

**European Union comments on
Codex Circular Letter CL 2017/62-PR**

**PART A: MATTERS FOR ADOPTION BY THE 40TH SESSION OF THE
CODEX ALIMENTARIUS COMMISSION**

**Proposed draft and draft maximum residue limits for pesticides
in food and feed (Steps 5/8 and 8)**

European Union Competence

European Union Vote

The European Union (EU) supports the adoption of all the proposed draft MRLs in Appendix II (step 8) and III (step 5/8) of REP 17/PR with the exception of the draft MRLs for the substances/commodities below for which the EU requests that its **reservations** are included in the report of CAC 40.

The EU has a policy in place whereby EU MRLs will be aligned with Codex MRLs if three conditions are fulfilled: (1) that the EU sets MRLs for the commodity under consideration, (2) that the current EU MRL is lower than the CXL, and (3) that the CXL is acceptable to the EU with respect to areas such as consumer protection, supporting data, and extrapolations. Reservations address the cases where the EU considers the third criterion not to be met, with the aim of increasing transparency and predictability regarding the impact of the work of the Codex Alimentarius Commission on EU legislation.

CHLORPYRIFOS-METHYL (90): The EU confirms its reservation for the proposed draft MRLs for barley; wheat; wheat bran unprocessed; and wheat germ as the compound is currently the subject of an ongoing review.

METHOPRENE (147): The EU confirms its reservation for the proposed draft MRLs for oilseed, except peanut as a chronic dietary exposure concern had been identified for European consumers and that studies investigating the metabolic behaviour following post-harvest treatment and on the nature and magnitude of the residues in processed products were not available.

BUPROFEZIN (173): The EU confirms its reservation for the proposed draft MRLs for avocado, basil and soya bean (dry) because of health concern arising from the potential presence of aniline under high temperature processing conditions.

PENCONAZOLE (182): The EU confirms its reservation for all the proposed draft MRLs as the compound is currently the subject of an ongoing review.

TEFLUBENZURON (190): The EU confirms its reservation for the proposed draft MRLs for apples on the methodological concerns, and for the meat MRLs due to different policies on the setting of MRLs for muscle and fat for fat soluble pesticides.

FIPRONIL (202): The EU confirms its reservation for the proposed draft MRL for Basil due to a different residue definition for enforcement.

CHLORANTRANILIPROLE (230): The EU confirms its reservation for the proposed draft MRL for poultry meat due to their different policy on setting MRLs for muscle and fat for fat soluble pesticides.

SAFLUFENACIL (251): The EU confirms its reservation for all the proposed draft MRLs due to a different enforcement residue definition. An ARfD has been established in the EU and a potential acute dietary exposure concerns has been identified for edible offal (mammalian).

BENZOVINDIFLUPYR (261): The EU confirms its reservation for the proposed draft MRLs for Fruiting vegetables, Cucurbits, due to a different policy on setting crop group MRLs; on proposed draft MRLs for meat due to a different policy on setting MRLs for muscle when considering fat soluble residues.

BIXAFEN (262): The EU confirms its reservation for the proposed draft MRLs for meat (from mammals other than marine mammals) and poultry meat due to a different policy on setting MRLs for muscle and fat for fat-soluble pesticides.

FLUENSULFONE (265): The EU confirms its reservation for all the proposed draft MRLs, as the residue definitions are questioned. The metabolism studies are not representative for the residue behaviour observed in the residue trials. In addition the EU is of the opinion that the genotoxic potential of MeS cannot be excluded and that further genotoxicity tests would be needed to follow up on the positive results in vitro.

FLONICAMID (282): The EU confirms its reservation for the proposed draft MRLs for food commodities of plant origin because of a different residue definition for enforcement.

FLUAZIFOP-P-BUTYL (283): The EU confirms its reservation for the proposed draft MRLs for cabbages, head; tomato; beans, except broad bean and soya bean (green pods and immature seeds); peas, shelled (succulent seeds); beans (dry); carrot; potato; swede; turnip, garden; sunflower seed; meat (from mammals other than marine mammals); mammalian fats (except milk fats); edible offal (mammalian); milks; poultry meat; poultry fats; poultry, edible offal of; eggs due to acute exposure concerns and different policies in setting MRLs for muscle when considering fat soluble residues.

FLUPYRADIFURONE (285): The EU confirms its reservation for all the proposed draft MRLs due to a different residue definition for enforcement.

ACIBENZOLAR-S-METHYL (288): The EU confirms its reservation for the proposed draft MRLs for brassica (Cole or cabbage) vegetables, head cabbages, flowerhead brassicas; brassica leafy vegetables; and fruiting vegetables, cucurbits (due to a acute dietary exposure concern for EU consumers) and for citrus fruits; and kiwi fruit (due to lack of metabolism studies reflecting soil treatment).

IMAZETHAPYR (289): The EU confirms its reservation for all the proposed draft MRLs pending the outcome of the ongoing evaluation of an import tolerance request in the EU.

ISOFETAMID (290): The EU confirms its reservation for the proposed draft MRLs for animal commodities due to their different residue definition for enforcement.

OXATHIPIPROLIN (291): The EU confirms its reservation for all the proposed draft MRLs. For plant commodities, the reservations are due to the lack of information on concentrations of metabolites included in the residue definition for dietary risk assessment, in commodities from treated crops. For commodities of animal origin, the presentation of the assessment of animal products did not allow to verify the validity of the proposed MRLs.

PENDIMETHALIN (292): The EU confirms its reservation for the proposed draft MRLs for brassica leafy vegetables, except kale because of a different scientific methodology as regards the extrapolation from residue trials; meat (from mammals other than marine mammals) and poultry meat because of a different policy to set MRLs for muscle for fat soluble pesticides., and welsh onion and spring onion because of an insufficient number of trials.

PINOXADEN (293): The EU confirms its reservation for all the proposed draft MRLs due to a different residue definition for enforcement.

SPIROMESIFEN (294): The EU confirms its reservation for all the proposed draft MRLs due to a different residue definition for enforcement.