

COMMISSION STAFF WORKING DOCUMENT

on pesticides in food for infants and young children

[Supporting Document for the Expert Group meeting of 15 November 2013]

Commission Directive 2006/141/EC of 22 December 2006 on infant formulae and follow-on formulae¹ and Commission Directive 2006/125/EC of 5 December 2006 on processed cereal-based foods and baby foods for infants and young children² set specific requirements on the use of pesticides in products intended for the production of and on pesticide residues in infant formulae, follow-on formulae, processed cereal-based foods and baby foods for infants and young children.

The requirements of these Directives are based on two opinions given by the Scientific Committee for Food (SCF) on 19 September 1997³ and 4 June 1998⁴. Because of the scientific uncertainty at that time as to the adequacy of existing acceptable daily intake (ADI) values of pesticides for the protection of the health of infants and young children, a very low common residue limit was fixed at 0,01 mg/kg, which was the minimum detectable level, for all pesticides, on the basis of the precautionary principle.

More severe limitations were set for a small number of pesticides or metabolites of pesticides for which even a maximum residue level of 0,01 mg/kg might, under worst-case intake conditions, allow infants and young children to exceed the ADI. These were pesticides or metabolites of pesticides with an ADI lower than 0,0005 mg/kg body weight. The Directives established the principle of the prohibition of the use of these pesticides in the production of agricultural products intended for the production of food for infants and young children. For those pesticides already prohibited in the Union, residue levels for the purpose of controls were set at the lowest level of quantification in the product by state-of-the-art analytical methods. For those authorised pesticides that were undergoing review under existing rules concerning the placing of plant protection products on the market, maximum residue levels were set at a level lower than 0,01 mg/kg so that the ADI was not exceeded by infants and young children under worst-case intake conditions.

Article 9(2) of the FSG Regulation lays down the general requirement that all food covered by the scope shall not contain any substance in such quantity as to endanger the health of the persons for whom it is intended. In addition, Article 11(1)(b) empowers the Commission to

¹ OJ L 401, 30.12.2006, p. 1

² OJ L 339, 6.12.2006, p. 16

³ Scientific Opinion on a maximum residue limit (MRL) of 0.01 mg/kg for pesticides in foods intended for infants and young children (1997)

⁴ Further advice on the Scientific Opinion on a maximum residue limit (MRL) of 0.01 mg/Kg for pesticides in foods intended for infants and young children (1998)

adopt specific requirements on the use of pesticides in products intended for the production of the food and on pesticide residues in the food. This Article foresees that the specific requirements for infant formulae, follow-on formulae, processed cereal-based foods, baby foods and FSMPs developed to satisfy the nutritional requirements of infants and young children are updated regularly and include, inter alia, provisions to restrict the use of pesticides as much as possible.

- In order to comply with the above mentioned obligation of Regulation (EU) No 609/2013 it seems useful to require EFSA's scientific advice. This would aim at having a reflection from EFSA on the SCFs opinions from 1997/1998 taking into account the obligation for the Commission as described above and, at the same time, the relevant scientific developments in the field.

Experts are invited to comment on this approach