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LIMITE

SIMPL	**DENLEG**
ANTICI	**MI**
AGRI	**FOOD**
AGRILEG	**FEED**
ENV	**SEMENCES**
PESTICIDE	**SAN**
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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Antici Group (Simplification)
Subject:	Omnibus X (Food and feed safety): Explanatory note by the Presidency - AGS meeting on 13 May 2026

In view of the AGS meeting on 13 May 2026, delegations will find enclosed an Presidency explanatory note on the compromise text regarding the MRL Regulation (EC) No 396/2005 (ST 9089/26).

Antici Group on Simplification (AGS)

AGS – 13 May 2026

Omnibus X: Food and Feed Safety, Cluster B, MRL Regulation (EC) 396/2005 –

Presidency compromise text

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The purpose of this explanatory note is to provide delegations with additional information, clarifications and reasoning for the amendments proposed by the Presidency.
The explanatory note follows the order of the relevant provisions.
This document is for reference only.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EC) No 999/2001, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 852/2004, (EC) No 853/2004, (EC) No 396/2005, (EC) No 1099/2009, (EC) No 1107/2009, (EU) No 528/2012, (EU) 2017/625 as regards the simplification and strengthening of food and feed safety requirements

With a view to the AGS meeting on 13 May, the Presidency is proposing a new compromise proposal for the recitals and Article 14 of the MRL Regulation. The compromise text starts from the Commission proposal and, similar to the Commission proposal, it proposes that MRLs are to be set on the basis of a prior impact assessment.

The new elements of the Presidency compromise are as follows:

- The Commission shall set (or lower existing) MRLs to LOQ level (technical zero) **if the impact assessment justifies it**;
- The Commission will have the obligation to **submit the draft implementing Regulation** setting (or lowering) the MRLs to the PAFF Committee **without delay and at the latest within six months after**:
    - **an EFSA evaluation under Article 43** establishes that the active substance meets the criteria for hazardous substances, or has negative effects on honeybees, or accumulate in unacceptable levels in the groundwater; or
    - **the grace period** established under Regulation (EC) No 1107/2009 for a hazardous active substance has elapsed.

The new wording at the end of recital 31 clarifies that the above-mentioned **grace period is also applicable for food products** which were compliant with the old MRLs and which are **already in storage** – when the new MRLs are set - **in a 3rd country for the purpose of being sold on the EU market**.

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