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 surveillance programme; this is the 35th meeting of the Committee.

Those present:

Chairman:

Dr P Brantom

Members:

Ms A Davison, Dr J Blackman, Mr I Finlayson, Mr J Points, Ms D Winstanley

Representatives:

Dr R Scrivens (Health and Safety Executive), Mr P Hamey (Health and Safety Executive), Ms J Wilder (Health and Safety Executive), Mr D Faulkner (Northern Ireland Executive), Dr S Nawaz (National Reference Laboratory), Dr M Taylor (Scottish Government), Dr D Mortimer (Food Standards Agency),

Agenda item 1: Chairman’s introduction

1.1 The Chairman welcomed everyone to the meeting. Due to the current COVID-19 pandemic the meeting is being held via a teleconference.

Agenda item 2: Declarations of interest

2.1 Mr J Points declared an interest in agenda item 9 (rolling reporting) and may need to leave the discussion if the okra reports are discussed in detail. Dr J Blackman declared a personal non-specific interest in certain foodstuff surveyed in the Quarter 4 2019 report. However, based on the results, the foods concerned had been identified as not needing further discussion during this meeting.

Agenda item 3: Apologies

3.1 Apologies were received from Mr D Williams (Defra), Ms S Hugo (Defra) and Mr G Stark (Health and Safety Executive)
Agenda item 4: Action points from PRiF meeting of 29 January 2020

The actions had been summarised and circulated to the attendees beforehand and were summarized as below)

4.1 Minutes of the last meeting

4.1.1 The Chairman confirmed that the minutes of the last meeting were agreed and would shortly be published on GOV.uk when the Quarter 3 report was published.

4.2 Declarations on Interests

4.2.1 The Secretariat contacted Committee Members to request new or updated biographies and annual declarations of interest to be completed. The Secretariat will arrange for the updated information to be added to the PRiF webpages.

Action: Ongoing

4.3 Previous actions from Draft Q1 Report

4.3.1 It has been recognised that monitoring the delivery process requires modernisation and systems to do this are currently being planned in detail. It is necessary to determine the future priorities and requirements which is an ongoing issue. An update on this work will be provided with agenda item 7, EU Exit update.

4.3.2 The Secretariat will ensure that during the 2020 sampling, checks will be reinstated with the sampling contractors to ensure that specific retailers are not under or over sampled.

4.3.3 Committee Members felt that more transparency was required to explain why surveys are selected. It was suggested that the nature of the targeted surveys be explained in the annual report. The Secretariat have updated a section in the quarterly reports titled ‘Interpreting Brand Name Information’ from Quarter three 2019 onwards to provide further transparency.

4.4 Actions from Draft Q2 2019 Report

4.4.1 One sample of potatoes contained a residue of flonicamid above the MRL, the sample is being investigated by HSE and an update will be provided once the it has concluded.

Action: Ongoing

4.4.2 As part of the considerations for future open meetings, Members and the Secretariat were considering ways to raise awareness of the work of the Committee, including the potential use of social media. This will be discussed further at the communication sub-group.

Action: Communications Sub-group
4.5 Matters Arising: Appointments

4.5.1 The Secretariat will provide an update on the ongoing recruitment campaign at agenda item 5, Matters Arising.

4.6 Current Topics – Chlorate

4.6.1 In the development of setting MRLs for chlorate, stakeholders have been updated on the current position by HSE Residues Policy team who have asked for their thoughts on the information they will be generating in respect of the provenance of residues of chlorate.

4.7 Draft Q3 2019 Report – Beans with pods and okra

4.7.1 Members suggested some alterations of the risk assessment wording for both beans with pods and okra. Amended wording was circulated and agreed following the meeting. The amended wording was included in the Quarter 3 report before it was published.

4.8 Draft Q3 Report – Curry leaves

4.8.1 Members indicated that the import of fresh curry leaves into the UK had been effectively prohibited since February 2018 for plant health purposes. The Secretariat contacted the head plant health inspector and forward the monitoring results to them for their information.

4.9 Draft Q3 Report – Turmeric

4.9.1 A footnote in the report that stated phorate sulfoxide is a breakdown product of phorate was extended before publication to explain that sulfoxide is sought in the survey even though it is not included in the MRL definition, as it would underrepresent the total phorate levels in these samples if this component was excluded.

4.10 Draft Q3 Report – Chocolate

4.10.1 The National Reference Laboratory were asked to check if 2,4-D had been included in the active ingredients that were analysed in this survey. It was confirmed after the meeting that 2,4-D was not sought in the chocolate survey.

4.11 Draft Q3 Report – Bread

4.11.1 Two samples contained a residue above the MRL, correspondence from the brand owner of one sample confirmed that the wheat used to produce the bread was grown pre-December 2018 and therefore a previous higher MRL should be applied and the sample was compliant. No correspondence was received for the other sample which was marked as non-compliant in the report.

4.12 Draft Q3 Report – Spinach

4.12.1 Six samples contained residues above the MRL, none were at a level that would be expected to have an effect on health. Five of the six samples contained a
residue of chlorate. The Secretariat had sent exceedance letters for each of the samples.

4.13 **Draft Q3 Report – Cooked Meats**

4.13.1 The Secretariat amended the wording in the report to make it clear that samples in the cooked meats survey were only analysed for chlorate and QACs.

4.14 **Draft Q3 Report – Unapproved Uses**

4.14.1 A sample of spinach had previously been passed to HSE Enforcement team to investigate a residue resulting from a suspected unapproved use. The enforcement team had completed their investigation. Brand name information for this sample which had previously been withheld was published with the quarter 3 report.

4.15 **Communications update**

4.15.1 The Committee suggested updates to the wording in a section of the report titled ‘Cocktail Effect’. Wording in this section around organophosphorus and carbamates was updated before the report was published. The amended wording will be included in future reports.

4.16 **Annual Report 2019**

4.16.1 The list of Committee Members and declarations of interest would be updated in the annual report using the annual declarations the Secretariat had asked Members to make.

4.16.2 Members and department representatives were asked to send contributions for the annual report to the secretariat. Some contributions have been received. The Secretariat will revise the timetable for the annual report to take on board current resource and priorities.

4.17 **Open Event**

4.17.1 Due to the current global situation and resource demands on the Secretariat, it was agreed that the Open meeting would be postponed until Spring 2021. However, it was noted that it is difficult to get outside speakers due to other commitments so the date of the event should be released as early as possible once it is agreed to try and avoid this.

**Agenda item 5: Matters Arising**

5.1 **Appointments update**

5.1.1 The Secretariat updated the Committee on the progress of the recruitment campaign, which is now at an advanced state and close to being able to announce the successful candidates.
Agenda item 6: Impact of COVID-19 on 2020 programme – next steps

6.1 The Secretariat informed the Committee that HSE’s priority, in line with its stated objectives, was to protect workers (both their own and those contracted to work in the delivery of HSE functions) and as such it was imperative that the collection of samples was suspended so that retail shoppers and Government Inspectors safety was assured. Suspension was taken in line with other Government activities, with agreement of the Devolved Administration and FSA. The labs have received all of the samples for Quarter one, so this work will continue. HSE have been having regular meetings with the laboratory to judge their capacity and staff availability, at the last meeting, there was confidence that analysis could resume for Quarter Three 2020 with appropriate notice. The majority of the samples that should have been collected in Quarter two are also due to be collected in Quarters three and four with the exception of asparagus which is a seasonal item and may need to be re-scheduled.

6.2 Members asked if sampling could be moved from retail outlets to port or import points, the Secretariat informed the committee HSE inspectors do not have warrants to collect samples from these locations. Restarting the sampling programme is a high priority and HSE are looking at ways to do this safely.

6.3 It is not anticipated that anything will be included in the quarter four 2019 report to reference COVID-19 and its effects as the samples in this report were collected before the lockdown.

Agenda item 7: Current topics update

7.1 EU Exit

7.1.1 HSE gave a brief update on EU Exit matters focussing on legislation, continuity of operability and governance. An overview of the impacts of the Northern Ireland (NI) protocol was given. Specific points of interest to the committee was that the co-ordinated part of the programme (previously in EU Regulation 2019/533) will carry on for Great Britain (GB) in the retained national law, NI will be subject to the new monitoring regulation which comes in to force in January 2021. Defra and HSE are working closely to scope out the implications of the NI Protocol to make sure that the ability to meet legal commitments to have a programme and report to EFSA are met.

7.2 Chlorate

7.2.1 The Secretariat had forwarded a request from HSE to stakeholders for comments on a voted EU proposal on chlorate MRL, in particular looking for views on how to consider compliance related to residues from biocide use. Comments already received from members have been forwarded to HSE colleagues who are compiling the response for consideration. The deadline for comments is 22 May.

Action: Committee Members

7.2.2 Members were keen to ensure that there was a joined-up approach in the response provided to HSE. If there were any gaps in the response from industry (as a possible consequence of the current crisis and companies not being available to provide a response) these should be followed up.
7.2.3 The Committee agreed the importance of the co-operation with the FSA, the ACMSF and Defra on biocides

Agenda item 8: Draft Quarter 4 2019 Report

8.1 Beans with pods

8.1.1 One member queried the wording in the detailed short-term risk assessment for monocrotophos and how is it known that monocrotophos is expected to be more toxic to humans following repeated exposure rather than exposure from a single occasion. HSE confirmed in this instance the ARfD was derived from studies that are dosed for longer than one day. Such studies are typically regarded as a more precautionary way of establishing a toxicological reference value suitable for short term exposure. It was agreed that this was a complex risk assessment, but the wording would be amended to give a top-level summary to reinforce that the risk assessment carried out was thorough and precautionary.

Action: Secretariat

8.1.2 It was agreed that, when resources permit, the Communications sub-group should look at the wording that is used in the reports to summarise the risk assessments, as this is a complex area that can be hard to provide a short high-level overview.

Action: Communications sub-group

8.1.3 Members looked at a detailed risk assessment for dimethoate and omethoate, the wording around the risk assessment has been amended in previous reports but members felt it required further work to make sure the outcome is clear and to separate the long-term and short-term effects on health. It was agreed that, as the wording was consistent with previous reports, it would not be amended this time, but it would be considered by the Communications sub-group for future reports.

Action: Communications sub-group

8.2 Potatoes

8.2.1 One Member questioned why 3-chloroaniline was not sought in the analysis of chlorpropham. Components that are of toxicological interest are considered in the regulatory assessment (at the time of authorisation or active substance review during regulatory assessment of the registration data packages). However, HSE explained that not all components are required for routine monitoring purposes.

8.2.2 One Member queried why the potatoes were split into ‘main’ and ‘new’ crop as the distinction is inappropriate. The secretariat noted that the split was originally created as MRLs could be different for new and main crop potatoes, however this is no longer the case. Due to the way that survey is set up this could not be amended mid-year, but it is something that could be looked at for future surveys. To explain the anomalies a footnote will be added to the report.
Action: Secretariat

8.2.3 HSE noted that the wording in the overview of the detailed risk assessment for chlorpropham was very detailed and suggested some wording to simplify this overview section. It was agreed that some of the wording that HSE had suggested should be incorporated into the overview. HSE would re-draft this section for members consideration.

Action: HSE

8.2.4 The Secretariat informed the Committee that regulatory work on a previous finding of fonicamid in potatoes was still ongoing and an update would be provided to Members when it was available.

8.3 Rice

8.3.1 The Secretariat informed the committee that a letter had been sent to the brand owner of a sample of rice with a residue of tricyclazole above the MRL rather than the store where it was purchased, but no response had been received. The MRL for tricyclazole was lowered in 2017, rice imported after 2017 is subject to the new MRL. As a number of samples are still non-compliant, members asked the secretariat to follow up with rice trade associations. In addition it was recommended that letters are sent to the stores the samples are purchased from, as well as the brand owner, as they also have an obligation to ensure the products they sell are compliant.

Action: Secretariat

8.4 Bread (ordinary)

8.4.1 Members felt a note should be added to the detailed results report that provided the link to how processing factors for bread are applied to the MRL. It was also noted that the explanation around processing factors in the main report should be updated to make it clear that there are standard processing factors which are applied. However, if a brand owner is able to provide information about the specific process that has taken place, the processing factor applied could be refined, so that it is more accurate.

Action: Secretariat

8.5 Fish (sea)

8.5.1 Members noted that findings of QACs were likely to be from biocide use. Biocide use falls outside of the PRiF’s remit, however, findings of QAC have been an ongoing issue for a number of years, which requires more joined up work between Government.

8.6 Milk

8.6.1 Members asked if chlorate was sought in milk. The Secretariat confirmed that as it was more likely to be detected in processed products such as cheese and butter. Analysis of chlorate was carried out in those surveys instead. Action: Secretariat
8.7 Oats

8.7.1 Members asked for an update from Defra’s Organic Team on findings of chlormequat in organic oats. It is widely known that chlormequat is naturally occurring in soil, Members would like to know what level of residue is acceptable in organics. The Secretariat will ask Defra for their view on chlormequat findings.

**Action: Secretariat**

8.7.2 Members noted that the majority of the samples collected were supermarket own brand. Since there are two main oat producers and one supplies all the supermarkets own brand products, all these samples will be from the same producer. The Secretariat will amend the protocol to ensure that more branded oats are collected later in the year.

**Action: Secretariat**

8.8 Salad leaves (pre-packed)

8.8.1 Members noted that a new MRL for chlorate in lettuce has been proposed (but not yet in force). It was not applicable to refer to the incoming MRL in this part of the report as it was not in place when the samples were collected. The chlorate information section of the report will be updated to make readers aware that new MRLs are due to be introduced.

**Action: Secretariat**

8.9 Introduction section

8.9.1 One member noted there was an error in the wording that required amendment. The Secretariat will amend this before the report is published.

**Action: Secretariat**

8.10 Cheese (processed)

8.10.1 Members noted that there was a high number of samples from the same brand owner, the Secretariat will amend the sampling protocol to ensure that other samples are collected for the remaining quarters.

**Action: Secretariat**

8.11 Suspected Unapproved Uses

8.11.1 Members asked for the meaning of the EAMU to be written in full (extension of authorisation for minor use) for clarity. It was noted that there is a definition regarding EAMUs in the Glossary at the back of the quarterly report.

**Action: Secretariat**

**Agenda item 9: Rolling Reporting update**

9.1 The Members noted the rolling reporting for January.
Agenda item 10: 2021 Monitoring Plan

10.1 The Secretariat informed the committee that they had produced the initial ranking table which assigns each survey a value based on previous findings, exceedances, RASFFs, etc. The scores for exceedances of chlorate needed to be manually removed from the tables where the survey only sought disinfectants. Once this was complete an initial proposal for 2021 surveys would be produced. It was agreed that HSE would convene a sub-group of members and the FSA to provide advice on the forward programme. Following agreement at the sub-group the proposal would be circulated to stakeholders for comment.

Action: Secretariat

Agenda item 11: Communication update

11.1 Communications sub-group

11.1.1 The Secretariat explained that due to the current pandemic, it was not possible to make arrangements for an open business meeting or open event in 2020.

11.2 Annual Report 2019 production plan

11.2.1 The Secretariat has begun to gather data for the annual report however, due to available resources, it is more likely that the report will be published in the Autumn rather than the Summer. The Secretariat will provide a production plan for the report to update the members before the next meeting.

Action: Secretariat

11.2.2 Members noted that in recognition of the limits on resources at this time, it would be helpful to streamline the annual report to include the important results information and summaries but that specific case studies would not be included this time.

11.2.3 Members discussed alternative ways of involving stakeholders in discussion of results while meetings were not possible. This will be further addressed by the Communications Sub-group.

Action: Communications Sub-group

Agenda item 12: Any other business

12.1 HSE noted that this would be the last meeting attended by the current Chairman whose term should have ended in 2019, but he had agreed to chair meetings whilst the recruitment for a new Chair took place. It was also noted that Mr P Hamey will be retiring from HSE at the end of May. HSE and Members thanked both for their valuable contributions to the committee’s work.

12.2 The Chairman thanked everyone for their contributions, then closed the meeting.

The next meeting of the Expert Committee on Pesticide Residues in Food (PRiF) will be held on 15 July 2020.