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| |  | | --- | | **FRUCOM NEWSLETTER 30/01/2023**   * FRUCOM ACTIVITIES   + [Registration Open: FRUCOM Online Sustainability Working Group Meeting 14 March 2023](javascript:void(0);) * ALL PRODUCTS   + [Frucom Q&A: Proposed Prohibited forms of packaging under the Packaging and Packaging Waste Regulation](javascript:void(0);)   + [Official controls: art 66/67 update abandoned](javascript:void(0);)   + [Next round of EU-Australia FTA negotiations in February](javascript:void(0);)   + [EU – Ukraine: one year suspension of quotas and tariffs up for review](javascript:void(0);)   + [Pesticides: new MRLs for cycloxydim, cyflumetofen, cyfluthrin, metobromuron and penthiopyrad](javascript:void(0);)   + [Pesticides: new oxathiapiprolin MRL for blueberries](javascript:void(0);)   + [Organics: some changes for the list of control authorities and control bodies for the purpose of importing organic products](javascript:void(0);)   + [Pesticides: Meeting minutes of the Phytopharmaceuticals - Legislation 13 - 14 October 2022 published](javascript:void(0);)   + [RASFF NOTIFICATIONS: 2023/04 (23/01/2023 - 29/01/2023)](javascript:void(0);) | |  | |
| |  | | --- | |  | | * **FRUCOM ACTIVITIES**   + [**REGISTRATION OPEN: FRUCOM ONLINE SUSTAINABILITY WORKING GROUP MEETING 14 MARCH 2023**](javascript:void(0);)   The next meeting of the Sustainability Working Group will take place on **Tuesday 14 March 2023, 16h30 CET.**  The meeting will explore the **Living income and living wages in agri-food supply chains**.  Please register using the following link by Tuesday 28 February 2023:  <https://forms.gle/orjhGqtngFYNUhXe9>   Confirmed speakers are:  **Lisa van Wageningen** *IDH Program Manager*  **Leonard Mizzi** *European Commission – DG INTPA Head of Unit Sustainable Agri-Food systems and Fisheries*  **Ömer Oktay** *Voicevale*, *Sustainability Manager*  FRUCOM members are invited to share additional sustainability issues to discuss under AOB. A draft agenda will be shared in the coming days.   * **ALL PRODUCTS**   + [**FRUCOM Q&A: PROPOSED PROHIBITED FORMS OF PACKAGING UNDER THE PACKAGING AND PACKAGING WASTE REGULATION**](javascript:void(0);)   **Are there packaging forms which are proposed to be banned?**  The short answer is **YES**. This will include **single-use *plastic* grouped packaging** to group goods sold in **cans, tins, pots,** tubs, as well as **Single use packaging in the HORECA sector**, containing individual portions or servings, used for condiments and preserves, amongst others.  Read More: [Q and A on PPWR - Proposed Prohibited forms of Packaging for members](https://frucom.eu/component/attachments/attachments.html?task=attachment&id=1955)  This FRUCOM Questions and Answers document (document is for information purposes only) is the second in of a series to be published over the coming weeks. It looks at the products to be banned under the proposal on Packaging and Packaging Waste Regulation.  **Members are invited to contact FRUCOM if there are any concerns or opinions they wish to share regarding the PPWR.**  Background  The European Commission presented on 30 November, the draft Regulation of the European Parliament and of the Council on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC.  A feedback period on the proposal was opened on 01 December 2022 and has now been further extended to 27 March 2023 and will continue to be extended every day until the adopted proposal is available in all EU languages.   * + [**OFFICIAL CONTROLS: ART 66/67 UPDATE ABANDONED**](javascript:void(0);)   FRUCOM received the information from the Commission that the draft update for the Article 66/67 of the Official Controls regarding non-compliant consignments at EU borders – ensuring consistent decisions by EU countries, has been abandoned.  The Commission Services were not able to come to an agreement for this implementing act as regards the legal approach. The Commission is evaluating alternative solutions.  More information: <https://frucom.eu/circulars/3604:official-controls-articles-66-and-67,-status-quo-september-2022.html>   * + [**NEXT ROUND OF EU-AUSTRALIA FTA NEGOTIATIONS IN FEBRUARY**](javascript:void(0);)   The fourteenth round of the EU-Australia FTA negotiations are scheduled to take place in Canberra between February 6-10, and the fifteenth round provisionally pencilled in for April/May in Brussels, according to Agra-facts and the EEAS.  During the last round which took place in Brussels on 17-21 October 2022, the EU and Australia resolved a range of issues across the FTA. Ahead of the round, parties exchanged revised goods and services and investment market access offers, following from the exchange of revised government procurement offers in February 2022.  Some of the points of friction in negotiations between the two economies are geographical indications of which there are several hundred which the EU protects that are, because of Australia’s significant European diaspora, commonly used for Australian products.  Additionally, the Commission considers Australia to be a critical partner in terms of pushing climate ambitions through the EU-Australia FTA. For its part, Australia has been pushing for the FTA negotiations to be concluded before July, after which the 2024 European Parliament election cycle will begin.  More information: <https://www.eeas.europa.eu/delegations/australia/transition-net-zero-needs-ambitious-trade-agenda-ec-president_en?s=163>   * + [**EU – UKRAINE: ONE YEAR SUSPENSION OF QUOTAS AND TARIFFS UP FOR REVIEW**](javascript:void(0);)   DG AGRI’s Deputy Director General Michael Scannell has confirmed that the forthcoming EU-Ukraine Summit in Brussels on February 3rd will provide an “opportunity to discuss our cooperation and support for Ukraine,” noting that autonomous trade measures (suspension of tariffs and quotas on imports from Ukraine until June 2023, including agri-food products) are up for review.  It will be recalled that the EU autonomously suspended all tariffs and quotas applicable to Ukrainian imports from 5 June 2022 for a one year period, a measure that was also carried out by the UK.  More information: <https://www.consilium.europa.eu/en/meetings/international-summit/2023/02/03/>   * + [**PESTICIDES: NEW MRLS FOR CYCLOXYDIM, CYFLUMETOFEN, CYFLUTHRIN, METOBROMURON AND PENTHIOPYRAD**](javascript:void(0);)   The Commission published a regulation (EU) 2023/173 amending Annexes II and III to Regulation (EC) No 396/2005 as regards maximum residue levels for 1-methyl-3-(trifluoromethyl)-1H-pyrazole- 4-carboxamide (PAM), cycloxydim, cyflumetofen, cyfluthrin, metobromuron and penthiopyrad in or on certain products.   New MRLs (mg/kg):  Cyfluthrin (no longer approved as active substance)  Cherries (sweet) 0.01  Plums 0.01  Others stone fruits (0140990) 0.01  Blueberries 0.01  Cranberries 0.01  Currants (black, red and white) 0.01  Gooseberries (green, red and yellow) 0.01  Rose hips 0.01  Mulberries (black and white)0.01  Elderberries 0.01  other small fruits and berries (0154990) 0.01  Miscellaneous fruits, except kaki 0.01  Oilseeds and oil fruits 0.01    Penthiopyrad (F)  Apricots 3  Peaches 3    Sum of metobromuron and 4-bromophenylurea, expressed as metobromuron  Fruits, fresh or frozen; tree nuts 0.02  Oilseeds and oil fruits 0.02    Cycloxydim including degradation and reaction products which can be determined as 3-(3-thianyl)glutaric acid S-dioxide (BH 517-TGSO2) and/or 3-hydroxy-3-(3-thianyl)glutaric acid S-dioxide (BH 517-5-OH-TGSO2) or derivatives thereof, calculated in total as cycloxydim  Citrus fruits 0.09  Tree nuts 0.09  Pome fruits 0.09  Stone fruits 0.09  Grapes 0.3  Cane fruits 0.09  Other small fruits and berries (0154000) 0.09  Miscellaneous fruits 0.09  Peanuts/groundnuts 0.09  Sesame seeds 0.09  Poppy seeds 7  Sunflower seeds 7  Rapeseeds/canola seeds 7  Mustard seeds 6  Cotton seeds 7  Pumpkin seeds 0.09  Safflower seeds 0.09  Borage seeds 7  Gold of pleasure seeds 0.09  Hemp seeds 0.09  Castor beans 0.09  Others oilseeds 0.09  As regards PAM, cycloxydim, cyflumetofen, cyfluthrin, metobromuron and penthiopyrad in and on all products, Regulation (EC) No 396/2005 as it stood before being amended by this Regulation shall continue to apply to products which were produced in the Union or imported into the Union before 16 August 2023.  This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. It shall apply from 16 August 2023.  More information: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2023.025.01.0001.01.ENG&toc=OJ%3AL%3A2023%3A025%3ATOC>   * + [**PESTICIDES: NEW OXATHIAPIPROLIN MRL FOR BLUEBERRIES**](javascript:void(0);)   The Commission published a regulation (EU) 2023/163 amending Annexes II and III to Regulation (EC) No 396/2005 as regards maximum residue levels for DDT and oxathiapiprolin in or on certain products.  An application for import tolerance pursuant to Article 6 of Regulation (EC) No 396/2005 was submitted for oxathiapiprolin used in the United States on blueberries. The applicant provided data showing that the authorised uses of that substance on this crop in the United States lead to residues exceeding the MRL contained in Regulation (EC) No 396/2005 and that a higher MRL is necessary to avoid trade barriers for the importation into the Union of that crop.  New MRLs for Oxathiapiprolin (mg/kg):  Blueberries 0.5  This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union (published 25.1.2023).  More information: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2023.023.01.0001.01.ENG&toc=OJ%3AL%3A2023%3A023%3ATOC>   * + [**ORGANICS: SOME CHANGES FOR THE LIST OF CONTROL AUTHORITIES AND CONTROL BODIES FOR THE PURPOSE OF IMPORTING ORGANIC PRODUCTS**](javascript:void(0);)   The Commission published an implementing regulation (EU) 2023/186 amending Implementing Regulation (EU) 2021/2325 as regards the recognition of certain control authorities and control bodies for the purpose of importing organic products into the Union.  The Commission has received and examined a request from ‘Certificadora Mexicana de productos y procesos ecológicos S.C.’ to withdraw its recognition for product category A for the Dominican Republic, Guatemala and El Salvador due to the lack of operators. The Commission has received and examined a request from ‘EKO-CONTROL SK s.r.o.’ to withdraw its recognition for all third countries for which it is recognised. ‘LETIS S.A.’ failed to provide in its annual report and following subsequent requests updated information on the assessment report issued by its accreditation body according to Article 33of Council Regulation (EC) No 834/2007 concerning unprocessed aquaculture products and algae for which it is recognised. Furthermore, ‘LETIS S.A.’ did not communicate to the Commission all information related to its technical dossier.  LETIS S.A. and EKO-CONTROL SK are therefore withdrawn from the list of control authorities and control bodies set out in Annex II to Implementing Regulation (EU) 2021/2325.  This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union (published 30.01.2023).  More information: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32023R0186&from=EN>   * + [**PESTICIDES: MEETING MINUTES OF THE PHYTOPHARMACEUTICALS - LEGISLATION 13 - 14 OCTOBER 2022 PUBLISHED**](javascript:void(0);)   The Standing Committee on Plants, Animals, Food and Feed Section Phytopharmaceuticals - Legislation 13 - 14 October 2022 meeting minutes have now been published.  Draft(s) presented for an opinion:  B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation (EU) amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval period of the active substance glyphosate.  The Commission presented the draft Regulation, recalling the reason for the delay in the peer review process for glyphosate as explained in the previous meetings held in May and July 2022, following the announcement by EFSA and ECHA. The Committee was reminded that in cases where for reasons beyond the control of the applicant, it appears that the approval is likely to expire before a decision has been taken on renewal, Article 17 of Regulation (EC) No 1107/2009 provides that the Commission must prolong the approval for a period sufficient to complete the renewal assessment. Accordingly, given that additional time was/is required by the AGG and EFSA to carry out a full assessment and peer review and so far, neither the AGG, ECHA or EFSA have identified evidence demonstrating that glyphosate no longer fulfils the approval criteria laid down in Regulation 1107/2009, there is a clear legal obligation to extend the approval, which should be respected by all. The Commission underlined that the extension is without prejudice to the future decision on whether the approval of glyphosate can be renewed or not, which will have to be taken once the evaluation and peer-review is completed. Six Member States indicated that they did not support the presented act. One Member State indicated support but expressed criticism about the delay and called for a shorter period of extension (6 months) and only for some uses to be permitted (excluding use on permeable and sealed surfaces and as a desiccant). Another Member State indicated it would make a protocol declaration (see below). The Commission proceeded to vote during the meeting.  Vote taken: No opinion.  B.02 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation (EU) renewing the approval of the low-risk active substance fish oil 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 Annex to Commission Implementing Regulation (EU) No 540/2011.  The Commission presented a slightly amended version of the annex of the draft implementing regulation which takes into consideration the comment received by one Member State during the last meeting of this Committee in July 2022. The Commission proceeded to vote during the meeting. Vote taken: Favourable opinion.  B.03 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation (EU) renewing the approval of the active substance Pythium oligandrum strain M1 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.  The Commission presented the draft implementing act and informed about the slight amendment introduced via the inter-services consultation compared to the proposal presented at the meeting in July. Two Member States expressed some concern regarding the renewal of the approval from a human health perspective due to the many existing data gaps, and due to the evaluation of the pathogenicity and the consumer risk assessment which, in their views, cannot be finalised. The Commission proceeded to vote during the meeting.  Vote taken: Favourable opinion.  B.04 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation (EU) renewing the approval of the low-risk active substance heptamaloxyloglucan 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 Annex to Commission Implementing Regulation (EU) No 540/2011.  The Commission recalled about the discussion on the regulatory scope of this active substance which took place during the last meetings of this Committee. After consultation with DG GROW (responsible of the Regulation on fertilisers) and academia and taking into account the comments of the applicants and Member States, the substance was confirmed to be a phytopharmaceutical substance because its mode of action does not influence the nutritional processes of the plants. The Commission also reminded about the low-risk nature of the active substance. The Commission proceeded to vote during the meeting.  Vote taken: Favourable opinion.  Also discussed:  The Commission informed that it had recently sent mandates to EFSA for two substances where critical concerns were identified during the ongoing renewal procedures: s-metolachlor and dimoxystrobin. The Commission explained that, if the concerns are confirmed in the EFSA outputs such that the approval criteria are not fulfilled, it would act smoothly with the respective regulatory decision making. In particular, for S-metolachlor EFSA had informed the Commission of critical concerns (groundwater contamination and risks to birds) identified when drafting the Conclusion. A mandate was sent to EFSA to deliver the conclusion by 31 January 2023 (excluding the ED assessment). Once the EFSA Conclusion is available, the Commission will consult the applicant before deciding how to proceed. For Dimoxystrobin. EFSA informed the Commission before requesting additional information on ED properties, that the rest of the assessment had been completed and that critical concerns had been identified concerning groundwater contamination by relevant metabolites and a risk to aquatic organisms. The Commission mandated EFSA to produce a statement limited to the environmental assessment, and EFSA made its statement available to Member States and the applicant on 11 October 2022. Member States were invited to provide comments and views on the EFSA Statement by 4 November 2022. The applicant has also been consulted on the statement. The Commission reminded that all comments will be considered before proceeding.  More information: <https://food.ec.europa.eu/system/files/2023-01/sc_phyto_20221013_ppl_sum.pdf>   * + [**RASFF NOTIFICATIONS: 2023/04 (23/01/2023 - 29/01/2023)**](javascript:void(0);)   Please find below a FRUCOM report compiling RASFF notifications of week 2023/04 (23/01/2023 - 29/01/2023).  Information provided in the report is based on RASFF notifications published on the DG SANTE’s online database.  [FRUCOMRASFF2023\_week04](https://frucom.eu/component/attachments/attachments.html?task=attachment&id=1953) | |  | |