

CODEX ALIMENTARIUS COMMISSION

41st Session

Rome, 2-6 July 2018

**European Union comments on
Codex Circular Letter CL 2018/39-PR**

**Request for comments at Step 5/8 on proposed draft maximum residue
limits for pesticides for different pesticide/commodity(ies) combinations**

European Union Competence

European Union Vote

The European Union (EU) supports the adoption of all the proposed draft MRLs in Appendix II of REP 18/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 41.

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.

OXAMYL (126): The EU confirms its reservation for the proposed draft MRLs for cucumber and summer squash due to acute health risks identified for European consumers.

FENPROPIMORPH (188): The EU confirms its reservation for the proposed draft MRLs for banana due to an acute health risk identified for European consumers.

TEBUCONAZOLE (189): The EU confirms its reservation for the proposed draft MRLs for beans with pods (subgroup) pending the outcome of the ongoing periodic re-evaluation in EU.

FENPYROXIMATE (193): The EU confirms its reservation for the proposed draft MRLs for pear; cucumbers, and melon, except watermelons, pending completion of its review of this compound. Using the lower ARfD of JMPR, an intake concern was identified for European consumers. The EU confirms also its reservation for the proposed draft MRLs for peppers (subgroup) (except martynia, okra and roselle) and coffee beans, as these were based on residues of parent compound only, for

citrus fruit due to different extrapolation policies, as well as for meat (from mammals, other than marine mammals); edible offal (mammalian) and mammalian fats (except milk fats) due to the different enforcement residue definitions for animal commodities.

TRIFLOXYSTROBIN (213): The EU confirms its reservation for the proposed draft MRLs for cabbages head, due to the different policies on commodity definition for risk assessment.

DIFENOCONAZOLE (224): The EU confirms its reservation for the proposed draft MRLs for pome fruit due to acute and chronic exposure concerns for European consumers, and for rice due to the lack of a processing study and a different approach to establishing MRLs for rice.

SPINETORAM (233): The EU confirms its reservation for the proposed draft MRLs for avocado, because of the limited number of trials matching the critical GAP and uncertainty over the calculation of the scaling factor by the 2017 JMPR; for milks; meat (from mammals other than marine mammals); edible offal (mammalian) and mammalian fats (except milk fats), as cabbage/kale was not included in the livestock dietary burden calculations; for persimmons as the critical GAP differs from other pome fruits; for plums (subgroup) since the inclusion of 11 additional trials that were scaled because the trials did not match the GAP resulted in a higher MRL.

FLUOPYRAM (243): The EU confirms its reservation for the proposed draft MRLs for milks due to chronic intake concerns, for rice because of a lack of processing factors, and for dry peas (subgroup) as the number of residue trials available was considered insufficient.

SAFLUFENACIL (251): The EU confirms its reservation for the proposed draft MRLs for mustard seed and linseed due to the different residue definition for enforcement.

PICOXYSTROBIN (258): The EU confirms its reservation for the proposed draft MRLs for all fresh food commodities of plant and animal origin because of toxicological concerns.

IMAZAPYR (267): The EU confirms its reservation for the proposed draft MRLs for barley due to the number of residue trials being lower than required by EU policy in combination with an inhomogeneous distribution of residue levels.

IMAZAMOX (276): The EU confirms its reservation for the proposed draft MRLs for barley due to this compound being under review in the EU and because of a potentially different residue definition for enforcement.

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

FLUPYRADIFURONE (285): The EU confirms its reservation for the proposed draft MRLs for cherries, peaches and plums (subgroups) because of a different residue definition for enforcement.

QUINCLORAC (287): The EU confirms its reservation for the proposed draft MRLs for rape seed due to the exclusion of the more toxic methyl ester metabolite from the residue definition for enforcement; for husked rice due to the use of an indicative conversion factor to estimate total residues, a different commodity definition and insufficient data to derive a robust processing factor, and for all animal commodities because the livestock dietary burden was derived from the residue contributions from rape seed and rice.

BICYCLOPYRONE (295): The EU confirms its reservation for the proposed draft MRLs for edible offal (mammalian) due to an intake concern for EU consumers.

FENAZAQUIN (297): The EU confirms its reservation for the proposed draft MRLs for cherries (subgroup) and hops (dry) because different toxicological reference values had been established in EU, with the metabolite TBPE identified as being of higher toxicity than parent, and that no residue data relating to TBPE were reported by JMPR.