Resolution on the draft Commission regulation amending Annexes II, III and IV to Regulation (EC) No 396/2005 as regards maximum residue levels for aclonifen, acrinathrin, Bacillus pumilus QST 2808, chlorantraniliprole, ethirimol, lufenuron, penthiopyrad, picloram and Pseudomonas sp. strain DSMZ 13134 in or on certain product

2021/2590(RPS) - 27/04/2021 - Text adopted by Parliament, single reading

The European Parliament adopted by 441 votes to 242, with 15 abstentions, a resolution ***objecting*** to the draft Commission regulation amending Annexes II, III and IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for aclonifen, acrinathrin, Bacillus pumilus QST 2808, chlorantraniliprole, ethirimol, lufenuron, penthiopyrad, picloram and Pseudomonas sp. strain DSMZ 13134 in or on certain products.

To recall, lufenuron is a benzoylurea pesticide that inhibits the production of chitin in insects and is used as a pesticide and fungicide. The EU's approval of lufenuron expired on 31 December 2019 and no application for renewal was submitted.

Lufenuron is no longer approved for use in the EU but is exported as an agri-food pesticide. According to a study of the German Environment Agency, lufenuron meets the criteria for substances that are persistent,

bioaccumulative and toxic.

The draft Commission regulation has been proposed following an application submitted for import tolerances for lufenuron used in Brazil on grapefruits and sugar canes, which states that higher maximum residue levels (MRLs) are necessary to avoid non-tariff trade barriers for the importation of those crops. The draft Commission regulation gives rise to concerns regarding the safety of lufenuron on the basis of the precautionary principle, given the data gaps related to the effect of lufenuron on public health and the environment.

It also noted that under the draft Commission regulation, the existing MRLs of lufenuron would increase from 0.01 mg/kg to 0.30 mg/kg for grapefruits and from 0.01 mg/kg to 0.02 mg/kg for sugar canes. A recent scientific report concluded that lufenuron can induce teratogenic effects and histopathologic changes to the liver and kidney in rats, which suggests that pregnant women and their unborn children could be at risk.

The conclusions drawn by the European Food Safety Authority (EFSA) justify the increase of the MRLs for lufenuron only on the basis of the need to comply with normative values in Brazil, and omit any consideration concerning the long-term cumulative effect of lufenuron on reproductive toxicity, developmental neurotoxicity and its immunotoxic potential following prolonged ingestion.

Against this background, Parliament opposes adoption of the draft Commission regulation considering that it is not compatible with the aim and content of Regulation (EC) No 396/2005.

Parliament considered that the decision to increase the MRLs for lufenuron cannot be justified, as there is insufficient evidence to suggest that the risk to pregnant women and their unborn children and to food safety is acceptable.

The Commission is called on to withdraw the draft regulation and submit a new one to the committee, respecting the precautionary principle.