USDA United States Department of Agriculture
Foreign Agricultural Service

GAIN Global Agricultural Information Network

Voluntary Report – Voluntary - Public Distribution **Date:** June 26,2020

Report Number: E42020-0031

Report Name: New EU MRLs for Chlorate enter into force

Country: European Union

Post: Brussels USEU

Report Category: SP2 - Prevent or Resolve Barriers to Trade that Hinder U.S. Food and Agricultural Exports

Prepared By: Tania Debelder

Approved By: Lisa Allen

Report Highlights:

Commission Regulation 2020/749 establishes new temporary Maximum Residue Limits (MRLs) for chlorate in or on certain products. They will enter into force on June 28, 2020. There have been no MRLs for chlorate set before under Regulation 396/2005. As stated in the Regulation, these MRLs are temporary and will be reviewed no later than June 8, 2025. U.S. exporters are strongly advised to start collecting data to identify the sources of chlorate residues, especially in the case of MRL exceedances in order to avoid the lowering of the MRLs.

General Information:

Commission Regulation 2020/749, published on June 8, 2020, in the Official Journal establishes Maximum Residue Limits (MRLs) for chlorate in or on certain products. They will enter into force on June 28, 2020. The Regulation amends Annex III to Regulation (EC) No 396/2005, which is the regulation for setting MRLs in the EU, to set temporary maximum residue levels for chlorate in and on certain products at levels which are 'as low as reasonably achievable' (ALARA principle) when good manufacturing practices and hygiene practices are used.

There have been no MRLs for chlorate set before under Regulation 396/2005. The default MRL of 0.01 mg/kg has been applicable for chlorate until now, but the chlorate levels exceeded the default level in many fruit and vegetables. Chlorate is formed as a by-product when using chlorine, chlorine dioxide or hypochlorite for the disinfection of drinking water, water for food production and surfaces that are in contact with food. A critical effect for chronic exposure to chlorate is the inhibition of iodine uptake.

The European Food Safety Authority (EFSA) has concluded in its scientific opinion on the risk for public health related to the presence of chlorate in food (2015), that there is a need to reduce the dietary exposure to chlorate since data show that in Europe the tolerable daily intake (TDI) is slightly exceeded. According to EFSA, a temporary solution was necessary since it was not possible to meet the default level of 0.01 mg/kg even with the best practices applicable at that time.

As a result, the MRLs under Regulation 2020/749 are temporary and will be reviewed no later than June 8, 2025. Therefore, now is the time to start collecting data about chlorate residues to support an adjustment to the MRL. As mentioned before, chlorination is a key technology widely used by the food industry, but the impact of chlorinated water in the production system is largely unknown and may (or may not) contribute to chlorate residues. U.S. exporters and (importer associations) are strongly encouraged, especially in the case of MRL exceedances, to investigate the source of the chlorate residues. There is a need to develop a methodology for the detection of chlorate to understand chlorate speciation in soil and on processing surfaces and systems.

Chlorate levels can also be found in the EU pesticide database.

Attachments:

No Attachments.