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Standing Committee on Plants, Animals, Food and Feed

Section *Phytopharmaceuticals – Pesticide Residues*

11 March 2022

CIRCABC Link: <https://circabc.europa.eu/w/browse/b7d949b9-e3f2-4f26-ae6c-6bdf8c451b2>

SUMMARY REPORT

A.01 Information and discussion on a request from several trade associations to address the expected shortage of animal feed in the light of the war in the Ukraine.

The aim of the meeting was to discuss possible measures to be taken with regards to expected shortages of food and feed supply in the EU in the light of the war in Ukraine. Ukraine is a major source of imported cereals (mainly maize/corn, wheat, rye, oats, barley), and oilseeds (sunflower, rapeseed and soyabeans) in several Member States of the EU.

A number of Member States signalled that they will have critical supply issues for feed in the coming weeks. Some others have no acute shortages but may have supply issues in the mid- to long-term. One Member State stated that it would also not exclude food shortages in the mid-term. Those Member States mentioned maize, grains, sunflower seeds, rapeseed, flaxseed, and soyabean as most impacted commodities, with very different situations and levels of emergencies across Member States. Other Member States did not signal a risk for shortages.

The Commission informed that trade associations had also reached out to alert on the situation and pointed to the need to secure imports from other third countries, but that stricter Maximum Residue Levels (MRLs) in the EU compared to those in third countries or compared to Codex Limits could pose problems to actually source commodities there. Trade organisations identified more or less the same commodities that might be affected by shortages as Member States.

The Commission pointed to the possibility that Member States that face acute shortages make use of Article 18(4) of Regulation (EC) No 396/2005 which enables them to set temporary national MRLs very quickly. Such national measures must be communicated to the Commission to be then shared and discussed with the other Member States in the Standing Committee on Plants, Animals, Food and Feed, section Phytopharmaceuticals, Pesticides Residues.

In order to provide support to Member States, the Commission had asked the European Food Safety Authority (EFSA) to conduct a preliminary analysis of existing EU MRLs compared to Codex MRLs (CXLs) not taken over in EU legislation for the most relevant crops. EFSA presented the outcome explaining the calculations conducted on whether CXLs would be safe for food or, in some cases, for use as “feed only”.

The analysis was done with a view to keeping the same high level of protection for consumers. The preliminary analysis conducted by EFSA was intended to give guidance to the Member States as regards the safety of temporary national MRLs and to ensure that national action could be taken on the basis of a harmonised approach, and guaranteeing consumer health and safety.

The Commission noted that national temporary MRLs are meant to help address acute shortages in the Member States setting them and therefore it would not be expected that the products concerned would be traded with other Member States. Furthermore, national measures must be limited in time according to the specific situation in the respective Member State and must be controlled. Member States agreed on the importance of certification and traceability at the national level when implementing temporary MRLs, i.e., to ensure the products are indeed used for the intended purpose (mostly feed) and remain within the territory of the Member State concerned. One Member State shared its view and experiences on possible control measures¹ that could be considered by Member States taking national action.

The Commission invited Member States considering taking national action to inform about this in advance and noted that, any national measure adopted must be notified to the Commission, the other Member States and EFSA so that the action(s) can be discussed in a meeting of the Committee.

Member States were invited to send any further comments in writing as soon as possible, but at the latest by 18 March 2022, in particular on the EFSA analysis conducted. The Commission will continue to monitor the situation very closely in collaboration with the Member States. The Commission and EFSA expressed their readiness to respond swiftly to any further questions that Member States might have.

¹ Such control measures could be: certification that particular consignments are destined for the production of livestock feed only, checks at EU border control posts (based on prior notification via a Common Health Entry Document) that particular consignments are destined for national production and consumption, channelling of imports by tracing all the batches to ensure that all consignments are destined for feed production, and mandatory aeration prior to the processing of the products in particular consignments.