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**COMMISSION REGULATION (EU) .../...**

**of XXX**

**correcting Regulation (EC) No 396/2005 of the European Parliament and of the Council  
as regards maximum residue levels for fenpyrazamine in or on certain products**

(Text with EEA relevance)

# COMMISSION REGULATION (EU) .../...

of **XXX**

**correcting Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for fenpyrazamine in or on certain products**

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC<sup>1</sup>, and in particular Article 14(1), point (a), thereof,

Whereas:

- (1) For the active substance fenpyrazamine, maximum residue levels ('MRLs') were set in Annex II to Regulation (EC) No 396/2005.
- (2) Commission Regulation (EU) 2019/977<sup>2</sup>, which entered into force on 7 July 2019 amended Regulation (EC) No 396/2005 by establishing the MRLs of fenpyrazamine based on Codex maximum residue limits (CXLs) in or on certain plant commodities. However, those MRLs set out in Regulation (EC) No 396/2005 as amended by Regulation (EU) 2019/977 were superseded by the MRLs set out in Commission Regulation (EU) 2019/90<sup>3</sup>, which, although adopted before Regulation (EU) 2019/977, applies since 13 August 2019. This was due to a clerical error in the sequence of the dates of application of Regulations (EU) 2019/90 and (EU) 2019/977.
- (3) Regulation (EC) No 396/2005 should therefore be corrected accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

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

<sup>2</sup> Commission Regulation (EU) 2019/977 of 13 June 2019 amending Annexes II and IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for aclonifen, Beauveria bassiana strain PPRI 5339, Clonostachys rosea strain J1446, fenpyrazamine, mefentrifluconazole and penconazole in or on certain products (OJ L 159, 17.6.2019, pp. 1–25, ELI: <http://data.europa.eu/eli/reg/2019/977/oj>).

<sup>3</sup> Commission Regulation (EU) 2019/90 of 18 January 2019 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for bromuconazole, carboxin, fenbutatin oxide, fenpyrazamine and pyridaben in or on certain products (OJ L 22, 24.1.2019, pp. 52–73, ELI: <http://data.europa.eu/eli/reg/2019/90/oj>).

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II to Regulation (EC) No 396/2005 is corrected in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the third 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*