



2021/2590(RPS)

16.4.2021

DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 112(2) and (3) and (4)(c) of the Rules of Procedure

on 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 acclonifen, acrinathrin, *Bacillus pumilus* QST 2808, chlorantraniliprole, ethirimol, lufenuron, penthiopyrad, picloram and *Pseudomonas sp.* strain DSMZ 13134 in or on certain products (D070113/03 – 2021/2590(RPS))

Committee on the Environment, Public Health and Food Safety

Member responsible: Joëlle Mélin

European Parliament resolution on 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 (D070113/03 – 2021/2590(RPS))

The European Parliament,

- having regard 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 (D070113/03),
 - having regard to Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC¹, and in particular Article 5(1) and Article 14(1)(a) thereof,
 - having regard to the opinion delivered on 4 December 2020 by the Standing Committee on Plants, Animals, Food and Feed,
 - having regard to the reasoned opinion adopted by the European Food Safety Authority (EFSA) on 14 October 2020, and published on 16 November 2020²,
 - having regard to Article 5a(3)(b) and Article 5a(5) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission³,
 - having regard to Rule 112(2) and (3), and (4)(c) of its Rules of Procedure,
 - having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
- A. whereas chlorantraniliprole is being developed worldwide by DuPont and belongs to a new class of selective insecticides featuring a novel mode of action for the control of a range of pests belonging to the order Lepidoptera and some other Coleoptera, Diptera and Isoptera species;
- B. whereas an application for import tolerances for chlorantraniliprole used on pulses in the United States was submitted by an applicant from the United States;
- C. whereas the application was not submitted by an applicant from the Member States,

¹ OJ L 70, 16.3.2005, p. 1.

² EFSA reasoned opinion on setting of import tolerances for chlorantraniliprole in strawberries and pulses, EFSA Journal 2020;18(18):6300, <https://www.efsa.europa.eu/en/efsajournal/pub/6300>

³ OJ L 184, 17.7.1999, p. 23.

- which suggests that it does not correspond to the needs of Union farmers;
- D. whereas the applicant states that the authorised uses of chlorantraniliprole on pulses in the United States lead to residues exceeding the maximum residue level ('MRL') contained in Regulation (EC) No 396/2005 and that a higher MRL is necessary to avoid trade barriers for the importation of those crops; whereas the draft Commission regulation raises the same issue for lufenuron used on grapefruits and sugar canes in Brazil;
- E. whereas the draft Commission regulation proposes to raise the MRL for chlorantraniliprole from 0,01 to 0,3 mg/kg for pulses, which is 30 times higher than the previous limit;
- F. whereas the effect of this draft Commission regulation would be to lower food quality and safety for the purpose of complying with a third country's requirements;
- G. whereas Parliament, in its resolution of 17 April 2018⁴, stresses the need for a European strategy for the promotion of protein crops and encourages the production of protein and leguminous plants in the European agriculture sector;
- H. whereas the draft Commission regulation would not help the Union as regards the development of a strategy on pulse production, but would produce the opposite effect by increasing pulse and protein crops importation from third countries;
- I. whereas chlorantraniliprole poses a well-documented risk for pollinators^{5,6,7};
- J. whereas the 'cocktail effect' associated with how chlorantraniliprole works with other substances, is not documented in the EFSA opinion despite the clear role of that substance in pollinator decline;
- K. whereas chlorantraniliprole is extremely soluble in water and is increasingly found in surface water, and therefore poses a risk to aquatic biodiversity;
- L. whereas by adopting this draft Commission regulation the Union would be completely ignoring its environmental responsibility towards third countries and the 'do no harm' principle when it comes to importing products;
1. Opposes adoption of the draft Commission regulation;
 2. Considers that the draft Commission regulation is not compatible with the aim and content of Regulation (EC) No 396/2005;
 3. Considers that the Union and the Commission should respect the principle of

⁴ European Parliament resolution of 17 April 2018 on a European strategy for the promotion of protein crops – encouraging the production of protein and leguminous plants in the European agriculture sector (OJ C 390, 18.11.2019, p. 2).

⁵ Kadala, A., Charreton, M., Charnet, P. et al., 'Honey bees long-lasting locomotor deficits after exposure to the diamide chlorantraniliprole are accompanied by brain and muscular calcium channels alterations', Scientific Reports 9, 2153 (2019), <https://www.nature.com/articles/s41598-019-39193-3>

⁶ <https://ici.radio-canada.ca/nouvelle/1316826/chlorantraniliprole-pesticides-tueurs-dabeilles>

⁷ Naiara Gomes, I., Ingrid Castelan Vieira, K., Moreira Gontijo, L. et al., 'Honeybee survival and flight capacity are compromised by insecticides used for controlling melon pests in Brazil', Ecotoxicology 29, 97–107 (2020), <https://link.springer.com/article/10.1007/s10646-019-02145-8?shared-article-renderer>

environmental responsibility, and should not encourage the use in third countries of pesticide products of which the Union is trying to restrain the use;

4. Notes that this is another case, following that of clothianidin in Canadian potatoes⁸ and haloxyfop-P in imported linseeds⁹, of a desire to lower the Union's protective standards under free trade rules or competition rules, as a consequence of free trade agreements;
5. Notes that, under the draft Commission regulation, the MRL for chlorantraniliprole would increase from 0,01 to 0,3 mg/kg for pulses;
6. Suggests that the MRL for chlorantraniliprole should remain at 0,01 mg/kg;
7. Calls on the Commission to withdraw the draft regulation and submit a new one to the committee;
8. Instructs its President to forward this resolution to the Council and the Commission, and to the governments and parliaments of the Member States.

⁸ European Parliament resolution of 13 March 2019 on 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 clothianidin, cycloxydim, epoxiconazole, flonicamid, haloxyfop, mandestrobin, mepiquat, *Metschnikowia fructicola* strain NRRL Y-27328 and prohexadione in or on certain products (OJ C 23, 21.1.2021, p. 33).

⁹ European Parliament resolution of 17 September 2020 on 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 cycloxydim, flonicamid, haloxyfop, mandestrobin, mepiquat, *Metschnikowia fructicola* strain NRRL Y-27328 and prohexadione in or on certain products (P9_TA(2020)0238).