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Conclusions of ECPA Residues workshop, 17 & 18 October

Dear Ms Juelicher

Following discussions at a Residues Workshop held on 17th & 18th October, ECPA would like to take this opportunity to highlight to you a number of important issues related to the implementation of Regulation 396/2005.

The workshop was organised to look at the implementation challenges linked to the regulation and we welcomed the active participation of DG SANTE and EFSA officials at the meeting. It was also attended by a broad range of stakeholders including participants from the crop protection industry, EU national authorities, third country Missions to the EU as well as farmers and food chain representatives from the EU and third countries.

The following key points came from the workshop discussions:

Trade concerns

While the implementation of Regulation 396/2005 has led to significant improvements in ensuring harmonised EU MRLs, a number of sectors highlighted during the workshop that this issue is their biggest policy challenge at present, and is having a significant impact on predictability and on trade.

With regular MRL changes in the EU system, one significant challenge relates to shelf life of food products. Numerous examples were given where crops have been treated prior to legislative changes in the MRLs – and where these products can not comply with the amended EU MRL. This is an area that requires further consideration, to ensure that sensible MRL transitional periods are built into the process, in particular for raw and processed products that have a multi-year shelf life e.g. frozen or tinned foods.

Transparency

Many stakeholders also requested greater transparency in the process of MRL reviews and early notice of subsequent outcomes. While the process may be very clear to those working within the system in the relevant authorities, the process remains very unclear for the regulated sectors. Additional steps need to be put in place to provide greater transparency in the MRL review process, in order to ensure that stakeholders are informed and can provide input where required. Providing transparency similar to that seen in other regulated sectors (e.g. biocides, REACH) requires further consideration and ECPA will provide further food chain suggestions on how this could be developed.

Developments in the evaluation of MRLs

A number of guidance documents are currently under development that could have a significant impact on the MRL setting and review processes in the EU and concerns were raised about the potential increase in complexity and the resources required to deal with these changes. The workshop noted in particular the possible revision of the JMPR guidance on the IESTI equation, and the EU discussions on Cumulative Risk Assessment (CRA) and Residue Definition for Dietary Risk Assessment.

For the guidance document on residue definition, it was highlighted that the adoption of the current guidance would have a significant impact, requiring additional data generation, greater resources in industry and authorities. It would also reduce the number of crop MRLs, and introduce a disconnect in the residue definitions between that in the EU and third countries. The unnecessary envisaged increase in animal testing was also highlighted; further refinements are therefore essential to ensure workable application of the residue definition guidance that minimises vertebrate testing in line with the EU's animal welfare legislation.

The discussions on IESTI & CRA are on-going and it is hoped that progress can be made to ensure final guidance that is workable and realistic.

Improving the EU legislative framework

With the planned review of Regulation 396/2005 and Regulation 1107/2009, which we understand will take place in 2017, a number of suggestions were discussed for future legislative improvements. Many of the workshop participants will actively contribute to this important legislative review and will highlight blockers in the current legislation and suggest improvements for the future.

While we believe that legislative improvements are required, we understand that this is a long term process; we will therefore work with policy makers to share and promote procedural improvements in the application of the current legislation. One key example is the faster setting of MRL to encourage innovation for new crops and uses into the EU market.

The workshop also discussed market issues such as private standards, brand management and the importance of training to ensure the highest level of compliance. All workshop presentations are available on the ECPA website¹. We would of course welcome the opportunity to discuss these conclusions with you in due course.

Yours sincerely



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¹ <http://www.ecpa.eu/events/ecpa-residues-workshop-current-future-challenges-brussels-17-18102016>