CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

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Agenda Items 1, 6, 7, 8, 9, 10, 11, 13, 14 **CRD18**

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON PESTICIDE RESIDUES

55th Session
Chengdu, Sichuan province, People's Republic of China
3-8 June 2024

Comments submitted by India

Agenda Item 1 **CX/PR 24/55/1**

Adoption of the agenda

India would like to raise the concern regarding trade barriers arising in the international trade of spices due to lack of Codex MRLs for Ethylene oxide (EtO).

We would like to flag and deliberate the matter under the agenda item 14 "Other businesses".

Agenda Item 6 **CX/PR 24/55/5 – CL 2024/44-PR**

MRLs for pesticides in food and feed (at Steps 7 and 4)

1. India supports the CCPR's recommendation for applying the wording "MRL provisionally applies to okra, martynia, and roselle" to CXLs for the following groups/subgroups:

   i. VO 0051 Peppers (Subgroup) for Pyrethrins (063) and Permethrin (120) which do not specifically excludes okra, martynia, and roselle from the CXL.

   ii. VO 0050 Fruiting vegetables, other than cucubirts for Pydiflumetofen (309) which specifically excludes okra, martynia, and roselle from the CXL.

   iii. VO 0050 Fruiting vegetables, other than cucurbits for the compounds listed in paragraph 4.6 which do not specifically excludes okra, martynia, and roselle from the CXLs

   Rationale: The extrapolation of chilli MRLs to include Okra will be beneficial in international trade.

2. India thanks the JMPR reviewers for evaluating the monitoring data on spices submitted by India and recommending CXLs of thiamethoxam on cumin as 1 mg/kg and clothianidin on cumin as 1 mg/kg.

   Rationale: Spices being a minor crop lack MRLs which may adversely affect the trade of spices internationally. Setting of Codex MRLs on spices will help overcome trade barriers.

3. India appreciates the efforts of JMPR for recommending the MRL of tricyclazole on rice as 5mg/kg.

   Rationale: Tricyclazole is a very important fungicide for the control of blast disease in rice. The setting of CXL of tricyclazole on rice would help in overcoming trade barriers due to presence of tricyclazole residues in rice.

4. India does not support the withdrawal of MRLs of carbendazim & thiophanate-methyl, carbofuran, carbosulfan, iprodione as these are used widely for the control of fungal diseases in various crops. The withdrawal of the CXLs may lead to trade barriers.

Rationale:

a) In India, carbendazim is registered for control of diseases such as blast, sheath blight, loose smut, sett rot, seedling blight, tikka leaf spot, powdery mildew, anthracnose, fruit rot, scab, downy leaf spot, collar rot and frog eye spot in rice, grape, mango, wheat, barley, tapioca, cotton, jute, groundnut, sugar beet, peas, cluster beans, cucurbits, brinjal, apples, grapes, walnut, rose, jujube (ber), chilli, green gram, cow pea and tobacco Thiophanate-methyl is registered for use on papaya, apple, tomato, bottle gourd, grapes, paddy, groundnut, chilli, soybean for the control of diseases such as powdery mildew, scab, ring rot, anthracnose, rust, blast, sheath rot, root rot, tikka leaf spot, seedling blight, brown leaf spot and bacterial leaf spot.

b) In India, carbofuran is registered for control of insect-pests such as aphids, cyst nematode, jassids, shoot fly, stem borer, pod borer, white grub, leaf miner, thrips, brown plant hopper, gall midge, green leaf hopper, hispa and rhizome weevil in bajra, barley, sorghum, jute, groundnut, French bean, potato, tomato, apple, citrus, maize, rice, mustard, soybean, sugarcane, okra, chilli, cabbage, wheat, brinjal, banana, peach, mandarins, pea and tea.

c) In India, carbosulfan is registered for control of insect-pests such as green leaf hopper, white back plant hopper, brown plant hopper, gall midge, stem borer, leaf folder, aphids, thrips, jassids and fruit & shoot borer in rice, chilli, cumin, brinjal and cotton

d) In India, iprodione is registered for control of diseases such as alternaria blight, sheath blight, earth blight and anthracnose in rapeseed/mustard, rice, tomato and grapes

Agenda Item 7 **CX/PR 24/55/6 – CL 2024/45-PR**

Guidelines for monitoring the purity and stability of reference materials and related stock solutions of pesticides during prolonged storage (at Step 4)

India being the chair of EWG, thanks Co-chairs for the active participation and supports the agenda item for adoption by CCPR.

Rationale: These guidelines will enable the pesticide residue laboratories to overcome the challenges associated with short expiry of Reference Materials of pesticides and will enhance the testing/monitoring of pesticide residues in food commodities.

Agenda Item 8 **CX/PR 24/55/7 – CL 2024/46-PR**

Management of unsupported compounds without public health concern scheduled for periodic review

India does not support the revocation of all CXLs for bitertanol. Revoking all CXLs for bitertanol may lead to trade barriers.

Rationale: In India, bitertanol is registered for use on ground nut against the diseases rust & tikka and on wheat against karnal bunt. MRLs have been fixed on wheat, groundnut, milk and milk products, meat and meat products, tea and apple.

Agenda Item 9 **CX/PR 24/55/8 – CL 2024/47-PR**

National registrations of pesticides

Paragraph 21,

"**Question i:** Whether the general approach to the development of the database for the national registration of pesticides is appropriate – please indicate any further improvements that can be incorporated to facilitate data collection and analysis."

Comment: The general approach to the development of the database for the national registration of pesticides is appropriate.

Rationale: The approach adopted will lead to developing a comprehensive database to determine the global registration status of unsupported compounds to possibly identify support to pesticides no longer supported in periodic review.

"Question ii: Whether sufficient responses are available to support the periodic review of unsupported compounds with no public health concern which are no longer be supported by the manufacturer"

Comment: Sufficient responses (specially from all the regions) are not available to support the periodic review of unsupported compounds with no public health concern which are no longer be supported by the manufacturer.

Rationale: Obtaining more responses is crucial for assessing the use of pesticide across the nations which will facilitate policy decisions related to MRLs of pesticides. In the absence of sufficient responses it will not be possible to make prudent decisions on unsupported compounds.

"Question iii: Whether a smaller number of substances can be foreseen for the next years exercise on the database for the national registration of pesticides."

Comment: Responses should be sought again from member nations for those compounds for which insufficient responses were obtained and smaller number of pesticides cannot be foreseen on the database of national significance.

Rationale: It is important to have sufficient responses so that informed decisions can be taken.

"Question iv: The results of this exercise should be submitted to the EWG on unsupported compounds without public health concerns to decide on whether it would be useful (a) to consider an active substance from Group 1 or 2 for their future work and (b) to start discussions on those substances from Group 3 where no support is given so far."

Comment: Many of the active substances listed in Group 1, 2 and 3 are widely used across the regions.

The result of this exercise should be submitted to the EWG on unsupported compounds without public health concerns to decide on whether it would be useful (a) to consider an active substance from Group 1 or 2 for their future work and (b) to start discussions on those substances from Group 3 where no support is given so far.

Rationale: The data from this EWG is an important input for the EWG on unsupported compounds to establish the registration and use of the compounds in different countries so that informed decisions can be taken.

Agenda Item 10 **CX/PR 24/55/9 – CL 2024/43-PR**

Establishment of Codex schedules and priority lists of pesticides for evaluation/re-evaluation by JMPR

India proposes to submit the monitoring data on the following pesticide-spice combination for inclusion in the priority lists of pesticides for evaluation/re-evaluation by JMPR:

1) Cypermethrin on cumin
2) Propiconazole on cumin
3) Metalaxyl on cardamom
4) Propiconazole on cardamom

Agenda Item 11 **CX/PR 24/55/10 – CL 2024/48-PR**

Enhancement of the operational procedures of CCPR and JMPR

India supports the agenda and believes that it is important to enhance the operational procedures of CCPR and JMPR to reduce the backlog of JMPR evaluation for the benefit of all the stakeholders involved.

Agenda Item 13 **CX/PR 24/55/12 – CL 2024/50-PR**

Analysis of previous decisions by CCPR to establish MRLs for tomato and pepper to establish corresponding MRLs in eggplant

1. India supports the proposal by Global Pulse Federation to extrapolate the already established CXLs on tomato and/or pepper to subgroup eggplant wherever the GAP has allowed for the same provided that the risk assessment procedure used is in alignment with that of JMPR.

   Rationale: The MRLs fixed on pepper and tomato are more in number as compared to eggplant. The JMPR has previously in various cases extrapolated the MRLs of pepper and tomato to eggplant wherever the GAP has allowed for the same. If the approach used for the extrapolation of MRL is in line with the JMPR approach based on the Risk Analysis Principles applied by CCPR (Procedural Manual, Codex Alimentarius Commission) the extrapolation of MRLs may be considered.

2. If the approach is acceptable to JMPR the methodology for extrapolation may also be applied to compounds that have been excluded based on periodic review.

   Rationale: The outcome of the periodic review will be applicable in future for all the MRLs of the compound including the MRLs on eggplant.

Agenda Item 14

Other Business

India would like to draw the attention of the committee to the concerns regarding the recent rejection of spices consignments by the regulatory bodies of various countries due to the presence of Ethylene Oxide (ETO/EO) residues. These rejections are not only causing substantial economic losses for exporters but are also disrupting the supply chain and creating uncertainty within the industry.

ETO has been widely used in spices to control microbial contamination for several years as there is no alternative method that is cost effective & addresses sterilization without compromising the quality of spices. The use of ETO for spice fumigation is particularly common in developing countries due to its cost-effectiveness and ease of application. However, there are growing concerns over the potential health risks associated with the residual levels of ETO in treated spices.

Due to the potential health risks associated with the residual levels of ETO in treated spices, several regulatory agencies have established strict limits or banned the use of ethylene oxide for food fumigation, including the European Union (0.1 mg/kg including 2-Chloroethanol), Canada (7mg/kg and 940 mg/kg for 2-Chloroethanol), South Korea (0.01 mg/kg), Japan (0.01 mg/kg), Singapore (Whole Spices – 50 mg/kg), USA (7mg/kg and 940 mg/kg for 2-Chloroethanol).

The American Spice Trade Association (ASTA) which is the voice of the U.S. spice industry in the global market with 200 manufacturing and marketing companies of spices as its members, recently issued clarification to the Spice Board of India that Ethylene oxide is an approved antimicrobial fumigant in the U.S. and the tolerances (MRLs) for ETO and ethylene chlorohydrin/2-chloroethanol (ECH) are 7 ppm and 940 ppm respectively for herbs and spices (except basil). Moreover, both the U.S. Food and Drug Administration (FDA) and the U.S. Environmental Protection Agency (EPA) have concluded that consumption of spices treated with ETO is safe. (Copy attached below)

However, the increasing rejection of ETO-treated spices by several countries highlights the growing concerns about its potential health risks and regulatory compliance issues due to lack of Codex standards. These rejections have significant implications for the global spice trade, affecting exporters, importers, and ultimately, consumers. While there are global agreements on trade standards (e.g. WTO SPS and TBT Agreements), lack of uniform international standards on the maximum residue limits (MRLs) of ETO in food products including spices permits developed countries to use stringent MRLs which can be trade-restrictive and act as non-tariff barriers to international trade, disproportionately affecting exporters from developing countries.

Recognizing the importance of consumer safety and international trade standards, we request CCPR to consider this matter as CCPR has already established MRLs for Hydrogen phosphide, Sulfuryl Fluoride and Methyl Bromide which are used as fumigants across different food categories.

This issue may please be addressed promptly through a coordinated and scientifically robust approach for protecting public health and sustaining the global spice trade by establishing MRLs for ETO.