

DISCUSSION PAPER – DOES NOT NECESSARILY REPRESENT THE VIEWS OF THE COMMISSION SERVICES

Reference values for intra EU trade for DEET (CAS 134-62-3) and icaridin (CAS 119515-38-7) in various commodities.

Tea and herbal infusions Europe (THIE) sent in November 2016 a letter to the Commission, requesting to establish MRLs for DEET in herbal infusions. Residues of DEET end up in these commodities because pluckers and workers use this repellent to protect themselves against insect attacks and are transferred from treated skin to food during handling. Currently different Member States apply different enforcement approaches for DEET residues in food, so THIE requested the setting of EU limits to facilitate EU trade. Also residues of the repellent icaridin are being observed in hand-picked commodities

DEET (N, N-Diethyl-meta-toluamide) is an approved biocidal active substance under the Biocidal Products Regulation (EU) No 528/2012 for product-type 19 (repellents and attractants). Icaridin 1-(1-methylpropoxycarbonyl)-2-(2-hydroxyethyl)piperidine) is included in the Review Programme¹ and is undergoing evaluation for PT19.

As a first step, in order to get a better view on the situation, Member States were asked whether they had information available on the occurrence of residues of both active substances in food. Germany provided data from 2005-2017 for DEET and icaridin. On the basis of a risk assessment Germany considered that the DEET and icaridin residues are present in amounts that don't pose risks to human health and in order to support authorities, when faced with the occurrence of residues, Germany proposed to set maximum levels (MLs).

Furthermore the European Spice Association (ESA) sent occurrence data of residues for spices and herbs and the Netherlands sent data on fungi, spices, herbs and several other commodities.

In the working group meeting on industrial and environmental contaminants of 22 June 2018 several Member States indicated not to be in favour of starting discussions on a legal proposal for setting maximum levels for these substances, because these residues don't pose a risk to consumers, because they believe that first the source of the contamination needs to be further investigated and that a code of good practice would need to be developed. However, in order to facilitate trade in the meanwhile, it was proposed to agree at the SC PAFF on reference values for intra EU trade.

¹ For further details see Commission Delegated Regulation (EU) No 1062/2014.

On the basis of the German proposal (covering the occurrence data provided by ESA, NL and most data submitted by THIE), taking also into account the data from THIE for herbal infusions, the following **reference values for intra EU trade** were discussed and agreed by the SC PAFF section Novel Food and Toxicological Safety of the Food Chain of 17 September 2018:

DEET

- Pine nut kernels 0.5 mg/kg
- Berries and small fruits except grapes 0.1 mg/kg
- Wild fungi 1.0 mg/kg
- Herbal infusions from flowers and leaves 0.3 mg/kg
- Spices 0.5 mg/kg

Icaridin

- Wild fungi 0.05 mg/kg
- Herbal infusions from flowers and leaves 0.5 mg/kg