



Delegate's Report, 41st Session, Codex Committee on Pesticide Residues

Introduction

The [Codex Committee on Pesticide Residues \(CCPR\)](#) held the 41st Session in Beijing, China, from April 20-25, 2009. Professor Zongmao Chen served as Chair, assisted by Dr. Qiao Xiongwu, as Vice Chair. The Session was attended by 246 delegates representing 71 member countries, 1 member organization, and 10 international organizations. The U.S. Delegation was chaired by Ms. Lois Rossi of EPA, and the co-chair was Dr. Robert Epstein of USDA.

The following summarizes issues of particular interest to the U.S. Delegation. Complete details of the 41st Session may be found on the Codex Alimentarius web site at: www.codexalimentarius.net/web/archives.jsp?year=09

Nomination and Prioritization of Compounds to be Considered by the FAO/WHO Joint Meeting on Pesticide Residues (JMPR)

All U.S. nominations both for new compounds and additional uses of existing compounds were scheduled with one exception. Fluopyram was removed from the schedule for 2009 and moved to 2010 because a decision was made not to proceed with a pilot project using fluopyram in which JMPR would recommend MRLs before national or regional authorities.

MRL Results

The MRL recommendations from the 2008 JMPR, compound/commodity MRLs remaining at Steps 3 or 6/7 from the 40th Session, and MRLs (CXLs) previously recommended for withdrawal were considered during two days of deliberations.

Approximately 293 pesticide/commodity MRLs, based on the consideration of 22 pesticides by the 2008 JMPR, were advanced to Step 8 by the current CCPR for adoption by the CAC. This was the fourth year that the accelerated procedure along with the criteria for decision making, were used with great success.

An additional 29 pesticide/commodity MRLs for 4 pesticides were advanced to Step 5 only, either as the result of the identification of a potential dietary intake concern by the JMPR or as the result of a country's expressed concern based on the availability of additional information not previously considered by the JMPR. The U.S. expressed no concerns and supported the advancement of all MRLs except those with JMPR-identified possible dietary intake concerns.

Some 115 pesticide/commodity CXLs for 25 pesticide chemicals were recommended for revocation. These are typically CXLs no longer supported, or CXLs deemed by JMPR to have potential dietary intake concerns with no alternative GAP. Additionally, 33



pesticide/commodity MRLs at various steps in the Codex process were withdrawn for various reasons.

About 57 pesticide/commodity MRLs were returned to steps 6 or 7 and 4. These represent 16 chemicals with dietary intake or other issues previously identified and awaiting further review by the JMPR, either retrospective analysis (alternative GAP) or periodic review.

Matters Arising from the Global Minor Use Summit

At the 2008 CCPR USDA and EPA sponsored a half day workshop on minor use/specialty crops focusing on a discussion of the outcomes of the Global Minor Use Summit in December 2007. The session was attended by numerous delegates from developing countries and a few other countries. There was unanimous support for CCPR to undertake a minor use initiative. Thus, during last year's meeting, a CCPR Working Group on Minor Uses and Specialty Crops was established which, among other work, encouraged increased participation by developing countries at the 2009 meeting.

As a follow-up activity to the global minor use summit, FAS sponsored a work shop in Africa devoted to capacity building and promotion of global MRL harmonization efforts. In this workshop CCPR/JMPR methods and procedures were explained in detail along with the importance of the initiatives from the global minor use summit including the revision of the codex classification and, most importantly, the related guidance on the selection of representative crops and the pilot process for JMPR recommendation of MRLs before national or regional authorities. At this workshop as well, delegates were encouraged to speak up and actively participate in the CCPR meetings.

As the result of all of these efforts, there was a remarkable amount of participation from developing countries at the 2009 CCPR meeting and once again a huge number of countries, including a wide representation of developing countries, volunteered to join the CCPR Working Group on Minor Uses and Specialty Crops.

Revision of the Codex Classification of Foods and Animal Feeds

The electronic working group, co-chaired by the Netherlands and the U.S., provided updated recommendations for the revision of eight commodity groups. The Committee agreed to forward to the Commission the Proposed Draft Revisions for these eight commodity groups (bulb vegetables, fruiting vegetables (non-cucurbit), edible fungi, berries and small fruits, citrus fruits, pome fruits, stone fruits, and oilseed) for adoption at Step 5. In addition, the Committee agreed to the proposed revision of the coding system—an issue that had been a major stumbling block to advancement of the proposals. As the result of resolving the coding issue, there was some support expressed for approving large sections of the revision as they are completed, rather than waiting until the entire revision is complete before implementing it.



The Committee agreed to re-establish the electronic working group to consider the few remaining unresolved issues in the commodity groups for fruiting vegetables, other than cucurbits, pome fruits, and oil seeds and to prepare new draft proposals for other commodity groups according to the schedule earlier agreed to by the Committee.

A new draft of a paper concerning principles and guidance on the selection of *representative commodities*, which was developed by the working group and presented by the U.S. was again returned for revision and further discussion at the 42nd CCPR. Gaining support for these proposals is critical because using representative commodities is what allows establishment of MRLs for many minor crops (based on the residue data from the representative commodities).

Achieving Globally Harmonized MRLs through Codex

The Delegation of the U.S. presented a revised paper in which more details were provided on the proposed process for the evaluation of new chemicals by JMPR before finalization of any national review/registration. Under this process, JMPR would estimate the MRLs before MRLs/tolerances are set at the national level. JMPR would thus set the reference standard which member countries would then consider in setting their national standards. This approach encourages harmonization of MRLs. A pilot project in 2009 utilizing an upcoming multinational (global) review compound, fluopyram, had been proposed at the 2008 CCPR.

At this year's meeting the representatives of WHO and FAO were very supportive of doing the pilot and spoke enthusiastically in favor of the pilot. The U.S. had secured, prior to the meeting, the support of the quad countries, who were all participants in the electronic working group which drafted the paper. In addition, over 14 representatives from developing countries spoke in support of the pilot at the meeting.

However, somewhere in the lengthy discussion Australia and the EU decided that they would not support doing the pilot this year for fluopyram or would only support doing it for the toxicology review and not the residue review and MRL setting. Australia, inexplicably, stated that they did not believe there were any MRL harmonization issues. The EU while talking as if they supported the idea said they were not in favor of doing the pilot this year. Our general conclusion was that there are at least two issues that led to this result: the people who attend the Codex meeting are not the people involved in the global joint reviews and they do not thoroughly understand that process and individuals, during the course of the meeting, decide to express their own individual opinions as the opinions of their delegations.

Due to the limited resources of the JMPR, the secretariats expressed their unwillingness to begin the pilot, without broad support, since they were afraid the pilot would be challenged at the CAC and the work of the JMPR would be wasted. As a result the decision was made not to do a pilot with fluopyram.



The WHO secretariat and many developing countries expressed their extreme disappointment with this outcome.

Transparency in JMPR Derivation of MRLs

The U.S. delegation expressed their appreciation for the efforts of JMPR/FAO to make the basis for their recommendation of MRLs clearer through the publication of the MRL Calculator summary table in the JMPR report together with a short explanation of how the MRL was determined. However, it was again pointed out that an explanation of why the MRL Calculator was not used is not the same as an explanation of the basis for the MRL that was actually recommended. The JMPR/FAO Secretariat agreed to again consider this request at the 2009 JMPR meeting.

Under this topic the OECD calculator effort was also discussed. The U.S. emphasized the importance of JMPR involvement in the development of a "global" calculator so that it would be used by the JMPR. It was noted that many of the remaining issues with the development of the OECD calculator are risk management issues. It was agreed that a circular letter would be sent to the CCPR asking for their input on these issues. It was agreed that when the OECD calculator is ready for use, JMPR will begin to use it on a trial basis. It was noted that this should aid in harmonization of MRLs as well as reduce the number of cases in which the derivation of the MRL would need to be explained—which would make that request for greater transparency easier to implement.

Working Group To Facilitate the Establishment of Codex MRLs for Minor Use and Specialty Crops

At its last session the Committee established an electronic working group chaired by the U.S. and co-chaired by Australia and Kenya to prepare a discussion paper to provide guidance to facilitate the establishment of Codex MRLs for minor uses and specialty crops. This was one of the proposals coming from the Global Minor Use Summit.

The working group made several recommendations based on the responses to a questionnaire circulated to members of the electronic working group. These recommendations, among others, related to the inclusion of new commodities in the Codex Classification; encouraging the development of representative commodities; training in residue data generation and submission to JMPR; fostering collaboration to develop and promote submissions to JMPR for prioritized specialty crops and minor uses; promoting the pilot project on JMPR recommending MRLs before national authorities; supporting the development and use of a global MRL calculator and proposing suitable definitions for minor uses and specialty crops.

The Committee supported the work that had been done and agreed to re-establish the Working Group to continue in these efforts.



Revision of the Risk Analysis Principles

Discussions continued on the revision of the risk analysis principles. A key issue is finding a process that will ensure that pesticides are reviewed periodically to ensure that the MRLs reflect up-to-date information while at the same time avoiding deleting MRLs for which there are no risk issues, but which are being deleted for other reasons, for example, due to a lack of support by the manufacturer. This is a major issue with developing countries. The revision needs to be finalized by 2010 as the CCGP will review the consistency of risk analysis principles elaborated by relevant subsidiary bodies of the Commission in 2011.

Persistent Organic Pollutants (POPS)

Some delegations were of the view that Codex EMRLs for POPs are necessary for trade purposes and should be retained for some time because, due to persistence, they are still present in the environment and, as a consequence, in food, despite the fact that POPs are not used for plant protection anymore. However, some delegations thought there was possibly a need for revision of these EMRLs based on new monitoring data because their data indicated that levels of POPs in foods are decreasing. The Committee agreed to request monitoring data, via circular letter, for POPs which fall under the Stockholm Convention and that are within the CCPR terms of reference, not only for commodities for which Codex EMRLs are already established but also for other foods. The Committee established an electronic working group to make a provisional evaluation of the monitoring data in order to make a more informed decision at the next session on whether to make changes for the EMRLs for POPs.

Processed Foods and Feeds

The Committee endorsed the paper prepared by the U.S. and the EU providing guidelines/policy for the use of processing factors and related issues. The paper supported current Codex (and U.S.) practice of establishing processed commodity MRLs only where the residue concentrates from the raw agricultural commodity to the processed item. It was agreed that there was no need for further elaboration of principles and practices related to the establishment of MRLs for processed foods.

Next CCPR

The 42nd Session was tentatively scheduled for Xian, China, from April 19 to April 24, 2010.