

POTATO INDUSTRY CIPC STEWARDSHIP GROUP

Issued by UK Chlorpropham (CIPC) TASK FORCE- SEPTEMBER 2019 in response to stakeholder questions following announcement of non-renewal in implementing regulation¹.

Q1. When will the MRL drop to LOQ/Temporary MRL (tMRL) and will there be time for finished product (e.g. fries/waffles..) to have moved through the supply chain before the MRL falls bearing in mind last season of usage is 2019/20?

A1. MRL Expected to drop in 2021 (expected around Spring 2021, but there are no official timelines). tMRL not guaranteed, has to be approved by European Food Safety Authority (EFSA) following submission of data to the NL ctgb. Finished product may not have moved through the supply chain before the MRL falls and levels could exceed a tMRL or a MRL set at LOQ, therefore the timescale and level are under ongoing discussion with the Commission.

Q2. If the MRL is set on the raw commodity why does it matter what is in finished product?

A2. Only that basket surveys could look at finished potato product too e.g. PRiF. The same MRL will apply for processed commodities as for raw potatoes based on a consumer risk assessment.

Q3. Is the MRL applied at the time of application of the product or the point of sale of crop? E.g. If I treat the crop in October 2020 when the MRL is still 10ppm can I legally sell that crop later even though the MRL has fallen during the storage season?

A3. No. The MRL is applied at the point of sale of the crop i.e. store emptying or 14 days after the last application as per PRiF inspection.

Q4. Will the MRL fall to LOQ (October 2020) before the tMRL is established in January 2021?

A4. No the MRL will not fall to LOQ and then be raised to accommodate a higher tMRL. It will either fall to LOQ or a slightly higher tMRL sometime in 2021

Q5. If I can use CIPC till beginning of October 2020 can I put a first application of CIPC on crop coming into store September 2020 i.e. 2020/21 storage season?

A5. In theory yes, but risk of exceedance of MRL is increased if the MRL falls in 2021. Therefore, any potatoes treated in autumn 2020 with CIPC might be impossible to trade and not be accepted by processors and packers. We strongly advise you to take this into account when deciding upon your sprout-control strategy for storage season 2020-2021.

Q6. What level will the tMRL be set at to cover store contamination?

A6. 0.2 -1.0 mg/kg best guess at present but data are still being reviewed and a tMRL is not guaranteed.

Q7. Is there any intention to apply for tMRL for other crops that may be stored in the future in x potato stores?

A7. No because the storage of other crops in potato stores treated with CIPC has always been specifically excluded on the label and treated stores have been identified and labelled under stewardship. Reminders will be communicated through AHDB.

Q8. What are the implications of the Audax report which suggests that in order to comply with the latest ARfD values the MRL should not exceed 3.25mg/kg?

A8. The existing EU MRL of 10mg/kg remains the legal limit until it drops. However, some processors/packers may introduce this lower value as an additional standard to meet their own supply chain requirements.

Q9. Will all Member States follow the same use up date?

A9. No e.g. Belgium 30th June for use on potatoes; Germany full grace period 8th October 2020; Ireland full grace period

Q10. Do we think in view of consumer risk assessment that CRD will give the maximum use up time permitted?

A10. Don't know- influence of ECP minutes of April 2019 on outcome of adverse review. Under the UK adverse review HSE sought to evaluate alternative parameters of use but concluded that the authorisation should not be renewed.

Q11. Has there been any outcome to the UK adverse review and discussion at the ECP?

A11. Yes, but not communicated to approval holders yet. This awaits confirmation of all approval holders before the review can be released. Minutes of discussion are available and recommendation is that authorisation should not continue. This discussion post-dates the Commission proposal for non-renewal and the conclusion is in line with the Commission opinion.

Q12. When will CRD decide on the use up dates as season has to be planned?

A 12. In theory they have up to 6 months to decide. (N.B. 20 days date is for entry into force of the implementing regulations for non-renewal).

Q13. Can we take action to ensure that we get the longest grace period possible in the UK in view of lack of alternatives as the UK producers could be placed at a disadvantage in Europe?

A13. Contact CRD. Approval holders influence is very limited and we need to avoid exceedances if the MRL falls. It would be prudent to work with a grace period to end August, 2020 for potatoes and the full grace period for the herbicide uses (separate formulation/ consumer risk concerns).

Q14. In view of store contamination, I am not treating new stores but should I be applying less than 24g/t or 36g/t currently permitted and can CRD change the label rates?

A14. Apply minimum that will give an acceptable level of sprout suppression. Store contamination is long lived so a further season's use is unlikely to have a significant impact but DO NOT APPLY TO NEW STORES.

Q15. If I apply the product only, from a regulatory perspective am I acting as a supplier of the product or a service provider?

A15. User of the product, though this is a grey area. Recommend taking the order for application before the last date of sale for those other than the authorisation holder.

Q16. If I purchase the product from the authorisation holder and then sell the chemical to a third party does this sale have to be before the last date of sale of the authorisation holder?

A16. No. But you MUST sell before the expiry of the last date of sale by those other than the authorisation holder. We are awaiting CRD position the following example relates to Ireland

Product revocation: **8th January 2020**

Last date of sale by the authorisation holder: **8th January 2020**

Last date of sale by those other than the authorisation holder: **8th July 2020**

Last date of use: **8th October 2020**



¹ COMMISSION IMPLEMENTING REGULATION (EU) 2019/989 of 17 June 2019 concerning the non-renewal of approval of the active substance chlorpropham, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011