REPORT OF THE UNITED STATES DELEGATE TO THE 55TH SESSION OF THE CODEX COMMITTEE ON PESTICIDE RESIDUES

June 3- 8, 2024 Chengdu, China

BACKGROUND AND REPRESENTATION

The 55th Session of the Codex Committee on Pesticide Residues (CCPR55) met in Chengdu, China from June 3-6, 2024, with report adoption on June 8, 2024. The session was chaired by Dr. Weili Shan, Vice Director General of the Institute for the Control of Agrochemicals, Ministry of Agriculture and Rural Affairs (ICAMA), and co-chaired by Dr. Lifang Duan, Division Director, ICAMA. The Session was attended by 48 Member Countries, one Member Organization (the European Union (EU)), and 13 Observer Organizations.

The United States was represented by U.S. Delegate Aaron Niman of the U.S. Environmental Protection Agency (EPA), Office of Pesticide Programs, and Alternate Delegate Alexander Domesle of the U.S. Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS), with additional U.S. delegation members from the U.S. Codex Office (USCO) and the Foreign Agricultural Service (FAS) of the USDA; the Center for Food Safety and Applied Nutrition (CFSAN) of the U.S. Food and Drug Administration (FDA); and three non-government advisors.

<u>HIGHLIGHTS</u>

The United States is satisfied with the outcomes of CCPR55; all major U.S. objectives were met. The 55th Session of CCPR agreed to:

- Advance 259 Maximum Residue Limits (MRLs) for final adoption by the 47th Session of the Codex Alimentarius Commission (CAC47), scheduled for November 2024.
- Re-establish an Electronic Working Group (EWG), chaired by the United States and co-chaired by Costa Rica and Uganda, to enhance the operational procedures of CCPR and the Joint FAO/WHO Meeting on Pesticide Residues (JMPR). The EWG developed a discussion paper that recommended an enhancement approach that balances the shorter-term needs of stakeholders to reduce the backlog of scheduled evaluations with longer-term strategic efforts to increase JMPR's review capacity. The EWG will continue its work by focusing on short-term goals related to (i) convening an extraordinary meeting of JMPR to reduce the backlog of evaluations, and (ii) consulting with JMPR and stakeholders to identify specific projects that will improve its evaluation process.
- **Re-establish an EWG that manages unsupported compounds without public health concerns.** CCPR previously established an internal working procedure to be used by CCPR to manage unsupported compounds without public health concerns. The EWG will continue work to implement the working procedure and seek input on opportunities to support the periodic review process for compounds that are currently designated as unsupported.
- Continue to support the Joint EWG of CCPR and the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF), chaired by the United States. The EWG aims to strengthen

collaboration and harmonization between the two committees, particularly for compounds with dual use (i.e., use both as a pesticide and a veterinary drug). At CCPR55, the EWG provided a status update on efforts to coordinate between CCPR and CCRVDF. The joint EWG will convene a virtual meeting to improve communication and collaboration across both committees.

• Explore efforts to expand the availability of Codex MRLs for minor crops, notably eggplant, in accordance with relevant Codex procedures. An observer organization presented a discussion paper that proposed a novel approach to advance additional MRLs for eggplant using established JMPR extrapolation procedures and related MRL information available in published JMPR reports. This discussion paper will be considered by JMPR at its upcoming 2024 regular meeting (September).

A more detailed meeting summary covering key topics from CCPR55 is provided below. The final report of CCPR55 will be posted on the Codex website at https://www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CCPR&session=55.

NEXT SESSION OF CCPR

The 56th Session of CCPR is tentatively scheduled to meet during the second half of May 2025.

MEETING SUMMARY

MRLS FOR PESTICIDES IN FOOD AND FEED

To Be Presented for Adoption at Next CAC? Yes Have the United States' Objectives Been Met? Yes Likely to be raised for further discussion at the CAC? No

United States Objective

The U.S. objective was to support the MRL recommendations made during the 2023 JMPR Regular Meeting.

Outcome/Conclusion

The Committee agreed to advance 259 MRLs to the CAC for final adoption (at Step 5/8) at its next session in November 2024. These MRLs are associated with 29 pesticides. 192 of the MRLs are for plant commodities while 67 are for animal commodities. Three of the six new compounds reviewed by JMPR in 2023 were nominated by the United States. Crop Group and Subgroup MRLs accounted for 42 of the 259 MRLs forwarded for final adoption.

The United States noted that the total number of MRLs advanced is lower than previous sessions of CCPR. This decrease does not appear to be the result of a reduction in the number of compounds and new uses considered by JMPR, but may instead be a reflection of the number of specific commodity MRLs requested for each new compound and new use. The United States will monitor this issue and work with stakeholders to ensure that CCPR and JMPR resources are used effectively.

The accelerated procedure and criteria for decision-making were once again used with great success at this session; all MRLs recommended for adoption by the CAC were advanced using the accelerated Step 5/8 procedure. The EU and Switzerland recorded reservations on 149 of the 259 MRLs recommended by the JMPR; therefore, many MRLs may not have advanced at CCPR55 if not for the concern form procedure, which requires that Members submit, for JMPR review, documentation justifying the scientific basis for concerns with the JMPR evaluation and recommended MRLs.

The Committee held 70 MRLs (for dimethoate, omethoate, metalaxyl, bifenthrin, fipronil, mefentrifluconazole, and tetraniliprole) to allow for submission of additional data and information. The Committee also recommended that CAC47 revoke 111 previously adopted Codex MRLs (CXLs) associated with 16 pesticides. These are typically CXLs being replaced based on review of additional data, uses no longer supported, or CXLs deemed by JMPR to have potential dietary intake concerns with no alternative good agricultural practice (GAP). Six draft MRLs for four pesticides were withdrawn from further consideration.

The complete lists of the MRL actions recommended by CCPR55 are contained in the appendices to the official Committee report, which will be published at https://www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CCPR&session=55 when finalized.

COORDINATION OF WORK BETWEEN CCPR AND CCRVDF: JOINT CCPR/CCRVDF WORKING GROUP ON COMPOUNDS FOR DUAL USE - STATUS OF WORK

To Be Presented for Adoption at Next CAC? Possibly, to re-establish the joint working group Have the United States' Objectives Been Met? Yes

Likely to be raised for further discussion at the CAC? No

United States Objective

As chair of the Joint CCRVDF/CCPR EWG, the United States' objective was to provide a status update, highlight key challenges with respect to coordinating across CCPR and CCRVDF, and obtain endorsement from CCPR to convene a joint virtual working group meeting to advance work.

Discussion in Relation to United States' Objectives

The 81st Session of CCEXEC (2021) recommended that CCRVDF and CCPR make use of a joint EWG to advance work on cross-cutting issues and facilitate the establishment of single/harmonized MRLs for edible animal tissues for compounds that are used both as pesticides and as veterinary drugs. The work has been ongoing, and in 2023 CAC46 endorsed continuation of the joint EWG, chaired by the United States with co-chairs from Brazil and New Zealand, with the following terms of reference:

- 1. Identify and prioritize issues affecting both committees and recommend ways to address the issues and to inform CAC accordingly.
- 2. Develop a list of compounds with dual use as a pesticide and veterinary drug for which no or only one Codex MRL has been established with member countries providing the information to populate this list.
- 3. Identify dual-use compounds that have different Codex MRLs for a similar edible commodity of animal origin and recommend on a case-by-case basis, a single, harmonized MRL for the compound and affected commodity. The EWG might recommend that CCRVDF/CCPR consider selecting the higher MRL value.
- 4. Consider the matter related to harmonized food descriptors to be used by JECFA and JMPR.

The primary aim of the discussion at CCPR55 was to provide a status update on the work of the EWG and highlight challenges that have made it difficult to reach consensus on recommendations for CCPR and CCRVDF. These challenges included limited participation in the EWG and coordination issues with respect to making recommendations separately to each committee.

To address these challenges, the EWG requested that CCPR endorse the scheduling of a Joint Virtual Working Group (VWG) meeting. The aim of this meeting is to promote active participation and encourage collaboration across both CCPR and CCRVDF.

Outcome/Conclusion

CCPR55 endorsed the recommendation to schedule a Joint VWG of the EWG and encouraged CCPR delegations to participate actively and coordinate with their CCRVDF counterparts.

MANAGEMENT OF UNSUPPORTED COMPOUNDS WITHOUT PUBLIC HEALTH CONCERN SCHEDULED FOR PERIODIC REVIEW

To Be Presented for Adoption at Next CAC? No Have the United States' Objectives Been Met? Yes Likely to be raised for further discussion at the CAC? No United States Objective

The United States objective was to achieve consensus on a flexible management approach that balances the need for a robust listing of CXLs for global trade while ensuring that risk assessments are based on the most relevant scientific and agricultural use information.

Discussion in Relation to United States' Objectives

In the CCPR review process, an unsupported compound is a pesticide that is due for reevaluation (i.e., periodic review) for which neither a Codex Member Country/Observer nor a manufacturer has committed to submit the data required for evaluation by the JMPR. Due to the increase in the number of compounds that qualify for periodic review, CCPR50 (2018) established an EWG, currently chaired by Chile and co-chaired by Ecuador, India, and Kenya, to explore management options for compounds for which no public health concerns have been identified, but which remain unsupported.

During CCPR55, Chile, as the EWG Chair summarized key points of discussion and the conclusions, and recommendations of the EWG. The EWG recommended revoking the CXLs for bitertanol, fenthion, parathion methyl, amitraz, dinocap (except for those commodities for which CXLs were set for meptyldinocap, until the periodic review of that compound), and methamidophos (except for those commodities for which CXLs were set due to residues of methamidophos that arise from acephate use), as described in CX/PR 24/55/7, paragraph 21.

During the VWG, which met one week prior to the Committee session, some countries expressed concern over the revocation of the CXLs associated with these compounds and indicated that more time was needed to examine them in line with the management approach for unsupported compounds agreed by CCPR54 (as described in REP23/PR54, Appendix XII, paragraph 10). In response to these concerns, the VWG recommended that CCPR delay the decision to revoke the CXLs for these compounds by one year, to allow countries to gather relevant data to support the periodic reviews. The United States supported this recommendation.

The EWG chair indicated that the EWG was not in position to generate data to support the periodic review of compounds that have not received support from the manufacturer, but it could assist countries concerned with the potential revocation of the CXLs to seek assistance from other stakeholders who may be interested in supporting the CXLs/compounds and, in that case, the four-year-rule could be applied to facilitate data gathering. However, the EWG chair noted that these compounds were last reviewed more than 25 years ago, so they should be considered for revocation if no commitment for submission of the relevant data package could be confirmed at CCPR56 (2025).

Outcome/Conclusion

CCPR55 noted that most Members who responded to Circular Letter (CL) 2024/46-PR supported the preliminary recommendations from the EWG to revoke the CXLs for amitraz, bitertanol, fenthion, parathion methyl, dinocap and methamidophos as presented in CX/PR 24/55/7, paragraph 21.

CCPR agreed to re-establish an EWG on the Management of Unsupported Compounds without public health concerns, chaired by Chile and co-chaired by Australia, Ecuador, Kenya, and India, with the following terms of reference:

- i. to further examine amitraz, dinocap/meptyldinocap, methamidophos/acephate, bitertanol, fenthion, and parathion-methyl according to the management approach agreed at the last session (CCPR54, 2023);
- ii. to coordinate with the chairs of the EWGs on priorities and national registration database in accordance with the management approach; and
- iii. based on the above, present the results and recommendations for consideration by CCPR56.

GUIDELINES FOR MONITORING THE PURITY AND STABILITY OF CERTIFIED REFERENCE MATERIAL OF PESTICIDES DURING PROLONGED STORAGE

To Be Presented for Approval as New Work at Next CAC? Yes Have the United States' Objectives Been Met? Yes Likely to be raised for further discussion at the CAC? No

United States Objective

The United States has supported developing guidance for monitoring the purity and stability of certified reference materials (CRM) of pesticides during prolonged storage since the topic was introduced at previous CCPR sessions. Over the last year, the EWG prepared a draft guidelines document; however, the EWG also identified additional work that should be undertaken before adopting the guidance. The U.S. objective at CCPR55 was to achieve agreement to re-establish the EWG to address this work, for subsequent discussion at CCPR56.

Discussion in Relation to United States' Objectives

At CCPR53 (2022), India, Iran, and Argentina submitted a project document on guidelines for monitoring the purity and stability of certified reference materials (CRMs) of pesticides during prolonged storage to harmonize concepts and to develop criteria to allow CRMs and standard solutions with valid purity and stability to continue to be used for pesticide analysis (thereby saving the cost of purchasing fresh CRMs). The new work was recommended by CCPR54 and approved by CAC46 (2023), and the EWG prepared a draft guidelines document for consideration at CCPR55.

In the week prior to CCPR55, a VWG met to address member comments and generate a final draft for possible adoption at CCPR55. However, some members had submitted comments in response to the CL requesting that the guidance be expanded to include mixtures of pesticide standards, which was outside of the original terms of reference of the work. The VWG could not fully address these changes during the allotted time. An in-session working group met at CCPR55 to continue these discussions but was unable to reach consensus. The EWG chair recommended continuing discussions over the next year. The United States has actively participated in the EWG since its inception and will continue to contribute over the coming year.

Outcome/Conclusion

CCPR55 agreed to forward the Guidelines for Monitoring the Stability and Purity of Reference Materials and Related Stock Solutions of Pesticides during Prolonged Storage to CAC47 for interim adoption at Step 5.

CCPR55 also agreed to expand the scope of the draft guidelines to cover mixtures of pesticides and to request CAC47 to approve re-establishment of the EWG, chaired by India and co-chaired by Canada, Iran, and Singapore, with revised terms of reference to:

- i. include provisions for monitoring the stability and purity of mixed pesticide standard solutions;
- ii. refine relevant sections in the document as necessary; and
- iii. submit the revised guidelines for consideration at CCPR56.

ENHANCEMENT OF THE OPERATIONAL PROCEDURES OF CCPR AND JMPR

To Be Presented for Approval as New Work at Next CAC? No Have the United States' Objectives Been Met? Yes Likely to be raised for further discussion at the CAC? No

United States Objective

The United States chaired the EWG and led the development of a discussion paper that was established to advance efforts to enhance the operational procedures of CCPR and JMPR. The United States objective was to reach consensus on the EWG's recommendations to adopt an enhancement approach that balances the shorter-term needs of stakeholders to reduce the backlog of scheduled evaluations with longer-term strategic efforts to increase JMPR's review capacity.

Discussion in Relation to United States' Objectives

As chair of the EWG, the United States led the discussion during CCPR55 and provided a summary of the EWG's working procedures, key points of discussion, conclusions, and recommendations. As part of this discussion, the United States highlighted that the EWG completed its terms of reference and recommended that CCPR adopt a multiprong approach that that includes short-term work over the next three years (2024 – 2026) that focuses on:

- convening an extraordinary meeting of JMPR to reduce the backlog of evaluations; and
- consulting with JMPR and stakeholders to identify specific projects that will improve the evaluation process.

While this short-term work advances, longer-term strategic efforts over the next three to five years (2026 – 2028) can be initiated as part of the EWG's proposed multiprong approach. Strategic issues are likely to be more complex and require additional deliberation to reach agreement on priorities and determine if there is support and resources available to conduct a more in-depth organization assessment and review of JMPR's working procedures.

The United States further highlighted that it would continue to explore how to improve financial and other types of support for the work of JMPR, and that it would develop and submit a detailed proposal for discussion at CCPR56 (2025).

Outcome/Conclusion

CCPR55 agreed with the short and long-term approaches as presented in CX/PR 24/55/10, Appendix I, and that, as a first step, the focus of the work would be on the short-term approaches which could constitute the new mandate of the EWG.

CCPR55 re-established the EWG, chaired by the United States and co-chaired by Costa Rica and Uganda, with the following terms of reference:

i. facilitate collaboration with Codex Members and stakeholders to determine if there is support and if resources are available to convene an extraordinary meeting of JMPR. If support is identified, the EWG will collaborate with the EWG on the schedule/priority

list to determine the timeline and nomination process. If support is not available, the EWG will seek input on other approaches that can be adopted by CCPR and JMPR to reduce the backlog of evaluations.

- ii. solicit input from Codex Members and stakeholders to get recommendations on targeted projects that may enhance CCPR and JMPR's current evaluation process. As part of this effort, the EWG will seek input on mechanisms to ensure current JMPR resources are used efficiently.
- iii. based on (i) and (ii), provide a status update at CCPR56 (2025) and make recommendations on future activities.

ANALYSIS OF PREVIOUS DECISIONS BY CCPR TO ESTABLISH MRLS FOR TOMATO AND PEPPER TO ESTABLISH CORRESPONDING MRLS IN EGGPLANT

To Be Presented for Approval as New Work at Next CAC? No Have the United States' Objectives Been Met? Yes Likely to be raised for further discussion at the CAC? No

United States Objective

The United States supports efforts to expand the availability of Codex MRLs to minor crops, including eggplant, in accordance with relevant Codex procedures.

Discussion in Relation to United States' Objectives

CCPR54 (2023) agreed to add chili pepper and sweet peppers as representative commodities for "Subgroup 12C – Eggplant and eggplant-like commodities." Based on this discussion, the Global Pulse Confederation (GPC) developed a discussion paper that was considered by CCPR55 (2024). This discussion paper analyzed existing MRLs for tomato and pepper and evaluated their suitability for extrapolation to establish MRLs in eggplant. The discussion paper focused on 19 compounds, excluding compounds that were scheduled for periodic review, had existing acute dietary concerns, or did not have a corresponding label/GAP for eggplant. Chronic and acute risk assessments were conducted using JMPR's methodology and MRLs were proposed for the subgroup of eggplant in Appendix I of the discussion paper.

At CCPR55, the GPC provided additional background information on the discussion paper and addressed questions related to the analysis and role of JMPR in reviewing its results and MRL recommendations. GPC advocated for the consideration of these eggplant MRLs by JMPR, either as an additional/new evaluation or under general considerations. CCPR members, including the United States, provided general support for the discussion paper but requested that JMPR review the approach in order to determine if the analysis and MRL recommendation align with JMPR's evaluation procedures.

Outcome/Conclusion

CCPR55 agreed that the GPC extrapolation procedure, underlying analysis, and recommendations should be reviewed by JMPR. CCPR also requested that JMPR provide any amendments to the method, if appropriate. Based on the JMPR review, CCPR will determine how to proceed with the potential eggplant MRLs at the next meeting.

In addition, under another agenda item (Agenda Item 10, Establishment of Codex Schedules and Priority Lists of Pesticides for Evaluation), CCPR55 agreed to add several of the recommended eggplant MRLs to the priority list, since these compounds were already on the priority list for other commodities.