

**European Union Positions
for the 55th Session of the Codex Committee on Pesticide Residues
Chengdu, China, 3-8 June 2024**

**Agenda Items 5(b) and 6:
Draft and Proposed Draft Maximum Residue Limits for Pesticides in Foods and Feeds at Steps 7 and 4
Comments at Steps 6 and 3**

<p>General comments</p> <p>The EU would like to inform CCPR Members that the CXLs that were adopted by the 46th Session of the Codex Alimentarius Commission, and for which the EU had not introduced reservations during CCPR54, have now been established in the EU.</p> <p>It is an EU policy to propose a Commission Regulation for inclusion of Codex MRLs (CXLs) into EU legislation provided that:</p> <ul style="list-style-type: none"> • the EU sets MRLs for the commodity under consideration; • the current EU MRL is lower than the CXL. <p>The EU will make reservations to the advancement of the proposed Codex MRLs during the discussions on the specific substances:</p> <ul style="list-style-type: none"> • if the proposed CXL is not safe for European consumers^[1], and/or • if toxicological data are not available at EU level or are available but not yet assessed at EU level, and/or • if the proposed CXLs are not sufficiently supported by data as required according to the FAO manual or other agreed requirements, and/or • if the CXL is not acceptable to the EU with respect to areas such as supporting data, extrapolations, as well as environmental issues of global nature (such as the decline of pollinators or the accumulation of persistent bioaccumulative and toxic substances in the environment). <p>^[1] Including an assessment that the Codex residue definition ensures an equivalent level of protection.</p>
<p>Items 5 b)</p>
<p>Indoxacarb (216)</p> <p>The EU requests that indoxacarb would be prioritized for periodic review.</p> <p>The EU concerns were not addressed by JMPR, and there seems to be a misunderstanding on the EFSA conclusion on the metabolite IN-JT333. The</p>

toxicological reference values derived for the parent substance are not applicable to the metabolite IN-JT333, and the JMPR residue definition should be revised to exclude it.

The EU provided further detailed clarifications in writing to JMPR.

Mefentrifluconazole (320)

The EU support the advancement of the proposed draft MRL for

- **Lettuce Head**

The EU **opposes the advancement** of the proposed draft MRLs for the following commodities:

- **Leaf lettuce**
- **Spinaches**

Short-term exposure exceedances of the ARfD were indicated by JMPR.

Metalaxyl (138)

Phosmet (103)

The EU welcomes that the periodic review of phosmet has been scheduled for 2024.

Items 6

Piperonyl butoxide (62) (R)

The EU requests to the applicant that complete and good quality dossiers should be submitted, for the good use of JMPR resources.

The EU recommends deleting the active substance completely and moving it into “Table 1. List of Pesticides Whose MRLs (CXLs) Or GLs Have Been Deleted by the Codex Alimentarius Commission and for Which No MRLs Have Been Proposed”, since the last complete evaluation was more than 25 years ago, in 1995.

It should be in the future treated as a new active substance.

Pyrethrins (63) (R)

The EU requests to the applicant that complete and good quality dossiers should be submitted, for the good use of JMPR resources.

The EU recommends deleting the active substance completely and moving it into “Table 1. List of Pesticides Whose MRLs (CXLs) Or GLs Have Been Deleted by the Codex Alimentarius Commission and for Which No MRLs Have Been Proposed”, since the last complete evaluation was 25 years ago, in 1999.
It should be in the future treated as a new active substance.

Carbendazim (72) (T, R)**

The EU requests to the applicant that complete and good quality dossiers should be submitted, for the good use of JMPR resources.

The EU recommends deleting the active substance completely and moving it into “Table 1. List of Pesticides Whose MRLs (CXLs) Or GLs Have Been Deleted by the Codex Alimentarius Commission and for Which No MRLs Have Been Proposed”, since the last complete evaluation was more than 25 years ago, in 1995.
It should be in the future treated as a new active substance.

Thiophanate-methyl (77) (T,R)**

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodity, as the JMPR residue definition is incompatible with the EU residue definition for enforcement:

- **Almond**

Carbofuran (96) (T,R)**

The EU **supports the proposed withdrawal** of the MRLs for all commodities.

Iprodione (111) (T,R)**

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities because the genotoxicity of several metabolites is not sufficiently addressed:

- **Almond**
- **Beans with pods (Phaseolus spp) -immature pods and succulent seeds**
- **Cane berries, subgroup of**
- **Cherries, subgroup of**
- **Onion, bulb**
- **Peaches (including Nectarines and Apricots), Subgroup of**
- **Potato**

In addition, for blackberries and raspberries, an acute consumer risk has been identified for European consumers.

The EU **opposes the advancement** of the proposed draft MRLs for the following commodities:

- **Broccoli**

Since an acute consumer risk has been identified by JMPR.

The EU noted that:

- the residue definition for risk assessment proposed by JMPR for plant products covers only the parent compound while the EU could not conclude on the genotoxicity potential for several metabolites and degradation products potentially formed in processed plant products.
- several MRLs were proposed for feed products, however, for animal products, JMPR could not derive a residue definition for MRL compliance.
- JMPR did not calculate the dietary burden for livestock, although potatoes could serve as animal feed.

The EU **supports** the proposed withdrawal of the MRLs for some commodities.

Zeta-cypermethrin (118) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

- **Avocado**
- **Subgroup of bush berries**

An acute health risk and a long-term health risk have been identified for EU consumers with exceedances of the ARfD and the ADI

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- **Subgroup of bulb onions**

However, the EU notes that the Codex MRL for the subgroup of bulb onions should be 0.05 mg/kg, without an asterisk.

Permethrin (120) (T,R)**

The EU requests to the applicant that complete and good quality dossiers should be submitted, for the good use of JMPR resources.

The EU requests withdrawing the existing Codex MRLs related to pesticide use, most of them derived 30 years ago, since the last complete evaluation was 25 years ago, in 1999, and data provided as part of the periodic review was insufficient to conclude on the toxicology of permethrin and metabolites.

Diflubenzuron (130) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for:

- **Tea, Black, Green, dried and fermented (subgroup).**

In processed products, the formation of the genotoxic degradation product PCA (4-chloroaniline) has been observed.

Since tea is primarily consumed as an infusion prepared from fermented/dried tea leaves with boiling water, the possible occurrence of this substance cannot be excluded based on the currently available scientific evidence.

Deltamethrin (135) (R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- **Papaya**

The EU notes the lack of a validation method for the alpha-R- isomer for high water commodity group.

Prochloraz (142) (T,R)**

Carbosulfan (145) (T,R)**

The EU **supports all the proposed withdrawals of** MRLs.

The EU **opposes the advancement** of the proposed draft MRLs for the following commodities:

- **Eggplant**
- **Mango**

Short-term exposure exceedances of the ARfD were indicated by JMPR.

Propiconazole (160) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities based on the lack of data on the magnitude and toxicity of metabolites expected in plant and animal products that need to be considered in the dietary risk assessment. In the EU assessment, the toxicological data were found insufficient to conclude on the genotoxicity potential and the general toxicity of some of the metabolites.

- **Avocado**
- **Edible offal (mammalian)**
- **Eggs**
- **Mammalian fats (except milk fats)**
- **Meat (from mammals other than marine mammals)**
- **Milks**
- **Peanut**
- **Poultry fats**
- **Poultry meat**
- **Poultry, edible offal of**
- **Rice husked**

In addition, it is noted that the recalculation of the residues measured in avocados without pit to the whole fruit would result in a lower MRL of 0.01 mg/kg.

The EU notes that an assessment strategy for triazole derivatives metabolites (TDMs) is applicable in the EU. Residue definitions for risk assessment and toxicological reference values have been revised. The EU notes that an assessment for TDMs has not been carried out for propiconazole.

Boscalid (221) (R)

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- **Pomegranate**

Difenoconazole (224) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities pending the outcome of the ongoing periodic re-evaluation in the EU:

- **Cane berries**
- **Mustard greens**
- **Radish**
- **Radish leaves**

- **Stone fruits**
- **Subgroup of maize, Cereals**
- **Sweet potato**

Based on the outcome of the ongoing evaluation, this reservation could be revised.

Additionally, for mustard greens and radish leaves, the proposed Codex MRL leads to ARfD exceedances in children for Chinese cabbage and kale respectively.

The EU notes that an assessment strategy for triazole derivatives metabolites (TDMs) is applicable in the EU. Residue definitions for risk assessment and toxicological reference values have been revised. The EU notes that an assessment for TDMs has not been carried out for difenoconazole.

Clothianidin (238) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities due to the contribution of thiamethoxam and its metabolite clothianidin to the worldwide decline of pollinators:

- **Cumin seed**
- **Fruiting vegetables other than cucurbits except goji berry**
- **Goji berry**
- **Group of tree nuts**
- **Onion, bulb**
- **Subgroup of stems and petioles**

In line with the EU's announcement in the Farm to Fork Strategy and the European Green Deal, the EU takes environmental issues of global concern into account when deciding about accepting CXL.

In the case of clothianidin, this relates to its contribution to the worldwide decline of pollinators.

Fluopyram (243) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities, pending the review of the dietary burden calculations in the JMPR evaluation report, once available:

- **Barley**
- **Buckwheat**
- **Oats**
- **Rye**
- **Sorghum**

- **Triticale**
- **Wheat**
- **Edible offal (mammalian)**
- **Mammalian fats (except milk fats)**
- **Meat (from mammals other than marine mammals)**
- **Eggs**
- **Milks**
- **Poultry, edible offal of**
- **Poultry fats**
- **Poultry meat**

The dietary burden calculations are not included in the Annex VI of the JMPR Report. Additionally, a chronic risk for EU consumers was identified with 331% ADI.

The EU notes that according to the new Codex food classification, CXLs should be established for “muscle” instead than for “meat”.

Thiamethoxam (245) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities due to the contribution of thiamethoxam and its metabolite clothianidin to the worldwide decline of pollinators:

- **Cumin seed**
- **Fruiting vegetables other than cucurbits except goji berry**
- **Goji berry**
- **Group of tree nuts**
- **Onion, bulb**
- **Subgroup of stems and petioles**

In line with the EU's announcement in the Farm to Fork Strategy and the European Green Deal, the EU takes environmental issues of global concern into account when deciding about accepting CXL.

In the case of thiamethoxam, this relates to its contribution to the worldwide decline of pollinators.

Acetamiprid (246) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

- **Soya bean (dry)**

The MRLs for Soya bean (dry) should be flagged with an asterisk indicating that residues above the LOQ are not expected.

Emamectin benzoate (247) (T)

The EU notes that in the EU, the toxicity of three of the metabolites assessed by JMPR in 2023 (L-653,649 / AB1a, L-660,599 / MFB1a, L-657,831/ FAB1a) is considered higher than the toxicity of the parent compound, while JMPR considered the metabolites are covered by the parent.

Dinotefuran (255) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities pending the assessment of an import tolerance:

- **Goji berries**
- **Group of fruiting vegetables other than cucurbits (except goji berry)**

The EU notes that JMPR proposed a combined data set of residue trials on peppers and tomatoes to set the MRL of the group.

Cyantraniliprole (263) (R)

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities:

- **Beans, dry, subgroup of**
- **Peas, dry, subgroup of**
- **Grapes**
- **Olives**
- **Olives for oil production**

A lower MRL of 0.04 mg/kg is possible for soya beans in the subgroup of beans, dry.

For grapes, details of the residue decline needs to be confirmed in the JMPR evaluation report, once available, to confirm that the first application could be discarded in the residue trials.

For olives and olives for oil production, the EU assessment of the cGAP in the EU Member State Malta leads to a higher MRL of 3 mg/kg. The EU requests that the MRLs for olives and olives for oil production are maintained at Step 4 so that JMPR could review the calculations.

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- **Avocado**

<ul style="list-style-type: none"> - Cane berries, subgroup of - Eggs - Tea, green, black (black, fermented and dried)
<p>Imazapyr (267) (R)</p> <p>The EU <u>supports the advancement</u> of the proposed draft MRLs for the following commodities:</p> <ul style="list-style-type: none"> - Rice, husked - Wheat
<p>Cyflumetofen (273) (R)</p> <p>The EU introduces a <u>reservation to the advancement</u> of the proposed draft MRLs for the following commodities based on the lack of metabolism studies in a commodity representative for coffee bean (classified as pulses) in line with the requirements in the FAO manual:</p> <ul style="list-style-type: none"> - Coffee bean <p>The EU <u>supports the advancement</u> of the proposed draft MRLs for the following commodities:</p> <ul style="list-style-type: none"> - Cucumber - Hops, dried - Subgroup of cherries - Subgroup of peaches <p>The EU notes that a more critical GAP was submitted in the EU for hops and invite the manufacturer to submit that GAP at Codex level, as the MRL derived from that GAP accurately in place in the EU is 30 mg/kg instead of 15 mg/kg.</p>
<p>Oxathiapiprolin (291) (R)</p> <p>The EU <u>supports the advancement</u> of the proposed draft MRLs for the following commodities:</p> <ul style="list-style-type: none"> - Group of tree nuts - Subgroup of bush berries - Hops <p>The EU <u>introduces a reservation</u> to the advancement of the proposed draft MRLs for the following commodity:</p>

<p>- Avocados</p> <p>As the recalculation of the residues measured in avocados without pit to the whole fruit would result in a lower MRL of 0.07 mg/kg.</p> <p>The EU requests the applicant to share with JMPR the EU Good Agricultural Practices and supporting trials on hops in view of aligning the Codex MRL with the EU MRL.</p>
<p>Tetraniliprole (324) (R)</p> <p>The EU introduces a <u>reservation to the advancement</u> of the proposed draft MRLs for the following commodity based on the lack of available toxicological data at EU level:</p> <p>- Mandarins (including Mandarin-like hybrids), Subgroup of</p> <p>The EU would like to thank JMPR for consider their previous comments related to the residue trials in mandarins.</p>
<p>Isoflucypram (330) (T,R)</p> <p>The EU introduces a <u>reservation to the advancement</u> of the proposed draft MRLs for the following commodities pending the outcome of the ongoing evaluation in the EU:</p> <ul style="list-style-type: none"> - Barley - Triticale - Wheat - Milks - Meat (from mammals other than marine mammals) - Mammalian fats (except milk fats) - Edible offal (mammalian) - Eggs - Poultry meat - Poultry fats - Poultry, edible offal of <p>The EU <u>notes</u> that according to the new Codex food classification, CXLs should be established for “muscle” instead than for “meat”.</p>
<p>1,4-Dimethylnaphthalene (331) (T,R)*</p> <p>The EU <u>supports the advancement</u> of the proposed draft MRLs for the following commodities:</p>

- Edible offal
- Eggs
- Mammalian fats
- Meat (from mammals other than marine mammals)
- Milks
- Potato
- Poultry edible offal
- Poultry fats
- Poultry meat

The EU notes that a higher MLR will be applicable for potatoes in the second half of 2024. The EU requests the applicant to share with JMPR the EU Good Agricultural Practices and supporting trials on potatoes in view of aligning the Codex MRL with the EU MRL.

The EU notes that according to the new Codex food classification, CXLs should be established for “muscle” instead than for “meat”.

Florylpicoxamid (332) (T,R)*

The EU introduces a **reservation to the advancement** of the proposed draft MRLs for the following commodities pending the outcome of the ongoing evaluation in the EU:

- Grapes
- Strawberry
- Banana
- Mango
- Subgroup of fruiting vegetables, cucurbits - cucumbers and summer squashes
- Subgroup of fruiting vegetables, cucurbits – melons, pumpkins and winter squashes
- Subgroup of tomatoes
- Peppers, chili
- Peppers, sweet
- Subgroup of eggplants
- Lentil (dry)
- Sugar beet
- Wheat
- Rape seed
- Edible offal (Mammalian)

- Eggs
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks
- Poultry fats
- Poultry meat
- Poultry, edible offal of

The EU notes that according to the new Codex food classification, CXLs should be established for “muscle” instead than for “meat”. The EU notes that for lentils, eggs, poultry fats, meat and edible offals, the trials indicate that no residues above the LOQ are expected and therefore MRL proposals should be flagged with an asterisk.

Fluazinam (333) (T,R)*

The EU requests to the applicant that complete and good quality dossiers should be submitted, for the good use of JMPR resources.

Isocycloseram (334) (T,R)*

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities based on the lack of available toxicological data at EU level:

- Broccoli
- Brussels sprouts
- Cabbages, head
- Cauliflower
- Coffee bean
- Cotton seed
- Cucumber
- Edible offal (Mammalian)
- Eggplant
- Group of pome fruits
- Maize
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Melons, except watermelon
- Milks
- Onion, bulb
- Peppers, chili

- Peppers, sweet
- Potato
- Soya bean (dry)
- Squash, summer
- Subgroup of cherries
- Subgroup of lemons and limes (including citron)
- Subgroup of Mandarins (including mandarin-like hybrids)
- Subgroup of oranges, sweet, sour (including orange- like hybrids)
- Subgroup of peaches (including nectarine and apricots)
- Subgroup of plums (including fresh Prunes)
- Subgroup of pummelo and grapefruits (including shaddock-like hybrids, among others grapefruit)
- Tomato

The EU notes that according to the new Codex food classification, CXLs should be established for “muscle” instead than for “meat”.

Isotianil (335) (T,R)*

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities pending the assessment of an import tolerance:

- Bananas
- Edible offal (Mammalian)
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks
- Poultry fats
- Poultry meat
- Poultry, edible offal of
- Subgroup of lemons and limes (including citron)
- Subgroup of Mandarins (including mandarin-like hybrids)
- Subgroup of oranges, sweet, sour (including orange- like hybrids)
- Subgroup of Pummelo and grapefruits (including shaddock-like hybrids, among other grapefruit)

The EU notes that according to the new Codex food classification, CXLs should be established for “muscle” instead than for “meat”.

Mepiquat chloride (336) (T,R)*

The EU **supports the advancement** of the proposed draft MRLs for the following commodities:

- **Cotton seed**
- **Edible offal (mammalian)**
- **Eggs**
- **Grapes**
- **Mammalian fat (except milk fats)**
- **Meat (from mammals other than marine mammals)**
- **Milk**
- **Poultry, edible offal of**
- **Poultry fats**
- **Poultry meat**

The EU notes that according to the new Codex food classification, CXLs should be established for “muscle” instead than for “meat”.

Tricyclazole (337) (T,R)**

Triflumeron