



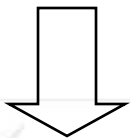
The implementation of the EU legislation on pesticide residues -Regulation (EC) 396/2005- -Issues related to Cocoa

Bas Drukker

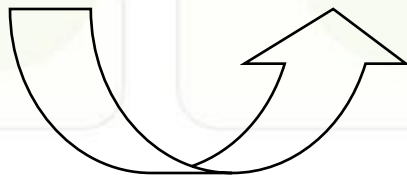
European Commission
Health and Consumers Directorate General
Unit E3 - Chemicals, Contaminants and Pesticides

**International Workshop on the safe use of pesticides in
Cocoa and harmonized legislation for food safety
25-27 January 2011 Kuala Lumpur**

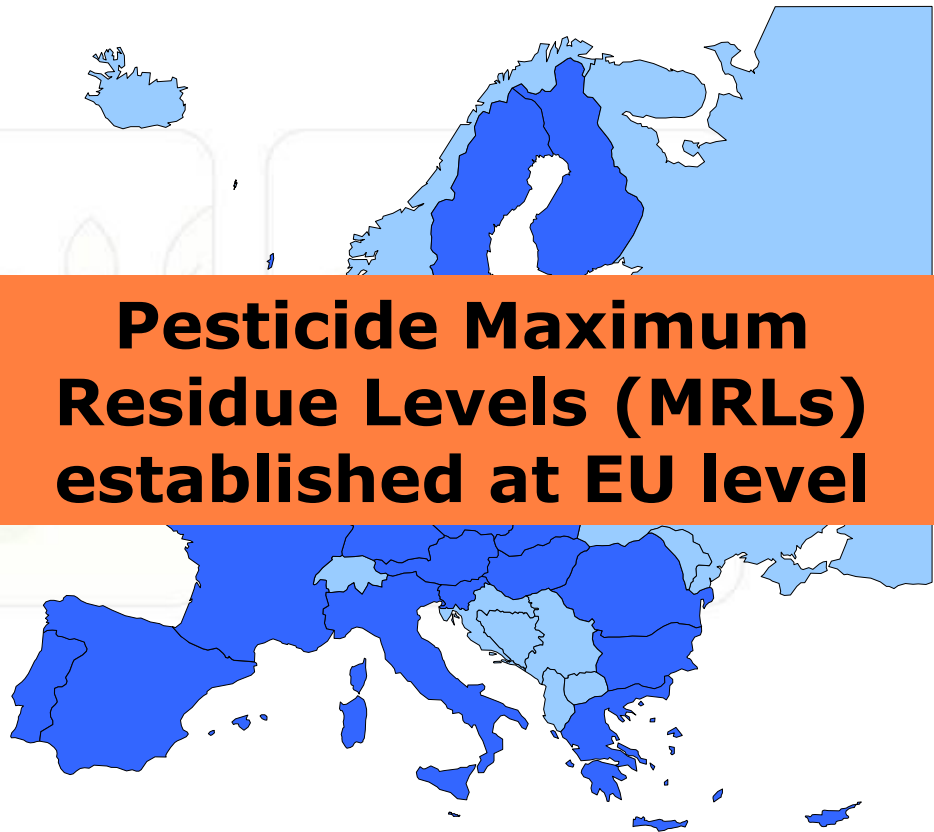
**Food can circulate freely
on the EU market**



**Guarantee a high level
of protection for all EU
consumers**



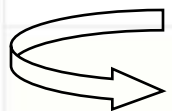
**Pesticide Maximum
Residue Levels (MRLs)
established at EU level**



Regulation (EC) No 396/2005

on maximum residue levels of pesticides
in or on food and feed of plant and animal origin

Main objective: high and consistent level of consumer protection across Europe



Setting of harmonised EU-MRLs

It replaces 4 previous Directives

Applicable since 1 September 2008

Harmonisation of pesticide MRLs

Old Directives

Reg. No 396/2005

EU-MRLs

± 250 pesticides

± 530 pesticides

National MRLs

± 850 pesticides

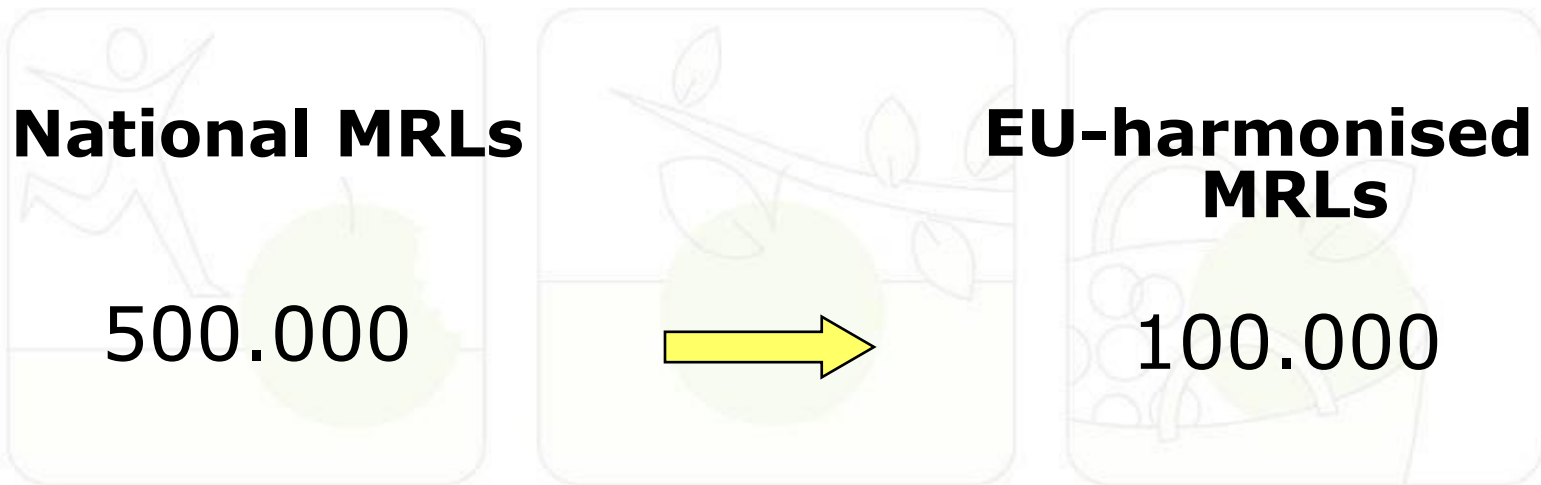
None, except for
feed/fish

Default MRLs

None

0,01 mg/kg

Harmonisation = Simplification



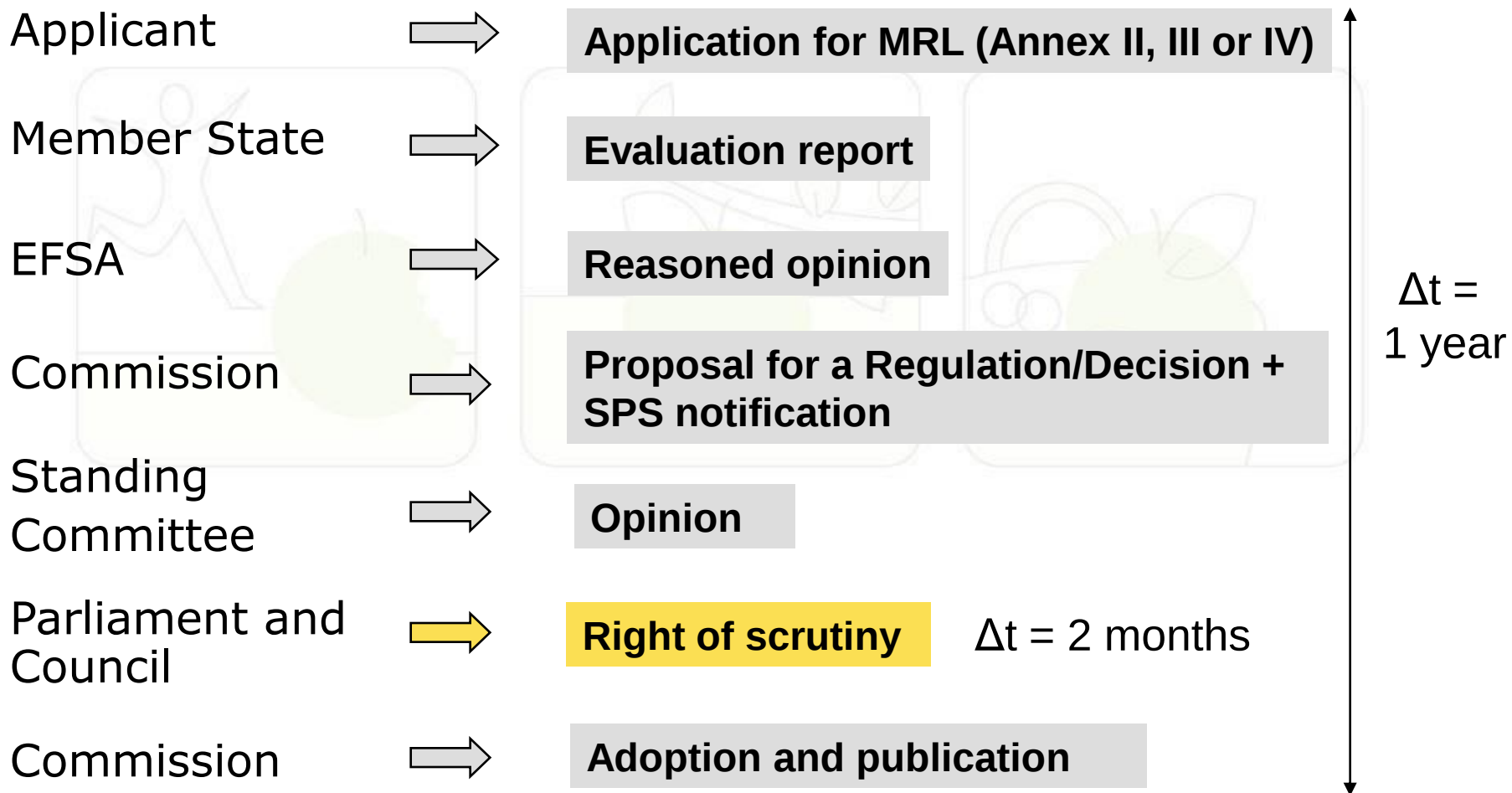
Reg. (EC) No 396/2005

What has changed in practice

- Harmonised risk assessment (EFSA's role)
- EU -MRLs= Pre-condition for national authorisations
- New MRLs setting procedure
- Public database on EU-MRLs
- New provisions for monitoring of pesticide residues

Reg. (EC) 396/2005

MRLs setting procedure



Consultation with trading partners and import tolerances

- EU trading partners are consulted about MRLs proposed (**SPS notification**)
- Their observations and data submitted are taken into account before MRLs are adopted
- MRLs set at the international level by the **Codex Alimentarius Commission** are also considered
- **Import tolerances** can be set provided that data are submitted and that the risk to EU consumers is acceptable

ANNEX I: List of commodities

Regulation (EC) N. 178/2006

- **315 commodities** – 10 main groups.
- **190 existing** entries from current Directives.
- **125 new entries.**
 - Here : **cocoa**
 - MRLs cocoa also apply to chocolate, after correction by peocessing factor (see previous slide)
- **Fish** and **plants used in animal feed** listed, but for the time being exempted from EU-MRL setting.

ANNEX III: temporary EU-MRLs

- Part A
 - MRLs Harmonisation for 226 pesticides
 - ± 70000 MRLs for 217 entries
- Part B
- combinations new crops/245 pesticides in Annex II
 - ± 30000 MRLs for 229 entries
- **So for cocoa there are MRLs for 471 pesticides**

Compliance with MRLs

616 Pesticides not covered by any of the Annexes



**Default MRL
0,01 mg/kg**

**So for 616 pesticides, the MRL
for cocoa is 0,01 mg/kg**

Cocoa MRLs

- 471 explicit MRLs for Cocoa
 - Lowest: 0.005ppm fipronil; Highest 70ppm Bromide ion
- 27 > LOD
- For 616 pesticides the default MRL applies
- For 52 substances no Cocoa MRL needed

Pesticides found on cocoa by official control

- So far few findings on cocoa/chocolate because not frequently tested
- Examples:
 - In 2007 Methylbromide in Rapid Alert system on Food and Feed
 - In 1997 Lindane in UK
- So far Cocoa not much affected by « private standards »

DATABASE on EU-MRLs



Pesticide Residues MRLs

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Pesticide EU-MRLs Database

Regulation (EC) No 396 / 2005

[Products](#)[Pesticides](#)

Disclaimer

This database is made available solely for the purpose of information. It has no legal value. It lists MRLs according to the Annexes of Regulation (EC) No 396/2005. The official MRLs are those published in the Official Journal of the European Union (Plant Protection - Pesticide Residues - Community Legislation). The Commission declines all responsibility or liability whatsoever for errors or deficiencies in this list. Neither the Commission nor any person acting on behalf of the Commission is responsible with regard to the improper use of the document and its contents.



***Thank you
for
your attention!***