

Department for Environment, Food and Rural Affairs

## Expert Committee on Pesticide Residues in Food (PRiF)

# Minutes of the meeting of the Expert Committee on Pesticide Residues in Food (PRiF), 19 May 2021

The Expert Committee on Pesticide Residues in Food provides independent advice to the Health and Safety Executive, Food Standards Agency and UK Ministers on matters relating to the monitoring programme; this is the 38th meeting of the committee.

### **Those present:**

#### **Chair:**

Ms A Davison

#### **Members:**

Dr J Blackman, Mr I Finlayson, Mr J Points, Ms D Winstanley and Dr G Hart.

#### **Representatives:**

Mr D Faulkner (Northern Ireland Executive), Ms K Reid (representing Scottish government), Dr S Nawaz (National Reference Laboratory), Mr S Phillips (Defra), Mr G Stark, Mrs E Ingram and Dr R Scrivens. (Health and Safety Executive), Mr M Willis (FSA) and Mr D Williams (Defra)

## **Agenda item 1: Introduction**

1.1 The Chair reminded the meeting of the sensitivity of the papers and their discussions. If Members believed that they had a commercial or financial interest in any of the items being discussed, they are required to declare their interest to the Chair and secretariat prior to the meeting. They may then either be invited to absent themselves from the discussions; not participate and/or not be involved in any discussions and decision-making, unless invited to do so.

1.2 A member identified a potential conflict of interest, but it was decided that they could remain and participate in discussion on the relevant item.

1.3 Due to the current COVID-19 pandemic the meeting was held virtually.

## **Agenda item 2: Action points from PRiF meeting of 27 January 2021**

### **2.1 Minutes of the last meeting**

2.1.1 The Chair confirmed that the minutes of the last meeting were agreed and were published on GOV.uk.

## **2.2 Action points from Q4 2019**

2.2.1 Members had previously asked for an update from Defra's Organic Team on findings of chlormequat in organic oats sampled in quarter 4 2019, specifically what level of residue is acceptable in organic products. Due to restructuring within Defra's team, the secretariat confirmed that they have taken further steps to obtain this information from Defra and will keep Members up to date.

### **Action: Secretariat**

2.2.2 The committee were interested as to whether it could be assumed that any residues of chlormequat found in organic samples was classed as 'adventitious residues' or simply 'unclean' applications.

## **2.3 Action point Q4 2020**

2.3.1 The committee enquired about the use of wider communications including social media tools to broaden awareness of PRiF data, prompting the secretariat to further explore the options available. The Foods Standards Agency have agreed to put out a notification on their social media platforms when the PRiF quarterly reports are published and did so to accompany the Quarter 3 report 2020 published in March.

## **2.4 Current Topics Update**

2.4.1 Following a request for clarity by the committee, information had been circulated to before the January PRiF meeting. This information broadly set out how the MRL regime will proceed in Great Britain (GB) and Northern Ireland (NI)) and how the monitoring programme will need to take account of different MRLs in place. A Defra representative attended the meeting to provide further updates of developments in Agenda Item 4.

## **2.5 2021 Monitoring Programme Update**

2.5.1 Following commencement of the programme for 2021 in both GB and NI, which included finalising of sample collection contracts, HSE further outlined changes to the programme and procurement which could begin in 2022. Further developments on this item were discussed as part of in Agenda Items 5 (2021) and 10 (2022).

2.5.2 A discussion was held by the committee regarding documented findings of ethylene oxide residues found in samples of sesame seeds processed in India. The findings had resulted in many food alerts from mainly Border Control testing throughout Europe during 2020. This issue had led to edible seeds being included in the 2021 programme. The FSA will also provide information for inclusion in the PRiF Annual report 2020.

## **2.6 Quarter 3 2020 report**

2.6.1 The PRiF noted that the Quarter 3 2020 report was published on 17<sup>th</sup> of March 2021.

2.6.2 The committee had raised the implications of the chlorate MRLs that came in to force in June 2020 and had discussed how these changes would be reflected in future PRiF quarterly and annual reports. The committee noted the update in the appropriate area of the PRiF Annual report reflecting the new chlorate MRL position and the new processes put in place to ensure correct representation of MRL compliance in the quarterly reports.

2.6.3 The committee's communication sub-group had convened earlier in the year to look at areas of wording within the risk assessments and other aspects of the quarterly report style guide. All actions relating to the Style Guide and the outcome of the meeting held in March will be discussed with agenda item 8.

## **2.7 Bread (Speciality)**

2.7.1 Following further investigation into a sample of olive bread, identified in the January PRiF meeting as exceeding the maximum residue level permitted, it was confirmed by HSE that because the sample was collected before the appropriate MRL was lowered the sample had been compliant. This was communicated to the supplier.

## **2.8 Grapes**

2.8.1 Following scrutiny by the committee of a risk assessment on grapes in quarter 3 2020, which resulted in a RASFF notification being sent by HSE to the Food Standards Agency, the committee asked for more detail of how an alert or equivalent notice is processed post EU Exit. The FSA representative explained that HSE would continue to notify the FSA of residues which fall within the set parameters of concern. However, the route taken by the FSA had changed as it no longer has EU member access to the European Commission reporting portal as now GB is a 'third country'. GB alerts will be routed through INFOSAN (the International Food Safety Authorities Network) operated by the United Nations. Following an enquiry by the committee the FSA representative confirmed that we would still be alerted by the EU of health risks in food they identify. The FSA also clarified that samples of concern in the NI surveys would still be routed via the EU RASFF portal as these can be raised as before.

## **2.9 Milk**

2.9.1 There had been a discussion about the difficulties of tracing back issues to dairies if milk is pooled from several sources. A member indicated that milk could be traced to the individual dairy successfully using identification codes. HSE informed the committee that they were considering surveying milk as part of 2022 programme and would investigate what additional considerations would be needed as to how to ensure sampling represented the different dairies. This consideration would be part of the planning of the 2022 programme discussed in Agenda item 10.

## **2.10 Orange Juice**

2.10.1 The committee noted the prevalence of supermarket own brands made from concentrated orange juice, over orange juice not derived from concentrate. The committee advised that the production and processing of these two types differ and can have a bearing on the resulting residues found. HSE confirmed this would be noted when this commodity was next surveyed and therefore more evenly represented.

## **2.11 Oranges**

2.11.1 It was noted that oranges represented an example of a commodity where a risk assessment is presented for 'all of the peel consumed with the fruit' as well as 'consumption of flesh only (without peel)' It was agreed that this form of complex risk assessment was appropriate to consider within the context of the sub-committee meeting held in March.

## **2.12 Defra consultation on draft revised National Action Plan for the Sustainable Use of Pesticides**

2.12.1 The committee had been notified that the UK Governments had produced a draft revised National Action Plan for the Sustainable Use of Pesticides. The committee members were invited, amongst a range of stakeholders, to comment on the revised draft via a set of questions covering key areas. The committee submitted their comments and an update on the current position of the plan was given in Agenda item 12.

## **Agenda Item 3 Matters Arising**

### **3.1 Amendment to minutes of January 2021 meeting**

3.1.1 The secretariat incorrectly recorded in the minutes of the previous meeting, published on 17<sup>th</sup> March 2021, that an audit report was provided by the AHDB in regard to a residue of chlorpropham being detected in a sample of potato. AHDB had contacted the secretariat to ask that it was made clear that the report was provided by the Potato Industry CIPC Stewardship Group not the AHDB as stated.

### **3.2 Infant Formula Correspondence**

3.2.1 The committee discussed responses from producers of infant formula which had been circulated to them shortly before the January meeting for full discussion. The committee considered the position of the PRiF and HSE monitoring programme in the future reporting of chlorate residues in infant formula and infant food.

3.2.2 The Chair of the committee and the secretariat agreed to commence discussions on the range of options, involving other government departments with the appropriate micro biological expertise, with a view to cross department consideration of respective responsibilities. Any conclusions will be reported at a future PRiF meeting.

### **Action Secretariat**

## **Agenda Item 4 Update from Defra**

4.1 A representative from Defra provided an update to the committee on policy issues. These included reorganisation within Defra to establish the new Defra Pesticides Policy Hub. The new post-Brexit regulatory framework was noted, including the Northern Ireland Protocol which means separate regulatory arrangements now apply in Great Britain and Northern Ireland, with implications for the monitoring and reporting of pesticide residues.

4.2 The UK Internal Market Act was also noted. This Act provides for unfettered access for qualifying Northern Ireland Goods to Great Britain through the new mutual recognition provisions, which apply to pesticide MRL rules in the same way as rules on goods generally.

4.3 The representative explained that the Government production of guidance on mutual recognition is underway together with the development of arrangements for a longer-term qualifying regime for Northern Ireland goods, with only businesses established in Northern Ireland benefitting from unfettered access.

## **Agenda Item 5 2021 Monitoring Programme**

5.1 The secretariat updated the committee with the current position of the surveillance programme, which is now running GB and NI surveys concurrently and the safeguards in place to ensure the adherence to developing legislation.

5.2 HSE explained that during the Covid 19 Pandemic the primary method of survey collection in both GB and NI has been via internet shopping, but as restrictions have begun to lift the programme was gradually moving toward a more blended approach of internet and pre-COVID-19 sampling methods of collection from retail outlets.

5.3 The secretariat predicts adopting this approach will have an effect on market share by broadening the range of the retailers sampled. The secretariat will continue to update the committee regarding this issue.

## **Agenda Item 6 Draft Quarter 4**

6.1 The draft Quarter 4 PRiF 2020 report, which will be published in July 2021, was circulated to the members before the meeting, as with previous PRiF meetings in 2020 and 2021 the committee provided written comments on the draft report prior to the meeting.

### **6.2 Beans with pods**

6.2.1 The committee noted a residue of chlorpyrifos below the MRL in a survey of beans with pods in the report. Discussion was held around the reporting of residues at lower levels. HSE explained that, for a number of actives which had been reviewed and the ARfD set at a lower level, the laboratories tested for this active to a more sensitive level so that even residues below the MRL could be found. This could be relevant in long term risk assessment.

### **6.3 Cauliflower**

6.3.1 A sample of cauliflower containing a residue of flonicamid had been passed to HSE enforcement for investigation. It was noted that the flonicamid residue found was at a low level. Fera's representative clarified that, as the laboratories' ability to detect residues at low levels increases further, the programme will find more compounds at lower levels like this example. HSE explained that each sample was investigated and dealt with on a case by case basis to determine the source of the residue.

6.3.2 The committee also noted that this active is currently authorised for use in Brussels sprout and cabbage therefore the committee considered that the residue may have arisen from growing in proximity to these crops. HSE await confirmation as to whether this sample, which was frozen, was grown in UK.

### **6.4 Courgettes**

6.4.1 HSE wrote to the suppliers of organic courgettes with spinosad residues detected. Spinosad is permitted by law for use in organic production. However, it is standard practice that HSE inform the producer, the appropriate organic body and Defra in these instances, to allow them to follow up as per the relevant organic guidelines.

## **6.5 Pears**

6.5.1 The committee noted the identification of a residue of chlormequat in a survey of Belgian pears and considered it as requiring further discussion in light of the correspondence received by the PRiF from suppliers.

6.5.2 Members considered the response provided by the producer/supplier which suggested the residue could be spray drift from a neighbouring field where wheat was grown. Members felt that due to the level detected and the time of year the pears were sampled this was unlikely.

6.5.3 Consideration was given that the residue might be as a result of historical use as it can persist in pear trees, however, HSE explained that the MRL had been set at a level to allow for this. For further insight a committee member cited an EFSA Journal from 2013 which reported targeted monitoring data providing evidence that pears from orchards in the Netherlands and Belgium where chlormequat was used before 2003, showed 95% of the trees contained residues at or below the level of 0.1 mg/kg. The secretariat agreed to consider both of these points when responding to the supplier.

**Action: Secretariat**

## **6.6 Pumpkin and Squash**

6.6.1 The committee discussed residues of dieldrin found in samples of pumpkin and squash. This residue is known to be present as a pollutant in the environment, from historical use, remaining in the soil.

6.6.2 It was also noted there was a residue of permethrin however, the supplier's response said an investigation showed no evidence of its use in production of the butternut squash or any use of permethrin as a biocide or repellent in transportation or storage.

## **Agenda Item 7 Rolling reporting**

7.1 The rolling reporting from January to March 2021 has been published on 17 March 2021.

7.2 A committee member asked why the details of a potato sample in the rolling reporting was redacted. The secretariat explained that this is normal practice for a sample that has been handed to enforcement team for further investigation.

## **Agenda Item 8 Communication update**

### **8.1 Style guide and Quarter 1 2021 report**

8.1.1 Following a meeting of the communication sub-committee which looked at the revision of the style guide, the members discussed its application to the Quarter 1 2021 report.

8.1.2 A draft of the proposed style guide, illustrating how these changes would apply to the quarterly reports, was circulated around the committee pre-meeting for the members to consider and their main comments were addressed in the meeting. The amended format will look to produce a 'summary' section at the start of the report and remove some of the repetition throughout.

8.1.3 It was agreed by the committee and the secretariat that the style guide would be revisited annually if required, with comments raised being collated for this consideration.

## **Agenda Item 9: Annual Report**

9.1 The committee viewed a draft of the 2020 PRiF Annual report before the meeting and their comments regarding its content were addressed during the meeting.

9.2 The secretariat intends to publish the PRiF Annual Report alongside the PRiF Quarter 4 2020 report in the summer 2021.

## **Agenda Item 10 2022 Plan**

10.1 HSE submitted a paper to the committee before the meeting outlining the use of the ranking tool and the monitoring matrix to assist in the determination of the annual pesticide residues monitoring testing programme for 2022.

10.2 HSE and committee considered that the next phase of the process was to convene a sub-group of the committee to discuss the programme in more detail. HSE will collate the relevant evidence ahead of the meeting.

### **Action: Secretariat**

10.3 Following an enquiry received from a member, HSE confirmed they will be submitting the results of the 2020 programme for the UK to EFSA. Going forward for 2021 onwards there will remain a legal obligation to report only NI data as part of the EU coordinated plan.

### **Action: Secretariat**

## **Agenda Item 11 Date of Next PRiF Meeting**

11.1 The next meeting of the Expert Committee on Pesticide Residues in Food (PRiF) will be held remotely on 14<sup>th</sup> July 2021.

## **Agenda Item 12 Any Other Business:**

### **12.1 The National Action Plan**

12.1.1 The Defra representative confirmed that PRiF response to Defra's consultation on the draft revised UK National Action Plan for the Sustainable Use of Pesticides, had been received and thanked the committee.

12.1.2 Defra advised that due to the high number of responses received from stakeholders there was a delay in collating the information. However there would be an update available for the next PRiF meeting.

### **12.2 Update Ethylene oxide**

12.2.1 A representative from the National Reference Laboratory commented further on seeds, including sesame, being part of the 2021 programme. Preliminary discussions have

been had between HSE and the laboratory regarding challenges implementing the method of analysis they had developed. The method requires use of materials which suppliers have now indicated will not be available for some months. HSE, the laboratory and Fera are considering whether to develop an updated method which will not rely on these materials and will report to the low levels required.

### **12.3 Cumulative Risk**

12.3.1 An HSE representative provided an update to the committee on new publications by EFSA on the topic of cumulative risk assessment; one on the risk assessment of chronic effects of pesticides that might affect the nervous system, and another comparing the cumulative exposure assessments for two different periods of sampling in EU monitoring. The latter showed that cumulative exposures did not change markedly across the two different periods and therefore EFSA intend to maintain their approach of assessing cumulative exposures using probabilistic modelling every three years.

## **13 Chair's comments**

13.1. The Chair thanked the representatives for attending the meeting and HSE for their continued hard work under difficult circumstances.