EUROPEAN COMMUNITY COMMENTS

Agenda item 5  Draft Standards and Related Texts at Step 8 of the Procedure (including those submitted at Step 5 with a recommendation to omit Steps 6 and 7 and those submitted at Step 5 of the Accelerated Procedure)

Agenda item 5 - Part 1 – Standards and related Texts submitted for adoption at Step 8, at Step 5 of the Accelerated Procedure and Step 5/8

1- CCFH: Draft Code of Hygienic Practice for Eggs and Egg Products

European Community Competence

European Community Vote

ALINORM 07/30/13 Appendix II

EC position: In favour of adoption. At the 38th session of the Codex Committee on Food Hygiene, the European Community (EC) expressed a reservation in relation to the addition of the word "significantly" in the definition of table eggs. The EC can now lift this reservation as it was clarified in the meantime that the General Standard for the Labelling of Prepackaged Foods already includes the provision according to which any treatment applied to the food has to be indicated on the label (section 4.1.2).

2- CCPR: Draft Maximum Residue Limits for Pesticides

European Community Competence

European Community Vote

ALINORM 07/30/24 Appendix II

EC position:

- Methomyl (94): The EC is in favour of the adoption of the proposed MRL.
**Indoxacarb (216):** The EC opposes to the advancement of the proposed maximum levels for Indoxacarb (216) in Lettuce, Leaf, Milk fats and Milks. Due to differences in ADIs between JMPR (0.01 mg/kg bw/day) and the EC (0.006 mg/kg bw/day), the EC opposes the advancement of the MRLs because of the exceedance of the ADI of 131% for adults and 186% for toddlers according to the UK diet. Lettuce and milk contributes a lot to the exceedance of the ADI (lettuce, toddler 94%; milk infants 78%).

3- **CCPR: Proposed draft Maximum Residue Limits for Pesticides**

*European Community Competence*

*European Community Vote*

ALINORM 07/30/24 Appendix III

**EC position:**

- **Endosulfan (32):** The EC maintains its reservation for Cucumber and Melons, except watermelon. The NESTI (National Estimated Short Term Intake) for melons which has been evaluated according to the UK diet (4-6 years old child) is 125% of the ARfD.

- **Pirimicarb (101):** The EC maintains its reservation for stone fruit group as a whole based on the MRLs proposed (intake concerns for peaches).

- **Propamocarb (148):** The EC maintains its reservation for Lettuce- Head, Lettuce-Leaf and Spinach. The EC does not support the MRLs as they are based on less than the minimum number of residue trials.

- **Fenpropathrin (185):** The EC maintains its reservation for Tea (Green and Black). In view of the toxicological properties of fenpropathrin, the EC is of the opinion that an ARfD must be established.

- **Pyraclostrobin (210):** The EC maintains its reservation for Stone fruits. According to the use of conservative variability factors of 7 or 5, an ARfD of 0.03 mg/kg bw and the German VELS model for a 2 to < 5 years old child, the ARfD is exceeded for peaches (125%).

- **Boscalid (221):** According to the recommendations of the JMPR report of 2006, the following two entries are missing in the report of the 39 session of the CCPR (EN version):

  - Except for strawberry and grapes
  - Except pistachios
Therefore, the text should be corrected as follows (additions in bold):

FB 0018 Berries and other small fruits (except strawberry and grapes) 10 mg/Kg 5/8

TN 0085 Tree nuts (except pistachio) 0.05 mg/Kg (*) 5/8

**Agenda Item 6 - Proposed Draft Standards and Related Texts Submitted at Step 5**

4- CCPR Proposed draft MRLs for pesticides

*European Community Competence*

*European Community Vote*

ALINORM 07/30/24, paras 44-136 and Appendix IV

**EC position:**

- **Endosulfan (32):** The EC maintains its reservation for broccoli, celery, cherries and tomatoes as JMPR stated that the NESTI (National Estimated Short Term Intake) exceeds the ARfD for broccoli, celery, cherries and tomatoes.

**Agenda item 13   Matters arising from the Reports of Codex Committees and Task Forces**

5- CCS: Codex Standard for Sugars: Consideration of the Methods for the Determination of Colour in Plantation and Mill White Sugar

*Mixed Competence*

*European Community Vote*

**EC position:**

The ECMS support the CCS recommendation that Method GS9/1/2/3-8 (2005) should be applied to the determination of colour for all sugars covered by the Standard including plantation or mill white sugar (PMWS).
The recommendation concerning the possibility to continue to apply method GS2/3-10 (2005) for colour determination of white sugars with a maximum colour of 50 IU as a simpler and more environmentally friendly alternative method at national or regional level should be submitted to CCMAS for its consideration.

6- CCGP 24: Procedures for the Elaboration of Codex Standards and Related Texts

Mixed Competence

Member States Vote

EC position: The ECMS would not object further discussion at CCGP level of the item "Reference to decisions taken by consensus, including a definition of that term", but are of the opinion that no further discussion is necessary on the "Need to take into account the situation of developing countries" and on the "Scope of the Critical Review by the Executive Committee".

7- CCPR 39: Enforcement of Codex MRLs at the national level

Mixed Competence

European Community Vote

EC position: The European Community and its Member States (ECMS) appreciate that such a discussion paper has been prepared and acknowledge the importance of this issue due to the problems arising in international trade as a consequence of the existence of different MRLs in distinct parts of the world. When EU MRLs are set, Codex MRLs are always taken into consideration. When it is possible to take over the Codex values, because there is no risk for the European consumer, then the Codex values are automatically set as EU MRLs. When the Codex value cannot be taken as an EU MRL, the EC through the SPS system notifies to its WTO partners the reasons for not accepting the Codex value.

The ECMS are of the view that the acceptance of Codex Standards is not only a matter of pesticide MRLs but concerns all Codex Standards and related texts. This issue has already been extensively discussed by the Codex Committee on General Principles. Furthermore, the ECMS are of the opinion that CCPR is not the right forum to discuss such an issue as its Terms of Reference do not cover it. Sanitary and Phytosanitary (SPS) measures which may affect international trade, such as different MRLs, should be raised in the framework of the SPS Agreement.