

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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Agenda Items 5,6,8,12,13,15,16,17,18

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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON PESTICIDE RESIDUES

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(Comments of European Union)

### AGENDA ITEM 5 (a)

**Report on items of general consideration arising from the 2021 JMPR extra and regular meetings (Section 2 of the 2021 JMPR Report)**

#### *European Union Competence European Union Vote*

The EU would like to provide the following comments on section 2 of the 2021 JMPR Report:

#### 2.1 Benefits and challenges to virtual JMPR meetings

The European Union (EU) would like to thank JMPR for all the effort dedicated to organising an extra meeting in order to reduce the backlog of the number of new use evaluations. The EU acknowledges the difficult conditions in virtual meetings, which despite some benefits, are less efficient compared to face-to-face meetings. The EU welcomes further discussion under relevant agenda items on how to enhance operational procedures of JMPR and CCPR to eliminate the backlog of evaluations and meet the future demand of establishment Codex MRLs. The regular review of Codex MRLs established more than 15 years ago is of utmost importance in order to ensure that the Codex MRLs comply with the current scientific standards.

#### 2.2 International estimate of short-term intakes (IESTI) equations

The EU welcomes the continuation on the discussion on the parameters of the IESTI equation and would like to request additional information on the FAO/WHO expert group in charge of this work. The EU has long experience in this particular topic and EU experts are willing to actively participate and contribute to the work of the FAO/WHO expert group.

The EU does not share the conclusion of JMPR that the benchmarking study by Crépet et al. (2021) demonstrates that "IESTI equations are protective for acute risk". The EU considers that the study design and the data used to perform the exposure calculations were not appropriate to answer the question whether the IESTI equation is protective. Beyond this, the impact of the different parameters and modification of the equation should rather be assessed in regard of the objectives of updating the methodology with the most recent scientific knowledge, and using the MRL in the equation for communication purpose.

As noted by the JMPR the replacement of the STMR by the MRL is a major challenge and the data collected about bulking and blending should be reviewed and incorporated into dietary risk assessment practices to refine the impact of this replacement.

As announced during the 52nd CCPR session, further work will be performed at EU level to compile all the existing knowledge on IESTI and prepare a scientific output consolidating the existing work.

CCPR will be kept informed on the findings and the subsequent risk management discussions

#### 2.3 First considerations on a possible need for amendments to EHC 240 guidance on appropriate use of toxicological historical control data (HCD)

The EU is currently working on a project on the appropriate use of toxicological historical control data, as this is a topic of high importance for the EU. The EU welcomes the involvement of JMPR in the survey and subsequent workshop performed in May 2022. A final report of this project is expected to be published in September 2022, which will be followed by the publication of a Scientific Opinion in 2023.

#### 2.4 Guidance on the assessment and interpretation of non-linear dispositional kinetics

The EU agrees with the need of more guidance on the integration of the kinetically-derived maximum dose (KMD) approach as an alternative to maximum tolerated dose (MTD), in particular with the interpretation of non-linearity in the dispositional kinetics of pesticides. At EU level, the hazard classification is an important element to decide on the approval of an active substance and the KMD approach is not appropriate to fulfil the legislative needs for classification and labelling; The EU considers that MTD approach, with complementary information on non-linear kinetics, is the most appropriate methodology to derive the selection of the high dose level for toxicological studies.

#### 2.5 Recommendations for use of leafy vegetables to extrapolate residues to the Subgroup 027A Herbs (herbaceous plants).

The EU appreciates the detailed analysis and agrees with JMPR that the initial spray deposit is an important factor to be considered for extrapolations. However, the EU considers that some additional factors, such as the overall distribution/heterogeneity of the residue trials, should be taken into account to decide on the appropriateness of extrapolations.

The EU notes that in the case of afidopyropen, the statistical test on the data set for mustard greens was significantly different from the data sets for spinach and leafy lettuce. Moreover, for certain herbs (parsley, dill and coriander leaves), JMPR derived the MRL proposal based on the residue trials in mustard greens although this extrapolation is not a standard extrapolation agreed previously. However, the EU considers that Codex MRL proposals are acceptable, noting that the data set on mustard greens lead to a higher MRL proposal than the data set on other leafy crops and that the herbs under consideration are very minor in terms of consumption and production.

JMPR is recurrently extrapolating datasets from blueberries to elderberries, which is not foreseen in the Codex extrapolation rules. Therefore, the EU considers that the extrapolation from blueberries to elderberries (and guilder rose) should be also discussed to determine whether such extrapolation is appropriate.

**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****General comments for discussion in CWP****General comments**

It is an EU policy to align EU MRLs with Codex MRLs (CXLs) provided that:

- the EU sets MRLs for the commodity under consideration;
- the current EU MRL is lower than the CXL;
- toxicological data are available at EU level and the proposed CXL is safe for European consumers
- the CXL is acceptable to the EU with respect to areas such as consumer protection, supporting data and 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) in conformity with WTO rules and as announced in the Farm to Fork Strategy and the EU Green Deal.

In case the CXLs are not acceptable to the EU with regard to those criteria, the EU will make reservations to the advancement of the Codex MRLs during the discussions on the specific substances.

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 the 7 triazole substances for discussion at this meeting. Since several triazole substances are currently under periodic re-evaluation in the EU, the EU positions presented here might be revised in future.

**Terbufos (167)**

The JMPR toxicological assessment for terbufos has not been updated since 2003 and more critical reference values were proposed in the current Draft Decision Guidance Document of the Chemical Review Committee (CRC) of the Rotterdam Convention. The EU invites JMPR to update the toxicological assessment of terbufos, as outlined in the concern form submitted by the EU.

**Items 5(b)****Propiconazole (160) T**

Following a recent EU evaluation, the active substance was not approved in the EU. In that framework, the consumer risk assessment could not be finalised due to data gaps, and no conclusion could be drawn on the genotoxicity and the general toxicity of several metabolites.

Specifically on peaches, an acute consumer risk has been identified for European consumers. The EU expresses the same concerns as submitted in the concern form in March 2020.

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.

Items 6
<p><b>Ethion (034) R</b></p>
<p><b>Imazalil (110) R</b></p> <p>The EU introduces a <u>reservation to the advancement</u> of the proposed draft MRLs for the following commodities, pending the ongoing re-evaluation in the EU:</p> <ul style="list-style-type: none"> <li>- Citrus fruits, Group of</li> </ul>
<p><b>Metalaxyl (138) T/R</b></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"> <li>- Brussels sprouts</li> <li>- Carrot</li> <li>- Spinach</li> <li>- Sunflower seed</li> <li>- Ginseng</li> <li>- Flowered brassicas, Subgroup of</li> <li>- Grapes</li> <li>- Lettuce, leaf</li> <li>- Melons, except Watermelon</li> <li>- Onion, Bulb</li> <li>- Oranges, Sweet, Sour, Subgroup of</li> <li>- Pepper, black, white, pink, green</li> <li>- Potato</li> <li>- Tomatoes, Subgroup of</li> </ul> <p>The EU introduces a <u>reservation to the advancement</u> of the proposed draft MRLs for the following commodities:</p> <ul style="list-style-type: none"> <li>- Apple</li> <li>- Pear</li> <li>- Cabbages, head</li> </ul> <p>The EU notes that, for apple and pears, the residue trials are not representative of the presented GAP and not adequate to demonstrate a no-residue situation.</p> <p>For cabbages, head, the calculation performed using the OECD MRL calculator suggests a lower MRL of 0.06 mg/kg. Therefore, the EU invites JMPR to review the Codex MRL proposal.</p>
<p><b>Methoprene (147) R</b></p> <p>The EU introduces a <u>reservation to the advancement</u> of the proposed draft MRLs for the following commodities:</p> <ul style="list-style-type: none"> <li>- Soya bean (dry)</li> </ul> <p>A chronic risk for European consumers could not be excluded. Considering the significant background exposure from the existing EU MRLs, there is no scope to raise the MRLs. Further refinements of the chronic exposure calculation are possible; however the relevant data have not yet been assessed in the EU.</p> <p>Studies investigating the metabolic behaviour after post-harvest treatment and on the nature and magnitude of residues in processed products are lacking.</p> <p>It is noted that the dietary burden calculations should be added to the JMPR report to verify the statement that residues in soya bean do not impact on the dietary burden of farm animals.</p>
<p><b>Clofentezine (156) R</b></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 periodic re-evaluation in the EU:</p> <ul style="list-style-type: none"> <li>- Hops, dry</li> </ul>

**Tebuconazole (189) 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:

-Coffee beans

The EU notes that the existing CXL of 0.1 mg/kg is not recommended for withdrawal in the summarized results.

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 tebuconazole.

**Fenpyroximate (193) T/R**

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

- Mandarins (including Mandarin-like hybrids), Subgroup of
- Oranges, sweet, sour (including orange-like hybrids), Subgroup of
- Cane berries, Subgroup of
- Cucumbers and Summer squashes, Subgroup of
- Bush berries, Subgroup of
- Stems and petioles, Subgroup of

JMPR concluded that the estimated acute dietary exposure to residues of fenpyroximate for the consumption of mandarins, oranges, raspberries, blackberries, blueberries, currants, gooseberries, cucumbers, courgette, cardoons, fennel, celery, and rhubarb may present a public health concern.

In addition, for mandarins, oranges, currants (juice), celeries, rhubarb, fennel, and cardoon acute consumer risk has been also identified by EFSA for European consumers.

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

- Plums (including fresh Prunes), Subgroup of
- Succulent beans without pods, Subgroup of
- Milks
- Meat (from mammals other than marine mammals)
- Mammalian fats (except milk fats)
- Edible offal (mammalian)

The EU also notes that, for mammalian fats, EFSA noted that a slightly lower MRL of 0.15 mg/kg might be sufficient.

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

- Lemons and Limes (including Citron), Subgroup of
- Pummelo and Grapefruits (including Shaddock-like hybrids), Subgroup of

An acute consumer risk has been identified for European consumers.

In addition, the EU notes that after JMPR established, in 2021, lower ADI and ARfD for this substance, and re-evaluated the existing CXLs and Codex MRL proposals at step 4 accordingly, acute consumer health risks were identified for several commodities. The EU recommends CCPR to revoke the existing CXLs for apples, pears, cherries, melons, watermelons, tomatoes, eggplants, beans with pods, and edible offal (mammalian), and to withdraw the CXLs for apricots, peaches, and nectarines, currently at step 4.

**Fenbuconazole (197) R**

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

- Tea, green, black (black, fermented and dried)

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 fenbuconazole.

**Fipronil (202) T/R**

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

- Banana
- Barley, similar grains, and pseudocereals with husks (Subgroup of)
- Basil, leaves
- Dry beans, Subgroup of (except soya beans)
- Cottonseed
- Eggs
- Leafy vegetables, Group of
- Beans with pods, Subgroup of
- Maize cereals, Subgroup of
- Onion, bulb
- Potato
- Poultry fat
- Poultry meat
- Poultry edible offal
- Rice, husked
- Root and tuber vegetables
- Soya bean (dry)
- Sugar beets
- Sugar cane
- Sunflower seeds, Subgroup of
- Tomato
- Wheat, similar grains, and pseudocereals with husks, Subgroup of
- Edible offal (Mammalian)
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks

On the basis of the information provided to the JMPR, it was concluded that the estimated long-term dietary exposure to residues of fipronil may present a public health concern.

**Cyprodinil (207) R**

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

- Ginseng, dried including red ginseng
- Peas with pods, Subgroup of
- Dry beans, Subgroup of (except soya beans)
- Dry peas, Subgroup of

**Methoxyfenozide (209) R**

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

- Basil, leaves
- Sugar cane
- Coffee bean

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

- Tea, Green, Black (black, fermented and dried)

The proposed Codex MRL is not acceptable because it is based on a GAP in Japan that is no longer in place (MRL in Japan is 40 mg/kg, not 80 mg/kg). The EU would like to ask Japan for clarifications.

The EU notes that, since risks for honey bees cannot be excluded, in the EU the authorised uses of methoxyfenozide are restricted to greenhouses uses only.

**Metalaxyl-M (212) T/R**

The EU supports the proposed withdrawal of Codex MRLs for the following commodities:

- Apple
- Cocoa beans
- Grapes
- Lettuce, head
- Onion, Bulb
- Peppers, sweet (including pimento or pimiento)
- Potato
- Spinach
- Sunflower seed
- Tomatoes

**Trifloxystrobin (213) R**

The EU supports the proposed withdrawal of Codex MRLs for the following commodities:

- Citrus fruits

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

- Beans with pods, Subgroup of
- Bilberry
- Bilberry, red
- Blueberry
- Cane berries, Subgroup of
- Coffee beans
- Currant, black, red, white
- Corn salad
- Edible offal (mammalian) including liver of cattle, goats, pigs and sheep and kidney of cattle, goats, pigs and sheep
- Eggs
- Gooseberry
- Lettuce, leaf
- Linseed
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks
- Peas with pods, subgroup of (includes all commodities in this subgroup)
- Poultry fats
- Poultry meat
- Poultry, edible offal of
- Rose hip

Following a recent EU evaluation, no conclusion could be drawn on the general toxicity of several metabolites.

**Fenhexamid (215) R**

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

- Asparagus
- Pears
- Bulb onions, Subgroup Of

For asparagus, the EU recommends that as the residues were below the LOQ in all trials, the Codex MRL should be labelled with an asterisk to indicate that the MRL is at the LOQ.

**Quinoxifen (222) R**

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities pending the ongoing review of MRLs in the EU for certain non approved substances due to environmental issues of global nature, such as the accumulation of persistent, bio-accumulative and toxic substances in the environment:

- Cherries, Subgroup of (except Choke cherries)

**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:

- Guava
- Cranberry
- Cotton seed
- Tea, green, black (black, fermented and dried)

A chronic consumer risk has been identified for European consumers

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.

**Mandipropamid (231) R**

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

- Edible offal (mammalian)
- Lemons and Limes, Subgroup of
- Mammalian fats (except milk fats)
- Mandarins, Subgroup of
- Oranges, Sweet, Sour (including Orange- like hybrids), Subgroup of
- Pummelo and Grapefruits (including Shaddock- like hybrids, among other Grapefruit), Subgroup of

**Prothioconazole (232) 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:

- Edible offal (Mammalian), including liver and kidney of cattle, pigs, goat and sheep
- Eggs
- Linseed
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks
- Poultry, Edible offal of
- Poultry, fats
- Poultry meat
- Rape seed
- Rape seed oil, Edible
- Sunflower seeds, Subgroup of

The EU recommends that as the residues for meat and mammalian fats were below the LOQ in all trials, the Codex MRL should be labelled with an asterisk to indicate that the MRL is at the LOQ.

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 prothioconazole.

**Spinetoram (233) R**

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

- Tea, Green, Black (black, fermented and dried)

The data set supporting the MRL proposal for teas is not sufficient since the concentration of metabolites was not measured, but only estimated from metabolism studies in apples. In addition, an acute intake concern was identified for tea with exceedance of EU ARfD (181%).

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

- Pitaya



**Clothianidin (238) R**

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities pending the ongoing review of MRLs in the EU for certain non approved substances due to the contribution of these substances to the worldwide decline of pollinators:

- Barley
- Eggs
- Liver of cattle, goats, pigs & sheep
- Milks
- Oats
- Poultry, edible offal of
- Poultry fats
- Poultry meat
- Rice, husked
- Sorghum grain
- Sorgo or Sorghum, Sweet
- Sweet Corns, Subgroup of
- Triticale
- Wheat

**Fluopyram (243) R**

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

- Coffee beans

**Thiamethoxam (245) R**

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities pending the ongoing review of MRLs in the EU for certain non approved substances due to the contribution of these substances to the worldwide decline of pollinators:

- Barley
- Edible offal (mammalian)
- Eggs
- Japanese persimmon
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks
- Oats
- Poultry, edible offal of
- Poultry fats
- Poultry meat
- Rice, husked
- Sorghum grain
- Sorgo or Sorghum, Sweet
- Sweet Corns, Subgroup of
- Triticale
- Wheat

**Acetamiprid (246) R**

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities, pending the outcome of an ongoing evaluation concerning toxicological reference values and residue definitions in the EU:

- Tree nuts, Group of, except Pistachio nut
- Pistachio nut

**Sulfoxaflor (252) R**

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

- Asparagus
- Avocado
- Bush berries, Subgroup of
- Cane berries, Subgroup of
- Coffee beans
- Mango

The EU notes for coffee beans the crop analysed in the residue trials do not fully comply with the crop description on the Codex classification.

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

- Elderberry

An extrapolation from blueberries to elderberries is not foreseen in the Codex extrapolation rules. The EU understands that JMPR derived the proposed draft CXL for elderberries based on the scope of the underlying authorisation.

The EU notes that, since risk for honey bees can not be excluded, the authorised uses of sulfoxaflor are restricted to greenhouses uses only.

**Bixafen (262) R**

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

- Barley
- Cotton seeds
- Maize
- Peanut
- Pulses (except Soya bean (dry))
- Root and tuber vegetables
- Sorghum
- Soya bean (dry)
- Sunflower seed
- Sweet corn (corn on the cob) (kernels plus cob with husk removed)
- Wheat

For peanuts, the EU recommends that as the residues were below the LOQ in all trials, the Codex MRL should be labelled with an asterisk to indicate that the MRL is at the LOQ.

The EU notes that, in the dietary burden calculation the input value of 0.08 mg/kg was used instead of 0.33 mg/kg for barley. While it is not expected that the corrected dietary burden calculation would change the conclusion, the EU recommends JMPR to correct the value as to avoid the perpetration of the error.

**Fluensulfone (265) R**

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

- Pome fruits

The previous reservations of the EU are not addressed. 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

**Isoxaflutole (268) R**

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

- Soya beans

The EU notes that the EU residue definition for risk assessment also includes the metabolite RPA 203328.

**Trinexapac-ethyl (271) 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:

- Rye
- Rice

**Pendimethalin (292) R**

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

- Grapes
- Flowerhead Brassicas, Subgroup of
- Fruiting vegetables, other than Cucurbits, Group of
- Soya bean (dry)
- Wheat
- Rice
- Maize
- Sugar cane
- Sunflower Seed
- Parsley, leaves

The EU notes that the proposed CXLs of 0.01\* for flowerhead brassicas and sugar cane are based on trials analysed with different methods reaching LOQ of 0.01 and 0.05, thus there is not complete evidence that residues would be < 0.01\*.

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

- Leek

The Hungarian GAP assessed by JMPR is not correct as pendimethalin is only authorized in preemergence (< BBCH09). According to the Hungarian GAP, residues are expected < 0.05\*.

**Isoprothiolane (299) R/T**

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

- Bananas

The ongoing EU evaluation of the import tolerance application for bananas is pending of additional toxicological data

**Ethiprole (304) R**

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

- Soya bean (dry)

In a recent EU assessment, data gaps were identified concerning the clastogenic and aneugenic potential of RPA 112916. In addition, clarifications were requested on whether RPA097973 is covered by parent. These data gaps prevented setting EU toxicological reference values. In addition, a recent one generation developmental neurotoxicity study in mice might trigger lower reference values as the one proposed by JMPR. The EU invites JMPR to re-assess the established TRVs taking into consideration this new information.

**Fenpicoxamid (305) R**

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

- Edible offal (mammalian)
- Mammalian fats (except milk fats)
- Meat from mammals other than marine mammals
- Milks
- Rye
- Triticale
- Wheat

**Pydiflumetofen (309) R**

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

- Beans with pods, Subgroup of
- Bulb onions, Subgroup of
- Bush berries, Subgroup of
- Cherries, Subgroup of
- Citrus Fruit, Group of
- Cottonseed
- Edible offal (mammalian)
- Eggs
- Elderberry
- Flower head Brassicas, Subgroup of
- Green onions, Subgroup of
- Head Brassicas, Subgroup of
- Low growing berries, Subgroup of (except cranberries)
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks
- Peaches, Subgroup of
- Peas with pods, Subgroup of
- Plums, Subgroup of
- Pome fruit, Group of, except Persimmon, Japanese
- Poultry, Edible offal of
- Poultry fats
- Poultry meat
- Root vegetables, Subgroup of
- Sorghum Grain and Millet, Subgroup of, except grain sorghum
- Sorghum Grain
- Stem Brassicas,
- Subgroup of Succulent beans without pods, Subgroup of- Tree nuts, Group of
- Sunflower seeds, Subgroup of
- Underground immature beans and peas, Subgroup of

The approach taken to derive the MRLs for the following commodities :

- Bulb onions, Subgroup of
- Subgroup of Green onions,
- Subgroup of Head Brassicas,
- Root vegetables, Subgroup of
- Subgroup of Succulent beans without pods, Subgroup of
- Succulent peas without pods, Subgroup of
- Sunflower seeds, Subgroup of

is not fully in line with the OECD methodology for rotational crop studies.

The EU notes that an extrapolation from blueberries to elderberries is not foreseen in the Codex extrapolation rules. The EU understands that JMPR derived the proposed draft CXL for elderberries based on the scope of the underlying authorisation.

**Metconazole (313) 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:

- Wheat
- Triticale

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 metconazole.

**Flutianil (319) T/R**

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

- Apple
- Cherries, Subgroup of
- Small fruit vine climbing, Subgroup of

**Mefentrifluconazole (320) T****Pyrasulfotole (321) 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:

- Barley
- Edible offal (Mammalian)
- Eggs
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks
- Oats
- Poultry meat
- Poultry, Edible offal of
- Poultry fats
- Rye
- Sorghum Grain
- Triticale
- Wheat

**Pyraziflumid (322) /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:

- Apple
- Grapes
- Pear
- Persimmon, Japanese

**Spiropidion (323) 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:

- Cucumber
- Melons (except watermelon)
- Pumpkins
- Watermelon
- Winter squash
- Tomato
- Peppers, Subgroup of (except martynia, okra, roselle)
- Soya bean (dry)
- Potato
- Edible offal (mammalian)
- Mammalian fats (except milk fats)
- Meat (from mammals other than marine mammals)
- Milks
- Eggs
- Poultry meat
- Poultry, edible offal of
- Poultry fat

**Tetraniliprole (324) T**

**AGENDA ITEM 8****Coordination of work between CCPR and CCRVDF:  
Joint CCPR/CCRVDF Working Group on compounds for dual use  
- Status of work -*****Mixed Competence  
European Union Vote***

The European Union and its Member States (EUMS) would like to thank the Joint CCPR/CCRVDF Electronic Working Group (eWG) for the preparation of the document CX/PR 22/53/10.

The EUMS welcome the establishment of the eWG, recognising the importance of its potential role in facilitating and promoting the cooperation on cross-sectional issues between CCRVDF and CCPR.

The EUMS acknowledge that the recent cooperation between CCPR and CCRVDF has already proven useful in improving the harmonisation of definitions between the two Committees, as in the case of the definition of “Edible offal” agreed to by CCRVDF25 and adopted by the 44<sup>th</sup> Session of the Codex Alimentarius Commission (CAC44, 2021). The EUMS would value all additional efforts in improving the harmonisation of definitions and MRLs for dual use substances, as to facilitate the enforcement of the Codex standards at a global level.

The EUMS look forward to supporting the efforts of the eWG developing recommendations for CCRVDF and CCPR can further collaborate to facilitate the consideration of compounds with dual uses by both committees and the possible harmonization of MRLs.

**AGENDA ITEM 12****National registrations of pesticides*****Mixed Competence  
European Union Vote***

The European Union and its Member States (EUMS) would like to thank the Electronic Working Group (eWG) chaired Germany and co-chaired by Australia for the preparation of the discussion paper on the national registrations of pesticides.

The EUMS do not have further comments.

**AGENDA ITEM 13****Establishment of Codex Schedules and Priority Lists of Pesticides for Evaluation / Re-Evaluation by JMPR****Mixed Competence  
European Union Vote**

The European Union and its Member States (EUMS) would like to thank Australia for the preparation of the schedules and priority lists of pesticides as well as the work done to incorporate the requests from members and sponsors.

**a) General comments:**

According to the Codex Schedules and Priority Lists of Pesticides for Evaluation/Re-Evaluation by JMPR (for approval by Codex Alimentarius Commission) from 2017, 2018, 2019 and 2021 and the JMPR reports of 2018<sup>1</sup>, 2019<sup>2</sup> and 2021<sup>3</sup>, the following was observed.

Year	New compounds		New uses and other evaluations		Periodic reviews		Ratio (new compounds: new uses: periodic reviews) which were evaluated
	Planned (plus reserve)	Evaluated	Planned	Evaluated	Planned (plus reserve)	Evaluated	
2018 <sup>4</sup>	7 (+2)	8	20	19	5	2	4:9.5:1
2019 <sup>5</sup>	7 (+1)	8	14 (+3)/20*	16/19*	7	4	2:8.75:1
2021 <sup>6</sup>	6 (+5)	6	30 <sup>7</sup>	3/30*	6 (+2)	2	2:16.5:1

\* Extra JMPR Meetings

The EUMS notes that the balance between new compound evaluations and periodic reviews was 4:1 in 2018 and 2:1 in 2019 and 2021.

The EUMS recalls that in 2017<sup>8</sup> at the CCPR, the Committee agreed that the 8:5 ratio (new compound vs periodic review) would be maintained, i.e. should the need arise, replace an old compound with a reserve old compound and likewise a new compounds with a reserve new compounds. For new compounds, eight evaluations per year seems to be feasible whereas for periodic reviews even with the substances in reserve the minimum goal has not been achieved.

No clear solution to the increasing backlog of substances for periodic review is proposed. With the current system of 2-4 periodic reviews per year with around 200 pesticide compounds in the Codex system, there will be basically no improvement and the frequency of review would result in an average time between reviews of between 50-100 years (not yet taking into account that more new compounds are added every year).

The EUMS considers that such long periods between periodic reviews do not meet the requirements of the risk analysis principles, neither in terms of the 15- and 25-year rules for scheduling periodic reviews. The EUMS considers that the absence of an updated risk assessment for periods exceeding 15 years a concern in itself as scientific knowledge and data requirements have evolved to ensure consumer protection. The EUMS therefore calls on the CCPR to take concrete steps to shift the ratio further towards periodic reviews and to do this rapidly.

<sup>1</sup> [Pesticide Residues in Food 2018 Joint FAO/WHO Meeting Report](#)

<sup>2</sup> [Pesticide Residues in Food 2019 Joint FAO/WHO Meeting on Pesticides Residues](#)

<sup>3</sup> [Report 2021 Pesticide Residues in Food Joint FAO/WHO Meeting on Pesticide Residues](#)

<sup>4</sup> [Report of the 49th session of the Codex Committee on Residues, Appendix XIV](#)

<sup>5</sup> [Report of the 50th session of the Codex Committee on Residues, Appendix XIII](#)

<sup>6</sup> [Report of the 51st session of the Codex Committee on Residues, Appendix X](#)

<sup>7</sup> Initial proposal was to evaluate 20 substances and keep 10 in reserve but as the assessments were postponed to 2021, 8 additional substances were taken from the list "2021 new use-other".

<sup>8</sup> [Report of the 49th session of the Codex Committee on Residues](#)

**b) Specific comments:****B. FINALISING THE 2023 PROPOSED SCHEDULE****Paragraph 5 and 6**

The EUMS agree with the proposed schedule for new compounds and for new uses and other evaluations.

**Paragraph 7**

The EUMS support the five compounds that are listed for periodic review in 2023. The EUMS regret that not more substances had been listed for periodic review as only for permethrin (120), carbosulfan (145) and carbofuran (96) there is a preparedness for periodic review in 2023. For the rest of the substances the periodic review remains uncertain.

The EUMS have noticed that there have been cases where substances had been scheduled for periodic review, however the periodic review was then not completed as data was missing e.g. in case of ethoxyquin and guazatine. Further reserve substances should be added to be able to fill the gaps. The low number of listed substances does not solve the general problem with a steady increasing backlog of substances for which the last review was done more than 15 or 25 years ago (see also EU comments on CX/PR 22/53/13 – agenda item 11).

The EUMS regret that the re-evaluation for chlorpyrifos might be postponed again as already reiterated last year, based on the information available from the European Food Safety Authority serious human health concerns have been identified<sup>9</sup> and therefore a concern form on public health concerns was submitted by the EU on 13 March 2020.

The EUMS note a certain inconsistency between the industry's willingness to support enhancing the operational procedures to eliminate the backlog of evaluations on the one hand, including periodic reviews as expressed in the discussion paper prepared by CropLife International under agenda item 18, and the apparent lack of support to drive forward the periodic review process by submitting the appropriate data on the other hand.

**D. PRIORITY LISTS 2024 AND BEYOND – TABLE 2A****Paragraph 11**

The EUMS note with great concern, that 13 active substances were evaluated 25 years ago. In addition, there is no concrete proposal on how to handle these substances. Clear decisions on how to deal with substances for which data have not been submitted within a clearly defined timeframe are therefore needed urgently (see example on fenarimol below).

**G. PERIODIC REVIEWS (UNSUPPORTED COMPOUNDS)****Paragraph 14**

The EUMS are in favour of deleting compounds from the CCPR pesticides list that are no longer supported by a manufacturer and for which a public health concern has been identified. The withdrawal of the corresponding CXLs will reduce the number of substances for which a periodic review is needed. Therefore, the EUMS support the removal of related CXLs from the CCPR pesticides list for amitraz PHC (122), fenbutatin oxide (109), carbaryl (8, reviewed JMPR 2019), 2-phenylphenol (56), dinocap (87), methamidophos (100), bitertanol (144) and terbufos (167).

The EUMS note that fenarimol was mentioned already in 2018 in the document CX/PR 18/50/13, i.e. the substance is now on the agenda for the fourth time without any decision. Within this time frame a sponsor would have been able to perform missing studies within the 4-years-rule.

The EUMS consider that maintaining CXLs that are not supported by submission of toxicology, residue and other relevant data, violates the requirements laid down in the Risk Analysis Principles applied by the Codex Committee on Pesticide Residues. The EUMS acknowledge the work on a discussion paper concerning the management of unsupported compounds. Nevertheless, the respective discussion should not jeopardise or counteract the aim to perform a periodic re-evaluation of active substances as required. An extension of the period in case an existing evaluation will be outdated, i.e. beyond 25 years, is not acceptable.

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<sup>9</sup> [EFSA Statement on the available outcomes of the human health assessment in the context of the pesticides peer review of the active substance chlorpyrifos \(EFSA Journal 2019;17\(5\):5809\)](#)



**AGENDA ITEM 15****Discussion Paper on monitoring the purity and stability of certified reference material of multi-class pesticides during prolonged storage****European Union Competence  
European Union Vote**

The European Union (EU) would like to thank the Electronic Working Group (eWG) on the Guidelines for monitoring the Purity and Stability of Certified Reference Materials (CRMs) of pesticides chaired by India and co-chaired by Argentina and Iran for the preparation of the Discussion Paper with reference CX/PR 22/53/17.

**General Comment**

With reference to the considerations provided in Appendix I of Discussion Paper, the EU acknowledges the need and the purpose of the work on the Guidelines for monitoring the purity and stability of CRMs of pesticides beyond their expiry date, as a means to contribute to analytical cost reductions and to facilitate the work of analytical laboratories.

The EU welcomes and supports the development of this Discussion Paper and appreciates the opportunity to provide comments both on its Appendix I regarding the *'Proposal for new work on the Guidelines for monitoring the Purity and Stability of CRMs of pesticides during prolonged storage'* and on its Appendix II containing information on the monitoring of the purity and stability of CRMs of pesticides during prolonged storage, as below:

**Detailed Comments****Comment 1:**

The title of the Discussion Paper CX/PR 22/53/17 coincides with the title of its Appendix II. They are both entitled "Discussion Paper on Monitoring the Purity and Stability of CRMs of pesticides during prolonged storage". For reasons of clarity, the EU suggests changing the title of Appendix II to "Technical Information on Monitoring the Purity and Stability of CRMs of pesticides during prolonged storage".

**Comment 2:**

Appendix I, paragraph 2, sentence 1: the EU suggests modifying the sentence "The importing countries sometimes create non-tariff barriers by lowering maximum residue limits (MRLs) of a particular pesticide on a particular food commodity" as follows: "Differences in Maximum Residue Levels (MRLs) of a particular pesticide on a particular food commodity among countries around the world creates trade barriers". Alternatively, the sentence can be deleted, as the lowering of the MRLs is not relevant with the scope of the document.

**Comment 3:**

Appendix I, paragraph 2, sentence 2: the EU suggests modifying the sentence "For generating true and authentic pesticide residue data, validated analytical protocols and CRMs are of the utmost importance for qualitative and quantitative determination of pesticide residues in foods" as follows: "Validated analytical protocols and CRMs are of the utmost importance for qualitative and quantitative determination of pesticide residues in foods". It is not defined in the document what is "true and authentic" pesticide residue data.

**Comment 4:**

Appendix I, paragraph 2, sentence 1: Regarding the mentioning of "Recent studies", the EU suggests that the authors include references to supporting literature.

**Comment 5:**

Appendix I, paragraph 3, sentence 1: The new work on the Guidelines do not and should not intend to "establish the purity and stability of CRMs" as this is verified by an accredited reference material supplier. Therefore, the EU suggests removing the word "establish" from this sentence.

**Comment 6:**

Appendix I, paragraph 4.2.1, sentence 2: The paragraph mentions the prioritisation of work between its various sections referring to Sections 1 and 2. However, those sections 1 and 2 are not found further in the document and, therefore, the EU suggests clarifying this point.

**Comment 7:**

Appendix II, paragraph 14, sentence 1: the EU suggests modifying the sentence “Commercial suppliers of pesticide standards sell CRM standards with limited expiry dates” as follows: “Commercial suppliers of pesticide standards sell some of their CRM standards with limited expiry dates”. The original sentence implies intent on the part of the companies and we believe it should not be in an official document. Furthermore, it is not accurate, as that is not the case of all CRM standards.

**Comment 8:**

Appendix II, paragraph 9, sentence 5: the EU proposes modifying the sentence as follows: “For expired CRMs, it is pre-requisite to verify the stability for subsequent use to ensure reliable analytical results”. For the subsequent use of expired CRMs it is not a pre-requisite to re-verify both their purity and stability as mentioned in the original sentence, but only their stability, because the purity is inherent in the stability.

**Comment 9:**

Appendix II, paragraph 12: the EU suggests deleting this paragraph. Verification of the purity of CRMs by participation in proficiency tests is not an appropriate approach. At most, questionable or unacceptable z-scores might indicate problems with the analytical standard solutions, but not necessarily related to the purity of the CRM. Furthermore, elements are not comparable to pesticides. The reference “Cunningham and Capar, 2014” is not in the list of references.

**Comment 10:**

Appendix II, paragraph 17: the EU suggests deleting this paragraph. The text is a summary of a scientific publication.

**Comment 11:**

Appendix II, paragraphs 19 and 20: the EU suggests deleting those paragraphs and including them as references a concluding paragraph, as the current text is a summary of different scientific works.

**Comment 12:**

Appendix II, paragraph 20: the EU suggests clarifying throughout the document that stock solutions prepared in the lab by solving CRMs cannot be considered CRMs if they are not prepared by an accredited reference material producer (ISO 17034).

**Comment 13:**

Appendix II, Reference 2: the EU suggests modifying the text to include the link to the document of the reference and not only to the National Measurement Institute. The link to the National Measurement Institute is not correct. However, even with the right one, it was not possible to find Reference 2: “Armishaw P (2016) Certified reference materials –A path to traceable chemical measurements. Department of Industry, Innovation and Science, National Measurement Institute, 5 May 2016, 1–26. <https://www.easurement.gov.au> [Accessed 24 Oct 2018]”.

**AGENDA ITEM 16****Discussion paper on mitigation of trade impacts associated with the use of environmental inhibitors in agriculture*****Mixed Competence  
European Union Vote***

The European Union and its Member States (EUMS) would like to thank New Zealand and Australia for preparing the discussion paper on mitigation of trade impacts associated with the use of environmental inhibitors in agriculture.

The EUMS are of the opinion that the definition of 'environmental inhibitors' should be further clarified before any recommendations can be made. The target effect and related impact are different depending on whether the product applies onto pasture or crops or is administered directly to animals. Depending on the application type, different legal frameworks, including the rules on fertilisers, may apply in Europe as well as in other parts of the world and various Codex Committees might be relevant.

Finally, the EUMS would like to note that any recommendations must be in line with the Terms of Reference of the CCPR.

**AGENDA ITEM 17****Discussion paper on a modification of the portion of commodities to which Codex maximum residue limits apply and which is analyzed  
Group 14 (assorted fruits – inedible peel)  
(CXG 41-1993)*****European Union Competence  
European Union Vote***

The European Union (EU) would like to thank Ecuador for the preparation of the discussion paper on a modification of the portion of commodities to which Codex Maximum Residue Limits apply and which is analysed Group 14 (assorted fruits - inedible peel) (CXG 41-1993), to exclude inedible skin from the laboratory MRL determination portion of the analysis.

**General comments:**

The EU does not support the proposal to modify CXG 41-1993 to exclude inedible skin from the portion that is analysed by the control laboratories for the fruits of “Group 14 - assorted fruits - inedible peel” (avocados, passion fruit, bananas, pineapple, kiwi fruit, mangoes, papayas, guavas) (Group 006 in Codex classification and Group 14 in CXG 41-1993). Such a proposal is inconsistent with the Codex Classification itself. The Codex Classification for Group 006 clearly states that the analysis is to be performed on the commodity moving in trade, which is the whole fruit. This is in line with the first sentence in the introduction to CXG 41-1993 that reads “Codex Maximum Residue Limits are in most cases stated in terms of a specific whole raw agricultural commodity as it moves in international trade.” This is the basis of the whole approach used in the revision of the Codex classification, like for citrus fruits (Group 001 in Codex classification and Group 9 in CXG 41-1993) or Fruiting vegetables, Cucurbits (Group 011 in Codex classification and Group 7 in CXG 41-1993).

The EU considers that this proposal of modifying the portion of fruit to which the MRL applies to the fruit without peel could lead to a situation where misuse can then no longer be detected. Residue levels from residue trials supporting the GAPs assessed by JMPR are analysed with peel to set CXLs. Not analysing with peel would mean comparing a result based on the edible portion with the MRL that was established based on the commodity with peel. Additionally, checking of commodities for compliance with authorised uses would become impossible. The current system is established in a way that allows to check for compliance with the established MRL by comparing the residues of the crop with peel to the MRL established on “with peel” basis.

With the MRL for the product in trade, a control of residues based on Good Agricultural Practice is possible. The EU wants to recall that the MRL is the first step in the consumer exposure estimation using the TMDI. Afterwards in the IEDI calculation and the IESTI calculations the edible portion is considered in the consumer exposure estimation. This system allows for the most accurate and refined estimation of consumer exposure by taking into account the edible portion of a crop, e.g., by using e.g., peeling factors or using data on residues in the edible portion (if available).

**Specific Comments:**

Paragraph 7: the EU does not agree with the statement that the peel is removed and not consumed as a general fact. This is not true for all parts of world. At least for kiwi fruits and bananas the consumption of the peel is known. On the contrary, according to our knowledge, there is currently a tendency / trend to eat fruits and vegetables as a whole respectively to use all parts in dishes or drinks.

Paragraphs 9 & 14: the EU does not agree with this statement which is factually not correct. The EU is also a producer and exporter of fruits from the group (Group 006 in Codex classification and Group 14 in CXG 41-1993). For example, according to FAOSTAT, in 2019, the EU accounted for 17% of the worldwide production areas of kiwis (44 120 Ha). The CCEURO region is missing from table 1, so that it does not show the full picture of production areas worldwide.

Paragraph 16: the EU does not agree with this statement which is factually not correct. The current CXLs related to Group 006 in Codex classification and Group 14 in CXG 41-1993 have been established according to the CAC / GL 41-1993, i.e., on the whole fruit, not based on the edible part. This is noted and current practice in the JMPR reports (examples from the [2018 report](#): fenpicoxamid in bananas, pyriproxyfen in papayas, chlorfenapyr in papayas, fludioxonil in avocados, cyantraniliprole in mangoes, pyraclostrobin in pineapples). Residues in the edible part can nevertheless be used for dietary exposure assessment purposes.

**AGENDA ITEM 18****Enhancing operational procedures of JMPR and CCPR to eliminate the backlog of evaluations and meet the future demand of establishment CXLs)*****European Union Competence  
European Union Vote***

The European Union (EU) would like to thank CropLife International for preparing the discussion paper.

The EU agrees with the problems described in the discussion paper. The EU acknowledges that there are many challenges that need to be solved and there is no single solution that can solve all the problems immediately. Therefore the EU supports further discussions on possible solutions and their practical implementation, in particular with a view to substantially decreasing the backlog of periodic reviews and addressing the possible higher demand of establishment of CXLs for new substances and uses in the future.

The EU supports the establishment of an Electronic Working Group (eWG). Within this eWG, all proposals made to resolve the backlog of evaluations should be collected. As a next step, the advantages and disadvantages of all proposals should be highlighted and the proposals should be ranked. After adoption of the document, the results should be brought to the attention of FAO and WHO.

**ADDITIONAL COMMENTS PROVIDED BY EU**  
**(July 2022)**

**AGENDA ITEMS 5(b) AND 6: Other comments**

### **QUINOXYFEN**

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities pending the ongoing review of MRLs in the EU for certain non approved substances due to environmental issues of global nature, such as the accumulation of persistent, bio-accumulative and toxic substances in the environment.

- Cherries, Subgroup of (except Choke cherries)

- As explained in the introduction, and 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 quinoxifen, this relates to its persistence, bioaccumulation and toxicity in the environment
- In addition, the European Union would be in favour of utilising the normal procedure instead of the accelerated one for this draft MRL. This means advancing to Step 5 instead of Step 5/8. It would allow the delegations sufficient time to reflect and exchange views on these (environmental) concerns and how they could impact decisions in this Committee.

### **CLOTHIANIDIN**

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities pending the ongoing review of MRLs in the EU for certain non approved substances due to the contribution of these substances to the worldwide decline of pollinators:

- |  |                            |
|--|----------------------------|
| - Barley                               | - Poultry meat             |
| - Eggs                                 | - Rice, husked             |
| - Liver of cattle, goats, pigs & sheep | - Sorghum grain            |
| - Milks                                | - Sorgho or Sorghum, Sweet |
| - Oats                                 | - Sweet Corns, Subgroup of |
| - Poultry, edible offal of             | - Triticale                |
| - Poultry fats                         | - Wheat                    |

- As explained in the introduction, and 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 the contribution of the two substances to the worldwide decline of pollinators.
- In addition, the European Union would be in favour of utilising the normal procedure instead of the accelerated one for this draft MRL. This means advancing to Step 5 instead of Step 5/8. It would allow the delegations sufficient time to reflect and exchange views on these (environmental) concerns and how they could impact decisions in this Committee.

### **THIAMETHOXAM**

The EU introduces a reservation to the advancement of the proposed draft MRLs for the following commodities pending the ongoing review of MRLs in the EU for certain non approved substances due to the contribution of these substances to the worldwide decline of pollinators:

- |   |                            |
|---|----------------------------|
| - Barley  | - Poultry, edible offal of |
| - Edible offal (mammalian)                      | - Poultry fats             |
| - Eggs  | - Poultry meat             |
| - Japanese persimmon                            | - Rice, husked             |
| - Mammalian fats (except milk fats)             | - Sorghum grain            |
| - Meat (from mammals other than marine mammals) | - Sorgho or Sorghum, Sweet |
| - Milks   | - Sweet Corns, Subgroup of |
| - Oats  | - Triticale                |
|   | - Wheat                    |

- As explained in the introduction, and 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 the contribution of the two substances to the worldwide decline of pollinators.
- In addition, the European Union would be in favour of utilising the normal procedure instead of the accelerated one for this draft MRL. This means advancing to Step 5 instead of Step 5/8. It would allow the delegations sufficient time to reflect and exchange views on these (environmental) concerns and how they could impact decisions in this Committee.

#### **Agenda Item 17 and CRD 05**

#### **Proposal for a modification of the portion of the commodity to which maximum residue limits apply and which is analysed for fruits with inedible peel**

- ***European Union Competence***  
***European Union Vote***

- The European Union (EU) would like to thank Ecuador for the preparation of the CRD05 which builds on CX/PR 22/53/19.
- The EU's view is that the Guidelines on Portion of Commodities to which MRLs apply, and which is analysed (CXG 41-1993 amended 2010) should be implemented the Classification of Food and Feed (CXA 4-1989 and its revision 2017) and that any risk for confusion should be avoided in the qualification of the product to which the MRL applies, and which is analysed.
- The EU notes that the only difference between the current texts in these two documents is that the portion for bananas is specified in CXG 41-1993 as "after removal of crown tissues and stalks", while it is not specified in CXA 4-1989 which only mentions bananas as an example "Whole fruit unless qualified: e.g., banana pulp".
- Therefore, the EU supports that this matter could be considered by the Working Group on the Revision of the Classification of Food and Feed to reflect on whether this specific part of the text in CXA 4-1989 should be amended to align precisely with CXG 41-1993, i.e., "Whole commodity unless qualified. Pineapples: after removal of crown. Avocado and mangoes: whole commodity after removal of stone but calculated on whole fruit. Bananas: after removal of crown tissues and stalks."
- With regards to the rest of the proposal to modify CXG 41-1993 to exclude inedible skin from the portion to which the MRL applies, and which is analysed for the fruits of Group 14 in CXG 41-1993, the EU does not support the proposal to re-open current versions of CXG 41-1993 and CXA 4-1989; and the EU position remains as explained in CRD 13.