Embassy of India
Belgium, Luxembourg & the European Union

Pesticide Monitoring

Newsletter Jan - Feb 2024

A. EU Updates on Pesticides

CONTENTS

I. Non-renewal of the approval of the active substance

The European Commission (EC) has published its decision not to renew approval of the below active substance. Active substances are not reapproved, or are withdrawn or restricted, the EC usually also lowers or removes MRLs. These are typically set at the limit of determination (LOD) or default level of 0.01 mg/kg. Decisions on active substances serve as an early indication of upcoming MRL changes and the need to adapt agricultural practices for produce exported to the EU.

1. **S-metolachlor**[1] **:** It is a herbicide mixture used to control grasses and some broad-leaved weeds in a wide range of crops. It is used in Corn; Soybeans; Beans & peas; Potatoes; Sugarbeet; Lupin; Sunflower; Fruit trees

   ◊ **Transitional measures :** 23 April 2024
   ◊ **Grace Period :** 23 July 2024
   ◊ **Reason for non-approval :** This substance and its metabolites are found to contaminate groundwater. For the metabolites (breakdown products) there are concerns or data gaps in relation to genotoxicity and carcinogenicity. S-metolachlor is also posing a high risk to earthworm-eating mammals.

2. **Triflusulfuron-methyl**[2] **:** It is a post-emergence herbicide for the control many annual and perennial broad-leaved weeds. It is used in sugar beet, fodder beet, red beet, chicory and witloof (field uses).

   ◊ **Transitional measures :** 20 February 2024
   ◊ **Grace Period :** 20 August 2024
   ◊ **Reason for non-approval :** In 2022, European Food Safety Authority (EFSA[3]) identified several concerns, particularly endocrine-disrupting properties that may cause adverse effects in humans, and a high risk of groundwater contamination by metabolites of trisulfuron-methyl.

3. **Benthiavalicarb**[4] **:** A fungicide active against Oomycetes fungal plant pathogens usually used as the isopropyl variant. It is widely used in tomatoes, grapes and potatoes.

   ◊ **Transitional measures :** 13 June 2024.
   ◊ **Grace Period :** 13 December 2024
   ◊ **Reason for non-approval :** EFSA (2022) identified several concerns, particularly endocrine-disrupting properties that may cause adverse

1 EU Regulation (2024/20) dated 12 December 2023 https://eur-lex.europa.eu/eli/reg_impl/2024/20
2 EU Regulation (2023/2513) dated 16 November 2023 https://eur-lex.europa.eu/eli/reg_impl/2023/2513/oj
3 https://www.efsa.europa.eu/en/efsajournal/pub/7303
4 EU Regulation (2023/2657) dated 6 November 2023 https://eur-lex.europa.eu/eli/reg_impl/2023/2657/oj

effects in humans, and a high risk of groundwater contamination by metabolites of trisulfuron-methyl.

4. **Asulam-sodium**[5] **:** A translocated carbamate herbicide for control of problematic weeds in cropped and non-cropped situations. This regulation enters on 22nd February and no Transitional or Grace period has been accorded.

   ◊ **Reason for non-approval:** EFSA (2021a)[6] identified endocrine-disrupting properties as the main hazard associated with its use. EFSA's approval criteria were not satisfied and the applicant ultimately withdrew its application for the approval of this substance.

II. Change in MRL of active substances

- **Acrinathrin, Azimsulfuron, Famoxadone, Sodium hypochlorite, Z,Z,Z,Z-7,13,16,19-docosatetraen-1-yl isobutyrate, Z-13-hexadecen-11-yn-1-yl acetate**[7]**:** The approval for above all active substance have expired and therefore the EU MRLs are established at the limit of determination (LOD, the lowest level that can be detected using the most modern and reliable analytical methods) .

  ◊ **Effective date :** 12 August 2024

- **Desmedipham, Flurtamone, Difenacoum, Potassium permanganate**[8] **:** Desmedipham and Flurtamone is a post-emergence herbicide used to control broad-leaved weeds and grasses. Difenacoum is a rodenticide effective against rats and mice resistant to other anticoagulants. Potassium permanganate is a strong oxidizing agent with some disinfectant properties. The EU has reduced the MRLs of above active substances to the LOD for all products as it is no longer permitted for use in the EU.

  ◊ **Effective date :** 12 August 2024

- **Etridiazole**[9] **:** A fungicide for soil or compost incorporation to control mainly *Phytophthora* and *Pythium* spp. Etridiazole is no longer permitted for use in the EU . The EU has reduced the MRLs to the LOD for all products and would specifically impact strawberries, peppers, cucurbits, and cotton seed where the MRLs have changed from 0.1 mg/kg to 0.01 mg/kg .Exporters of products should review their current use of etridiazole on following above products and evaluate possible alternative solutions.

  ◊ **Effective date :** 12 August 2024

- **Mandipropamid**[10] **:** A fungicide used to control Oomycete pathogens on grapes, potatoes and other crops. The EU received an application for an import tolerance from Brazil on papayas, and on the basis of an evaluation by EFSA (2023)[11], it was concluded that there were no risks to consumers at the proposed level. Therefore, the EU increased the MRLs (mg/kg) for the following products : grape fruits (0.2), Oranges (0.4), lemon, lime, madarines, kumquats (0.5), papayas (0.8) and fat from swine, cattle, sheep, goats, horses, other farmed animals (0.02)

  ◊ **Effective date :** 12 February 2024

- **Cyflumetofen**[12] **:** An acaricide active against phytophagous mites at all development stages suitable for use in IPM systems. In January 2024, the EU raised the MRLs for gherkins and courgettes, cucumber from 0.01 to 0.4 mg/kg, following a request for an MRL change.

  ◊ **Effective date :** 12 February 2024.

- **Oxathiapiprolin**[13] **:** A fungicide for use as a seed treatment against various fungal diseases on crops including potatoes and vegetables. Based on the Import tolerance request by USA, the MRL on radish leaves and blueberries have changed to 1.5 mg/kg and 0.5 mg/kg. The MRLs were previously set at 0.01 mg/kg, the LOD, the lowest level that can be detected using the most modern and reliable analytical methods. EFSA (2022a)[14] and EFSA (2022b)[15] evaluated and stated that it possess no risk to consumers.

  ◊ **Effective date :** 12 February 2024

- **Pyraclostrobin**[16]**:** A broad-spectrum fungicide used to control major plant pathogens in cereals and other crops. An application for import tolerances was submitted by Brazil on papayas and the application provided data showing that the uses of pyraclostrobin

5 EU Regulation (2024/425) https://eur-lex.europa.eu/eli/reg_impl/2024/425/oj
6 https://www.efsa.europa.eu/en/efsajournal/pub/6921
7 EU Regulation (2024/352) dated 22 January 2024 https://eur-lex.europa.eu/eli/reg/2024/352/oj#ntr*2-L_202400352EN.001901-E0001
8 EU Regulation (2024/345) dated 22 January 2024 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202400345
9 EU Regulation (2024/345) dated 22 January 2024 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202400345
10 EU Regulation (2024/344) dated 22 January 2024 https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202400344
11 https://efsa.onlinelibrary.wiley.com/doi/full/10.2903/j.efsa.2023.7741
12 EU Regulation (2024/234) dated 22 January 2024 https://eur-lex.europa.eu/eli/reg/2024/342/oj
13 EU Regulation (2024/234) dated 22 January 2024 https://eur-lex.europa.eu/eli/reg/2024/342/oj
14 https://efsa.onlinelibrary.wiley.com/doi/full/10.2903/j.efsa.2022.7049
15 https://www.efsa.europa.eu/en/efsajournal/pub/7347
16 EU Regulation (2024/234) dated 22 January 2024 https://eur-lex.europa.eu/eli/reg/2024/342/oj

on Papayas that are authorised in Brazil lead to residues exceeding the current EU MRLs and that a higher MRL would be needed to avoid trade barriers. Based on the EU Technical Guidelines on the MRL setting procedure[17], the EC set the MRLs for papayas at the level of 0.5 mg/kg.

◊ **Effective date :** 12 February 2024.

- **Haloxyfop[18] :** A post-emergence herbicide used to control annual and perennial grass weeds. It is also pesticide transformation product. The EU has reduced the MRLs to the LOD as the approval was not renewed . The LOD on milk is lowered to 0.002 mg/kg as EFSA (2022)[19] identified that higher LODs / MRLs contributed to chronic exposure. For linseeds and rapeseeds/ canola seeds, EFSA (2018)[20] did not identify a consumer health risk and the requested import tolerance was adopted. The new MRLs (mg/kg) of root & tuber vegetables, leeks, beans, peas, liver, Sugar plants, swine kidney, edible offals, poultry, fat has been reduced to (0.01), linseeds, rapeseeds, canola seeds (0.05), sunflower seeds (0.3).

◊ **Effective date :** 19 August 2024.

- **Nicotin[21]:** Following the submission of additional data and a new risk assessment by the European Food Safety Authority (EFSA), the EU has reinstated the MRLs for nicotine in spices to 0.03 mg/kg (the level that applied before 15 September 2023 to seed/fruit spices).

In the case of spices (seed, fruit, root, bark, bud, flower pistil, and aril spices), new monitoring data were provided by non-EU exporting countries and food business operators, and a review was requested. A risk assessment carried out by EFSA concluded that the original nicotine MRL is safe for consumers, and the European Commission subsequently reinstated for all spices the MRL of 0.3 mg/kg.

◊ **Effective date:** 26 February 2024.

Food Catagory	Old MRL (mg/kg)	New MRL (mg/kg)
Seed spice, fruit spice	0.05 (LOD)	0.3
Root and rhizome, bud spices, flower pistil spices and aril spices	0.07	0.3
Bark spice (Cinnamon)	0.2	0.3

B. EU Active Substance Renewal Monitor

I. The European Food Safety Authority (EFSA) open public consultation

EFSA regularly carries out public consultations on its scientific outputs. The stakeholders and other interested parties are encouraged to share their insights, data and other feedback on draft versions of the scientific assessments. The following active substances is open for public consultation:-

Active Substance	Deadline
Bentazone[22]	07/06/2024
Nicosulfuron[23]	10/06/2024
Bacillus velezensis FZB42[24]	23/06/2024

II. Up next for review

Under the EU pesticide review program, active ingredients need to reapply for renewal three years before its expiration date. Substances listed below have upcoming deadlines for the submission of the renewal dossier :-

Active Substance	Deadline
Beauveria bassiana strain 147	06/06/2024
Beauveria bassiana strain NPP111B005	07/07/2024

III. Active substances due for renewal - Expected to expire

For the below active ingredients, applications for renewal of approval were not submitted or applications have been withdrawn.

Active Substance	Deadline for submitting renewal application
Beauveria bassiana strain 147 Ascorbic acid (or L-ascorbic acid)	30/06/2024
Pyridalyl	30/06/2024
Spinetoram	30/06/2024
Bacillus pumilus QST 2808	31/08/2024
Flubendiamide	31/08/2024
Fatty acids C8-C10 methyl esters (CAS 85566-26-3)	15/12/2024
Metaflumizone	31/12/2024

17 https://food.ec.europa.eu/system/files/2021-03/pesticides_mrl_guidelines_mrl-setting-proc_v5-5.pdf
18 EU Regulation (2024/398) dated 29 Jan 2024 https://eur-lex.europa.eu/eli/reg/2024/398/oj
19 https://www.efsa.europa.eu/en/efsajournal/pub/7658
20 https://www.efsa.europa.eu/en/efsajournal/pub/5470
21 EU Regulation (2024/451) dated 5 Feb 2024 https://eur-lex.europa.eu/eli/reg/2024/451/oj#ntr(+)-L_202400451EN.000301-E0003
22 https://connect.efsa.europa.eu/RM/s/publicconsultation2/a0lTk000000Tq86/pc0898
23 https://connect.efsa.europa.eu/RM/s/publicconsultation2/a0lTk000000XgA9/pc0903
24 https://connect.efsa.europa.eu/RM/s/publicconsultation2/a0lTk000000gu94/pc0921

C. EU News Corner

Mineral oil hydrocarbons and food [25] [26]

- The European Commission intends to adopt maximum permitted levels of mineral oil aromatic hydrocarbons (MOAH) in food in the second half of 2024 or the first half of 2025.
- These maximum levels will be based on the limits of quantification (LOQ) which was agreed by the EU Member States in June 2021 (specifically for formulae for infants and young children), and then in April 2022.
  - ◊ These LOQs are:
    - ◊ 0.5 mg/kg for dry foods with a low fat/oil content (≤4% fat/oil)
    - ◊ 1 mg/kg for foods with a higher fat/oil content (>4% fat/oil, ≤50% fat/oil)
    - ◊ 2 mg/kg for fats/oils or foods with >50% fat/oil
- **What is Mineral oil hydrocarbons :** Mineral oil hydrocarbons fall into two main classes: (a) mineral oil saturated hydrocarbons (MOSH) (b) mineral oil aromatic hydrocarbons (MOAH). Mineral oil hydrocarbons enter the food chain at various points: through environmental contamination during harvesting; through accidental contact with lubricants during processing; or as a result of migration from food contact materials.
- **Reason for change :** In 2023 the EFSA updated its risk assessment on mineral oil hydrocarbons in food (EFSA 2023). The regulatory focus is mainly on MOAH, which have potential genotoxic and carcinogenic activity.
- In 2024, the EU will discuss the establishment of maximum levels (limits in law, rather than indicative levels for action). The starting point for these discussions will be the previously agreed LOQs. Maximum levels for contaminants will be set taking into account the maximum levels that can be met according to the best available practices. This is known as the "ALARA" (as low as reasonably achievable) principle.
- There is also discussion about MOSH, which bioaccumulate in various organs. EFSA considers that, the current exposure to MOSH does not raise concerns for human health. However, the consequences of long-term accumulation of MOSH have not yet been investigated and remain uncertain. Currently no EU limits are in place for MOSH and no discussions on establishing maximum levels for MOSH in 2024.
- **Trade Implication :** There are numerous potential sources of MOAH, and testing for them is complex. Although controls for mineral oils are already in place in the EU, setting maximum levels is likely to mean buyers will request suppliers to demonstrate compliance with the new levels. In the short term, there may be significant work required in many value chains to identify sources of MOAH and strategies to prevent their presence. This in turn may require an increase in analytical capacity to test for MOAH. considering the proposed regulation's impact on supply chains, including economic repercussions and food waste, and also necessitating longer transition periods for certain commodities, like spices.

Farmer Strikes in EU causes EC Chief to withdraw the contested pesticide regulation[27]

- In a major blow to the EU's Green Deal and Farm to Fork framework, EC President Ursula von der Leyen announced on 6th February 2024 that she would withdraw the Sustainable Use Regulation (SUR), which sought to halve pesticide use by 2030.
- EC could forge a new proposal with more input from stakeholders following weeks of protests from farmers unhappy with EU environmental regulations, and the starting of a 'strategic dialogue' with agrifood stakeholders.

Compilation :

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25 https://op.europa.eu/en/publication-detail/-/publication/97cb92c2-d29e-11ed-a05c-01aa75ed71a1
26 https://food.ec.europa.eu/system/files/2022-07/reg-com_toxic_20220421_sum.pdf
27 https://www.euractiv.com/section/agriculture-food/news/von-der-leyen-to-withdraw-the-contested-pesticide-regulation/