

CODEX COMMITTEE ON PESTICIDES RESIDUES
55th Session

Chengdu, Sichuan province, P.R. China
3-8 June 2024

European Union comments on

Agenda Item 10

**Establishment of Codex schedules and priority lists of pesticides for
evaluation / re-evaluation JMPR
(CX/PR 24/55/9 – CL 2024/43-PR)**

European Union Competence
European Union Vote

The European Union (EU) would like to thank the Electronic Working Group (eWG) on Priorities chaired by Australia for the preparation of CL 2024/43-PR and its appendices, as well as the work done to incorporate the requests from members and sponsors.

GENERAL COMMENTS

1) JMPR in its recent report from 2023¹ noted the following:

“In the JMPR call for data, sponsors are requested to submit all data and studies, both published and unpublished, for the toxicological and/or residue evaluations of the compounds. Several chemical dossiers submitted for evaluation were subject to multiple progressive updates and submissions over the course of evaluation (rolling submission of data). This practice causes confusion, disruption and delay in evaluation. This is particularly so when the new material is submitted close to the JMPR Meeting date. It is recommended that a single, fully complete, chemical dossier should be submitted in response to the call for data, rather than a long series of updated dossiers or dossier variations over time. This issue has been the subject of previous comments by the JMPR Meetings in 2015, 2018 and 2019.

It may not be possible for JMPR to evaluate late submissions. Sponsors should note that the submission of an incomplete chemical dossier may result in an additional uncertainty factor in the toxicological evaluation.

Late submissions are leading to additional burdens for experts and ultimately delays in the discussions. For optimal use of the time and resources of the experts and the Joint Secretariat, the Meeting re-emphasized the importance of a complete submission of data on

¹ Section 2.5: On the rolling submission of data. FAO & WHO. 2024. Report 2023: Pesticide residues in food – Joint FAO/WHO Meeting on Pesticide Residues. Rome. <https://doi.org/10.4060/cc9755en>

all compounds and their metabolites to enable JMPR to perform a state-of-knowledge risk assessment.”

The EU notes that the late submission/incomplete submission of dossiers is a recurring problem for JMPR. The EU also notes that the incomplete submission or submission of additional information after the date specified in the call for data is not in line with the procedures laid down in the Procedural Manual.² It seems that the procedures are not completely respected by some Members/Observers. At the same time, under agenda item 11 “Enhancement of the operational procedures of CCPR and JMPR” discussions are taking place on how to improve the work of JMPR in the short- and long-term. The EU notes that in the document provided under agenda item 11, there are no clear short- or long-term commitments for dossier submitters to improve the quality of their application or being on time with the application. Although the EU welcomes the discussions under agenda item 11, the EU would like the CCPR55 to urgently look for solutions or mechanisms for the JMPR’s recurring problem which is crucial for the way to solve the long backlog of evaluations.

In addition, EU notes that especially problematic is the data submission for substances under periodic review and therefore suggests developing an efficient procedure which would for example preclude that existing Codex MRLs are maintained in the Codex system and aims to avoid that the compounds are rescheduled at each JMPR Meeting,

- 2) The EU would like to refer to their comment to Circular Letter CL 2023/26 PR from 16 May 2023 and invites the CCPR to consider adding more substances into periodic review in order to ensure that there are enough substances to evaluate.

“The EU notes that although eight compounds have been listed, for several compounds it is not clear whether these will be reviewed in 2024. The EU notes that as the experience from previous years has shown that although there are always several compounds scheduled for a periodic review in that specific year, the review is often postponed or not possible to finish (e.g., ethoxyquin and guazatine) for several reasons for one or more years. Therefore, one option could be to list a certain number of substances e.g., 20 substances for the year 2024 in order to ensure that there will be a stock of substances from which a minimum of five substances³ for 2025 could be selected for the review, plus already another 5 substances for 2026. In programming more substances at the onset, a continuous flow of periodic reviews will be ensured for the coming years.

In addition, substances with unclear support should get a reserve status in Table 2A (Priority lists of periodic reviews – 2024 & beyond) and Table 2B (Periodic review list (compounds listed under 15-year rule but not yet scheduled or listed). Those with a reserve status will be re-evaluated once the data will become available or the reserve status should be deleted, and the compound should be deleted from the Codex List of pesticides at the latest after 25 years after last evaluation.”

² Codex Alimentarius Commission Procedural Manual, 28th Edition, paragraph 243 to 245 for periodic review and paragraph 229 for new uses.

³ [Report of the 49th session of the Codex Committee on Residues](#)

A. SCHEDULES AND PRIORITY LISTS 2024-2025

Paragraph 3

Chlorpyrifos

The EU notes that the 2024 CCPR Schedule of Evaluations by the Joint FAO/WHO Expert Meetings on Pesticide Residues (JMPR) is closed. However, the EU would like the CCPR55 to consider giving chlorpyrifos a reserve status until CCPR 58 (2027) and afterwards delete the active substance completely and move it into “Table 1. List of Pesticides Whose MRLs (CXLs) Or GLs Have Been Deleted by the Codex Alimentarius Commission and for Which No MRLs Have Been Proposed”. In case a complete data set will be made available before the given date, the reserve status can be lifted.

Chlorpyrifos-methyl

The EU notes the 2024 CCPR Schedule of Evaluations by the Joint FAO/WHO Expert Meetings on Pesticide Residues (JMPR) is closed. The EU recalls that CCPR53 agreed to retain all the CXLs under the 4-year rule, awaiting the periodic re-evaluation by the 2024 JMPR⁴. WHO confirmed on 23 January 2024 that no toxicological data had been received so toxicological evaluation in 2024 by JMPR could not occur.

Taken all this into consideration, the EU proposes to delete all CXLs for chlorpyrifos-methyl and invites the CCPR 55 to consider following the same procedure as for chlorpyrifos i.e., give chlorpyrifos-methyl a reserve status until CCPR 58 (2027) and afterwards delete the active substance completely and move it into “Table 1. List of Pesticides Whose MRLs (CXLs) Or GLs Have Been Deleted by the Codex Alimentarius Commission and for Which No MRLs Have Been Proposed”.

Phosmet

The EU notes that phosmet has been scheduled for periodic review for 2024 and that JMPR has concluded in its report⁵ “... *as phosmet was last reviewed over 20 years ago and since then analytical methods have evolved and new intake estimates indicate that JMPR's ARfD could be exceeded, phosmet should be reprioritized within the CCPR periodic review scheme.*”. The EU underlines the importance of the substance being reviewed as soon as possible.

B. FINALISING THE 2025 PROPOSED SCHEDULE

Paragraph 7

The EU notes that four substances (pirimicarb, hydrogen phosphide, clethodim, guazatine) are scheduled for periodic review in 2025 under the four-year rule based on the decision of CCPR52 in 2021. This means also that no prolongation is possible and periodic review is strongly recommended for these substances. If late or incomplete dossiers are provided and consequently a periodic review does not take place, these substances should be deleted and

⁴ [Report of the 53rd session of the Codex Committee on Residues](#)

⁵ Section 3.4: Phosmet. FAO & WHO. 2024. Report 2023: Pesticide residues in food – Joint FAO/WHO Meeting on Pesticide Residues. Rome. <https://doi.org/10.4060/cc9755en>

moved into “Table 1. List of Pesticides Whose MRLs (CXLs) Or GLs Have Been Deleted by the Codex Alimentarius Commission and for Which No MRLs Have Been Proposed” at CCPR56.

Guazatine

For guazatine in particular, which is one of the four substances scheduled for periodic review under four-year rule in 2021, the ADI derived in 1978 was withdrawn in 1997 and that after that no ADI or ARfD has been established. Only "guideline levels" (5 mg/kg) for citrus exist since the ADI was withdrawn in 1997. In 2022, JMPR assessed the data package received to be inadequate to estimate health-based guidance values. It is not clear whether additional information will be provided compared to the data package from 2022. As the four-year rule applies, guazatine should not have a reserve status and should be reviewed in 2025. If not reviewed, the substance with the guideline levels should be deleted and moved into “Table 1. List of Pesticides Whose MRLs (CXLs) Or GLs Have Been Deleted by the Codex Alimentarius Commission and for Which No MRLs Have Been Proposed” at CCPR56.

Advice Notes (New Use and Other Evaluations)

Paragraph 9 and 10

EU notes, that it seems necessary to include further advice to nominating Members and Observers. The EU proposes to give priorities to those uses that have already been evaluated and authorised and give those with an expected authorisation at the time of scheduling a reserve status. This might also be useful for new active substances.

D. PRIORITY LISTS 2026 AND BEYOND – TABLE 2A

The EU notes that the substance indoxacarb, for which a public health concern has been lodged, has not been added to Table 2A. In addition, this substance meets the 15-year rule. Therefore, the EU proposes to transfer indoxacarb to Table 2A.

Paragraph 13

The EU notes that it is assumed that all Members and Observers are aware of the year of the last evaluation of the compounds. The EU would like to recall, that for all substances that meet the “25 years rule”, full toxicological evaluations are then considered outdated⁶ hence, these substances are of public health concern. Therefore, these substances should be immediately reviewed within a period of four years (if the four-years rule is requested) or all CXLs should be withdrawn. As for these substances a procedure is in place in the Procedural Manual therefore, these substances should not be further addressed by the eWG on Unsupported Substances without Public Health Concern.

⁶ Codex Alimentarius Commission Procedural Manual, 28th Edition