



EUROPEAN COMMISSION

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 27 APRIL 2016 - 28 APRIL 2016  
(Section Phytopharmaceuticals - Pesticides Residues)**

*CIRCABC Link:* <https://circabc.europa.eu/w/browse/f711bb13-bd51-4a95-b802-202170244dbd>

**A.01 Discussion with a view to the extension, amendment or abrogation of the emergency measure notified by France according to Article 54 of Regulation (EC) No 178/2002 concerning the Decree of 21 April 2016 on the ban of the import and placing on the market of cherries originating from EU Member States or Third countries where the use of phytosanitary products containing the active substance dimethoate is authorised for the treatment of cherry trees.**

In line with the provisions of this Article 54, the Commission organised an extra meeting of the PAFF Committee - Pesticides Residues section, to discuss whether this measure should be amended, extended or abrogated.

The Commission explained that in the PAFF Committee of 15 April 2016 a French request for similar EU measures was discussed. Based on a statement by the European Food Safety Authority (EFSA) on the risks of dimethoate residues, the Commission considered that there was no basis for concluding on a serious health risk and that the review of the Maximum Residue Levels (MRLs) should be addressed with high priority under the regular procedures. These conclusions were supported by a majority of the Member States and are still valid as no new information has become available. In the meanwhile the MRL review has been initiated by the Commission.

France motivated its national emergency measure by referring to the high MRL non-compliance rate for dimethoate in cherries in France, to the French consumer exposure assessments and to the missing data on the toxicology of certain metabolites. It explained that an exception is made for organically produced cherries and that safer alternatives exist.

At the request of the Commission, France clarified that the measure applies to fresh cherries including frozen and pitted cherries and that it is currently finalising a list of countries concerned by this measure, i.e. those where dimethoate containing Plant Protection Products are authorised. France clarified after the meeting that frozen cherries are not within the scope of these measures.

The Commission stated that in its view the current measure is disproportionate as it is based on the authorisation status of dimethoate in the country of origin and it would not enable those producers willing to comply with the French measures to retain access to the French market. France on the other side considers its measure proportionate as it is limited to cherries and limited in time.

Five Member States asked the Commission to prepare a measure for abrogation of the French measure. Eleven Member States supported the Commission in the prioritisation of the MRL review but took no clear position yet as regards the abrogation or extension of the measure. One Member State supported the emergency measure as long as this remains limited to cherries only. Arguments brought forward by Member States were the economical damage for the cherry growers, the fact that the national measures taken by France are not justified by the EFSA statement, that they disturb the free movement of goods, that they are disproportionate and discriminate producers who are able and willing to produce without dimethoate and can prove that no dimethoate is used despite an authorisation in the relevant country.

The Commission concluded that there is no support for an extension of the measures at EU level and will now reflect internally on the appropriate way forward.