

## Green challenge to new pesticide residue rules

By Jane Byrne

01-Sep-2008 - **Green organisations have instigated legal action over the new maximum legal limits on the level of pesticides allowed in food items sold in the European Union.**

Pesticides are used to protect crops before and after harvest from infestation by pests and plant diseases. A possible consequence of their use may be the presence of pesticide residues in the treated products.

Regulation (EC) No 839/2008 of the European Parliament and of the Council on maximum residue levels (MRLs) of pesticides in products such as cereals, fruit and vegetables and meat products comes into effect from today and is an amendment of the 2005 Regulation 396/2005.

MRLs are defined as the maximum concentration of pesticide residue, expressed as milligrams of residue per kilogramme of food, likely to occur in or on food after the use of pesticides. For active substances for which no MRL is included in the Regulation, a default MRL of 0.01mg/kg will apply.

### Legal challenge

Natuur en Milieu and Pesticide Action Network (PAN) Europe, an umbrella group of European health and environmental organisations, have lodged an appeal at the Court of First Instance to force the Commission to review the legislation.

Elliot Cannell, Coordinator, PAN Europe told FoodProductionDaily.com that the Commission has failed to deliver on its obligation to set legal limits at the lowest achievable level as agreed in Regulation 396/2005.

*"For each pesticide, the Commission identified the country with the worst safety limit and then sought to adopt this level as the new EU-wide standard,"* he said.

The spokesperson for Natuur et Mileu, Hans Muilerman said that there was also no consideration of the cumulative effects that pesticides have on human health.

Cannell expects the court to issue an opinion on the appeal in early 2009.

Last week, Greenpeace and Global 2000 published a joint analysis of the 170,000 residue limits under the new legislation and they claim that several hundred of the new MRLs are unsafe, in particular for the consumption of apples, pears, grapes, tomatoes and peppers by children.

*"By raising the legal limits the European Commission expects us to put up with more and more pesticides in our food. Children should be safe to eat as much fruit and vegetables as they like. The EU must revise these unsafe residue limits immediately,"* argues Greenpeace chemicals expert Ulrike Kallee.

### EFSA assessment

In response, a spokesperson for Androulla Vassiliou, Commissioner for Health told FoodProductionDaily.com that: *"the study of Greenpeace Germany seems to be based on a crude screening done by EFSA and published in March 2007."*

She said that EFSA at the time suggested that *'refined calculations based on more realistic exposure scenarios should be performed'*.

*"This is what the Commission, the member states and EFSA have been doing from March 2007 until March 2008,"* added the spokesperson.

She said that in this second set of calculations additional information submitted by the member states was used, for example, data on processing of products that are not consumed raw (sugar beets, cereals, coffee beans) or the proportion of pesticides that enters into the edible part of a fruit and does not stay on the peel.

*"The Commission will examine every study brought to its attention. If it turns out that any contain new scientific evidence showing that MRLs might not be safe, the Commission will ask EFSA for an opinion,"* added the spokesperson.

Previously, the legislation for pesticide residues was a shared responsibility of the Commission and the member states.

The Commission said that this Regulation completes the harmonisation and simplification of pesticide MRLs, whilst ensuring better consumer protection throughout the EU.

*"Nowadays food and feed circulate freely on the EU internal market, and therefore it is indispensable to assure that all EU consumers are equally protected from the exposure to unacceptable levels of pesticides in their food,"* said the Commission.

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