

**European Union comments on  
Codex Circular Letter CL 2015/13-PR**

**PART A – MATTERS FOR ADOPTION BY THE 38<sup>TH</sup> SESSION OF THE  
CODEX ALIMENTARIUS COMMISSION**

**Proposed Draft Standards and Related Texts at Steps 5 or 5/8 of the  
Procedure**

*European Union Competence*

*European Union Vote*

**1. Proposed draft maximum residue limits for pesticides at Step 5/8 (with omission of Steps 6/7) (para 118, Appendix III)**

The EU supports the adoption of all the proposed draft MRLs in Appendix III of REP 15/PR with the exception of the draft MRLs for the substances/commodities below for which the EU requests that its reservations are included in the report of CAC 38.

The EU has a policy in place whereby EU MRLs will be aligned with Codex MRLs if three conditions are fulfilled: (1) that the EU sets MRLs for the commodity under consideration, (2) that the current EU MRL is lower than the CXL, and (3) that the CXL is acceptable to the EU with respect to areas such as consumer protection, supporting data, and extrapolations. Reservations address the cases where the EU considers the third criterion not to be met, with the aim of increasing transparency and predictability regarding the impact of the work of the Codex Alimentarius Commission on EU legislation.

**DITHIOCARBAMATES (105):** The EU does not support the adoption of proposed draft MRL for cumin seed because the dietary risk assessment was not based on the worst case.

**TRIFORINE (116):** The EU does not support the adoption of all the proposed draft MRLs because of concerns on the residue definitions.

**PROPAMOCARB (148):** The EU does not support the adoption of proposed draft MRLs for eggs; poultry fats; poultry meat; poultry, edible offal of; and leek; because of the different residue definitions (poultry commodities), and an acute intake risk (leeks) because of the lower ARfD established in the EU.

**BUPROFEZIN (173):** The EU does not support the adoption of the proposed draft MRL for coffee beans because of the potential formation of toxicologically relevant degradation products during coffee processing.

**MYCLOBUTANIL (181):** The EU does not support the adoption of proposed draft MRLs for peaches (including nectarine and apricots) due to different policies on extrapolation used by JMPR and in the EU, and for peppers due to different policies on data requirements applied by JMPR and the EU.

**FENPROPATHRIN (185):** The EU does not support the adoption of proposed draft MRLs for citrus fruits; coffee beans; edible offal (mammalians); eggs; mammalian fats (except milk fats); meat (from mammals other than marine mammals); milks; plums; peppers; poultry fats; poultry meat; poultry, edible offal of; soya bean (dry);strawberry; tea, green, black, (black fermented and dried); tomato; tree nuts due to the lack of data on the technical specifications of the active substance used to derive the reference values and the residue definition; and for peppers and tomatoes due to acute intake concerns.

**PYRACLOSTROBIN (210):** The EU does not support the adoption of the proposed draft MRL for apricots due to the different extrapolation policies followed by the EU and the JMPR.

**DIMETHOMORPH (225):** The EU does not support the adoption of proposed draft MRL for fruiting vegetables other than cucurbits because of different extrapolation policies used by the JMPR and in the EU.

**PROTHIOCONAZOLE (232):** The EU does not support the adoption of proposed draft MRLs for bush berries and fruiting vegetables, cucurbits (except watermelon) because of the differing residue definitions and ARfDs used by the JMPR and established in the EU.

**EMAMECTIN BENZOATE (247):** The EU does not support the end-points used to derive the new ARfD of 0.02 mg/kg body weight.

**SULFOXAFLOLOR (252):** The EU does not support the adoption of all the proposed draft MRLs because the evaluation of Sulfoxaflor is still ongoing in the EU.

**BENZOVINDIFLUPYR (261):** The EU does not support the adoption of all the proposed draft MRLs because the evaluation of Benzovindiflupyr is still ongoing in the EU.

**FENAMIDONE (264):** The EU does not support the adoption of proposed draft MRLs for flowerhead brassicas and fruiting vegetables other than cucurbits (except chili pepper, fungi, sweet corn) due to differing extrapolation rules applied in the EU and by the JMPR.

**FLUENSULFONE (265):** The EU does not support the adoption of proposed draft MRLs for fruiting vegetables, cucurbits; and fruiting vegetables, other than cucurbits (except sweet corn and mushrooms) because of concerns on the available data for assessment of certain metabolites, and the use of the TTC approach, a methodology still under review in the EU.

**AMINOCYCLOPYRACHLOR (272):** The EU does not support the adoption of proposed draft MRLs for edible offal (mammalian); mammalian fats (except milk fats); meat (from mammals other than marine mammals); and milks due to questions over potential genotoxicity and metabolism for the metabolite CPCA.

**DICHLORBENIL (274):** The EU does not support the adoption of proposed draft MRLs for brassica (cole or cabbage) vegetables, head cabbage, flowerhead brassicas; cane berries; celery; cereal grains; fruiting vegetables, cucurbits; fruiting vegetables, other than cucurbits (except sweet corn and mushrooms); grapes; leafy vegetables; mammalian fats (except milk fats); meat (from mammals other than marine mammals); milks; onion, bulb; onion, welsh; pulses; edible offal (mammalian); eggs; poultry, edible offal of; poultry fats and poultry meat; because of the approaches used when considering the significance of the 2,6-dichlorobenzamide in soil (rotational crops) and in livestock, and the use of the poultry metabolism study to derive MRLs for poultry commodities.

**FLUFENOXURON (275):** The EU does not support the adoption of all the proposed draft MRLs because of concerns on the residue definitions in plant and animal commodities, the lack of a dietary burden calculation and the possible presence of the degradate Reg. No 4064702 in tea infusions.

**MESOTRIONE (277):** The EU does not support the adoption of proposed draft MRLs for asparagus; bush berries; cane berries; cranberry; edible offal (mammalian); eggs; meats (from mammals other than marine mammals); milks; okra; poultry, edible offal of; poultry meat; rhubarb and sugar cane due to different residue definitions established by JMPR and the EU.

## **2. Proposed draft maximum residue limits for pesticides at Step 5 (para 118, Appendix IV)**

The EU does not support the adoption of all the proposed draft MRLs in Appendix IV of REP 15/PR and requests that its reservations are included in the report of CAC 38.

The EU has a policy in place whereby EU MRLs will be aligned with Codex MRLs if three conditions are fulfilled: (1) that the EU sets MRLs for the commodity under consideration, (2) that the current EU MRL is lower than the CXL, and (3) that the CXL is acceptable to the EU with respect to areas such as consumer protection, supporting data, and extrapolations. Reservations address the cases where the EU considers the third criterion not to be met, with the aim of increasing transparency and predictability regarding the impact of the work of the Codex Alimentarius Commission on EU legislation.

**FENPROPATHRIN (185):** The EU does not support the adoption of proposed draft MRLs for cherries; peaches (including nectarine and apricots); and pome fruit due to the lack of data on the technical specifications of the active substance used to derive the reference values and the residue definition and due to acute intake concerns.