

# The UK Expert Committee on Pesticides (ECP)

## Full Minutes of the meeting of the UK Expert Committee on Pesticides (ECP) held 28 September 2021

*Due to the COVID-19 pandemic and lockdown measures that were in place, the meeting was held via Microsoft Teams.*

### **Those present:**

#### **Chairman:**

Prof W Cushley

#### **Members:**

Prof R Blackshaw; Mr R Davis; Mr M Dempsey; Prof M Eddleston; Dr J Garratt; Mr M Glynn; Dr M Hare; Dr C Harris; Prof T Hutchinson; Prof T Lock; Dr C Morris; Dr M Rose; Prof A Smith; Prof D Spurgeon and Prof M Whelan

#### **Assessors:**

Ms J Hughes (representing Scottish Government); Dr S Jess (representing the Department of Agriculture, Environment and Rural Affairs, Northern Ireland); Mr D Williams (Defra) and Mr M Williams (Welsh Government)

#### **Advisors:**

Mr A Dixon (HSE); Mr A Burn (NE); Mr B Maycock (FSA); Ms C Meacher (Defra); Ms H Nakeeb (PHE); Mr J Newman (EA); Dr C Snaith (HSE) and Ms M Wade (HSE)

#### **Others:**

Ms F Beacon (HSE); Mr J Chambers (HSE); Mr T Fisher (HSE); Mr J Godwin (Defra); Mr H Graves (HSE); Ms E Ingram (HSE); Mr J Hingston (HSE); (HSE); Mr C Rundle (HSE); Ms C Mitcham; Ms M Morris (HSE); Ms S Mattock (HSE); Mr B Neill (HSE); Ms; R Rogers (HSE); and Mr J Webb (Defra)

#### **Apologies:**

Ms H Chambers; Dr R Mann; Ms G Reay (Scottish Government) and Mr G Stark (HSE)

## **Agenda Item 1: Introduction**

1.1 The Chair reminded the meeting of the confidentiality of the papers and the discussion of their contents. If Members believed that they had a commercial or financial interest in any of the items being discussed, they were 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 Two Members identified a potential conflict of interest. One declared a non-direct conflict of interest; they chose to withdraw from the meeting for the discussion of this item. The other declared they were aware their employer had previously been involved with active substances that would be discussed within the meeting. As the member had not been involved in this work, it was decided this was a non-personal specific conflict and they could remain and participate in discussion on the relevant agenda items.

1.3 Representatives from Defra declared a conflict of interest where they were aware that their employer was involved in the application being discussed. As the representatives had not been involved in this work, it was decided this was a non-personal specific conflict and they could remain and participate in discussion on the relevant agenda items.

## **Agenda Item 2: Full Minutes of the previous meeting [ECP 1 (47/2021)]**

2.1 The draft Full Minutes of the July 2021 meeting were agreed.

## **Agenda Item 3: Matters Arising and Forward Business Plan [ECP 2 (46/2021)]**

3.1 The Secretariat provided an update on matters arising from previous meetings and invited Members to suggest any additions/amendments to the forward business plan which would be incorporated before the next meeting.

3.2 The Chair informed Members he had recently received further correspondence from Buglife. It was agreed to bring the issue to the Business Management Group to find an appropriate time in the ECP meeting calendar to discuss the correspondence.

3.3 Members expressed thanks to the HSE specialists involved in providing a familiarisation session on GB Maximum Residue Levels post-EU exit prior to the meeting.

3.4 Members noted the publication of 'POSTbrief 43, Pesticides and Health' following consultation with several individual members. The Secretariat agreed to send Members' feedback on how the Committee's contributions were included in the report to the authors.

**Action: Secretariat**

## **Agenda item 4: Emergency Authorisation: ‘Revive II’ on amenity and roadside trees [ECP 3 – 3-1 (46/2021)]**

4.1 The Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of ‘Revive II’ (contains 95 g/l emamectin benzoate) to be used as an insecticide primarily on ash trees, but including a wide range of amenity trees.

4.2 The Committee was asked to advise on:

- Is HSE’S interpretation of the laboratory, semi-field and field data was scientifically valid?
- Is it possible to mitigate the risk to non-target organisms from the proposed use?
- Is the recolonization of non-target organisms likely from untreated trees in the area given that the proposed use is on targeted trees?
- Is there any merit in the applicant’s proposal to net treated trees?

4.3 Members discussed the application, and their full advice can be found in Annex 1 of these minutes.

## **Agenda item 5: Emergency Authorisation: ‘Cruiser SB’ on Sugar Beet [ECP 4 – 4-1 (46/2021)]**

5.1 The Government has received an application for emergency authorisation under Article 53 of Regulation 1107/2009 for the use of ‘Cruiser SB’ (contains thiamethoxam) intended to treat sugar beet against Beet virus yellows, transmitted by aphids (mainly *Myzus persicae*)

5.2 The Committee was asked to advise on the following

- If there is any additional relevant evidence on the chronic risk to adult honeybees that should have been taken into account
- If there is any relevant evidence on the potential risk to adult honeybees from guttation that should have been taken into account. If authorisation is granted, can members suggest any suitable monitoring that could be conducted by growers and the sugar industry which would further governments’ understanding of the risk to honeybees

5.3 The Committee was asked to give its views on

- The likelihood of impacts at the colony level from proposed use

- The appropriateness of these risk mitigation measures in reducing the risk to honeybees

Whether there are any additional measures that could be implemented to mitigate the risk to honeybees

5.4 Members discussed the application, and their full advice can be found in Annex 2 of these minutes.

### **Agenda item 6: Application for commercial authorisation of the new product '1,4-Sight' as a sprout inhibitor on stored potatoes [ECP 5 – 5-4 (46/2021)]**

6.1 The Government has received an application for commercial authorisation under Article 33 of Regulation 1107/2009 for the use of '1,4-Sight' (containing 100% 1,4-dimethylnaphthalene) for use as a sprout inhibitor on stored potatoes.

6.2 The Committee was requested to advise on

- The proposed residue definition for risk assessment for plants (root crop only)
- The proposed residue definition for risk assessment and monitoring for livestock
- The HSE approach to evaluation of the processing studies and the impact this has on the consumer risk assessment

6.3 Members discussed the application, and their full advice can be found in Annex 3 of these minutes

### **Agenda item 7: Pyraclostrobin – Amphibian data [ECP 6 – 6-5 (46/2021)]**

7.1 The active substance pyraclostrobin has been approved as a fungicide/plant growth regulator since 2004 and is used across a number of authorised Plant Protection Products. Data have been received suggesting potential adverse effects of pyraclostrobin towards amphibians. The Committee was requested to advise

- Whether HSE's interpretation of both the laboratory and semi-field data is scientifically valid.
- To what extent does the difference in the size and age of the test animals have on determine the degree of risk.
- If, in the absence of test data, using a Suspension Concentrate (SC) and extrapolating from the Emulsifiable Concentrate (EC) was the most appropriate option.

7.2 The committee was asked to give its views on

- The acceptability of the potential risk to young amphibians and potential mitigation measures if HSE's current assessment indicates a risk to amphibians.

### 7.3 Members noted:

- That while evidence suggests greater susceptibility of smaller metamorphs, there is insufficient data to characterise this observation at the mechanistic level. The higher surface area to volume ratios of smaller individuals could directly influence relative toxicity, and the changing physiology and development stage of amphibians that is evidenced from the scientific literature could also be important.
- They had concerns over the data gap on chronic effects on older amphibians and would be interested in further information on the mode of action in amphibians.
- That extrapolation from EC to SC was perhaps not the most appropriate method and that data from the wettable granulate formulations should be considered.
- They support the timing-based restrictions proposed by HSE.

## **Agenda item 8: Clopyralid contamination of commercial compost and manure [ECP 7 (46/2021)]**

8.1 HSE presented an information paper, inviting Members to note the proposed label restrictions for clopyralid-containing products. These label restrictions are intended to supplement the on-going stewardship scheme for aminopyralid.

8.2 The Committee welcomed the actions taken by the product owners in proactively approaching the risk.

### 8.3 Members noted:

- The existence of other chemically similar compounds that have not yet been considered as potential compost contaminants.
- That the forthcoming withdrawal of peat-based composts has led to a wider range of crop plant residues being incorporated into composts, and the implications of this for end-users are not yet well understood.
- It would be desirable to introduce an herbicide activity test built into residue studies where crops are potential compost-feed stocks.
- They would support the development of a more strategic approach across industry in managing the substitution of peat-based composts. Such an approach should promote greater awareness amongst amateurs.

## **Agenda item 9: Proposal for new member familiarisation programme [ECP 8 – 8-1 (46/2021)]**

9.1 The Secretariat introduced an information paper outlining the proposed process for the familiarisation of new Members. The Committee was asked to comment on the merits of the proposal and any further steps they felt useful.

9.2 Members noted:

- The proposed system was welcome as an improvement on the existing induction programme.
- There is a benefit in a ‘buddying’ programme as part of induction, and it was felt the ECP should determine the most appropriate ‘buddy’ person internally.
- They felt greater flexibility in the timing of proposed familiarisation sessions would be appreciated by Members.

9.3 Members further expressed interest in the development of a glossary of terms involved in the regulatory process as a familiarisation tool and the possibility of allowing existing Members to attend onboarding sessions as refreshers.

## **Agenda item 10: Update from Other Government Departments**

### **10.1 Scottish Government**

10.1.1 The Scottish Government noted that the Scottish Pesticide Stakeholders Group, has met twice since March and finalised their terms of reference and membership.

10.1.2 The group is attended by Government Officials and Ministers, representatives from all pesticide use sectors and other interested parties including; AHDB, NFUS, Soil Association, SEPA, NatureScot, independent agronomists, agricultural researchers and retailers. The Scottish Government consider the forum to have been productive for both officials and stakeholders.

10.1.3 In late May, Ministerial responsibility for pesticides moved from the Rural Affairs and Islands portfolio to Environment and Land reform under Ms Mairi McAllan. There remains a possibility for further changes in ministerial remits following a SNP/Green Party co-operation agreement.

### **10.2 Welsh Government**

10.2.1 In May 2021 Julie Jones was appointed as the Minister for Climate Change, with pesticides and chemicals within her portfolio. The Welsh Government Programme for Government placed significant emphasis on combatting climate change and supporting biodiversity.

10.2.2 Members were informed that registration for a new round of the Welsh pesticide disposal scheme funded as part of the PestSmart project had closed in early September. Members had previously been provided information on this scheme in March 2021.

10.2.3 The Welsh Government continues to work with Defra and other Devolved Administrations on supporting the National Pesticide Action Plan and the GB Active Substances review.

### **10.3 Northern Irish Government**

10.3.1 The Northern Irish Government reported that the impacts of the Ireland/Northern Ireland protocol were more significant on import inspections by plant health inspectors rather than on Plant Protection Products.

10.3.2 They noted that divergence between GB and NI has begun to occur, such as in the cases of alpha-cypermethrin, famoxadone and mancozeb but believe the majority of these will become re-aligned when HSE reaches a regulatory decision on these substances. A submission concerning the withdrawal of Metaldehyde, ensuring alignment with GB, is currently being considered by the DAERA Minister.

### **10.4 Defra**

10.4.1 Defra thanked Members for their involvement with the call for views on development on Independent Scientific Advice circulated in July, noting a positive response rate. They informed Members the next steps would be analysing the key themes highlighted from the internal views, finalising the details of an external call for views, undertaking a survey of the different models for obtaining expert advice both within and beyond the UK, and potential follow-up conversations based on topics raised in the call for views.

### **10.5 Public Health England**

10.5.1 Members were informed that from Friday 1<sup>st</sup> October 2021, Public Health England (PHE) will cease to exist, and the majority of staff employed by PHE will be transferred to the new UK Health Security Agency (UKHSA).

10.5.2 The UKHSA will be responsible for planning, preventing and responding to external health threats, and providing intellectual, scientific and operational leadership at national and local level, as well as on the global stage. UKHSA will ensure the nation can respond quickly and at greater scale to deal with pandemics and future threats. UKHSA is an executive agency, sponsored by the Department for Health and Social Care. UKHSA will assume the role of PHE with the ECP.

### **10.6 Natural England**

10.6.1 Natural England reported that research commissioned from the UK Centre for Ecology and Hydrology (UKCEH) "A proposal for terrestrial environmental monitoring of Plant Protection Products" has been finalised. Natural England is planning to publish the report in November 2021 and offered to provide a presentation to the Committee following publication.

10.6.2 Natural England updated Members on their plans concerning the recruitment of further ecotoxicological expertise. They highlighted their involvement in development of Integrated Pest Management approaches in England, including through advising on the development of Defra's Environmental Land Management Schemes.

## **10.7 Food Safety Agency**

10.7.1 The FSA updated the Committee on the joint work of the Committees on Toxicity (COT) and Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment (COC).

10.7.2 COT and COC have produced a report on synthesising and integrating epidemiological and toxicological evidence. The report is currently being finalised and is intended for publication in late October. The FSA agreed to provide Members with the report once following publication.

## **Agenda item 11: Date of next meeting**

11.1 23<sup>rd</sup> November 2021 – full business meeting to be held virtually.

## **Agenda item 12: Any Other business**

### **12.1 First UK Authorisation: 'Futureco NoFly WP' [ECP 9 (46/2021)]**

12.1.1 HSE introduced a paper for information relating to an application for the first UK authorisation of 'Futureco NoFly' (contains *Paecilomyces fumosoroseus* strain FE9901) as an insecticide for use on courgette, cucumber, gherkin, pumpkin, melon, ornamentals, aubergine, pepper and tomato. The Committee noted the authorisation.

### **12.2 Flonicamid – Honeybee data [ECP 10 (46/2021)]**

12.2.1 Members noted the action taken by HSE following the receipt of data on the active substance regarding its potential chronic oral toxicity to honeybees.

12.2.2 HSE agreed to provide further information on the margin of safety used in reaching their conclusions.

### **12.3 HSE correspondence for information [ECP 11 (46/2021)]**

12.3.1 Members noted HSE had replied to the Brassica Growers Association following correspondence received by HSE and the ECP, noted in ECP 10-5 (45/2021). ECP had no additional comments.

### **12.4 HSAC/ECP joint analysis on copper [ECP 12 (46/2021)]**

12.4.1 It was noted that the version of the report seen by Members is currently undergoing final amendments by HSAC.

12.4.2 Members agreed that the final draft will need to be brought before the Committee at a later date and tasked the Secretariat with circulating the final draft for comments and approval after revision by HSAC.

**Action: Secretariat**

## **12.5 Committees update: Work of the Pesticides Residues in Food (PRiF) Committee and Pesticide Forum Annual Indicators report**

12.5.1 It was reported that the PRiF monitoring programme had suffered disruption due to the COVID-19 pandemic. During Q2 of 2020 it was temporarily halted, and a restricted version resumed in Q3. The Committee was informed that the 2020 Annual Report had been published.

12.5.2 The Pesticide Forum informed members they remain engaged in the development of the Defra National Action Plan for the Sustainable Use of Pesticides. They further agreed to inform Members upon the publication of their annual report.

## **12.6 Chairs Report**

12.6.1 The Chair noted the ongoing recruitment exercise had progressed to the interview stage and informed the Committee of the expected timeframe.

12.6.2 Members discussed the risk of residues being present in food as a result of amateur pesticide use in horticulture. HSE informed Members that oversight existed for this risk in the professional sector but agreed there is limited data on amateur use. The risk in the amateur context was considered to be low.

**Ethan Clabby  
ECP Secretariat  
September 2021**

## ECP ADVICE TO GOVERNMENT: USE OF 'REVIVE II' ON AMENITY AND ROADSIDE TREES

### Issue

1. The Government has received an application for an emergency authorisation for the use of 'Revive II' (containing emamectin benzoate) for use as an insecticide on amenity and roadside trees.

### Action required

2. The Committee is requested to advise on:
  - Is HSE's interpretation of the laboratory, semi-field and field data scientifically valid?
  - Is it possible to mitigate the risk to non-target organisms from the proposed use
  - Is the recolonisation of non-target organisms likely from untreated trees in the area given the proposed use is on targeted trees
  - Is there any merit in the applicant's proposal to net treated trees.

### Discussion

3. The Committee *noted* that:
  - The applicant sought authorisation via Article 53 of Regulation 1107/2009 because the product is not authorised in the UK.
  - This was the first application for this use and covered five pest species and up to 11 host tree species.
  - If granted, the use would be via a tree injection system in accordance with a statutory Plant Health Order under the supervision of Plant Health and Seed Inspectors.
  - None of the proposed pests is present in the UK and all are notifiable; the application is preparing for the eventuality of future UK-wide outbreaks. Authorisation would be issued for each of the individual target pests only in the event of an outbreak, in order to eradicate these and prevent its establishment in the UK.
  - The proposed restriction of use to individual trees of cultural value was not, of itself, an eradication plan, but one tool in a wider eradication plan.
  - Risks to operators are mitigated through the use of personal protective equipment (PPE) and engineering controls.
  - The risk to birds and mammals and non-target arthropods cannot be finalised due to a lack of data.

4. The Committee *agreed* with HSE's evaluation that:

- The use is limited and controlled given it would be restricted to specific trees and overseen by a Plant Health and Seed Inspector
- The ecotoxicology assessment concluded that risk to soil organisms and non-target terrestrial plants is within that deemed acceptable for standard authorisation.

5. The Committee *disagreed* with HSE's evaluation that:

- The risk to honeybees cannot be finalised until suitable exposure data on the residue levels of emamectin benzoate in nectar and aphid honeydew are available.
- The calculation of a worst case PEC<sub>sw</sub> that concluded that only 1.22 leaves entering a water body from a treated tree is sufficient to breach the regulatory acceptable concentration (RAC) is appropriate.

6. The Committee *advised* that:

- While they agree that an assessment on honeybees cannot be made, and that the product will persist for more than one season, initial use could be restricted to avoid flowering periods to provide some mitigation. Some of the species of interest, particularly ash, are not particularly attractive to bees but if there are no other pollen and nectar sources available, bees will forage on these.
- The PEC<sub>sw</sub> is unduly conservative as most of the active is likely to be bound in sediment and not freely available. If a whole tree's worth of leaves was introduced into the standard ditch, the water column PEC should only marginally be above the RAC. This would change the PEC<sub>sw</sub> by around 4 orders of magnitude. This indicates the need for sediment data.
- Following treatment of isolated trees, recolonisation by non-target organisms is likely from untreated trees in the area. The time-scale for successful recolonisation will be species-specific.
- It is not possible to mitigate the risk to non-target organisms from the proposed use
- An emergency authorisation under Article 53 of Regulation 1107/2009 was not the correct process for the proposed use. The Committee offered to work with Government to develop protocols that would facilitate a more appropriate evaluation.

## **Conclusion**

7. On the basis of the evidence presented to ECP, the Committee agreed that it was unable to support an emergency authorisation under Article 53 of Regulation 1107/2009.

## ECP ADVICE TO GOVERNMENT: USE OF 'CRUISER SB' ON SUGAR BEET

### Issue

1. The Government has received an application for an emergency authorisation for the use of 'Cruiser SB' (containing thiamethoxam) for use as a seed treatment on sugar beet.

### Action required

2. The Committee is requested to advise:
  - If there is any additional relevant evidence on the chronic risk to adult honeybees that should have been taken into account
  - If there is any relevant evidence on the potential risk to adult honeybees from guttation that should have been taken into account
  - If authorisation is granted, can members suggest any suitable monitoring that could be conducted by growers and the sugar industry which would further governments' understanding of the risk to honeybees.
3. The Committee is requested to provide a view on:
  - The likelihood of impacts at the colony level from proposed use
  - The appropriateness of these risk mitigation measures in reducing the risk to honeybees
  - Whether there are any additional measures that could be implemented to mitigate the risk to honeybees

### Discussion

4. The Committee *noted* that:
  - This is the second consecutive application for this proposed use.
  - The applicant has not provided any new data to government since the previous emergency authorisation application for which the Committee provided advice in November 2020.
  - The risk from non-dietary exposure is acceptable if suitable PPE is worn.
  - The dietary exposure assessments indicated that the use would result in produce complying with maximum residue levels and acceptable risks to those consuming treated produce.
  - The environmental risk assessment indicated an acceptable risk to birds, mammals, aquatic life, non-target arthropods, soil macro-invertebrates, soil processes and non-target terrestrial plants

- The risks to birds from consuming treated seeds had not been demonstrated to be acceptable. However, consumption of pelleted seeds is considered an unlikely route of exposure
- The chronic risk for adult honeybees from a sugar beet crop could not be assessed. Therefore, no conclusion could be drawn on what the potential effects of exposure to thiamethoxam could be from the proposed use and resulting exposure.
- Off-crop movement of residues could contaminate flowering plants in managed field margins and Natural England opined that some possible mitigation measures could have implications for existing agri-environment agreements.
- The proposed mitigation measures acted through reducing the food sources of the wildlife groups which the mitigation aimed to preserve.
- The latest contracts between growers and British Sugar included an insurance scheme to offset possible losses due to the occurrence of the virus and this needs to be considered in the context of the case for need.

5. The Committee *agreed* with HSE's evaluation that:

- Surface water concentrations may exceed PNEC values established under water quality legislation.
- There was a case for need based on the impact that failure to control aphids transmitting Beet Virus Yellows can have on yields, though the magnitude of financial loss to growers could not be predicted because of the contract changes.
- The requirements for emergency authorisation have not been met.

6. The Committee *advised* that:

- There is new evidence regarding the risk from neonicotinoids globally which adds to the weight of evidence of adverse impact on honeybee behaviour and demonstrated negative impacts on bee colonies.
- Further evidence has been published on the occurrence of thiamethoxam in honey and of adverse effects on other bee species, and these effects should be considered in addition to chronic effects on honeybees.
- There is a lot of literature on the adverse impact of neonicotinoids on aquatic organisms. Members noted sugar beet production is concentrated into certain areas of the country and therefore regional effects are more likely than if the proposed usage was spread more widely across the country. The HSE assessment indicates that an acceptable risk had been demonstrated for application in March utilising the higher tier RACs for thiamethoxam and clothianidin. However, the predicted levels exceeded the PNECs set under the Water Framework Directive.
- The data provided indicated that the potential risk to adult honeybees from guttation in sugar beet was low.
- None of the suggested mitigation measures protected off-crop areas and, if the authorisation is granted, further consideration needs to be given to how this could

impact on growers involved in agri-environmental schemes which involved planting flowering margins.

- The proposed trigger threshold for the authorisation of the treatment of seed was derived when there was no compensation scheme available to growers and needs to be re-calibrated to take into account the terms of the new contracts.

## **Conclusion**

On the basis of the evidence presented to ECP, the Committee agreed that it is unable to support an emergency authorisation under Article 53 of Regulation 1107/2009 because of the reasons laid out by HSE, the expected off-crop environmental effects and the impact of grower contract changes on the trigger threshold for use.

## ECP ADVICE TO GOVERNMENT: USE OF '1,4-SIGHT' ON POTATOES

### Issue

1. The Government has received an application under Article 33 of Regulation No 1107/2009 for the use of '1,4-Sight' (containing 1,4-dimethylnaphthalene (1,4-DMN)) for use as a sprout inhibitor on stored potatoes.

### Action required

2. The Committee is requested to advise on:
  - The proposed residue definition for risk assessment for plants (root crop only)
  - The proposed residue definition for risk assessment and monitoring for livestock
  - The HSE approach to evaluation of the processing studies and the impact this has on the consumer risk assessment

### Discussion

3. The Committee *noted* that:
  - 1,4-DMN is considered by growers and the industry to be a replacement for chlorpropham as a sprout suppressant. 1,4-DMN is authorised for this use in some EU Member States.
  - HSE evaluated a metabolism study on potato tubers conducted in accordance with the critical GAP for potatoes which allows a conclusion on the residue definition for risk assessment (RD-RA) for plants (root crops only). HSE concluded that the provisional residue definition (EFSA 2013) is appropriate and propose no amendments.
  - HSE evaluated new poultry and ruminant feeding studies. In considering the residue definitions, HSE took into account the occurrence and potency of analytes, as well as the availability of suitable analytical methods. HSE concluded that the residue definitions should be amended to clarify the specific conjugates for ruminants and poultry.
  - HSE were unable to use the data from non-standard processing studies supplied by the applicant to calculate a robust end-point and have therefore estimated consumer exposure based on the consumption of potatoes expressed as the raw agricultural commodity. The consumer exposure assessment results in a conclusion that estimated intakes are > 100 % of the ADI (Ca. 147% infants and 109% toddlers).
  - The processing studies provided by the applicant in an attempt to refine the risk assessment were not suitable to propose a robust processing factor which would be required to refine the risk assessment.

- Restrictions preventing livestock from eating treated potatoes and peel could reduce residues in animals, and therefore consumer exposure. However these restrictions would be very difficult to put in place and enforce.

4. The Committee *advised* that:

- Steps could be taken to refine default factors for the consumption of potato processing waste which is a driver for the ruminant intakes.
- If necessary, restrictions preventing livestock from eating treated potatoes and peel could reduce residues in animals, and therefore consumer exposure
- Whilst they agree that the processing study using 4 tubers is not sufficient to define an end-point, factors for the peeling of potatoes are robust. More consideration could be given to the consumer exposure assessment by utilising peeling data. It was noted that there was a lack of data available to either HSE or FSA that would allow this type of refinement.
- Methods are needed to enable the use of data from non-standard studies in cases such as this to avoid situations where conclusions are based on an unrealistic scenario.
- The model used to carry out the consumer risk assessment in the UK has a different calculation approach to the one used in EU Member States, which accounts for an authorisation being granted in some Member States. A more refined approach could be taken using a different programme which is currently used by the FSA and this should be done if at all possible.
- The consumer exposure assessment assumed that there is no reduction in residues as a result of processing and cooking potatoes, so it is conservative; it should not be concluded that the consumer exposure is unacceptable until possible refinements have been considered.
- The residue definitions for risk assessment are appropriate, but HSE should consider the analytical risk assessments. These should be as simple as possible as analytical methods are not always available for each of the metabolites set in the residue definition.

## **Conclusion**

5. On the basis of the evidence presented to ECP, the Committee agreed that it was unable to support an authorisation under Article 33 of Regulation 1107/2009.