

**ADVISORY COMMITTEE ON THE MICROBIOLOGICAL SAFETY OF FOOD****UPDATE PAPER****Changes to plant protection product and biocide MRLs: potential impact on food safety****Issue**

1. In October 2015 the Food Standards Agency (FSA) drew the attention of the Committee to changes to maximum residue levels (MRLs) for two quaternary ammonium compounds (QACs) which are used as disinfectants/sanitiser in the food industry (ACM/1197). The revised MRLs were set following the approach used for plant protection products, which favours minimisation in accordance with good agricultural practice, and are consequently lower than necessary from a chemical safety viewpoint. The food industry had raised concerns that this could impact food hygiene and safety because food businesses might change their existing disinfection procedures to less effective methods, either by reducing QAC usage to ensure compliance with the MRLs or by changing to a less effective or more hazardous active substance.
2. In a follow-up paper presented to the Committee in January 2016 (ACM/ 1207), two further issues were raised that could similarly impact food hygiene and safety.
3. Chlorate, which was banned from herbicidal use in 2009, is subject to a default limit of 0.01mg/kg in all foods under pesticide regulations (Regulation 396/2005). However, numerous non-compliances had been found because chlorate is a common impurity in chlorine-based disinfectants and is also a by-product of water treatment. Enforcement action was suspended by agreement with the European Commission at Standing Committee and revised MRLs for chlorate were under discussion. Similarly to QACs, there was concern that restrictive MRLs could curtail the use of chlorine-based disinfectants throughout the food (and water) industry and lead to changes to disinfection and sanitisation practices with the potential to affect microbiological safety of food if they were replaced by less effective products or procedures.
4. There are also ongoing EU negotiations (for which HSE is the UK lead) aimed at establishing a process for setting MRLs under the Biocidal Products Regulations. Some Member States favour a hazard-based approach with low default limits. The FSA considers it essential that the role of biocides in maintaining microbiological safety must be taken into account in setting the new MRLs.
5. At the January 2016 meeting, members of the Committee expressed their continuing interest in this topic. The purpose of this latest paper is to provide the Committee with a further update.

## Quaternary Ammonium Compounds (QACs)

6. The new MRLs came into force in late 2014 (through Commission Regulation 1119/2014), with a higher temporary trading limit until August 2015. QACs are included in the regular pesticide monitoring carried out by HSE under the auspices of the Pesticide Residues in Food Expert Committee (PRiF). There were occasional MRL exceedances in prepared fresh fruit in 2015, although none above the trading limit. There were no exceedances in the first half of 2016. FSA has not received any reports from the food industry highlighting specific problems arising from restrictions in the use of QACs due to the low MRLs.

## Chlorate

7. A proposal for revised chlorate MRLs was first tabled by the Commission at the November 2015 Pesticide Residue Standing Committee. These attracted a number of comments, notably that they were too low and too complex, but there was no consensus. The issue was further discussed at the February 2016 Standing Committee, where the UK expressed concerns about the potential impacts on microbiological safety if the use of chlorine-based sanitisers were to be restricted, the difficulties in controlling chlorate levels in potable water used for processing and the possible high rate of non-compliance of a wide range of foods if MRLs are set at too low a level. Since then, there has been little progress and the European Commission continues to hold internal discussions but has yet to present any revised proposals.

## Interim Procedure for Setting Biocide MRLs

8. This has been under consideration since 2013. The European Commission has held regular meetings with Member States' biocide Competent Authorities during 2015 and 2016 and there have been several revisions to the Commission's proposed procedure. However, although the Commission favours a proportionate and risk-based approach with MRLs for active substances being established under contaminants regulations, a number of Member States prefer the hazard-based approach in line with that taken for pesticides. As a consequence, there is still no consensus. The next meeting of Competent Authorities will be in March.

## Industry guidance on cleaning and disinfection

9. In the January 2016 discussion paper it was mentioned that the food industry had undertaken to produce new guidance on hygiene and disinfection practices. This is now in place and is available at:  
<http://www.chilledfood.org/wp-content/uploads/2016/05/CFA-043-16-Biocides-Cleaning-and-Disinfection-working-document-industry-guidance-8-3-16-with-logos-not-BSNA.pdf>

## **Action**

10. The Committee is requested to note this update.

**January 2017**