



EUROPEAN COMMISSION

Health and Food Safety Directorate General

sante.g.3(2024)2016913

Standing Committee on Plants, Animals, Food and Feed
Section *Phytopharmaceuticals – Pesticide Residues*
5 March 2024

CIRCABC Link: <https://circabc.europa.eu/ui/group/95a86e0e-0cfe-4354-8d9f-c447c6e85c1b/library/6d9e5bc0-8c4d-40b9-8202-c5108b7e4519?p=1>

SUMMARY REPORT

Section A Information and/or discussion

A.01 France national interim emergency measure suspending the introduction, importation and placing on the market in France of fresh fruits and vegetables which have been treated with a plant protection product containing the substance thiacloprid, and originating from third countries (Article 54 of Regulation (EC) No 178/2002).

On 8 February 2024 the French authorities notified a French national interim emergency measure taken on 23 February 2024 and published on 24 February 2024, suspending the introduction, importation and the placing on the French market of fresh fruits and vegetables which have been treated with a plant protection product containing the substance thiacloprid, and originating from third countries¹. In line with Article 54 of Regulation (EC) No 178/2002 (General Food Law), a meeting of this Committee had to be organised within 10 working days from the date of notification with a view of the amendment, abrogation or extension of the French national measure.

France presented the measure, which is valid for one year from 23 February 2024, and clarified that it applies to fresh fruits and vegetables with quantifiable residues of thiacloprid.

Several Member States took the floor to indicate their preference for a harmonised EU measure lowering the MRLs for thiacloprid in all food products to the Limit of quantification (LOQ). One Member State requested clarifications on the scope of the French measure.

The Commission asked France to clarify the reasons for the selection of food products included in the national measure in view of consumer protection (in particular why major contributors to the intake of consumers, such as milk, were not considered), the impact on trade with third countries and the rationale for the high level of responsibility given to food business operators and how the implementation would be controlled by

¹ Arrêté du 23 février 2024 portant suspension d'introduction, d'importation et de mise sur le marché à titre gratuit ou onéreux en France de fruits et légumes frais provenant de pays tiers à l'Union européenne ayant fait l'objet d'un traitement avec un produit phytopharmaceutique contenant la substance thiaclopride (AGRG2405380A)

the competent authorities. France confirmed that the measure was only targeting fresh fruits and vegetables as for some of them EFSA identified exceedances on the acute reference dose (ARfD). France also indicated that instructions for food business operators were under preparation and agreed to share them with the Committee once available.

The Commission recalled that it is committed to ensuring a high level of consumer protection. Nevertheless, it considered there was no immediate and serious health risk that would warrant an EU wide emergency measure. It noted that a possible solution could be to work with priority on a regular measure addressing the Member States' concerns, which could be based on indications that thiacloprid is a possible endocrine disruptor, as identified by EFSA in its 2019 Conclusions of the peer review² and considering that it is not certain that safe levels of exposure can be established for endocrine disruptors. A possible measure would need to take into account those uncertainties, and a follow up mandate to the European Food Safety Authority (EFSA) might also be necessary to clarify those aspects. No Member State raised any objection against such a possible approach.

No Member State called on the Commission to take specific action as regards the French national measure.

² EFSA conclusion peer review of the pesticide risk assessment of the active substance thiacloprid. EFSA Journal 2019;17(2):5595