EUROPEAN COMMISSION

Health and Food Safety Directorate General

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Standing Committee on Plants, Animals, Food and Feed

Section *Phytopharmaceuticals - Residues*

11 July 2024

CIRCABC Link: *https://circabc.europa.eu/ui/group/95a86e0e-0cfe-4354-8d9f-c447c6e85c1b/library/db7a6036-84da-4b85-9e74-efacb357f98e?p=1*

SUMMARY REPORT

B.01 Exchange of views and possible opinion of the Committee on a draft Commission Regulation (EU) …/… amending Annexes II and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for thiacloprid in or on certain products

(PLAN/2023/961)

The Commission presented the revision 9.2 of the draft Regulation proposing to lower all MRLs for thiacloprid to the Limit of quantification (LOQ) following the non-renewal of approval[1] of thiacloprid. In the Conclusions on the peer review[2], on which the non-renewal was based, the European Food Safety Authority (EFSA) identified several areas of concern. As the exclusion criteria established by Regulation (EC) No 1107/2009 were met (the substance is toxic for reproduction), EFSA did not consider it necessary to finalise the assessment of the possible endocrine disrupting properties of thiacloprid on the basis of the most recent criteria as set out in points 3.6.5 and 3.8.2 of Annex II to Regulation (EC) No 1107/2009. In the Conclusions on the peer review, EFSA however indicated that thiacloprid was considered to meet the old criteria for ED properties[3] and the WHO definition for endocrine disruptors[4]. It proposed new toxicological reference values (TRVs). As the ED assessment was not finalised, those TRVs were however not confirmed to also reflect the new EU criteria for endocrine-

[1] Commission Implementing Regulation (EU) 2020/23 of 13 January 2020 concerning the non-renewal of the approval of the active substance thiacloprid, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 (OJ L 8, 14.1.2020, p. 8), https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1719559762371&uri=CELEX%3A32020R0023.

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

[3] EFSA (European Food Safety Authority) Scientific Committee, 2013. Scientific Opinion on the hazard assessment of endocrine disruptors: scientific criteria for identification of endocrine disruptors and appropriateness of existing test methods for assessing effects mediated by these substances on human health and the environment. EFSA Journal 2013;11(3):3132,84, https://doi: 10.2903/j.efsa.2013.3132.

[4] WHO/IPCS (World Health Organization/International Programme on Chemical Safety), 2002. Global Assessment of the State-of-the-science of Endocrine Disruptors. WHO/PCS/EDC/02.2, https://iris.who.int/bitstream/handle/10665/67357/WHO_PCS_EDC_02.2.pdf?sequence=1.

related effects. The Commission decided to follow a precautionary approach and lower all MRLs to the LOQ, as endocrine-related effects frequently occur at low-dose levels and endocrine disruptor substances often do not have a safe threshold.
The Commission informed that a mandate to EFSA requesting to conclude the endocrine disruptor propertied of thiacloprid was under preparation and that the MRLs for thiacloprid will be reviewed once the EFSA assessment is concluded.

The Committee discussed the comments received from four third countries and one food business operator following the consultation of trading partners under the World Trade Organisation Sanitary and Phytosanitary measures (WTO-SPS) agreement. Based on the concerns raised on the impact that the consulted measure would have on the trade of goods (in particular long-shelf life products) and the fact that the monitoring data for thiacloprid included in the EU pesticide report[5] indicated a generally low exposure of European consumers and the limited range of products to which such measures would effectively apply, the Commission found it justified and proportionate to include transitional measures for products which have been placed on the EU market before the new MRLs become applicable, except for some commodities for which EFSA identified an acute health risk for consumers (pears, peaches, raspberries (red and yellow), sweet peppers/bell peppers, Chinese cabbages/pe-tsai and lettuces).

Vote taken: Favourable opinion.

[5] The 2022 European Union report on pesticide residues in food. EFSA Journal. 2024;22:e8753 https://doi.org/10.2903/j.efsa.2024.8753