Q&A on chlorpyrifos

This is to be used as a guidance for giving answers to eventual media inquiries, but only in cases when such inquiries will occur. All media requests will be redirected by the FRUCOM secretariat to the national contacts appointed by the national associations – members of FRUCOM.

1. What are the legal changes as regards chlorpyrifos?

On 21 January 2016, the European Commission published Regulation 2016/60. It reduces significantly the chlorpyrifos maximum residue levels (MRLs) to the limit of determination for various raw food commodities. This means that for some products, the use of chlorpyrifos is no longer allowed.

The legislator provided a transition period till 10 August 2016 before the new, stricter levels became applicable. This is sufficient time for the fresh produce, but may not be enough for some long shelf life products.

2. What products are affected?

The maximum residue levels (MRLs) have been revised and set at the limit of determination for apples, pears, peaches, tables grapes, raspberries, tomatoes (includes goji berries), peppers, head cabbage and globe artichokes, blackberries, currants, gooseberries, kiwi, pineapples, potatoes, melons, watermelons, Chinese cabbage and leek. At the same time, for many other commodities EFSA recommended to maintain the existing MRLs.

The European legislation on MRLs establishes the levels for the fresh produce. Processing factors are then applied to account for drying or dilution. In this way, all manufactured products are included and safety of consumers is guaranteed.

3. Why did the EU change the levels?

This decision was made following the opinion by the European Food Safety Authority (EFSA) from 2015. The Authority concluded that the current MRLs for several commodities may raise concerns of consumer protection.

This opinion is based on a very conservative risk assessment. In addition, for grapes, the calculations were made from the maximum residues under GAP application, while the actually found residues are much less (see answer to question 4). Also, EFSA’s calculations are based on the concentration of the active substance used in Spain, while the concentration authorised in Turkey is 1/3 less. Calculations were made on fresh produce consumed in bigger quantity.

4. At which level are the residues of chlorpyrifos currently found in raisins and sultanas?

The data gathered by traders at the EU level (498 samples) show that there are no samples of dried fruit that exceeded or came close to the legal maximum residue levels (MRLs) which is currently set in the EU Regulation 396/2005. These levels are applicable until 10 August 2016. Also, 87% of samples vary from non-detected to 25 times less than the applicable MRL. The highest detected residue that have been detected in one sample is below 10% of what is legally allowed.

5. Do raisins and sultanas comply with the legal MRLs?

The legal levels in force prior to 10 August 2016 have been complied with in all instances. In fact, as demonstrated by the sampling carried out by European traders, the actual residues are a very low fraction of the legally established levels prior to this date.
However, because the new MRL is 50 times lower and amounts to prohibiting the substance, and because the date the new MRL becomes effective causes retrospective applicability to 2015 crop fruit, it is possible that levels in 2015 crop fruit may exceed the new MRL. Because raisins are used in many products as an ingredient, many business operators have called for allowing to sell through legally produced goods. Otherwise, withdrawal of perfectly safe food and massive waste would happen.

6. What is the position of traders?

The industry fully supports the findings by the EFSA we agree and support the reduction of MRLs for the various commodities affected by Regulation (EU) 2016/60 in principle. However, the way in which these changes have been introduced has massive supply chain implications for producing processed foods containing these commodities. The industry has not been notified in advance of the forthcoming changes in the chlorpyrifos MRLs and therefore, the industry was not able to adapt to the new requirements. Food products such as raisins and sultanas produced from table grapes have a long shelf life up to 1-3 years, which is beyond the end of the transition period.

7. Which measures have been taken by the industry/the authorities?

The Turkish authorities have taken all necessary steps. The import and application of chlorpyrifos has been forbidden. A large scale information campaign among farmers has been conducted in Turkey. Chlorpyrifos is not used on the 2016 crop of table grapes. The EU importers test in the countries of origin and upon arrival in the EU to guarantee this.