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HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

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SUMMARY REPORT OF THE STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED HELD IN BRUSSELS ON 21 SEPTEMBER 2017 - 22 SEPTEMBER 2017

(Section Phytopharmaceuticals - Pesticides Residues)

CIRCABC Link: *https://circabc.europa.eu/w/browse/a3530118-99c1-4500-a534-514742ec2891*

A.01 Exchange of views of the Committee as regards maximum residue levels for lambda-cyhalothrin (Article 12).

In July 2017, the European Food Safety Authority (EFSA), on request of the Commission, published a focused review on the existing maximum residues levels for lambda-cyhalothrin[1], taking into account also the possible uses of gamma-cyhalothrin, because the two substances share common isomers and currently there is no routine method to discriminate between them.

21 MRLs previously proposed by EFSA for lambda-cyhaolthrin[2] were highlighted as being critical if the more toxic gamma-cyhalothrin was used instead of lambda-cyhalothrin.

The Commission proposed to implement the MRLs recommended in the EFSA reasoned opinion of lambda-cyhalothrin[2] and to add a footnote to the 21 critical MRLs, to flag the possible risk with the use of gamma-cyhalothrin that should be taken into account when national authorities grant product authorisations.

Some Member States supported the Commission's proposal, one Member State proposed a more detailed specification, others did not agree to a footnote which was seen to intrude too much into the competences of national authorities.

[1] Focused review on the existing maximum residue levels for lambda-cyhalothrin in light of the unspecific residue definition and the existing good agriculture practices for the substance gamma-cyhalothrin. EFSA Journal 2017;15(7):4930. https://doi.org/10.2903/j.efsa.2017.4930

[2] Reasoned opinion on the review of the existing maximum residue levels(MRLs) for lambda-cyhalothrin according to Article 12 of Regulation (EC) No 396/2005. EFSA Journal 2014;12(1):3546. http://onlinelibrary.wiley.com/doi/10.2903/j.efsa.2014.3546/epdf

The Commission therefore proposed a different solution: a short note explaining the issue and a reference to the critical residues that should not be exceeded in residue trials, will be prepared and uploaded in the pesticide database. This ensures that information is not lost and national authorities can retrieve it from there. No footnote will be added in the legislation. All Member States agreed to this solution. A draft proposal will be submitted for the next meeting of the Standing Committee on Plants, Animals, Food and Feed (PAFF), section phytopharmaceuticals – pesticides residues.

Furthermore, the EU Reference laboratories (EURLs) will be asked to continue their efforts to develop a routine method which can discriminate between the two substances.

A.02 Exchange of views of the Committee as regards maximum residue levels for penoxsulam, triflumizole and triflumuron (Article 12).

A draft proposal containing these substances will be presented at the next PAFF Committee meeting – section pesticides residues.

A.03 Exchange of views of the Committee as regards maximum residue levels for chlorpyriphos, chlorpyrifos-methyl and triclopyr (Article 12).

The Evaluating Member State (EMS) for chlorpyrifos-methyl informed the Committee about an updated evaluation report, which provides additional information on the toxicity of the desmethyl metabolite and proposes to maintain the existing MRLs for wheat, rye, barley and oat on the basis of the existing data on processing factors.
EFSA recommended to first evaluate these new toxicological data in the context of the renewal of the approval of this substance, which is scheduled for 2018, and to wait for the conclusion of this overall toxicological evaluation before making any decision on processing factors. The proposal will therefore remain unchanged regarding the residue definition and MRLs for cereals.
Monitoring data from stakeholders and from EFSA have been studied and showed a possible cross-contamination of oilseeds by cereals treated with chlorpyrifos-methyl during storage in silos. For chlorpyrifos, according to these monitoring data, the risk of crosscontamination appears much lower. Before deciding on the setting of potential temporary MRLs taking account of this cross contamination, additional data from Member States will be scrutinised.

A.04 Update on chlorate.

The Commission recalled that a general multi-disciplinary action plan for reducing the dietary exposure to chlorate was presented by the Commission on 23 May 2017 to the meeting of heads of national food safety agencies (HoA). The first comments received show a support of the general approach, in particular concerning:
- the setting of MRLs based on occurrence data for foods in general;
- the maintenance of the current MRLs of 0.01 mg/kg for foods intended for infants and young children;

- the consideration of a chlorate limit for drinking water in the context of the revision of the Directive 98/83/EC; and
- the promotion of good disinfection practices to lower the chlorate residues in foods treated with chlorine disinfectants.
However, among the suggested actions related to infants, young children and older children, the possible recommendation for using mineral water instead of drinking water and for the reconstitution of dried food is not supported.

Member States provided comments on the part of the action plan within the remit of the section PAFF Committee – section pesticides residues: the setting of MRL for chlorate on the basis of monitoring data. One Member State indicated that setting levels at the 95th percentile would not reflect good practices any longer as levels would have declined since the last data collection and asked more demanding levels based on a possible new data collection. This was supported by another Member State. A third Member State was not in favour of a new data collection as it believed that the currently proposed levels were already challenging enough and that a new data collections would just delay the procedure. Member States also requested EU legal action on drinking water, which is mainly responsible for chlorate intake, with the setting of a EU limit for chlorate in drinking water. The Commission announced that Directive 98/83/EC on the quality of water intended for human consumption, under responsibility of DG Environment, was currently being revised and that the setting of a chlorate limit for drinking water was being considered in this discussion.

A.05 Exchange of views of the Committee as regards maximum residue levels for several substances (Codex proposal).

The report of the 49th session of the Codex Committee on Pesticide Residues (CCPR) and the EFSA Scientific Report were published in July 2017.

On the basis of the conclusions at CCPR, the Commission presented a draft proposal implementing those Codex maximum limits (CXLs) that were supported by the EU.

The Commission outlined the contents of the draft proposal, which is still under Inter-Service Consultation.

Member States were invited to submit comments by 15 October 2017.

A.06 Article 12 of Regulation (EC) No 396/2005 procedures:

1. Priorities under Art. 12 and work programme
   The Commission updated the table on substances prioritised under the Article 12 MRL review process and gave an overview to the Committee.

2. Procedures for substances for which the Art. 12 review follows the renewal procedure**.**
   The issue was postponed to the next meeting.

3. Stakeholder involvement and transparency

Internal discussions are currently ongoing in DG SANTE on how to enhance transparency for stakeholders with regard to meetings and documents. The Committee will be informed once a decision has been taken.

EFSA reported that Art. 12 progress reports are now regularly updated and published. Moreover, EFSA now established a system of notifying stakeholders by e-mail when a new Art. 12 review procedure is launched. This will ensure awareness at an early stage and enable concerned parties to submit any additional information that is needed for the review.

A.07 Specific substances – update of state of play:

1. New active substances currently under discussion in the PAFF Committee – section Legislation.

No new conclusions on the peer-review of new active substances were published by EFSA since last meeting.

2. Anthraquinone

The issue was concluded at the last meeting and there were no new elements for discussion.

3. Acetamiprid

The draft mandate to EFSA to provide a reasoned opinion on the existing MRLs for acetamiprid was not yet submitted pending the renewal decision, which still needs to be taken by the PAFF Committee - section Legislation.

4. Thiabendazole

The issue was concluded at the last meeting and there were no new elements for discussion.

5. Residue definition folpet/phtalimid

Feedback was received from many Member States and shared via the Communication and Information Resource Centre for Administrations, Businesses and Citizens (CIRCABC) Platform. The Commission outlined the contents of the comments received.

The Rapporteur Member State (RMS) for the renewal of approval of the active substance folpet expects to submit the revised draft assessment report for this substance by the end of September 2017. EFSA will start the peer review upon receipt of this report. The Commission therefore proposes to await the availability of the EFSA conclusion on the peer review of the risk assessment for folpet and invited Member States to submit comments on this issue to the peer-review process. The Commission recommended EFSA and the RMS to discuss the issue on the folpet residue definition in an EFSA Residue expert meeting during the peer review process.

6. Substances that could form aniline during processing

The Commission updated the table listing active substances that may be a potential source of aniline formation. It proposed the following set of actions:

1) For buprofezin, the Commission will draft a proposal to lower the MRLs following the amendment of the conditions of approval in relation to aniline formation in processed commodities.
2) For carboxin and pencycuron, the Article 12 Reasoned Opinions are expected to be finalised by 25 October 2017 and 1 January 2018, respectively. A proposal will be drafted reflecting those opinions.
3) For famoxadone, mepanipyrim, desmedipham, pyrimethanil, cyprodinil and fenamidone the renewal process is either already on-going or will be initiated in the coming months. The Commission proposed to wait for the outcomes of the renewal process.
4) For carbetamide, the renewal process will not be launched before 2021. It needs to be decided how to better address this substance. All MRLs were already lowered in the framework of the Article 12 review except for lettuce and scarole.
5) For all other substances reported in the table, no action is needed as the MRLs are all set either at the default value of 0.01 mg/kg or at the appropriate limit of analytical determination.

The Commission asked EFSA, to clearly indicate in the Conclusions and Reasoned Opinions where there is a potential for aniline formation.
Member States were invited to submit comments by 15 October 2017.

7. Info on contaminated egg incident
During the PAFF Committee - section novel food and toxicological safety of the food chain of 30 August 2017[1] the Member States agreed to set up an ad hoc data collection for fipronil and other acaricides in eggs and poultry muscle and fat in order to get a comprehensive view on the contamination of eggs and poultry products due to the illegal use of acaricides.
The final documents on the ad hoc data collection as a follow up to the illegal use of fipronil in poultry farms were circulated on 14 September 2017. The data collection ends on 30 November 2017.
As regards the scope of the substances, all Member States were invited to analyse at least the substances listed in Annex I to the ad hoc monitoring document, as these are substances for which there are serious suspicions of misuse. Furthermore the MS are recommended to expand this list with substances from Annex II for which also illegal use against red mites could be possible. The Member States should select the substances from Annex II on the basis of a set of criteria listed in Annex III, which include i.a. availability of the substance and suspicions of misuse in the specific Member State.
The focus of the data collection is on fresh samples from domestic production. All results should be submitted to EFSA under the Standard Sample Description (SSD) format. Annex IV describes the technical aspects for the data reporting.
As for most of the substances listed in the scope of this exercise pesticides MRLs are established, but not MRLs for veterinary medicinal products, the compliance of the samples will be checked against the pesticides MRLs. As most substances within the scope can be analysed with pesticides multi residue methods, the expertise of the pesticides laboratories should be used.

[1] https://ec.europa.eu/food/sites/food/files/safety/docs/reg-com_toxic_20170830_sum.pdf

Since fipronil can be considered as pesticide, veterinary medicine and/or biocide, it is up to each individual Member States to decide which competent authority will manage this ad-hoc control programme. For this specific programme, the name of the national data providers have to be communicated as soon as possible to EFSA who will create DCF user accounts dedicated to this specific exercise.
A Member State communicated its intention not to participate to the programme. The Commission confirmed that data collection under this programme is voluntary, but emphasised the importance of the programme to restore consumer confidence.
A Member State asked for an extension of the data submission deadline. However, in order to enable EFSA to publish the report by January 2018, the deadline cannot be extended.
A Member State pointed to the fact that for most substances in this exercise MRLs are set at the limit of determination under the pesticides residues legislation and it enquired what actions would be taken if residues of biocides would be found above the limit of determination. The Commission clarified that, as fluralaner and phoxim are the only authorised veterinary medicinal products against red mites on poultry, any exceedances of the MRLs would point to possible illegal uses of veterinary medicinal products.
A Member State considered that it would have been better to discuss the ad hoc monitoring exercise during the PAFF Committee - section pesticides residues. The Commission clarified that the fipronil incident is related to the scope of different sections of the PAFF Committee and that it is up to the Member States to ensure that the appropriate experts attend any section of the PAFF Committee, where the issue is scheduled.
A Member Satte enquired whether poultry muscle and fat of only laying hens only should be sampled and not from broilers, which was confirmed by the Commission.
A Member State questioned how the Commission came up with a list of pesticides to be analysed. The Commission explained that the list was discussed with the Member States during the PAFF Committee of 30 August 2017 and that substances were selected on the basis of or possible use on poultry against red mites or on concrete suspicions of misuse.

8. Bifenazate
The item was added to the agenda by the chair.
The Commission informed Member States that a reasoned opinion was recently published on bifenazate used on soy beans. On the basis of the residue trials, there is no need to modify the existing MRL, which is currently set at the limit of determination of 0.05 mg/kg.
The Commission stressed that if it is clear from the residue trials that there is no need to amend the current MRL, the EMS may consider whether they should carry out an assessment or withdraw the application. This is with a view of better focusing the current resources within Member States and EFSA on matters, which need their attention.

A.08 Bacillus thuringiensis (BT) – Information received.

The Commission informed the Committee of the publication of an article by B. Raymond *et al*. which criticises the Scientific Opinion of the BIOHAZ Panel on risks for public health related to the presence of *Bacillus cereus* and other *Bacillus* spp.

including *B. thuringiensis* in foodstuffs. The article was shared via the CIRCABC Platform. EFSA is currently drafting the response to the article in the format of a letter to the editor.

Post meeting note: The article was published in the journal FEMS Microbiology Ecology under the following link: https://academic.oup.com/femsec/article-lookup/doi/10.1093/femsec/fix084.

A.09 News from the European Food Safety Authority (EFSA):

EFSA made a presentation on the new revision of the PRIMo (Rev. 3). It will be shared on CIRCABC.
A first Member States' consultation took place this summer and allowed to update and correct certain consumption data. Open issues remain to be settled:
- introduction of a TDMI calculation;
- maintenance of the Rees – Day model calculation;
- maintenance of the IESTI new calculation; and
- acute risk assessment (explanation for the possibility to use different VF if appropriate, agreement on the non-application of peeling factor for sweet potatoes and other tropical roots, need of a VF for eggs, agreement on the calculation for shallots, selection of the appropriate IESTI case for a list of commodities, confirmation that consumption data correspond to food as consumed or introduction of a yield to unprocessed food data, separate entry for citrus peel, additional default PF, like inverse yield factor for wine grape).

EFSA made already suggestions for PRIMo rev. 4 and invited Member States to already reflect.
EFSA will finalise by end of October together with its Guidance Document. The aim is to take official note of the PRIMo at the November PAFF Committee- section pesticides residues.
MS were pleased with the work carried out.
Member States were invited to provide feedback to EFSA on the open points of the PRIMo rev. 3 model outlined in the presentation by 15 October 2017.

1. Progress under Article 12 of Regulation (EC) No 396/2005

EFSA informed the Committee that four new reasoned opinions were adopted since June 2017 on imazalil, etofenprox, bromuconazole and padobutrazol.
Regarding glyphosate, the draft reasoned opinion will be opened for comments during three weeks in October 2017 and should be adopted before the end of the year.

2. Progress under Article 10 of Regulation (EC) No 396/2005

As regards the Article 10 procedure, EFSA announced that 9 procedures were initiated since June 2017, while 41 are ongoing and 39 currently in the clock- stop procedure.
A new format is now used for the reasoned opinion under this procedure, with a better focus on the list of endpoints and on newly submitted data, which should facilitate both the production of such reasoned opinions and their reading.

3. Update on Art. 43 mandates of Regulation (EC) No 396/2005

On Article 43 mandates, EFSA mentioned the adoption of the reasoned opinion on lambda- and gamma-cyhalothrin and the announced mandate on acetamiprid.

A.10 Honey guidance – State of play.

The Commission thanked the members of the expert group for the successful meeting on 20 September 2017 and for their valuable input.
The Commission outlined the further planning for the finalisation of these guidelines. Members of the working group and the Commission are currently finalising the draft to present it to the Member States in the PAFF Committee – section pesticides residues in November. All Member States will be given the opportunity to send in comments after that meeting. It is planned to take Note of the technical guideline in the first semester of 2018.

A.11 Screening exercise on temporary Maximum Residue Levels (MRLs) in Regulation (EC) No 396/2005 that will expire in 2017 and 2018.

The Commission updated the table of temporary MRLs.
The footnotes for oxadixyl in "Lettuce and other salad plants", parsley and celeries refer to the submission of monitoring data by 19 January 2018. The Commission reminded of this deadline as it has not yet received information on the need to maintain these MRLs.

A.12 Monitoring:

- Draft Monitoring Regulation for the years 2019, 2020, 2021 (SANTE/11141/2017 rev. 0)

The draft Monitoring Regulation was circulated by e-mail and CIRCABC to all delegations in advance of the meeting. The Member States were requested to provide comments by 30 September 2017.
The Commission explained that only those substances from the working document SANCO/12745/2013 were added that were already announced to be added last year and for which Member States had an extra year to validate the methods.
A question was raised on substances in animal products that the Commission will clarify after the meeting.

- Working document on pesticides to be considered for inclusion in national control programmes (SANCO/12745/2013)

The working document will be updated in the coming weeks with the most recent information available and then circulated for comments. It is planned to take note of the Working document in the November PAFF Committee- section pesticides residues.

A.13 Technical Guideline on the Evaluation of Extraction Efficiency of Residue Analytical Methods.

An expert from a Member State who took the lead of drafting this guideline presented the main changes introduced in revision 2 of the document, following comments received from the Commission and Member States.
The Commission presented the schedule of the next steps, including the planned consultation of the experts of the PAFF Committee – section Legislation. It is planned to take note of the document in the November PAFF Committee - section pesticides residues.
The Member States were invited to send final comments to the drafting Member State and the Commission by 15 October 2017.

A.14 Notifications under Article 18(4) to Regulation (EC) No 396/2005:

- Request of a Member State for a temporary MRL for cyantraniliprole following an emergency authorisation

A Member State made two notifications under Article 18(4) of Regulation (EC) 396/2005 for cyantraniliprole, one for the use on raspberries and blackberries and the other for the use on leeks, to support emergency authorisations granted under Article 53 of Regulation (EC) No 1107/2009.
The Commission proposed to address the two applications in the same Reasoned Opinion for the sake of efficiency. The Member State agreed to this approach. No comments were made by the other delegations.

- Request of a Member State for a temporary MRL for mepiquat chloride following an emergency authorisation

A Member State submitted a notification under Article 18(4) of Regulation (EC) 396/2005 for mepiquat chloride on cotton to support an emergency authorisation granted under Article 53 of Regulation (EC) No 1107/2009.
Another Member State pointed out that residues may occur in animal products following the use on cotton and that it should be ensured that those products do not circulate in other EU countries either.

A.15 Designation of Member States for maximum residue levels (MRL) applications.

There were no issues raised under this point.

A.16 Information on substances falling under the hazard based criteria in Regulation (EC) No 1107/2009 and follow up on MRL side.

A working document summarising the possible options regarding the maintenance and the setting of import tolerances (ITs) for substances falling under these hazard based criteria was sent for comments and further discussed during the meeting:

(a) current MRLs could be maintained in order to preserve the current ITs and IT requests handled on the basis of the usual risk assessment procedures required by Regulation (EC) No 396/2005, or
(b) MRLs could be lowered to the limit of determination and new IT requests refused. In this case the rejection should be made by the RMS upon receipt of the IT request.

Concerning active substances whose non-compliance with these criteria is subject to a legal act, a range of different views was expressed: some Member States shared the view that MRLs should be lowered to the limit of determination and new IT request refused. One Member State would be in favour to go a step further and also take action on ITs when there was no legal act stating the non-compliance with the cut-off criteria. Others were of the opinion that new ITs could be set if the risk assessment was favourable.

Concerning the possible rejection of IT requests by the RMS without undergoing a risk assessment, a majority of Member States did not support this approach and were of the view that such decision should be taken at EU level.

The Commission recalled that the spirit of the EU legislation was to avoid consumer exposure (higher than negligible exposure) to these substances. The Commission also noted that with regard to the active substances at stake, risk assessors would probably very often conclude that the setting of safe levels of exposure is not possible. Applying these criteria could therefore be considered as a generic risk assessment.

The Commission asked for written comments by 15 October 2017 as many Member States did not provide yet any position.

The Commission updated Member States on the decision making process of the new scientific criteria for endocrine disruptors (EDs) under Regulation (EC) No 1107/2009, which is currently on-going. The text is currently under scrutiny of the Council and the European Parliament (EP) until 20 October 2017. Some Members of the European Parliament proposed to oppose, but this still needs to be voted at the relevant Committee and, if applicable, later in plenary. If there is no objection, the criteria will enter into force 20 days after the publication of the measure in the Official Journal and be applicable six months after. This would be around mid 2018. If the European Parliament opposes, the new criteria can not be adopted and the interim criteria will remain applicable.

The Commission informed that the Delegated Regulation setting out ED-criteria under the Biocides legislation (Regulation (EU) No 528/2012) were adopted on 4 September and that they are currently under scrutiny.

As regards the implementation of the new ED-criteria, the Commission informed that the drafting of the guidance document by EFSA and ECHA is progressing well, and that a public consultation will be launched in autumn.

The Commission recalled that the criteria are to be put in a bigger context as the Commission intends to revise the ED-strategy, including also other sectors beyond plant protection products (PPP) and biocides, and to invest into research which

focuses on EDs. Details on these activities can not yet been given but internal work is already on-going.

A.17 State of play of the evaluation of Regulation (EC) No 396/2005 and Regulation (EC) No 1107/2009.

The kick-off meeting with the selected contractor was held on 3 July 2017 and marked the official launching of the external study that will go on until June 2018.
The consultation strategy for this REFIT evaluation includes a combination of consultation methods and tools. At this stage, work is being carried out on the following data collection tools:
1) Online survey of EU Member State Competent authorities
2) Online surveys of EU stakeholders
3) SME survey
4) Open public consultation via the website 'Public Consultations'

A workshop was held on 12 September 2017, where Member States' competent authorities, stakeholders and Commission officials gathered to improve the questionnaires.

The next Inter-service Steering Group is scheduled on 3 October 2017 to agree on the inception report, which outlines in detail how the evaluation will be carried out and contains the set of questionnaires mentioned above. It is planned to launch the various questionnaires in autumn 2017.

The Commission stressed the importance of making relevant comments at this stage on the questionnaires as these will determine the quality of information that can be assessed later on.

Member States were invited to comments on the questionnaires by 27 September 2017. One Member State felt that the commenting period for such an important project was too short and that more time should have been foreseen for this stage of the process.

A.18 Feedback from Post Approval Issues (PAI) group.

The Commission informed that the terms of reference for the Post Approval Issues (PAI) group was currently under discussion in the Legislation Committee. The Member States were invited to look at the terms of reference and liaise with their respective colleagues for submission of coordinated comments.

A.19 EFSA Guidance Document on the residue definition for risk assessment.

The Commission proposed to take official note of the Guidance document at the next PAFF Committee – section Legislation. In terms of implementation schedule, it proposed a deferred application of 18 months to ensure that all relevant parties comply with the new requirements.

The Commission stressed that neither Member States or EFSA should make use of the Guidance Document before it becomes applicable.

Two Member States expressed their concerns on the Guidance document itself. In particular, it was mentioned that EFSA should provide the necessary training to enable applicants and Member States to use the new tools reported in the Guidance document. EFSA confirmed that they will take care of this.

Member States were invited to submit comments by 30 September 2017.

A.20 AOB

- Initial information concerning Brexit

The Commission informed that a Notice and a Question and Answers document was recently prepared to economic operators for biocides and placed on the SANTE webpage. A similar notice is currently under preparation for plant protection products and pesticides residues. Furthermore, re-attribution of active substance dossiers will soon be discussed with the Member States.

Post meeting Note: The documents were published on the DG Health and Consumers (SANTE) webpage on 26 September 2017:

https://ec.europa.eu/food/plant/pesticides_en

- Iprodione

The point was added by the chair on request of a Member State**.**

A Member State stated that a new acute reference Dosis (ARfD) was established in the renewal process (AIRIII) for iprodione and that consumer exposure exceeded the ARfD in some cases. It asked the Commssion whether it envisages lowering the MRLs in view of these exceedances. The respective Member State intends to withdraw authorisations in the coming weeks. Furthermore a Rapid Alert had been issued for iprodione in leek by another Member State in July 2017. The Commission explained that a non-renewal proposal was currently under discussion for this substance and that MRLs could be withdrawn as a follow-up. However, the Commission reminded that possible grace periods must be considered when doing so. The length of the appropriate periods for iprodione should be discussed in the PAFF Committee – section Legislation and delegates were requested to liaise with their respecting counterparts attending this Committee. On request of the Commission the respective Member State clarified that consumer exposure was calculated with the parent compound given the uncertainties with the residue definition and that some more detail would be sent in writing. Since the substance also falls under the cut-off criteria, another Member State asked whether this fact would lead systematically to a shorter grace period. The Commission representative answered that the overall picture for all public health issues would be considered and that this would be done on a case by case basis.

A Member States stated that a reasonable balance between quick action on withdrawal of authorisations and a reasonable grace period would be needed in such cases. The Commission fully supported this.

- Correct forum for Art. 15(5) discussions

The point was added by the chair on request of a Member State**.**

Regulation (EU) No 885/2014 on okra and curry leaves is currently being revised.
A Member State requested clarification on the correct forum to dicuss issues related to TRACES. The Commssion gave its initial view and will first discuss this internally before reporting back at the next PAFF Committee - section pesticides residues.
The Member State also requested more information on the issue of tea from China for which it believes there is a need for stronger measures to be taken.

- IESTI equation

The point was added by the chair on request of a Member State**.**

The Member State acting as one of the chairs of the Codex electronic Working group on the equation for estimating the Internationally Estimated Short term Intake (IESTI) informed the Committee about a side event on the IESTI equation at the Montreal Global Minor Uses Summit in October. As its would not be able to participate it requested another Member State to attend and outline the EU position on the matter. Two Member States confirmed their participation, one of which agreed to present the EU position.

- Proportionality principle

The point was added by the chair on request of a Member State**.**

A Member State requested clarification on the use of the proportionality principle. The Commission re-iterated that the EU agreed to apply the proportionality principle in CCPR in 2013. The use of the proportionality rinciple for post-harvest uses is not included for the moment and should be further discussed on the basis of data.

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Regulation (EU) No …/… amending Annexes II, III, IV and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for ametoctradin, chlorpyrifos-methyl, cyproconazole, difenoconazole, fluazinam, flutriafol, prohexadione, and sodium chloride in or on certain products (Article 10).

The Commission introduced the draft and presented its contents.

Several MRL applications were submitted under Article 6(1) of Regulation (EC) No 396/2005:

- ametoctradin for the use on "herbs and edible flowers";
- chlorpyrifos-methyl for the use on Japanese persimmons and pomegranates;

- cyproconazole for the use on borage seeds;
- difenoconazole for the use on apricots, strawberries, head brassica, "lettuces and salad plants", chards, "herbs and edible flowers", cardoons, celeries, leeks, rhubarbs, pulses, barley and "root and rhizome spices";
- fluazinam for the use on onions, shallots and garlic;
- prohexadione for the use on plums.

An MRL application was submitted under Article 6(2) and (4) of Regulation (EC) No 396/2005 for flutriafol used on hops.

As regards cyproconazole, EFSA recently assessed an application with a view of setting an MRL for rapeseed and gave a reasoned opinion on the proposed MRL. In accordance with the existing guidelines on extrapolation of MRLs, it is appropriate to set the MRL for rapeseed also for borage seeds.

The draft measure provides for the inclusion of a basic substance in Annex IV to Regulation (EC) No 396/2005 (i.e. sodium chloride).

Vote taken: Favourable opinion.

B.02 Exchange of views and possible opinion of the Committee on a draft Commission Regulation (EU) No…/…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 mercury compounds in or on certain products.

The Commission presented revision 3 of the draft measure, which reflects the outcomes of the Commission's Inter Service Consultation in terms of legal drafting. The proposal was also published on the Commission's website to gather feedback from 21 June 2017 to 19 July 2017. However, no comments were received.

During the meeting, a Member State proposed some minor amendments that were reflected in revision 4 presented for vote.

Vote taken: Favourable opinion.

B.03 Exchange of views and possible opinion of the Committee on a draft Commission Regulation (EU) No.../...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 2-phenylphenol, bensulfuron-methyl, dimethachlor and lufenuron in and on certain products (Article 12).

The Commission presented rev. 2 of the document, in which a mistake in the actual position of the MRLs of dimethachlor and lufenuron in the Annexes to Reg. 396/2005 had been corrected.

One Member State noted that as a consequence of the new residue definition of 2-phenyl-phenol which was agreed by the Committee in the previous meeting, the CXL for pears became now acceptable.

The Commission evaluated the possible risk of the pears CXL via the PRIMO model and found it acceptable. COM therefore prepared revision 3 of the document, including the CXL of pears for 2-phenylphenol, and proposed this revision for the vote.

Vote taken: Favourable opinion.

B.04 Exchange of views and possible opinion of the Committee on a draft Commission Regulation (EU) No…/… replacing Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council.

The Commission presented revision 3 of the document., in which a footnote concerning the applicable MRL for ginger has been added. For consistency, also a similar footnote for horseradish, which is already in use in the Art. 12 decisions since a while, has been introduced in Annex I.

One Member State noted that some Codex maximum residue limits (CXLs) have been implemented for ginger and horseradish roots at higher levels than the corresponding fresh products. It should be ensured that those values will not be lost.
A group of Member States noted that the footnote (5) of the category 1300000 "Processed Food Products" could be interpreted as being in contradiction with the Article 20 of the Regulation 396/2005 and asked for its deletion. The Commission agreed to reword that footnote in order to clarify that Article 20 is applicable, but not to delete it. The footnote was previously introduced to clarify that the default level of 0.01 mg/kg would not apply to the category of processed foods as long as this category is empty.

Revision 4 of the document, with a reworded footnote for the category "Processed Food Products" was presented for the vote.

Vote taken: Favourable opinion.