

**48th Session of the Codex Committee on Pesticide Residues
Chongqing, China, 25 - 30 April 2016**

European Union Comments

AGENDA ITEM 6

Draft and proposed draft maximum residue limits for pesticides in foods and feeds at Steps 7 and 4
Comments at steps 6 and 3

(CX/PR 16/48/5 and CX/PR 16/48/5-Add.1)

European Union Competence

European Union Vote

General comment

The EU would like to **comment** that the policy for setting MRLs for crop groups based on scientific considerations needs to be elaborated. The lack of an agreed policy and the disagreement with the approach used by JMPR in 2015 leads to several EU reservations for Codex MRL proposals discussed in the 2016 CCPR.

General comment

The EU would like to **comment** that the MRLs and also the currently taken positions for propiconazole, difenoconazole, penconazole, tebuconazole and flutriafol might be revised in future, pending an evaluation of triazole derivative metabolites in the EU.

5.22 Lindane (048)(R)

The EU supports the advancement of the proposed draft MRLs for the following commodities:

- cereal grains, except rice
- edible offal (mammalian)
- eggs
- meat (from mammals other than marine mammals)

The suffix (fat) should be added.

- milks
- poultry meat

The suffix (fat) should be added.

- poultry, edible offal of
- sweet corn (kernels)

5.5 Chlorothalonil (081)(R)

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities:

- cherries
- dried ginseng
- horseradish
- onion, bulb
- peaches (including nectarines and apricots)
- peppers
- pistachio nut
- rhubarb
- root and tuber vegetables, except horseradish
- shallot

Reservation due to a difference in scientific methodology. Separate MRLs need to be set for the SDS-3701 metabolite in plant commodities.

5.10 Ethephon (106)(T)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- apple
- cherries
- cotton seed
- edible offal (mammalian) including kidney and liver

Noting that a proposal of 0.3 mg/kg would be sufficient.

- eggs
- grapes
- mammalian fats (except milk fats)
- meat (from mammals other than marine mammals)
- milks
- olives
- pineapple
- poultry meat
- poultry, edible offal of
- poultry fats
- tomato

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

- barley
- rye
- wheat

Reservation due to a difference in scientific methodology. The EU applies a different residue definition for cereals, and adjustment factors could not be derived.

- fig

An insufficient number of residue trials was available for this crop in consumption category 2.

5.21 Lambda-cyhalothrin (146)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- basil
- coffee beans

The EU would like to **comment** that information available in a recent EU assessment was not available to JMPR. The toxicological reference values were recently lowered in the EU. The EU **encourages the manufacturer** to submit the relevant data in time for the planned new use evaluation in 2017.

(3.1.5) Propiconazole (160)(response)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- oats
- rye
- wheat

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

- barley

Reservation due to a difference in scientific methodology. The MRL proposal is based on the results of trials from which for one the result is a possible outlier. It would be appreciated if JMPR can report whether possible reasons for the extreme results were investigated.

5.1 Abamectin (177)(T)(R)

The EU **opposes to the advancement** of the proposed draft MRLs for the following commodity:

-spinach

An acute consumer risk has been identified by JMPR.

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities due to a difference in scientific methodology. The proposed draft MRLs are expressed on an enforcement residue definition that is not compatible with the one applicable in the EU:

-avocado

-beans, except broad bean and soya bean (immature beans with pods)

It is noted that the residue data indicate that according to the OECD calculator a proposed draft MRL of 0.07 mg/ kg is sufficient.

-beans, dry

-blackberries

-celery

The crop code assigned to the proposed MRL for celery should be changed to VX 0624 (VX 0578 does not exist; VR 0578 refers to celeriac).

-cherries

It is noted that the residue data indicate that according to the OECD calculator a proposed draft MRL of 0.06 mg/ kg is sufficient.

-citrus fruits

Due to the limited number of trials, it is not possible to conclude on similar residue behaviour for the different citrus crops.

Therefore the trial data can only be used to set an MRL for oranges. Furthermore in the JMPR Report and Summary Report for citrus fruits erroneously an MRL of 0.2 mg/kg was reported.

-cotton seed

-cucumber

No information is provided in the JMPR Report in which countries and in which season the trials were performed.

-egg plant

-garlic

No Codex MRL should be set for garlic as no GAP is reported.

-gherkin

The MRL proposal derived by JMPR was 0.03 mg/kg and not 0.05 mg/kg as erroneously reported in the JMPR Report and Summary Report.

-grapes

-hops, dry

-leek

-lettuce, head

-mango

-melons, except watermelon

-onion, bulb

-papaya

-peaches

-peanut

-peppers, sweet

No information is provided in the JMPR Report in which countries and which season the trials were performed. If the trials were not performed under the most critical conditions (indoor winter period) where low photodegradation is expected, the MRL proposals may not be sufficient.

-plums (including prunes)

The residue data indicate that according to the OECD calculator a proposed draft MRL of 0.007 is appropriate for plums.

-pome fruits

-potato

-raspberry, red, black

-rice

The MRL proposal was derived for rice, husked (CM 0649) and not for the crop code GC 0649.

-shallot

-strawberry

-sweet potato

-tomato

No information is provided in the JMPR Report in which countries and which season the trials were performed. If the trials were

not performed under the most critical conditions (indoor winter period) where low photodegradation is expected, the MRL proposals may not be sufficient.

-tree nuts

-yams

The EU would like to **comment** that for **raisins** the source of the MRL proposal is unclear as on p. 41 of the JMPR Report an MRL proposal of 0.03 mg/kg was reported for dried grapes.

5.4 Bifenthrin (178)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- **blueberries**

- **grapes**

- **peas (pods and succulent=immature seeds)**

- **peas, shelled**

The EU **opposes the advancement** of the proposed draft MRLs for the following commodities:

- **lettuce, head**

- **celery**

An acute consumer risk has been identified for a European consumer group. JMPR also noted an exceedance of the ARfD.

The EU would like to **comment** that the manufacturer should make a commitment to submit data for strawberries; otherwise the proposed CXL of 3 mg/kg should be withdrawn.

5.24 Penconazole (182)(T)

The EU reserves its position, pending the outcome of an evaluation of triazole derivative metabolites in the EU.

5.28 Tebuconazole (189)(R)

The EU supports the advancement of the proposed draft MRLs for the following commodities:

- asparagus
- banana
- cucumber
- ginseng, dried including red ginseng
- onion, bulb
- shallot
- spring onion

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodity:

-sunflower seed

Reservation based on a difference in scientific methodology. The residue data indicate that according to the OECD calculator a proposed draft MRL of 0.06 mg/ kg is sufficient for sunflower seed.

5.20 Imidacloprid (206)(R)

The EU reserves its position, pending the outcome of an ongoing review of all existing MRLs and of the residue definition in the EU.

- olives for oil production

- **table olives**
- **basil**
No specific comments.

- **plums**
The current CXL for plums including prunes should be withdrawn.

- **kale**
An acute consumer risk has been identified for a European consumer group. The exceedance results from the use of the lower EU ARfD and the higher EU variability factor.

- **cherries**
- **peaches**
- **soya bean (dry)**
- **tea, green, black**
The MRL proposals are based on the results of trials from which for one or several the result is a possible outlier. It would be appreciated if JMPR can report whether possible reasons for the extreme results were investigated.

5.8 Cyprodinil (207)(R)

The EU supports the advancement of the proposed draft MRL for the following commodity:

-rape seed

5.29 Trifloxystrobin (213)(R)

The EU supports the advancement of the proposed draft MRLs for the following commodities:

-beans, dry
-lentils

-pea, dry

-soya bean

Noting that the existing codex MRLs for liver and meat of cattle, goats, pigs and sheep would need to be reconsidered because the calculated dietary burden exceeds the highest feeding level of the ruminant feeding study and therefore the existing CXLs for animal products need to be reconsidered. The setting of new CXLs for feed items is not acceptable if it is not possible to derive MRLs for livestock. Furthermore the IEDI calculation should be corrected taking into account also polished rice in the exposure calculation.

5.9 Difenoconazole (224)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- avocado

- rape seed

- soya bean (dry)

- peanut

In all trials the residues were below the LOQ of 0.01 mg/kg. The EU notes that the MRL value of 0.1* mg/kg in the JMPR Summary Report and the Circular Letter is not correct, but that the value of 0.01* mg/kg in the JMPR Report is correct.

5.25 Pyrimethanil (226)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- blackberries

- blueberries

- cucumber

- raspberries

5.27 Spirotetramat (234)(R)

The EU reserves its position, pending the outcome of an ongoing review of the residue definition in the EU.

- avocado
- sweet corn

No specific comments.

- guava

Since the MRL proposal was derived using the proportionality principle, the EU considers that in line with the "Principles and Guidance for Application of the Proportionality Concept for Estimation of Maximum Residue Limits for Pesticides", the inclusion of trials with a divergent PHI is not acceptable.

On page 326 of the JMPR Report the last sentence (conclusion on the short-term intake) is truncated.

5.14 Fluopyram (243)(R)

The EU supports the advancement of the proposed draft MRLs for the following commodities:

- beans (green pods and immature seeds)
- beans shelled
- cotton seed
- eggs
- kidney of cattle, goats, pigs and sheep
- liver of cattle, goats, pigs and sheep
- meat (from mammals other than marine mammals)
- milks
- peas shelled
- edible offal of poultry
- poultry meat

-soya bean (dry)

Noting that based on an updated dietary burden calculation MRLs of 0.9 mg/kg, 0.6 mg/kg and 0.4 mg/kg would be sufficient for respectively eggs, meat from mammals and milks.

5.2 Acetamiprid (246)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- asparagus
- cucumber
- edible offal (mammalian)
- fruiting vegetables, cucurbits (except cucumber)
- mammalian fats (except milk fats)
- meat (from mammals other than marine mammals)
- milks

Noting that a proposal of 0.15 mg/kg would be sufficient.

- **sweet corn (corn-on-the-cob)**

The EU **opposes the advancement** of the proposed draft MRLs for the following commodities:

- **mustard greens**

An acute consumer risk has been identified for a European consumer group. JMPR also noted an exceedance of the ARfD.

5.16 Flutriafol (248)(R)

The EU **opposes the advancement** of the proposed draft MRLs for the following commodities:

- lettuce, leaf
- mustard greens

- spinach

An acute consumer risk has been identified for a European consumer group. JMPR also noted an exceedance of the ARfD.

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

- brassica (cole or cabbage) vegetables, head cabbages, flowerhead brassicas

An acute consumer risk has been identified for a European consumer group for cauliflower. The exceedance results from the higher EU variability factor. The EU notes the lack of an agreed policy for pooling data (see also general comment on setting MRLs for crop groups).

- celery

An acute consumer risk has been identified for a European consumer group. The exceedance results from the higher EU variability factor.

- edible offal (mammalian)

- eggs

- mammalian fats (except milk fats)

- meat (from mammals other than marine mammals)

- milks

- poultry fats

- poultry meat

- poultry, edible offal of

The EU could not reproduce the dietary burden calculation.

- fruiting vegetables, cucurbits

The EU notes the lack of an agreed policy for pooling data (see also general comment on setting MRLs for crop groups). The data would be sufficient to derive separate MRLs for each crop (0.3 mg/kg for melons and 0.15 mg/kg for cucumbers and summer squash).

- peppers (subgroup including peppers, chili and peppers sweet)

Instead of setting a group MRL, the EU considers it more appropriate to set an additional MRL for chilli peppers at the level of

0.7 mg/kg. The existing MRL for sweet pepper would also cover the US GAP (4 x128 g ai/ha, 0d PHI), since the new US trials result in an MRL proposal of 0.9 mg/kg).

- pome fruits

The EU could not reproduce that the additional applications do not have an impact on the terminal residue, because the relevant decline studies are not reported in the JMPR Report.

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- cherries
- cotton seed
- lettuce, head
- maize
- peaches including nectarines and apricots
- plums (including prunes)
- rape seed
- sorghum
- strawberry
- sugar beet
- tomatoes

The EU would like to **comment** that the residue definition for animal products should be reconsidered, considering that the dietary burden resulting from the uses that were assessed in 2011 and 2015 may be significantly higher.

5.17 Fluxapyroxad (256)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- cherries

- **cotton seed**
- **grapes**
- **lettuce, head**
- **peaches (including nectarine and apricots)**
- **plums (including prunes)**
- **radish**
- **sorghum**
- **tree nuts**

The EU **opposes the advancement** of the proposed draft MRLs for the following commodities:

- **spinach**

An acute consumer risk has been identified for a European consumer group. JMPR also noted an exceedance of the ARfD.

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

- **banana**

The EU applied a different scientific methodology. The EU considers that the transfer to the edible part is not completed on the day of the pesticide treatment, and that residue trials with 0 d PHI are hence not sufficiently reliable to estimate the expected residues for risk assessment.

- **berries and other small fruit (except grapes)**

The EU applied a different scientific methodology as regards the pooling of trials on different berries and the extrapolation to other berries.

- **brassica (cole or cabbage) vegetables, head cabbages, flowerhead brassicas**

The EU applied a different scientific methodology as regards the pooling of trials.

- **brassica leafy vegetables**

The EU applied a different scientific methodology as regards the extrapolation from mustard greens.

- carrot

The EU notes that more than 5 trials are appropriate at Codex level. Moreover, the EU also has a different policy as regards data requirements for major crops.

- celery

The EU applied a different scientific methodology. An acute consumer risk has been identified for a European consumer group. The exceedance results from a different policy of rounding for the ARfD.

- fruiting vegetables, cucurbits

The EU has a different policy as regards data requirements for major crops such as melons and cucumbers.

- garlic

See explanation for onion (bulb) (MRL for garlic is extrapolated from onions).

- onion (bulb)

The EU notes that more than 5 trials are appropriate at Codex level. Moreover, the EU also has a different policy as regards data requirements for major crops.

- oranges, sweet, sour

The EU could not reproduce whether the trials with data on the edible portion are representative for the most critical residue situation (i.e. representative for the trials with the highest residues).

- parsnip

See explanation for carrots (MRL for parsnips is extrapolated from carrots).

- rice husked

The EU could not reproduce the derivation of the processing factor from rice.

- shallot

See explanation for onion (bulb) (MRL for shallot is extrapolated from onions).

5.6 Cyantraniliprole (263)(R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

-cotton seed

Reservation due to a difference in scientific methodology. The MRL proposal is based on the results of 13 trials from which for one the result is a possible outlier. It would be appreciated if JMPR can report whether possible reasons for the extreme results were investigated.

-milks

Reservation due to a difference in scientific methodology. A long term health risk was identified for European consumers because the EU ADI is only 1/3 of the JMPR ADI and because the specifically high consumption of milk for children is not considered in the cluster diets used for the IEDI calculations.

-rapeseed

Reservation due to a difference in scientific methodology. The MRL proposal is based on the results of 16 trials from which for one the result is a possible outlier. It would be appreciated if JMPR can report whether possible reasons for the extreme results were investigated.

-sunflower seed

Reservation due to a difference in scientific methodology. The MRL proposal is based on the results of 9 trials from which for one the result is a possible outlier. It would be appreciated if JMPR can report whether possible reasons for the extreme results were investigated.

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

-common bean (pods and/or immature seeds)

-beans, shelled

Noting that the proposal was derived by extrapolation from peas but that pooling of the data on peas and beans would result in a slightly lower MRL of 0.2 mg/kg.

-beans, dry

- citrus
- coffee beans
- edible offal (mammalian)
- eggs
- maize

Noting that the MRL should be labelled with an asterisk.

- mammalian fat (except milk fats)
- meat (from mammals other than marine mammals)
- peas (pods and succulent seeds)
- peas, shelled (succulent seeds)
- pomegranate
- poultry, edible offal of
- poultry fat
- poultry meat
- soybean, immature seed
- soya bean (dry)
- tree nuts

5.18 Imazapic (266)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- soya bean (dry)

5.19 Imazapyr (267)(R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- edible offal mammalian
- soya bean (dry)

5.3 Acetochlor (280)(T)(R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

The EU applied a different scientific methodology. For t-norchloro acetochlor, the EU could not exclude genotoxic and carcinogenic properties on the basis of the available data. The EU did not extrapolate the toxicity profile of the parent and its reference values to other metabolites.

- barley

- buckwheat
- millet
- oats
- peas (dry)
- potato
- rye
- sugar beet
- sunflower seed
- sweet corn (corn on the cob)
- wheat
- wild rice

No specific comments.

- beans, except broad bean and soya bean
- broad bean (dry)
- chick-pea (dry)
- edible offal (mammalian)
- eggs
- lentil (dry)
- lupin (dry)
- mammalian fats (except milk fats)
- meat (from mammals other than marine mammals)
- milks
- poultry fats
- poultry meat
- poultry, edible offal of

The EU could not reproduce the MRL proposal.

- maize

Noting that the LOQ of these trials (0.002 mg/kg for the total residues, expressed as parent equivalent) were significantly lower than the LOQs for the trials in cereals and lower than the lowest validation level of the method used for the analysis of the trials (ES-ME-1001-02).

5.7 Cyazofamid (281)(T)(R)

The EU supports the advancement of the proposed draft MRLs for the following commodities:

-beans, except broad bean and soya bean

-egg plant

-fruiting vegetables and cucurbits.

The EU notes the lack of an agreed policy for pooling data (see also general comment on setting MRLs for crop groups). Considering that cucumbers are a major crop according to the agreement on minor crops classification, the number of trials would not be sufficient to derive an individual MRL. Also for summer squash and melons one additional trial would be required, respectively, to derive an MRL proposal.

-grapes

-hops, dry

-potato

-tomato

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities:

-beans, shelled

It should be clarified whether the results of the trials on lima beans refer to the immature beans or the young pods. If the latter is the case, the EU considers the MRL proposal for beans shelled not appropriate (the residues in the pods are expected to be higher than in immature seed).

-brassica (cole or cabbage) vegetables, head cabbages, flowerhead brassicas.

Reservation due to a difference in scientific methodology. The EU notes the lack of an agreed policy for pooling data (see also general comment on setting MRLs for crop groups). and that the U-test indicated that there is no significant difference. Sufficient data are available to derive an MRL of 1.5 mg/kg for cabbage. Although the number of trials would be sufficient to derive an MRL for broccoli, it should be verified whether the US GAP actually comprises flowerhead cabbages. If this is not the case, the EU considers the setting of an MRL for broccoli not appropriate.

-brassica leafy vegetables

Reservation due to a difference in scientific methodology. An acute consumer risk has been identified for a European consumer group. The differences between the EFSA and JMPR assessments are due to the JMPR differentiation of HRs for raw versus processed commodities and due to differences in consumption data and processing factors.

-leafy vegetables (except brassica leafy vegetables)

Reservation due to a difference in scientific methodology. An acute consumer risk has been identified for a European consumer group. The differences between the EFSA and JMPR assessments are due to the JMPR differentiation of HRs for raw versus processed commodities and due to differences in consumption data and processing factors. Furthermore the EU does not consider it appropriate to set the MRL based on trial data for spinach only. Sufficient trials are available to set separate MRLs of 4 mg/kg, 8 mg/kg and 10 mg/kg for head lettuce, leaf lettuce and spinach, respectively.

-peppers, sweet (including pimento or pimiento)

Insufficient trials on sweet peppers are available to allow deriving an MRL proposal.

-peppers, chili

Insufficient trials on chili peppers are available to allow deriving an MRL proposal.

5.11 Flonicamid (282)(T)(R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for commodities of plant origin, because the residue definitions for enforcement and for risk assessment in the EU include the metabolites TNFG and TNFA and are hence broader than the corresponding residue definitions derived by JMPR that contain only the parent compound. Proposed Codex MRLs for commodities of plant origin cannot be taken over in the EU legislation, because they would underestimate the residues compliant with the EU residue definitions.

- almonds

- cherries

- cotton seed

- fruiting vegetables, other than cucurbits (except mushrooms and sweet corn)

- hops, dry

- lettuce, head

- mints
- peaches (including nectarine and apricots)
- pecan
- radish
- radish leaves
- rape seed

No specific comments.

- brassica (cole or cabbage) vegetables, head cabbages, flowerhead brassicas

The EU notes the lack of an agreed policy for pooling data (see also general comment on setting MRLs for crop groups). For broccoli, the number of trials would be sufficient to derive a separate MRL (1.5 mg/kg), while for cabbage with wrapper leaves an MRL of 3 mg/kg would be derived. An acute consumer risk has been identified for a European consumer group for cabbage, broccoli and cauliflower. In contrast to JMPR, the EU assessment considered the setting of an ARfD necessary, based on a different view on the same study.

- brassica leafy vegetables

An acute consumer risk has been identified for a European consumer group for kale and Chinese cabbage. In contrast to JMPR, the EU assessment considered the setting of an ARfD necessary, based on a different view on the same study. On p.173 of the JMPR report erroneously the value of 8.31 mg/kg is reported as STMR; in fact the STMR is 4.59 mg/kg, while 8.31 mg/kg is the HR. The code VL 0054 (brassica leafy vegetables) would also cover radish leaves (VL 0494). Since a specific MRL was derived for radish leaves, this crop should be excluded (i.e. Brassica leafy vegetables, except radish leaves).

- celery
- lettuce, leaf
- spinach

An acute consumer risk has been identified for a European consumer group. In contrast to JMPR, the EU assessment considered the setting of an ARfD necessary, based on a different view on the same study.

- fruiting vegetables, cucurbits

The EU notes the lack of an agreed policy for pooling data (see also general comment on setting MRLs for crop groups). The EU does not consider it appropriate to pool data of trials reflecting different GAPs, nor of trials from different geographical zones. The number of trials is insufficient for the major crops (i.e. cucumber, melons) for the individual GAPs, and extrapolation

from an incomplete data set to other crops is considered not acceptable. An acute consumer risk has been identified for a European consumer group for melons. In contrast to JMPR, the EU assessment considered the setting of an ARfD necessary, based on a different view on the same study.

- low growing berries

The EU applied a different scientific methodology as regards the extrapolation to other berries.

- plums (including prunes)

The EU notes that more than 5 trials are appropriate at Codex level. Moreover, the EU also has a different policy as regards data requirements for major crops.

- pome fruits

The EU does not consider it appropriate to set a group MRL, because the trials were conducted according to a GAP for apples but not for pears.

- potatoes

It is noted that the residue data indicate that according to the OECD calculator a proposed draft MRL of 0.02 mg/ kg is appropriate.

The EU would like to **comment** that for commodities of animal origin, the JMPR residue definition is comparable with the EU residue definition. However, the wording of the JMPR residue definition presented in the JMPR Summary Report and in Annex I of the JMPR Report does not accurately reflect the residue definition presented on page 168 of the JMPR Report and should therefore be corrected to "Flonicamid and the metabolite TFNA-AM, expressed as parent".

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- edible offal (mammalian)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

- eggs
- poultry fats
- poultry meat (including pigeon meat)
- poultry, edible offal of

The results of the dietary burden calculation presented on p. 178 of the JMPR Report do not correspond with the results presented in Annex 6. The calculations should be verified; it also needs to be verified that all products relevant for livestock have been included in the calculation (e.g. cotton, wheat, potatoes, etc.).

- mammalian fats
- meat (from mammals other than marine mammals)
- milks

The dietary burden calculation performed by JMPR should be verified. Kale was not considered in this calculation, although an MRL proposal was derived for the Brassica leafy vegetables subgroup, which includes kale. For milks, an inconsistency was noted regarding the max dietary burden for dairy cattle reported on p. 178 of the JMPR report (US/CAN: 0.81 ppm, EU 0.82 ppm, AU: 2.38 ppm, JAP: 0.002 ppm) and the values reported in Annex 6 (US/CAN: 0.033 ppm, EU 1.721 ppm, AU: 0,016 ppm, JP:0.003 ppm).

5.12 Fluazifop-P-butyl (283)(T)

No comment.

5.13 Flumioxazin (284)(T)(R)

The EU reserves its position, pending the outcome of the ongoing periodic re-evaluation in the EU.

- artichoke, globe
- asparagus
- beans (dry)
- bush berries

- cabbages, head
- edible offal (mammalian)
- eggs
- fruiting vegetables, cucurbits
- fruiting vegetables, other than cucurbits (except mushrooms and sweet corn)
- grapes
- lentil (dry)
- lupin (dry)
- maize
- mammalian fats (except milk fats)
- meat (from mammals other than marine mammals)
- milks
- olives
- onion (bulb)
- peanut
- peas (dry)
- pome fruits
- pomegranate
- potato
- poultry fats
- poultry meat
- poultry, edible offal of
- soya bean (dry)
- stone fruits
- sunflower seed
- sweet potato
- tree nuts
- wheat

No specific comments.

- cotton seed
- mints

Noting that the MRLs should be labelled with an asterisk, indicating them as LOQ, considering the results of the trials and the limit of quantification of the analytical methods.

5.15 Flupyradifurone (285)(T)

The EU would like to **comment** that regarding the ARfD, the value of 0.15 mg/kg bw should not be rounded to 0.2 mg/kg bw as it has an impact >10% on the final value.

5.23 Lufenuron (286)(T)(R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs. A chronic risk for European consumers could not be excluded. Considering the significant background exposure from the existing EU MRLs, there is no scope to raise the MRLs. Further refinements of the chronic exposure calculation are possible, however the relevant data have not yet been assessed in the EU.

- cucumbers
- edible offal (mammalian)
- melon, except watermelons
- milks
- potato
- poultry fats
- soya beans (dry)
- tomato

No specific comments.

- eggs
- poultry meat
- poultry, edible offal of

The MRL should be labelled with an asterisk, as it is appropriate to set the MRL at the LOQ.

- mammalian fats

- meat (from mammals other than marine mammals)

It is appropriate to set the MRL at the level of 0.5 mg/kg, equal to the calculated residue from the feeding study.

- pepper, sweet

The EU has a different policy as regards data requirements for major crops.

5.26 Quinclorac (287)(T)(R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

-cranberry

-rhubarb

Noting that that quinclorac methyl ester is 10 times more toxic than the parent. Therefore it would be appropriate to include quinclorac methyl ester in the enforcement residue definition. This might be especially of relevance if in future MRLs for major crops would be considered. Furthermore the residue definition should not be labelled as fat soluble.

5.30 Spices – MRL recommendations (R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodity-pesticide combinations:

-cardamom seed – cypermethrin

-cardamom seed – lambda-cyhalothrin

-cardamom seed – profenofos

-cardamom seed – triazophos

-cumin seed-profenofos

No specific comments.

-black pepper - acetamiprid

-cardamom seed - acetamiprid

-coriander seed- profenofos

-coriander seed – phorate

-coriander seed- triazophos

Noting that an asterisk should be added as this MRL is set at the LOQ.