,01 (*)	
1011990	Others				0,01 (*)	
1012000	(b) <i>Bovine</i>					
1012010	Meat	0,01 (*)			0,05	
1012020	Fat	0,01 (*)			0,05	
1012030	Liver	0,02			0,3	
1012040	Kidney	0,01 (*)			0,3	
1012050	Edible offal	0,01 (*)			0,01 (*)	
1012990	Others	0,01 (*)			0,01 (*)	
1013000	(c) <i>Sheep</i>	0,01 (*)				
1013010	Meat				0,05	

1	2	3	4	5	6	7
1013020	Fat				0,05	
1013030	Liver				0,3	
1013040	Kidney				0,3	
1013050	Edible offal				0,01 (*)	
1013990	Others				0,01 (*)	
1014000	(d) <i>Goat</i>	0,01 (*)				
1014010	Meat				0,05	
1014020	Fat				0,05	
1014030	Liver				0,3	
1014040	Kidney				0,3	
1014050	Edible offal				0,01 (*)	
1014990	Others				0,01 (*)	
1015000	(e) <i>Horses, asses, mules or hinnies</i>	(**)	(**)	(**)	(**)	(**)
1015010	Meat	(**)	(**)	(**)	(**)	(**)
1015020	Fat	(**)	(**)	(**)	(**)	(**)
1015030	Liver	(**)	(**)	(**)	(**)	(**)
1015040	Kidney	(**)	(**)	(**)	(**)	(**)
1015050	Edible offal	(**)	(**)	(**)	(**)	(**)
1015990	Others	(**)	(**)	(**)	(**)	(**)
1016000	(f) <i>Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>	0,01 (*)				
1016010	Meat				0,05	
1016020	Fat				0,05	

1	2	3	4	5	6	7
1016030	Liver				0,3	
1016040	Kidney				0,3	
1016050	Edible offal				0,01 (*)	
1016990	Others				0,01 (*)	
1017000	(g) <i>Other farm animals (Rabbit, Kangaroo)</i>	(**)	(**)	(**)	(**)	(**)
1017010	Meat	(**)	(**)	(**)	(**)	(**)
1017020	Fat	(**)	(**)	(**)	(**)	(**)
1017030	Liver	(**)	(**)	(**)	(**)	(**)
1017040	Kidney	(**)	(**)	(**)	(**)	(**)
1017050	Edible offal	(**)	(**)	(**)	(**)	(**)
1017990	Others	(**)	(**)	(**)	(**)	(**)
1020000	(ii) Milk and cream, not concentrated, nor containing added sugar or sweetening matter, butter and other fats derived from milk, cheese and curd	0,005 (*)		0,01 (*)	0,03	0,02 (*)
1020010	Cattle					
1020020	Sheep					
1020030	Goat					
1020040	Horse					
1020990	Others					
1030000	(iii) Birds' eggs, fresh preserved or cooked Shelled eggs and egg yolks fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or sweetening matter	0,01 (*)		0,05 (*)	0,01 (*)	0,04 (*)
1030010	Chicken					

1	2	3	4	5	6	7
1030020	Duck	(**)	(**)	(**)	(**)	(**)
1030030	Goose	(**)	(**)	(**)	(**)	(**)
1030040	Quail	(**)	(**)	(**)	(**)	(**)
1030990	Others	(**)	(**)	(**)	(**)	(**)
1040000	(iv) Honey (Royal jelly, pollen)	(**)	(**)	(**)	(**)	(**)
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)	(**)	(**)	(**)	(**)	(**)
1060000	(vi) Snails	(**)	(**)	(**)	(**)	(**)
1070000	(vii) Other terrestrial animal products	(**)	(**)	(**)	(**)	(**)

⁽⁴⁾ For the complete list of products of plant and animal origin to which MRLs apply, reference should be made to Annex I.

^(*) Indicates lower limit of analytical determination

^(**) Pesticide-code combination for which the MRL as set in Annex III Part B applies.

(F) = Fat soluble

Trifloxystrobin- code 1000000: the sum of trifloxystrobin and its metabolite (E, E)-methoxyimino- {2-[1-(3-trifluoromethyl-phenyl)-ethylideneamino-oxymethyl]-phenyl}-acetic acid (CGA 321113)¹

(2) In part A of Annex III, the columns for cyprodinil, difenoconazole, dimethomorph, proquinazid, prothioconazole, spirotetramat, and thiamethoxam are 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 ^(a)	Cyprodinil (F) (R)	Difenoconazole	Dimethomorph	Proquinazid	Prothioconazole (Prothioconazole-desthio) (R)	Spirotetramat and its 4 metabolites BY108330-enol, BY108330-ketohydroxy, BY108330-monohydroxy, and BY108330-enol-glucoside, expressed as spirotetramat (R)	Thiamethoxam (sum of thiamethoxam and clothianidin expressed as thiamethoxam)
1	2	3	4	5	6	7	8	9
0100000	1. FRUIT FRESH OR FROZEN; NUTS					0,02 (*)		
0110000	(i) Citrus fruit	0,05 (*)	0,1	0,05 (*)	0,02 (*)		1	0,2
0110010	Grapefruit (Shaddocks, pomelos, sweeties, tangelo (except mineola), ugli and other hybrids)							
0110020	Oranges (Bergamot, bitter orange, chinotto and other hybrids)							
0110030	Lemons (Citron, lemon)							
0110040	Limes							
0110050	Mandarins (Clementine, tangerine, mineola and other hybrids)							
0110990	Others							
0120000	(ii) Tree nuts (shelled or unshelled)	0,05 (*)	0,05 (*)	0,05 (*)	0,02 (*)		0,1 (*)	0,05 (*)
0120010	Almonds							
0120020	Brazil nuts							
0120030	Cashew nuts							
0120040	Chestnuts							
0120050	Coconuts							
0120060	Hazelnuts (Filbert)							
0120070	Macadamia							
0120080	Pecans							

1	2	3	4	5	6	7	8	9
0120090	Pine nuts							
0120100	Pistachios							
0120110	Walnuts							
0120990	Others							
0130000	(iii) Pome fruit	1		0,05 (*)	0,02 (*)		1	
0130010	Apples (Crab apple)		0,5					0,2
0130020	Pears (Oriental pear)		0,5					0,2
0130030	Quinces		0,2					0,1
0130040	Medlar		0,5					0,1
0130050	Loquat		0,5					0,1
0130990	Others		0,2					0,1
0140000	(iv) Stone fruit			0,05 (*)	0,02 (*)		3	
0140010	Apricots	2	0,5					0,3
0140020	Cherries (sweet cherries, sour cherries)	1	0,3					0,5
0140030	Peaches (Nectarines and similar hybrids)	2	0,5					0,3
0140040	Plums (Damson, greengage, mirabelle, sloe)	2	0,5					0,3
0140990	Others	0,5	0,1					0,3
0150000	(v) Berries & small fruit							
0151000	(a) <i>Table and wine grapes</i>	5	0,5	3	0,5		2	0,5
0151010	Table grapes							

1	2	3	4	5	6	7	8	9
0161010	Dates		0,1					
0161020	Figs		0,1					
0161030	Table olives		2					
0161040	Kumquats (Marumi kumquats, nagami kumquats, limequats (Citrus aurantifolia x Fortunella spp.))		0,1					
0161050	Carambola (Bilimbi)		0,1					
0161060	Persimmon		0,1					
0161070	Jambolan (java plum) (Java apple (water apple), pomerac, rose apple, Brazilian cherry Surinam cherry (grumichama Eugenia uniflora),)		0,1					
0161990	Others		0,1					
0162000	(b) <i>Inedible peel, small</i>		0,1					
0162010	Kiwi						0,3	0,2
0162020	Lychee (Litchi) (Pulasan, rambutan (hairy litchi), mangosteen)						15	0,05 (*)
0162030	Passion fruit						0,1 (*)	0,05 (*)
0162040	Prickly pear (cactus fruit)						0,1 (*)	0,05 (*)
0162050	Star apple						0,1 (*)	0,05 (*)
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel (yellow sapote), and mammey sapote)						0,1 (*)	0,05 (*)
0162990	Others						0,1 (*)	0,05 (*)
0163000	(c) <i>Inedible peel, large</i>		0,1					
0163010	Avocados						0,7	0,05 (*)
0163020	Bananas (Dwarf banana, plantain, apple banana)						0,1 (*)	0,05 (*)

1	2	3	4	5	6	7	8	9
0163030	Mangoes						0,2	0,5
0163040	Papaya						0,4	0,05 (*)
0163050	Pomegranate						0,1 (*)	0,05 (*)
0163060	Cherimoya (Custard apple, sugar apple (sweetsop), llama and other medium sized Annonaceae)						0,1 (*)	0,05 (*)
0163070	Guava (Red pitaya or dragon fruit (Hylocereus undatus))						0,1 (*)	0,05 (*)
0163080	Pineapples						0,1 (*)	0,05 (*)
0163090	Bread fruit (Jackfruit)						0,1 (*)	0,05 (*)
0163100	Durian						0,1 (*)	0,05 (*)
0163110	Soursop (guanabana)						0,1 (*)	0,05 (*)
0163990	Others						0,1 (*)	0,05 (*)
0200000	2. VEGETABLES FRESH OR FROZEN				0,02 (*)			
0210000	(i) Root and tuber vegetables							
0211000	(a) Potatoes	0,05 (*)	0,1	0,5		0,02 (*)	0,8	0,1
0212000	(b) Tropical root and tuber vegetables	0,05 (*)	0,1	0,05 (*)		0,02 (*)	0,1 (*)	0,05 (*)
0212010	Cassava (Dasheen, eddoe (Japanese taro), tannia)							
0212020	Sweet potatoes							
0212030	Yams (Potato bean (yam bean), Mexican yam bean)							
0212040	Arrowroot							
0212990	Others							
0213000	(c) Other root and tuber vegetables except sugar beet						0,1 (*)	

1	2	3	4	5	6	7	8	9
0213010	Beetroot	1	0,2	0,05 (*)		0,1		0,05 (*)
0213020	Carrots	2	0,3	0,05 (*)		0,1		0,3
0213030	Celeriac	0,3	2	0,05 (*)		0,02 (*)		0,05 (*)
0213040	Horseradish (Angelica roots, lovage roots, gentiana roots,)	2	0,2	0,05 (*)		0,1		0,05 (*)
0213050	Jerusalem artichokes	0,05 (*)	0,1	0,05 (*)		0,02 (*)		0,05 (*)
0213060	Parsnips	2	0,3	0,05 (*)		0,1		0,05 (*)
0213070	Parsley root	2	0,2	0,05 (*)		0,1		0,05 (*)
0213080	Radishes (Black radish, Japanese radish, small radish and similar varieties, tiger nut (Cyperus esculentus))	0,05 (*)	0,05 (*)	1		0,02 (*)		0,05 (*)
0213090	Salsify (Scorzonera, Spanish salsify (Spanish oysterplant))	2	0,2	0,05 (*)		0,1		0,05 (*)
0213100	Swedes	0,05 (*)	0,4	0,05 (*)		0,1		0,05 (*)
0213110	Turnips	0,05 (*)	0,4	0,05 (*)		0,1		0,05 (*)
0213990	Others	0,05 (*)	0,05 (*)	0,05 (*)		0,02 (*)		0,05 (*)
0220000	(ii) Bulb vegetables					0,02 (*)		
0220010	Garlic	0,3	0,05 (*)	0,15			0,1 (*)	0,05 (*)
0220020	Onions (Silverskin onions)	0,3	0,05 (*)	0,15			0,3	0,1
0220030	Shallots	0,3	0,05 (*)	0,15			0,1 (*)	0,05 (*)
0220040	Spring onions (Welsh onion and similar varieties)	1	0,1	0,3			0,1 (*)	0,05 (*)
0220990	Others	0,05 (*)	0,05 (*)	0,1			0,1 (*)	0,05 (*)
0230000	(iii) Fruiting vegetables					0,02 (*)		
0231000	(a) <i>Solanacea</i>							

1	2	3	4	5	6	7	8	9
0231010	Tomatoes (Cherry tomatoes, tree tomato, Physalis, gojiberry, wolfberry (Lycium barbarum and L. chinense))	1	2	1			2	0,2
0231020	Peppers (Chilli peppers)	1	0,5	0,5			2	0,5
0231030	Aubergines (egg plants) (Pepino)	1	0,4	0,3			2	0,2
0231040	Okra, lady's fingers	0,5	0,05 (*)	0,05 (*)			1	0,05 (*)
0231990	Others	0,5	0,05 (*)	0,05 (*)			1	0,05 (*)
0232000	(b) <i>Cucurbits - edible peel</i>	0,5	0,1	1			0,2	
0232010	Cucumbers							0,3
0232020	Gherkins							0,2
0232030	Courgettes (Summer squash, marrow (patisson))							0,3
0232990	Others							0,1
0233000	(c) <i>Cucurbits-inedible peel</i>	0,05 (*)	0,05 (*)				0,2	
0233010	Melons (Kiwano)			1				0,2
0233020	Pumpkins (Winter squash)			0,05 (*)				0,1
0233030	Watermelons			0,05 (*)				0,2
0233990	Others			0,05 (*)				0,1
0234000	(d) <i>Sweet corn</i>	0,05 (*)	0,05 (*)	0,05 (*)			0,1 (*)	0,05 (*)
0239000	(e) <i>Other fruiting vegetables</i>	0,05 (*)	0,05 (*)	0,05 (*)			0,1 (*)	0,05 (*)
0240000	(iv) Brassica vegetables	0,05 (*)		0,05 (*)				0,2
0241000	(a) <i>Flowering brassica</i>						1	
0241010	Broccoli (Calabrese, Chinese broccoli, broccoli raab)		0,2			0,03		

1	2	3	4	5	6	7	8	9
0241020	Cauliflower		0,2			0,03		
0241990	Others		0,05 (*)			0,02 (*)		
0242000	(b) <i>Head brassica</i>		0,2					
0242010	Brussels sprouts					0,1	0,3	
0242020	Head cabbage (Pointed head cabbage, red cabbage, savoy cabbage, white cabbage)					0,1	2	
0242990	Others					0,02 (*)	0,1 (*)	
0243000	(c) <i>Leafy brassica</i>		2			0,02 (*)	7	
0243010	Chinese cabbage (Indian (Chinese) mustard, pak choi, Chinese flat cabbage (tai goo choi), choi sum, peking cabbage (pe-tsai),)							
0243020	Kale (Borecole (curly kale), collards, Portuguese Kale, Portuguese cabbage, cow cabbage)							
0243990	Others							
0244000	(d) <i>Kohlrabi</i>		0,05 (*)			0,02 (*)	2	
0250000	(v) Leaf vegetables & fresh herbs					0,02 (*)		
0251000	(a) <i>Lettuce and other salad plants including Brassicacea</i>	10					7	5
0251010	Lamb's lettuce (Italian cornsalad)		0,05 (*)	1				
0251020	Lettuce (Head lettuce, lollo rosso (cutting lettuce), iceberg lettuce, romaine (cos) lettuce)		3	10				
0251030	Scarole (broad-leaf endive) (Wild chicory, red-leaved chicory, radicchio, curld leave endive, sugar loaf)		0,05 (*)	1				
0251040	Cress		0,05 (*)	1				
0251050	Land cress		0,05 (*)	1				

1	2	3	4	5	6	7	8	9
0251060	Rocket, Rucola (Wild rocket)		2	10				
0251070	Red mustard		0,05 (*)	1				
0251080	Leaves and sprouts of Brassica spp (Mizuna, leaves of peas and radish and other babyleaf brassica crops (crops harvested up to 8 true leaf stage))		0,05 (*)	1				
0251990	Others		0,05 (*)	1				
0252000	(b) <i>Spinach & similar (leaves)</i>						7	0,05 (*)
0252010	Spinach (New Zealand spinach, amaranthus spinach)	8	2	0,1				
0252020	Purslane (Winter purslane (miner's lettuce), garden purslane, common purslane, sorrel, glassworth, Agretti (Salsola soda))	10	2	1				
0252030	Beet leaves (chard) (Leaves of beetroot)	10	0,05 (*)	0,05 (*)				
0252990	Others	0,05 (*)	0,05 (*)	0,05 (*)				
0253000	(c) <i>Vine leaves (grape leaves)</i>	0,05 (*)	0,05 (*)	10			0,1 (*)	0,05 (*)
0254000	(d) <i>Water cress</i>	0,05 (*)	0,5	10			7	0,05 (*)
0255000	(e) <i>Witloof</i>	0,05 (*)	0,05 (*)	10			0,1 (*)	0,05 (*)
0256000	(f) <i>Herbs</i>	10		10			0,1 (*)	0,05 (*)
0256010	Chervil		10					
0256020	Chives		2					
0256030	Celery leaves (Fennel leaves, Coriander leaves, dill leaves, Caraway leaves, lovage, angelica, sweet cicely and other Apiacea leaves)		10					
0256040	Parsley		10					
0256050	Sage (Winter savory, summer savory,)		2					
0256060	Rosemary		2					

1	2	3	4	5	6	7	8	9
0256070	Thyme (Marjoram, oregano)		2					
0256080	Basil (Balm leaves, mint, peppermint)		2					
0256090	Bay leaves (laurel)		2					
0256100	Tarragon (Hyssop)		2					
0256990	Others (Edible flowers)		2					
0260000	(vi) Legume vegetables (fresh)					0,02 (*)		
0260010	Beans (with pods) (Green bean (french beans, snap beans), scarlet runner bean, slicing bean, yardlong beans)	2	1	0,05 (*)			1,5	0,5
0260020	Beans (without pods) (Broad beans, Flageolets, jack bean, lima bean, cowpea)	0,5	1	0,05 (*)			0,7	0,05 (*)
0260030	Peas (with pods) (Mangetout (sugar peas, snow peas))	2	1	0,05 (*)			1,5	0,2
0260040	Peas (without pods) (Garden pea, green pea, chickpea)	0,1	1	0,1			0,1 (*)	0,2
0260050	Lentils	0,2	0,05 (*)	0,05 (*)			0,1 (*)	0,05 (*)
0260990	Others	0,05 (*)	0,05 (*)	0,05 (*)			0,1 (*)	0,05 (*)
0270000	(vii) Stem vegetables (fresh)							0,05 (*)
0270010	Asparagus	0,05 (*)	0,05 (*)	0,05 (*)		0,02 (*)	0,1 (*)	
0270020	Cardoons	0,05 (*)	0,3	0,05 (*)		0,02 (*)	0,1 (*)	
0270030	Celery	5	5	0,05 (*)		0,02 (*)	4	
0270040	Fennel	0,2	5	0,05 (*)		0,02 (*)	0,1 (*)	
0270050	Globe artichokes	0,05 (*)	0,05 (*)	2		0,02 (*)	0,1 (*)	

1	2	3	4	5	6	7	8	9
0270060	Leek	0,05 (*)	0,5	1,5		0,05	0,1 (*)	
0270070	Rhubarb	0,05 (*)	0,3	0,05 (*)		0,02 (*)	0,1 (*)	
0270080	Bamboo shoots	0,05 (*)	0,05 (*)	0,05 (*)		0,02 (*)	0,1 (*)	
0270090	Palm hearts	0,05 (*)	0,05 (*)	0,05 (*)		0,02 (*)	0,1 (*)	
0270990	Others	0,05 (*)	0,05 (*)	0,05 (*)		0,02 (*)	0,1 (*)	
0280000	(viii) Fungi	0,05 (*)	0,05 (*)	0,05 (*)		0,02 (*)	0,1 (*)	0,05 (*)
0280010	Cultivated (Common mushroom, Oyster mushroom, Shi-take)							
0280020	Wild (Chanterelle, Truffle, Morel, Cep)							
0280990	Others							
0290000	(ix) Sea weeds	0,05 (*)	0,05 (*)	0,05 (*)		0,02 (*)	0,1 (*)	0,05 (*)
0300000	3. PULSES, DRY	0,2		0,05 (*)	0,02 (*)	0,02 (*)		
0300010	Beans (Broad beans, navy beans, flageolets, jack beans, lima beans, field beans, cowpeas)		0,05 (*)				1,5	0,05 (*)
0300020	Lentils		0,05 (*)				0,1 (*)	0,05 (*)
0300030	Peas (Chickpeas, field peas, chickling vetch)		0,1				1,5	0,2
0300040	Lupins		0,05 (*)				0,1 (*)	0,05 (*)
0300990	Others		0,05 (*)				0,1 (*)	0,05 (*)
0400000	4. OILSEEDS AND OILFRUITS	0,05 (*)		0,05 (*)	0,02 (*)			0,05 (*)
0401000	(i) Oilseeds					0,05		
0401010	Linseed		0,2				0,1 (*)	
0401020	Peanuts		0,05 (*)				0,1 (*)	

1	2	3	4	5	6	7	8	9
0401030	Poppy seed		0,05 (*)				0,1 (*)	
0401040	Sesame seed		0,05 (*)				0,1 (*)	
0401050	Sunflower seed		0,05 (*)				0,1 (*)	
0401060	Rape seed (Bird rapeseed, turnip rape)		0,5				0,1 (*)	
0401070	Soya bean		0,05 (*)				3	
0401080	Mustard seed		0,2				0,1 (*)	
0401090	Cotton seed		0,05 (*)				0,3	
0401100	Pumpkin seeds (Other seeds of cucurbitacea)		0,05 (*)				0,1 (*)	
0401110	Safflower		0,05 (*)				0,1 (*)	
0401120	Borage		0,05 (*)				0,1 (*)	
0401130	Gold of pleasure		0,05 (*)				0,1 (*)	
0401140	Hempseed		0,05 (*)				0,1 (*)	
0401150	Castor bean		0,05 (*)				0,1 (*)	
0401990	Others		0,05 (*)				0,1 (*)	
0402000	(ii) Oilfruits					0,02 (*)	0,1 (*)	
0402010	Olives for oil production		2					
0402020	Palm nuts (palmoil kernels)		0,05 (*)					
0402030	Palmfruit		0,05 (*)					
0402040	Kapok		0,05 (*)					

1	2	3	4	5	6	7	8	9
0402990	Others		0,05 (*)					
0500000	5. CEREALS			0,05 (*)	0,02 (*)		0,1 (*)	0,05 (*)
0500010	Barley	3	0,05 (*)			0,3		
0500020	Buckwheat (Amaranthus, quinoa)	0,05 (*)	0,05 (*)			0,02 (*)		
0500030	Maize	0,05 (*)	0,05 (*)			0,02 (*)		
0500040	Millet (Foxtail millet, teff)	0,05 (*)	0,05 (*)			0,02 (*)		
0500050	Oats	2	0,05 (*)			0,05		
0500060	Rice	0,05 (*)	0,05 (*)			0,02 (*)		
0500070	Rye	0,5	0,1			0,1		
0500080	Sorghum	0,05 (*)	0,05 (*)			0,02 (*)		
0500090	Wheat (Spelt, triticale)	0,5	0,1			0,1		
0500990	Others	0,05 (*)	0,05 (*)			0,02 (*)		
0600000	6. TEA, COFFEE, HERBAL INFUSIONS AND COCOA			0,05 (*)	0,05 (*)	0,02 (*)	0,1 (*)	
0610000	(i) Tea (dried leaves and stalks, fermented or otherwise of Camellia sinensis)	0,05 (*)	0,05 (*)					0,1
0620000	(ii) Coffee beans	0,05 (*)	0,05 (*)					0,05 (*)
0630000	(iii) Herbal infusions (dried)		20					0,1
0631000	(a) <i>Flowers</i>	0,05 (*)						
0631010	Camomille flowers							
0631020	Hybiscus flowers							
0631030	Rose petals							

1	2	3	4	5	6	7	8	9
0631040	Jasmine flowers (Elderflowers (Sambucus nigra))							
0631050	Lime (linden)							
0631990	Others							
0632000	(b) <i>Leaves</i>	0,05 (*)						
0632010	Strawberry leaves							
0632020	Rooibos leaves (Ginkgo leaves)							
0632030	Maté							
0632990	Others							
0633000	(c) <i>Roots</i>	1						
0633010	Valerian root							
0633020	Ginseng root							
0633990	Others							
0639000	(d) <i>Other herbal infusions</i>	0,05 (*)						
0640000	(iv) Cocoa (fermented beans)	0,05 (*)	0,05 (*)					0,05 (*)
0650000	(v) Carob (st johns bread)	0,05 (*)	0,05 (*)					0,05 (*)
0700000	7. HOPS (dried) , including hop pellets and unconcentrated powder	0,05 (*)	0,05 (*)	50	0,05	0,02 (*)	15	0,1
0800000	8. SPICES		0,3	0,05 (*)	0,05 (*)	0,02 (*)	0,1 (*)	0,05 (*)
0810000	(i) Seeds	0,05 (*)						
0810010	Anise							

1	2	3	4	5	6	7	8	9
0810020	Black caraway							
0810030	Celery seed (Lovage seed)							
0810040	Coriander seed							
0810050	Cumin seed							
0810060	Dill seed							
0810070	Fennel seed							
0810080	Fenugreek							
0810090	Nutmeg							
0810990	Others							
0820000	(ii) Fruits and berries	0,05 (*)						
0820010	Allspice							
0820020	Anise pepper (Japan pepper)							
0820030	Caraway							
0820040	Cardamom							
0820050	Juniper berries							
0820060	Pepper, black and white (Long pepper, pink pepper)							
0820070	Vanilla pods							
0820080	Tamarind							
0820990	Others							
0830000	(iii) Bark	0,05 (*)						

1	2	3	4	5	6	7	8	9
0830010	Cinnamon (Cassia)							
0830990	Others							
0840000	(iv) Roots or rhizome	1						
0840010	Liquorice							
0840020	Ginger							
0840030	Turmeric (Curcuma)							
0840040	Horseradish							
0840990	Others							
0850000	(v) Buds	0,05 (*)						
0850010	Cloves							
0850020	Capers							
0850990	Others							
0860000	(vi) Flower stigma	0,05 (*)						
0860010	Saffron							
0860990	Others							
0870000	(vii) Aril	0,05 (*)						
0870010	Mace							
0870990	Others							
0900000	9. SUGAR PLANTS	0,05 (*)		0,05 (*)	0,02 (*)	0,02 (*)	0,1 (*)	0,05 (*)
0900010	Sugar beet (root)		0,2					

1	2	3	4	5	6	7	8	9
0900020	Sugar cane		0,05 (*)					
0900030	Chicory roots		0,1					
0900990	Others		0,05 (*)					
1000000	10. PRODUCTS OF ANIMAL ORIGIN-TERRESTRIAL ANIMALS	0,05 (*)		0,05 (*)				
1010000	(i) Meat, preparations of meat, offals, blood, animal fats fresh chilled or frozen, salted, in brine, dried or smoked or processed as flours or meals other processed products such as sausages and food preparations based on these							0,01 (*)
1011000	(a) Swine							
1011010	Meat		0,02 (*)			0,05	0,01 (*)	
1011020	Fat free of lean meat		0,05			0,05	0,01 (*)	
1011030	Liver		0,2			0,2	0,03	
1011040	Kidney		0,05			0,2	0,03	
1011050	Edible offal		0,1			0,2	0,03	
1011990	Others		0,1			0,01 (*)	0,01 (*)	
1012000	(b) Bovine							
1012010	Meat		0,02 (*)			0,05	0,01 (*)	
1012020	Fat		0,05			0,05	0,01 (*)	
1012030	Liver		0,2			0,2	0,03	
1012040	Kidney		0,05			0,2	0,03	
1012050	Edible offal		0,1			0,2	0,03	

1	2	3	4	5	6	7	8	9
1012990	Others		0,1			0,05	0,01 (*)	
1013000	(c) <i>Sheep</i>							
1013010	Meat		0,02 (*)			0,05	0,01 (*)	
1013020	Fat		0,05			0,05	0,01 (*)	
1013030	Liver		0,2			0,2	0,03	
1013040	Kidney		0,05			0,2	0,03	
1013050	Edible offal		0,1			0,2	0,03	
1013990	Others		0,1			0,01 (*)	0,01 (*)	
1014000	(d) <i>Goat</i>							
1014010	Meat		0,02 (*)			0,05	0,01 (*)	
1014020	Fat		0,05			0,05	0,01 (*)	
1014030	Liver		0,2			0,2	0,03	
1014040	Kidney		0,05			0,2	0,03	
1014050	Edible offal		0,1			0,2	0,03	
1014990	Others		0,1			0,01 (*)	0,01 (*)	
1015000	(e) <i>Horses, asses, mules or hinnies</i>							
1015010	Meat		0,02 (*)			0,05	0,01 (*)	
1015020	Fat		0,05			0,05	0,01 (*)	
1015030	Liver		0,2			0,2	0,03	
1015040	Kidney		0,05			0,2	0,03	

1	2	3	4	5	6	7	8	9
1015050	Edible offal		0,1			0,2	0,03	
1015990	Others		0,1			0,01 (*)	0,01 (*)	
1016000	(f) <i>Poultry -chicken, geese, duck, turkey and Guinea fowl-, ostrich, pigeon</i>		0,1				0,01 (*)	
1016010	Meat					0,05		
1016020	Fat					0,05		
1016030	Liver					0,05		
1016040	Kidney					0,05		
1016050	Edible offal					0,01 (*)		
1016990	Others					0,01 (*)		
1017000	(g) <i>Other farm animals (Rabbit, Kangaroo)</i>		0,1					
1017010	Meat					0,05	0,01 (*)	
1017020	Fat					0,05	0,01 (*)	
1017030	Liver					0,2	0,03	
1017040	Kidney					0,2	0,03	
1017050	Edible offal					0,2	0,03	
1017990	Others					0,01 (*)	0,01 (*)	
1020000	(ii) Milk and cream, not concentrated, nor containing added sugar or sweetening matter, butter and other fats derived from milk, cheese and curd		0,01 (*)			0,01 (*)	0,005 (*)	0,02
1020010	Cattle							
1020020	Sheep							

1	2	3	4	5	6	7	8	9
1020030	Goat							
1020040	Horse							
1020990	Others							
1030000	(iii) Birds' eggs, fresh preserved or cooked Shelled eggs and egg yolks fresh, dried, cooked by steaming or boiling in water, moulded, frozen or otherwise preserved whether or not containing added sugar or sweetening matter		0,05 (*)			0,05	0,01 (*)	0,01 (*)
1030010	Chicken							
1030020	Duck							
1030030	Goose							
1030040	Quail							
1030990	Others							
1040000	(iv) Honey (Royal jelly, pollen)		0,05 (*)			0,01 (*)	0,01 (*)	0,01 (*)
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)		0,05 (*)			0,01 (*)	0,01 (*)	0,01 (*)
1060000	(vi) Snails		0,05 (*)			0,01 (*)	0,01 (*)	0,01 (*)
1070000	(vii) Other terrestrial animal products		0,05 (*)			0,01 (*)	0,01 (*)	0,01 (*)

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

(*) Indicates lower limit of analytical determination

(F) = Fat soluble

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

Cyprodinil — code 1000000: Sum cyprodinil and metabolite CGA 304075

Prothioconazole — code 1000000: Sum of prothioconazole-desthio and its glucuronide conjugate, expressed as prothioconazoledesthio.

Spirotetramat — Code 1000000: Spirotetramat and its metabolite BYI08330-enol expressed as spirotetramat'

(3) In Part B of Annex III the column for abamectin, acetamiprid, fenhexamid and trifloxystrobin 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 ^(a)	Abamectin (sum of avermectin B1a, avermectin B1b and delta-8,9 isomer of avermectin B1a) (F)	Acetamiprid (R)	Fenhexamid	Trifloxystrobin (F)
1	2	3	4	5	6
0130040	Medlar	0,01 (*)	0,1	0,05 (*)	0,5
0130050	Loquat	0,01 (*)	0,1	0,05 (*)	0,5
0154050	Rose hips	0,01 (*)	0,01 (*)	5	0,02 (*)
0154060	Mulberries (arbutus berry)	0,01 (*)	0,01 (*)	10	0,02 (*)
0154070	Azarole (mediteranean medlar) (Kiwiberry (Actinidia arguta))	0,01 (*)	0,01 (*)	5	0,02 (*)
0154080	Elderberries (Black chokeberry (appleberry), mountain ash, buckthorn (sea sallowthorn), hawthorn, service berries, and other treeberries)	0,01 (*)	0,01 (*)	5	2
0161050	Carambola (Bilimbi)	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0161060	Persimmon	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0161070	Jambolan (java plum) (Java apple (water apple), pomerac, rose apple, Brazilian cherry Surinam cherry (grumichama Eugenia uniflora),)	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0162040	Prickly pear (cactus fruit)	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0162050	Star apple	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0162060	American persimmon (Virginia kaki) (Black sapote, white sapote, green sapote, canistel (yellow sapote), and mammey sapote)	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0163060	Cherimoya (Custard apple, sugar apple (sweetsop), llama and other medium sized Annonaceae)	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0163070	Guava (Red pitaya or dragon fruit (Hylocereus undatus))	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0163090	Bread fruit (Jackfruit)	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)

1	2	3	4	5	6
0163100	Durian	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0163110	Soursop (guanabana)	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0212040	Arrowroot	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0251050	Land cress	0,1	3	30	0,02 (*)
0251070	Red mustard	0,1	3	30	0,02 (*)
0252020	Purslane (Winter purslane (miner's lettuce), garden purslane, common purslane, sorrel, glassworth, Agretti (Salsola soda))	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0253000	(c) <i>Vine leaves (grape leaves)</i>	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0256050	Sage (Winter savory, summer savory,)	1	3	30	10
0256060	Rosemary	1	3	30	10
0256070	Thyme (Marjoram, oregano)	1	3	30	10
0256080	Basil (Balm leaves, mint, peppermint)	1	3	30	10
0256090	Bay leaves (laurel)	1	3	30	10
0256100	Tarragon (Hyssop)	1	3	30	10
0270080	Bamboo shoots	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0270090	Palm hearts	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0290000	(ix) Sea weeds	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0401110	Safflower	0,02 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0401120	Borage	0,02 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0401130	Gold of pleasure	0,02 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0401150	Castor bean	0,02 (*)	0,01 (*)	0,1 (*)	0,05 (*)

1	2	3	4	5	6
0402020	Palm nuts (palmoil kernels)	0,02 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0402030	Palmfruit	0,02 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0402040	Kapok	0,02 (*)	0,01 (*)	0,1 (*)	0,05 (*)
0620000	(ii) Coffee beans	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0630000	(iii) Herbal infusions (dried)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0631000	(a) <i>Flowers</i>	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0631010	Camomille flowers	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0631020	Hybiscus flowers	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0631030	Rose petals	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0631040	Jasmine flowers (Elderflowers (Sambucus nigra))	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0631050	Lime (linden)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0631990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0632000	(b) <i>Leaves</i>	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0632010	Strawberry leaves	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0632020	Rooibos leaves (Ginkgo leaves)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0632030	Maté	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0632990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0633000	(c) <i>Roots</i>	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0633010	Valerian root	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0633020	Ginseng root	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)

1	2	3	4	5	6
0633990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0639000	(d) <i>Other herbal infusions</i>	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0640000	(iv) Cocoa (fermented beans)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0650000	(v) Carob (st johns bread)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0800000	8. SPICES	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810000	(i) Seeds	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810010	Anise	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810020	Black caraway	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810030	Celery seed (Lovage seed)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810040	Coriander seed	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810050	Cumin seed	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810060	Dill seed	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810070	Fennel seed	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810080	Fenugreek	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810090	Nutmeg	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0810990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820000	(ii) Fruits and berries	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820010	Allspice	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820020	Anise pepper (Japan pepper)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820030	Caraway	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)

1	2	3	4	5	6
0820040	Cardamom	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820050	Juniper berries	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820060	Pepper, black and white (Long pepper, pink pepper)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820070	Vanilla pods	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820080	Tamarind	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0820990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0830000	(iii) Bark	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0830010	Cinnamon (Cassia)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0830990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0840000	(iv) Roots or rhizome	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0840010	Liquorice	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0840020	Ginger	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0840030	Turmeric (Curcuma)	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0840040	Horseradish	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0840990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0850000	(v) Buds	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0850010	Cloves	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0850020	Capers	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0850990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0860000	(vi) Flower stigma	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)

1	2	3	4	5	6
0860010	Saffron	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0860990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0870000	(vii) Aril	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0870010	Mace	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0870990	Others	0,02 (*)	0,1 (*)	0,1 (*)	0,05 (*)
0900000	9. SUGAR PLANTS	0,01 (*)	0,01 (*)	0,05 (*)	
0900010	Sugar beet (root)	0,01 (*)	0,01 (*)	0,05 (*)	0,05
0900020	Sugar cane	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0900030	Chicory roots	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
0900990	Others	0,01 (*)	0,01 (*)	0,05 (*)	0,02 (*)
1015000	(e) <i>Horses, asses, mules or hinnies</i>	0,01 (*)		0,05 (*)	0,04 (*)
1015010	Meat	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1015020	Fat	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1015030	Liver	0,01 (*)	0,1	0,05 (*)	0,04 (*)
1015040	Kidney	0,01 (*)	0,2	0,05 (*)	0,04 (*)
1015050	Edible offal	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1015990	Others	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1017000	(g) <i>Other farm animals (Rabbit, Kangaroo)</i>	0,01 (*)		0,05 (*)	0,04 (*)
1017010	Meat	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1017020	Fat	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)

1	2	3	4	5	6
1017030	Liver	0,01 (*)	0,1	0,05 (*)	0,04 (*)
1017040	Kidney	0,01 (*)	0,2	0,05 (*)	0,04 (*)
1017050	Edible offal	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1017990	Others	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1030020	Duck	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1030030	Goose	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1030040	Quail	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1030990	Others	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1040000	(iv) Honey (Royal jelly, pollen)	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1050000	(v) Amphibians and reptiles (Frog legs, crocodiles)	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1060000	(vi) Snails	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)
1070000	(vii) Other terrestrial animal products	0,01 (*)	0,05 (*)	0,05 (*)	0,04 (*)

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

(*) Indicates lower limit of analytical determination

(F) = Fat soluble

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

Acetamiprid — code 1000000: Sum of acetamiprid and N-desmethyl-acetamiprid (IM-2-1), expressed as acetamiprid

Trifloxystrobin — code 1000000: the sum of trifloxystrobin and its metabolite (E, E)-methoxyimino- {2-[1-(3-trifluoromethyl-phenyl)-ethylideneamino-oxymethyl]-phenyl}-acetic acid (CGA 321113)

COMMISSION IMPLEMENTING REGULATION (EU) No 509/2011**of 24 May 2011****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 May 2011.

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

Done at Brussels, 24 May 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	JO	50,2
	MA	35,3
	TR	112,0
	ZZ	65,8
0707 00 05	TR	88,5
	ZZ	88,5
0709 90 70	AR	34,9
	MA	86,8
	TR	124,0
	ZZ	81,9
0709 90 80	EC	23,2
	ZZ	23,2
0805 10 20	EG	54,6
	IL	62,7
	MA	50,4
	TR	74,4
	ZZ	60,5
0805 50 10	AR	72,2
	TR	59,3
	ZA	101,0
	ZZ	77,5
0808 10 80	AR	88,1
	BR	73,2
	CA	129,0
	CL	78,5
	CN	89,3
	CR	69,1
	NZ	109,5
	US	99,3
	UY	60,0
	ZA	85,5
	ZZ	88,2

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION IMPLEMENTING DECISION

of 20 May 2011

establishing that Article 30(1) of Directive 2004/17/EC of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors is not applicable to the bituminous coal mining in the Czech Republic

(notified under document C(2011) 3406)

(Only the Czech text is authentic)

(Text with EEA relevance)

(2011/306/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors ⁽¹⁾, and in particular Article 30(4) and (6) thereof,

Whereas:

I. FACTS

- (1) On 22 November 2010, the Commission received by e-mail a Czech request pursuant to Article 30(4) of Directive 2004/17/EC, asking for exemption of the bituminous coal mining in the Czech Republic from the application of the provisions of Directive 2004/17/EC. The Commission requested additional information by e-mail of 21 January 2011. The reply to the request for information was transmitted by the Czech authorities by e-mail of 9 February 2011.
- (2) The request was accompanied by a letter from an independent national authority, (Úřad pro ochranu hospodářské soutěže, the Czech Office for the Protection of Competition) in the form of a preliminary opinion, dated 7 November 2008. The Czech Office for the Protection of Competition analysed the conditions of access to the relevant market and found it to be unrestricted. However, the opinion does not state that the other conditions relating to the direct exposure to competition were met in respect of bituminous coal mining in the Czech Republic.

- (3) The only entity engaged in bituminous coal mining in the Czech Republic is the company OKD a.s., which is a private company owned 100 % by a private Dutch Holding – New World Resources (NWR).

II. LEGAL FRAMEWORK

- (4) Article 30 of Directive 2004/17/EC provides that contracts intended to enable the performance of one of the activities to which the Directive applies shall not be subject to the Directive if, in the Member State in which it is carried out, the activity is directly exposed to competition on markets to which access is not restricted. Direct exposure to competition is assessed on the basis of objective criteria, taking account of the specific characteristics of the sector concerned. Access is deemed to be unrestricted if the Member State has implemented and applied the relevant EU legislation opening a given sector or a part of it. This legislation is listed in Annex XI to Directive 2004/17/EC. However for the exploration for and extraction of coal and other solid fuels, Annex XI does not list any relevant legislation liberalising this sector. Consequently free access to the market cannot be presumed, and it has to be demonstrated de facto and de jure.
- (5) An examination of the legal provisions applicable to issuing licenses for mining, in the Czech Republic, shows that it is currently granted on non-discriminatory basis, based on the assessment of the professional qualification of the applicant, and the technical and financial capacity to carry out the works. For the purposes of this decision, the possibility to obtain mining licence could be considered, de jure, free.
- (6) Direct exposure to competition should be evaluated on the basis of various indicators, none of which are necessarily, per se, decisive. In respect of the markets concerned by this decision, the aggregated market shares of the three main players on a given market

⁽¹⁾ OJ L 134, 30.4.2004, p. 1.

constitutes one criterion which should be taken into account ⁽²⁾. Another criterion is the degree of concentration on those markets. Given the characteristics of the markets concerned, further criteria should also be taken into account such as the degree of customer switching.

- (7) This Decision is without prejudice to the application of the rules on competition.

III. ASSESSMENT

- (8) The request submitted by the Czech Republic concerns bituminous coal mining in the Czech Republic.

Market definition

Product market

- (9) The Czech request covers what is called 'the primary market for bituminous coal', which includes the production of bituminous coal and the wholesale distribution of coal ⁽³⁾. When considering competition in the market for production of bituminous coal, regard must be had to the links between production and first sale/wholesale distribution of the bituminous coal extracted. This definition is also in line with previous Commission decisions ⁽⁴⁾ referring to the exploitation of other types of fuels.
- (10) The bituminous coal extracted has different chemical compositions and quality depending on geological conditions of individual mined seams. The bituminous coal can be divided into the coal suitable for coking (CSFC) and steam coal (SC). Although the two types of bituminous coal are mined in the same way, using the same technologies, they have however completely different end-use and different customer base. The prices are different and the products are not interchangeable.
- (11) CSFC is defined as bituminous coal with the quality enabling production of coke in blast furnaces and it is not used for direct heating or energy production. CSFC is purchased solely by companies producing coke. CSFC is the only raw material for coke production and has no other application actually. The CSFC cannot be substituted by steam coal.

- (12) SC is the coal which cannot be qualified as coking coal. The SC is used in power plants as fuel for production of electricity, heat and technological steam, as part of the production process of industrial plants such as sugar refineries, brick plants, cement factories and limekilns, paper mills, etc. SC may be substituted by CSFC, but doing so would not be economically viable.

- (13) CSFC may be divided further into a few categories according to its quality. CSFC referred to as hard coking coal is of the best quality, followed by CSFC referred to as semihard coking coal and semisoft coking coal. However, the market for the individual types of CSFC is not separated and no such distinction will be made for the purposes of the assessment for the present decision.

- (14) In view of the above, and in line with the application, for the purposes of evaluating the conditions laid down in Article 30(1) of Directive 2004/17/EC, CSFC and SC are considered to constitute separate product markets and they should therefore be examined separately.

Geographical market

- (15) The Czech request considers that the relevant geographical market would be a market larger than the national territory, incorporating the territories of the Czech Republic, Slovakia, Austria, Poland and Hungary for CSFC. In the case of SC, the applicant considers that the geographical market should be defined as comprising the Czech Republic, Slovakia, Austria, Poland, Hungary and Germany. It is argued that the main reason for this market definition is the important mutual cross-border supply, the customer switching and the non-existence of administrative obstacles (customs barriers, quotas, etc.).
- (16) According to the application ⁽⁵⁾ the Czech Republic is a net exporter of both CSFC and SC. In 2009, the Czech Republic exported 3 581 thousands tonnes CSFC and 2 389 thousands tonnes SC ⁽⁶⁾ which accounts for around 61 % and 47 % of the respective internal production. In the same year, the imports into the Czech Republic accounted for 771 thousands tonnes CSFC and 954 thousands tonnes SC representing 13 % and 19 % respectively of the internal production ⁽⁷⁾ and the source of this imports was mainly Poland. In fact imports from Poland amounted to around 90 % for CSFC and 80 % for SC of total imports.

⁽²⁾ In line with the Commission's constant practice (e.g.: Commission Decision 2009/47/EC (OJ L 19, 23.1.2009, p. 57), Commission Decision 2010/192/EU (OJ L 84, 31.3.2010, p. 52), etc.).

⁽³⁾ See page 21 of the application: '[...] there is no market of the bituminous coal mining, the market can be conceptually defined only in the next phase when the producers sell the coal mined'.

⁽⁴⁾ See, inter alia, Commission Decision of 29 September 1999 declaring a concentration to be compatible with the common market and the EEA Agreement (Case IV/M.1532 BP Amoco/Arco), point 14.

⁽⁵⁾ See table 2 on page 39 of the application.

⁽⁶⁾ European Commission General Directorate for Energy and Transport, Coal and Oil Market Observatory – Supplies and requirements of solid fuels in 2009 in the Czech Republic.

⁽⁷⁾ Idem 5.

- (17) Although the applicant states that the coal produced by OKD in the Czech Republic – whether CSFC or SC – is competitive for a radius of 500 km, it is noted that the customers of OKD are located on a radius of approximately 350 km from the place of production of the coal, in Ostrava.
- (18) In respect of CSFC sales, OKD has one important customer in Slovakia, which purchased around 26 % in 2007 and 30 % in 2009 of OKD production and another important customer in Austria, which purchased 13 % in 2007 and 19 % in 2009 of the OKD production. The applicant lists also among its main customers outside the Czech Republic one company in Poland but its purchases account for only around 8 % of OKD production.
- (19) In respect of SC sales, apart from Czech customers, OKD lists one important customer in Austria, which accounted for around 12 % in 2007 and 21 % in 2009 of OKD sales and one customer in Germany with around 5 % in 2007 and 3 % in 2009 of SC sales.
- (20) According to the application, ‘the three biggest competitors are heavily concentrated’⁽⁸⁾, and indeed this can be observed in all the national markets taken separately, both in respect of SC and CSFC. The applicant also acknowledges that ‘the overwhelming majority of extracted coal is consumed on the local market’⁽⁹⁾, and this is confirmed in all countries in the geographic area considered by the application which are producing bituminous coal (the Czech Republic, Poland, Germany).
- (21) According to the Commission Notice on the definition of the relevant market⁽¹⁰⁾ the relevant geographic market comprises the area in which the conditions of competition are sufficiently homogeneous and which can be distinguished from neighbouring areas because the conditions of competition are appreciably different there. It is therefore worth noting that the coastal regions of Central Europe (in particular northern Germany and northern Poland) are exposed to imports of sea borne coal and given, inter alia, that sea freight rates are considerably lower than the cost for land transport, conditions of competition may therefore be different in those areas⁽¹¹⁾.
- (22) The application mentions that an important factor in determining the price of the coal is the stability and the security of supply, and the duration of the contract⁽¹²⁾, and that generally the contracts for supply of coal, whether SC or CSFC, are long-term contracts.
- (23) The customers of bituminous coal in the Czech Republic are buying coal from OKD or, in limited quantities, from Polish companies. The imports from other countries, although increasing, are not very significant to date⁽¹³⁾.
- (24) In view of the above factors, for the purposes of evaluating the conditions laid down in Article 30(1) of Directive 2004/17/EC, the geographical market is considered to be confined to the Czech Republic and Poland, both in respect of SC and CSFC. Due to the abovementioned differences between those regions which can be easily supplied by sea borne coal and those which might be too far away from any coast, the market could even be smaller comprising only the Czech Republic and the south of Poland. The question can, however, be left open, since the larger market definition is the one more favourable to the applicant. Under both market definitions, the analysis does not lead to a different outcome.

Market analysis

- (25) It is considered that, in respect of bituminous coal mining, one indicator for the degree of competition on national markets is the total market share of the biggest three producers.

CSFC Market

- (26) OKD and two Polish suppliers of CSFC are by far the most important suppliers in the relevant geographic market. OKD is the largest supplier of CSFC in the Czech Republic (75,5 % market share in the Czech Republic in 2008). The two Polish suppliers of CSFC are the largest suppliers in Poland (60,2 % and 19,3 % market share in Poland in 2008). In the geographical market encompassing the Czech Republic and Poland, the aggregated market share of the three biggest producers in 2008 was around 93 %. It is also worth noting that the biggest competitor of OKD has on its own a market share of around 49 % of the market.
- (27) Even considering a larger market, comprising the Czech Republic, Slovakia, Austria, Poland and Hungary, as claimed by the applicant, the aggregated market shares of the three biggest competitors would still be very high (91,3 % in 2005, 87,7 % in 2006, 85 % in 2007 and 86,6 % in 2008⁽¹⁴⁾) and cannot constitute indication of sufficient exposure to competition of the CSFC market.

⁽⁸⁾ See application, page 23, paragraph 6.

⁽⁹⁾ See application, page 23, paragraph 6.

⁽¹⁰⁾ See Commission Notice on the definition of relevant market for the purposes of Community competition law (OJ C 372, 9.12.1997, p. 5).

⁽¹¹⁾ See application, page 14, paragraph 4.

⁽¹²⁾ See application, page 8, paragraph 3.

⁽¹³⁾ In 2009, CSFC imports from USA represented around 1 % of the consumption and the imports of SC from Russia represented around 6 % of the consumption. In 2010, according to still provisional data in the letter of the applicant of 9.2.2011, the share of imports of CSFC from USA rose to 3 % of the consumption and the share of imports of SC from Russia rose to 12 % of the internal consumption.

⁽¹⁴⁾ See table on page 58 of the application.

- (28) As recalled in recital 22 the security and the stability of supply play an important role in the contractual relationships. The information provided by the applicant on the customer switching for CSFC shows that there is virtually no switching for this product. The contracts for CSFC supply are long-term contracts and no evidence has been provided to show that any of OKD customers changed from OKD to other suppliers. It can consequently not be assumed that a CSFC customer would be willing or indeed able to easily switch in the event of a small but significant increase of price by OKD.

SC market

- (29) OKD and two Polish suppliers of SC are the by far most important producers of SC in the relevant geographic market. OKD is the largest supplier of SC in the Czech Republic (61,6 % market share in the Czech Republic in 2008). Two Polish suppliers of SC are the largest suppliers in Poland (52,5 % and 17,7 % market share in Poland in 2008). In the geographical market encompassing the Czech Republic and Poland, the aggregated market share of the three biggest producers was around 72 % in 2008. It is also worth noting that the biggest competitor of OKD had on its own a market share of around 50 % of the geographical market, encompassing the Czech Republic and Poland.
- (30) Moreover, on all three geographical markets for SC mentioned in recital 29 (the Czech Republic alone, Poland alone and a geographical market encompassing both) there is an economic operator which on his own has a market share of around 50 % or more. A constant jurisprudence should consequently be recalled in this context⁽¹⁵⁾, according to which 'very large market shares are in themselves, save in exceptional circumstances, evidence of the existence of a dominant position. That is the situation when there is a market share of 50 %'.
- (31) Even considering a larger market than national, comprising the Czech Republic, Slovakia, Austria, Poland, Hungary and Germany, as claimed by the applicant, the aggregated market shares of the three biggest competitors would still be rather high (62,7 % in 2005, 60,2 % in 2006, 56,9 % in 2007 and 57,3 % in 2008⁽¹⁶⁾).
- (32) As is the case for CSFC, the security and stability of supply of SC play an important role in the contractual

relationships. The information provided by the applicant on the customer switching shows that a number of OKD customers of SC are interrupting their supplies from OKD, in certain years, or that some 1-year contracts or on-the-spot contracts were never renewed. However, given the fact that the applicant did not, as requested, provide information on the volumes of supplies concerned or of their proportion of the OKD production, it would be difficult to conclude that a customer of OKD would easily switch, following a small but significant increase of price by OKD.

IV. CONCLUSIONS

- (33) In respect of bituminous coal mining in the Czech Republic, the situation can thus be summarised as follows: in respect of both SC and CSFC, the aggregate market shares of the three biggest competitors on the geographical market as defined for the purposes of this decision are high, and more importantly, the biggest producer on its own represents a market share of almost 50 %, the markets should therefore be considered as being heavily concentrated and as recalled in recital 20, the overwhelming majority of extracted coal is consumed on the local market. The information on the degree of switching does not support the conclusion that a bituminous coal customer would have the will or possibility to easily switch supplier in the event of a small but significant price increase.
- (34) The applicant also acknowledged that, since the bituminous coal mining is not profitable in other places than those already exploited (notably those exploited by OKD), 'access of another entity to the Czech market is not realistic and has not taken place during the last five years'⁽¹⁷⁾. The same holds in respect of coal supplies, where the applicant states that he is not aware of any significant access to the Czech market, and most of the significant wholesale customers concluded long-term contracts⁽¹⁸⁾.
- (35) In view of the factors examined in recitals 8 to 34, it should be concluded that the market for mining bituminous coal, both CSFC and SC, is currently not directly exposed to competition in the Czech Republic. Therefore Article 30(1) of Directive 2004/17/EC is not applicable to contracts intended to enable the pursuit of those activities in the Czech Republic. Consequently, Directive 2004/17/EC continues to apply when contracting entities award contracts intended to enable bituminous coal mining to be carried out in the Czech Republic or when they organise design contests for the pursuit of such activities in the Czech Republic.

⁽¹⁵⁾ See point 328 of the judgment of the Court of First Instance (Third Chamber) of 28 February 2002. *Atlantic Container Line AB and Others v Commission of the European Communities*. Case T-395/94. European Court reports 2002 Page II-00875.

⁽¹⁶⁾ See table on page 59 of the application.

⁽¹⁷⁾ See paragraph 5, on page 62, of the application.

⁽¹⁸⁾ See paragraph 6, on page 62 of the application.

(36) This Decision is based on the legal and factual situation as of November 2010 to March 2011 as it appears from the information submitted by the Czech Republic. It may be revised, should significant changes in the legal or factual situation mean that the conditions for the applicability of Article 30(1) of Directive 2004/17/EC are met.

(37) The measures provided for in this Decision are in accordance with the opinion of the Advisory Committee for Public Contracts,

HAS ADOPTED THIS DECISION:

Article 1

Article 30(1) of Directive 2004/17/EC is not applicable to bituminous coal mining in the Czech Republic. Consequently,

Directive 2004/17/EC shall continue to apply to contracts awarded by contracting entities and intended to enable them to carry out such activities in the Czech Republic.

Article 2

This Decision is addressed to the Czech Republic.

Done at Brussels, 20 May 2011.

For the Commission

Michel BARNIER

Member of the Commission

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