European Union comments for the

CODEX COMMITTEE ON PESTICIDE RESIDUES
43rd Session

Beijing, China, 4 – 9 April 2011

Agenda Item 4 a)

Report on Items of General Consideration by the 2010 JMPR

(Section 2)

Mixed Competence
European Union Vote

The European Union and its Member States (EUMS) would like to submit the following comments:

2.1. Consideration regarding JMPR capacity and resources

No comments on this item.

2.2. Dietary risk assessments conducted by the JMPR: need for appropriate consumption data for further method development

The EUMS welcome the proposal of JMPR to promote the discussions on the methodology to perform the short-term dietary intake of pesticides, including a characterisation of uncertainties, taking into account the problems encountered in the past, in particular with regard to the experiences in risk communication. In this respect the recommendation on a consultation is supported.

2.3 The needs of JMPR concerning food consumption data: Update on the activities of the GEMS/Food programme

The EUMS support the view of JMPR that it is of utmost importance to base the consumer risk assessment on the best available data. Therefore, an update of food consumption data to be used in short term dietary intake assessment is needed.

2.4 Information on the use of pesticides required for the estimation of residue levels in minor crops

The EUMS agree that the setting of group maximum residue levels for plant commodities (instead of setting individual MRLs for individual commodities) to overcome the problems of lacking studies for minor and very minor crops is an appropriate approach.
The EUMS agree that the basic precondition is that GAPs for minor crops are submitted and that the GAPs for minor crops are comparable with the GAP for major crops. The EUMS would recommend defining the term “minor crop” to have a common understanding which crops are concerned.

However, the setting of group tolerances should not be promoted if data sets for individual crops belonging to the same crop group would allow setting of individual MRLs for these crops. Regarding the example 1 elaborated in the JMPR report the EUMS would propose to establish separate MRLs for cranberries (0.01 mg/kg), strawberries (0.5 mg/kg) grapes (0.4 mg/kg), because the GAPs are significantly different. For blueberries and cranberries a group tolerance could be derived (0.4 mg/kg) for these and related crops.

The EUMS are not in favour of extrapolating the highest MRL derived for the subgroup with the most critical residue situation to the whole crop group. The EUMS would recommend elaborating clear extrapolation rules. At EU level the system of extrapolation is well elaborated. The EUMS will be pleased to inform the CCPR about the system in place (http://ec.europa.eu/food/plant/protection/resources/publications_en.htm).

2.5 Principles and guidance on the selection of representative crops for the extrapolation of MRLs.

The EUMS support the initiative to establish clear rules for extrapolations. This is an important element to establish MRLs for crops which are not sufficiently supported by residue trials. Further comments are provided under agenda item 8.

2.6 Statistical calculation of MRLs

The EUMS share the view of the JMPR that the OECD MRL calculator is a valuable tool supporting the experts in deriving MRL proposals. However, it is also noted that expert judgement is important, in particular in cases where the number of trials data is limited and the residue trials do not fully reflect the critical GAPs.

Calculations made by EFSA and several EU Member States show that using the calculator leads in many cases to slightly higher MRLs than when using the current EU methodology. In the cases where there is a wide discrepancy, in particular with small datasets, other methods than the calculator should be considered.

2.7 Appropriate value from replicate samples from a supervised field trial for use in statistical calculation of the MRL estimate

The EUMS agree that the average of replicate field samples should be used to derive the MRL proposal because this value is more representative for the treated lots than just the highest value.

2.8 The application of proportionality in selecting data for MRL estimation

The proportionality concept was based on the investigation of the effect of the application rates on the residue levels from trials where crops were treated in side-by-side trials with application rate or spray concentration being the only parameter varied. Further comments are provided under agenda item 6.
2.9 Further consideration of expert judgement in evaluating residue trials

The EUMS note that a new approach is proposed for the prediction of pesticide residue concentrations in food and feed commodities from foliar-treated crops that can be used mainly in situations where a limited number of trials are available. The EUMS are of the opinion that further investigations are necessary, before the proposal can be used routinely. In addition, the EUMS believe that the MRLs estimates cannot solely be based on statistical approaches and these should contribute only as a part of the expert judgement.

2.10 Use of the OECD Feed table

With view to global harmonisation of MRLs for animal commodities the use of agreed feeding tables for the calculation of dietary burden of livestock is indispensable. The OECD feed table are the most updated collection of feed consumption and are therefore considered a good starting point.

The proposed modifications in the OECD feed table are acceptable because they increase the clarity of the allocation of crops to the relevant crop groups.

The EUMS would like to take the opportunity to highlight some discrepancies in the feeding table included in the FAO manual (Appendix IX.2, 3, and 4) with the feeding tables included in the OECD guidance document (ENV/JM/MONO(2009)31. In the 5th column (Residue Level) OECD recommends to use the STMR values for the group of cereal grains/crops seeds, whereas in the FAO manual for these feed items the HR is recommended.

2.11 Training of scientists from developing countries for the establishment of pesticide Maximum residue levels in foods and assessment of the risk from dietary intake of residues.

The EUMS attach great importance to training activities and in particular for developing countries in order to get them fully involved in the international MRL setting process. For this purpose the EU has mainly two ongoing programmes:

- "Better Training for Safer Food" (BTSF) is a European Commission initiative aimed at organising a EU training strategy in the areas of food law, feed law, animal health and animal welfare rules, as well as plant health rules. There are currently some activities ongoing in the field of pesticides. On the new European Commission website www.btsf.eu interested parties can find the calendar of upcoming training sessions.

- "Pesticide Initiative Programme" (PIP) – is a programme financed by the European Development Fund to promote the horticulture trade in African, Caribbean and Pacific countries (ACP) especially with the European Union and to enhance its competitiveness. One of its main objectives is to facilitate market access to the EU through demonstrating compliance with the regulatory and commercial requirements of international trade, especially those concerning sanitary and phytosanitary (SPS) issues. More information can be found on the website: http://www.coleacp.org/en/page/12005-our-objectives