



EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

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**SUMMARY REPORT OF THE
STANDING COMMITTEE ON PLANTS, ANIMALS, FOOD AND FEED
HELD IN BRUSSELS ON 06 APRIL 2017 - 07 APRIL 2017
(Section Phytopharmaceuticals - Pesticides Residues)**

CIRCABC Link: [Legislation:https://circabc.europa.eu/w/browse/c1d0b663-7743-4a9e-b293-e25fd7bb47a6](https://circabc.europa.eu/w/browse/c1d0b663-7743-4a9e-b293-e25fd7bb47a6)
[Residues: https://circabc.europa.eu/w/browse/69882932-7b8c-404c-828f-e53c8d47e8ca](https://circabc.europa.eu/w/browse/69882932-7b8c-404c-828f-e53c8d47e8ca)

A.01 Discussion on the follow up to the request of France.

A discussion took place on the follow up to the request sent by France in its letter of 29 March 2017 to take emergency measures under Article 70 of Regulation (EC) No 1107/2009 to ban the use of dimethoate containing plant protection products on cherry trees (Legislation section of the Committee), and to ban the placing on the market of fresh cherries from cherry trees treated with dimethoate, originating from EU Member States or Third countries in the whole EU according to Article 53 of Regulation (EC) No 178/2002 (Residues section of the Committee).

The discussion on both points took place in a joint meeting of the section Pesticides Residues and Legislation.

France motivated its request on the basis of frequent detections of high concentrations of dimethoate residues in cherries, close to the toxicological reference values, and on the basis of lacking data for certain metabolites. France was concerned that the renewal exercise with a decision most likely taking place only in 2018 and the new Maximum Residue Level (MRL) measure being applicable only from end of 2017 would not ensure sufficient consumer protection for the cherry season 2017.

The Commission presented its view on the matter and stated that it considers an EU wide emergency measure disproportionate. In its view the conditions for a safeguard measure are not met as there are no indications for a serious health risk. A Regulation has been voted by the Plants, Animals, Food and Feed Committee, section Pesticides Residues in its meeting of 16/17 February 2017 implementing safe MRLs for dimethoate (and its metabolite omethoate) following the recommendations of a prioritised European Food Safety Authority (EFSA) review. The concern of France on the metabolites which were not assessed by EFSA in the prioritised review will be addressed within the renewal exercise. France and most other Member States have already withdrawn their authorisations for dimethoate on cherries following last year's emergency measure taken by France.

24 Member States took the floor to inform about existing authorisations. It was confirmed that authorisations for dimethoate/cherries still exist in two Member States. The other Member States who took the floor reported not to have authorisations for dimethoate/cherries or none at all for dimethoate. Member States who did not take the floor were given the opportunity to comment by 11 April 2017 in writing.

As regards the intended French safeguard measure 24 Member States took the floor:

Eight Member States did not support the French emergency measure.

Three Member States were supportive of the French emergency measure.

Ten Member States had not yet a clear position and may get back to the Commission in writing.

Three Member States had no clear position, but indicated that they had some sympathy with the French measure.

Two Member States urged the Commission to have the discussion in the relevant section of the Standing Committee, where the expertise is available.

On the next procedural steps the Commission explained that if France takes an emergency measure unilaterally, the Commission has to submit the measure within 10 working days to the Committee in order to confirm, revoke, amend, or extend it to the whole EU. A second meeting of the PAFF section Legislation/Residues may therefore be required.