



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON PESTICIDE RESIDUES

44th Session

Shanghai, P.R. China, 23 - 28 April 2012

MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND CODEX COMMITTEES

MATTERS ARISING FROM THE 34TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Matters for Information

1. The Commission adopted draft maximum residue limits for pesticides at Step 8 as proposed by the 43rd Session of the Committee (April 2011) and noted the reservations of the European Union and Norway on the use of haloxyfop (194) and fluopicolide (235) in a number of agricultural commodities due to chronic and acute intake concerns respectively.¹
2. The Commission also adopted proposed draft maximum residue limits for pesticides at Step 5/8 as proposed by the 43rd Session of the Committee noting the reservation of the European Union and Norway on a number of group MRLs for different combinations of pesticides/agricultural commodities.²
3. The Commission further adopted proposed draft MRLs for spices at Step 5/8 with the exception of proposed MRLs for omethoate (055) in "fruit or berry (028B)" and "root or rhizome (028D)" which were adopted at Step 5 only as the CCPR had previously decided to withdraw all MRLs for this compound. In this regard, the WHO JMPR Secretariat clarified that the Codex MRLs for omethoate for agricultural commodities had been withdrawn by the 36th Session of the CCPR due to lack of support by the producing company which did not allow a re-evaluation of omethoate residues, based on residue trial studies. However, the MRLs for spices were developed based on monitoring data, and since this was a special case that had not been encountered previously, it was advisable to seek the advice of CCPR on how to handle the proposed omethoate MRLs for spices before proceeding with the final adoption of these MRLs.³
4. The MRLs for omethoate in spices will be considered under Agenda Item 6a (see CX/PR 12/44/5, CL 2011/22-PR and REP11/PR, Appendix III).
5. In addition, the Commission adopted proposed draft maximum residue limits for pesticides at Step 5 as proposed by the 43rd Session of the Committee.⁴
6. The Commission revoked a number of Codex MRLs for pesticide/commodity combinations as proposed by the 43rd Session of the Committee.⁵
7. The Commission approved the Priority List of Chemicals Scheduled for Evaluation and Re-evaluation by JMPR as proposed by the 43rd Session of the Committee.⁶

1 REP11/CAC, para. 63 and Appendix III.
 2 REP11/CAC, para. 64 and Appendix III.
 3 REP11/CAC, paras. 65-66.
 4 REP11/CAC, para. 116 and Appendix IV.
 5 REP11/CAC, para. 120 and Appendix V.
 6 REP11/CAC, para. 131 and Appendix VI.

Matters for action

Revocation of CODEX STAN 229-1993 – Analysis of Pesticide Residues: Recommended Methods

8. The Delegation of India did not support the revocation of CODEX STAN 229-1993 but to maintain and update the Standard regularly by identifying internationally validated methods that could be used as Codex reference methods for enforcement of Codex MRLs for pesticides. The Delegation noted that methods of analysis were an integral part of the Codex MRL setting process and in this regard, the Risk Analysis Principles applied by the CCPR clearly stated that "*if no methods of analysis are available for enforcing MRLs for a specific compound, no MRLs will be established by CCPR*". The Delegation recognized that, although electronic compilations of analytical regulatory methods and validation data collection such as the repository list of the IAEA website could provide for more flexibility in the updating of methods of analysis as opposed to hard copy documents, analytical methods identified under the Codex procedure would ensure that they were not more stringent than necessary for testing MRLs in comparison with highly new developed technologies that might arise as a result of the continuous updating of the list which might in turn limit wider availability and application of methods of analysis by Codex members, in particular developing countries. In this regard, the Delegation requested clarification as to the status of the IAEA list under the WTO.

9. The Commission noted that the Terms of Reference of the CCPR provided for the consideration of methods of analysis and sampling for the determination of pesticide residues in food and feed that could be adopted by the Commission as reference Codex methods for international trade. The Commission further noted that the CCPR had decided not to maintain a list of analytical methods but to keep existing validated methods on the IAEA website and that the purpose of maintaining such a list was to provide a platform for comments and sharing experience regarding the methods but that the list should be considered as a resource list and was never meant to be a list of preferred or obligatory methods for Codex purposes. Based on this, the Committee had agreed to revoke CODEX STAN 229-1993 and that the IAEA would continue to support the maintenance of the web-based method database. The Commission further noted that, with the revocation of CODEX STAN 229-1993, there would be no Codex reference methods that could be recommended to governments for enforcement of Codex MRLs.

10. Several delegations supported the retention of CODEX STAN 229-1993 as the only reference available for analytical methods for the determination of pesticide residues developed within the Codex framework. It was noted that the IAEA website as a repository of methods of analysis could not have the same status as being listed in a Codex document while recognizing the usefulness of such information from the IAEA. Other delegations indicated that the CCPR had already considered this issue thoroughly and had recommended revocation of the Standard while keeping the IAEA web-based method database as a resource list of methods of analysis for the determination of pesticide residues. A delegation suggested that this issue could be addressed in the framework of the document being developed by the Committee on Methods of Analysis and Sampling (CCMAS) on principles for the use of sampling and testing in international food trade. However, the Commission noted that this document was intended to address general issues but not how to establish reference methods for pesticide residues which falls within the mandate of the CCPR and not of the CCMAS.

11. Based on the above considerations, the Commission agreed to retain CODEX STAN 229-1993. However in view of the difficulties that might arise in practice for the regular updating of analytical methods, the Commission also agreed to request the CCPR to look into the possibility to develop criteria that should be met by methods suitable for use as analytical methods to support the determination of MRLs for pesticides in food and feed that would enable countries to choose their own validated methods based on criteria developed within the Codex framework.⁷

⁷ REP11/CAC, paras. 121-124.

ADDITIONAL INFORMATION ON METHODS OF ANALYSIS FOR MRLs / PESTICIDES

The Terms of Reference of the CCPR provides for the consideration of methods of analysis and sampling for the determination of pesticide residues in food and feed that can be adopted by the Commission as reference methods for international trade. The Risk Analysis Principles applied by the CCPR refers to consideration of methods of analysis for enforcement purposes.

The Recommended Methods of Analysis for Pesticide Residues (CODEX STAN 229-1993) provides for a list of methods for the determination of pesticide residues for regulatory purposes. The list is not exhaustive and methods not mentioned in the list can also be applied, provided that they can be shown to produce valid results by the analyst using them. The document also contains criteria for the selection of analytical methods.

The Codex Committee on Methods of Analysis and Sampling has also developed general criteria for the selection of methods of analysis which are available in the Procedural Manual of the Codex Alimentarius Commission.

The Committee had decided not to maintain a list of analytical methods for pesticide residues but to keep existing validated methods on the IAEA website. The Committee reconsidered this decision at its last meeting in view of the need to clearly define the status of the list in order to avoid confusion in relation to the enforcement of MRLs for pesticide residues and to determine the implications of maintaining such a list as either a resource list or as preferred/obligatory list of methods. The IAEA Representative recalled that the purpose of maintaining such a list was to provide a platform for comments and sharing experience regarding the methods but that the list should be considered as a resource list and was never meant to be a list of preferred or obligatory methods for Codex purposes. Based on these considerations, the Committee agreed to revoke CODEX STAN 229-1993 and that the IAEA would continue to support the maintenance of the web-based method database with a direct link from the Codex website.

Under the current situation the Committee does not identify methods of analysis for enforcement of the MRLs but relies on countries to use validated methods for determination of MRLs for enforcement purposes. With the revocation of CODEX STAN 229-1993 there will no Codex reference methods that can be recommended to governments for enforcement of Codex MRLs.

It should be noted that JMPR, when performing their risk assessment, identifies methods of analysis but they are not taken up by the Committee as Codex recommended methods.

Based on the discussion that took place at the 34th Session of the Commission and the summary information provided in this Annex, the Committee may wish to re-establish the in-session working group on methods of analysis and sampling to consider the following for discussion by the Committee:

1. The feasibility that CCPR develop criteria that should be met by methods suitable for use as analytical methods to support the determination of MRLs for pesticides in food and feed which would enable countries to choose their own validated methods for enforcement purposes and if so whether the criteria in CODEX STAN 229-1993 and/or the general Criteria for the Selection of Methods of Analysis as set out in the Procedural Manual are sufficient to this purpose therefore no further work on development of criteria specific for the identification of analytical methods for the determination of MRLs for pesticides are needed.
2. The feasibility that CCPR identify and update a list of Codex methods for the determination of MRLs for pesticides in food and feed for regulatory and/or information purposes by applying the criteria approach and if so whether such a list(s) should be kept in CODEX STAN 229-1993 or should be maintained on a web-based method database (e.g. IAEA website). If the later would be the preferable option, the Committee may wish to consider revocation of CODEX STAN 229-1993.
3. The feasibility that Codex members and observers identify and update a list of methods for the determination of MRLs for pesticides in food and feed for information purposes by applying the criteria approach and that such a list would be kept on a web-based method database (e.g. IAEA website). The methods listed using the criteria approach could then be used by countries as a resource list for selecting suitable validated methods of analysis for enforcement purposes at national level. In this case, specific procedures to be followed for the acceptance/inclusion of the information provided by countries and observers in the database may have to be developed in agreement with IAEA.
4. The feasibility to combine any of the above approaches.
5. Any other approach that the Working Group may find appropriate for consideration by the Committee.