
Food Standards Australia New Zealand
Boeing House
55 Blackall Street
BARTON ACT 2600

04 December 2014

Attention: Standards Management Officer

RE: Submission – Proposal M1010, 31 October 2014 [22-14]

The Australian Food and Grocery Council (AFGC) support the continual review and update of the Australia New Zealand Food Standards Code (the Code) in order to reflect the current status of agricultural and veterinary chemicals in use in Australia, and to support international trade through recognition of agvet chemicals in use in other markets (eg through alignment with applicable Codex Alimentarius standards).

The AFGC appreciate the opportunity to make a late submission to this consultation.

Overview

The AFGC **does not support** the proposed variation to the Code for the removal of **endosulfan** arising from Food Standards Australia New Zealand (FSANZ) Proposal *M1010, Maximum Residue Limits [22-14]*. The AFGC accepts that endosulfan no longer has approved uses in Australia, but stresses that it still remains in very limited use in some producer countries in overseas markets and may be present in imported tea.

Monitoring data made available to the AFGC shows that in the analysis of over 1000 tea samples where endosulfan was detected (in 11 countries or origin), mean endosulfan residue levels were 0.02 – 0.18 mg/kg, with maximum values ranging from 0.02 – 8.22 mg/kg. In only 2 countries were there any residue values greater than 1 mg/kg.

Removal of the MRL for endosulfan for tea will create a technical barrier to trade as tea with low level but detectable residues will no longer be permitted to be imported into Australia. .

The AFGC requests that FSANZ reinstate an MRL for endosulfan for “tea, green, black” in order to maintain import permissions. The AFGC proposes an MRL of 10ppm which is consistent with Codex. Failure to reinstate such an MRL will have significant adverse effects on tea importers and would require a full Regulation Impact Assessment process to explain why such a low MRL should not be permitted.

Endosulfan: justification for use

Endosulfan is an important pest management chemical used by tea growers in a number of growing countries, e.g. China and Indonesia. It is used to treat a wide range of pests, e.g. Leaf hopper, whitefly, caterpillars, Lepidopterous larvae, tea jassid, tea leaf weevil, tea mosquito bug and thrips. No effective alternative plant protection products have yet been found to replace endosulfan for such applications.

International Regulation

Tea is an international commodity and it is important to ensure that there is consistency in standards on an international basis. Following is a summary of information on endosulfan permissions in Codex and a number of important producer countries of tea.

International and Producer Country Standards

There is a Codex standard for endosulfan in tea, green, black (black, fermented and dried) of 10 mg/kg which was adopted in 2011.¹

The current MRLs for endosulfan for a number of tea producing countries are:

Country	MRL (mg/kg)
Sri Lanka	Defer to other markets MRL regulations
China	10
India	10
Kenya	10
UK	30
Germany	30
Vietnam	30
Indonesia	—

¹ <http://www.codexalimentarius.net/pestres/data/commodities/details.html?id=101>



Residues resulting from the controlled use of endosulfan on tea in producer countries are thus broadly consistent with the proposed MRL.

Safety

The Office of Chemical Safety (OCS) ADI (Acceptable Daily Intake) List sets out the following for endosulfan:

Chemical	ADI (mg/kg bw)	NOEL (mg/kg bw)	Date Set
Endosulfan	0.006	0.6	16 May 1997

Source: Department of Health, Office of Chemical Safety ADI List (as at 30 June 2014)²

Conclusion and Recommendation

The current proposal to omit the MRL for endosulfan in tea, effectively a totally imported commodity, would have significant adverse effects given the low limit of detection.

The AFGC therefore requests that an MRL for endosulfan in tea be retained at the Codex level so that tea can continue to be imported and traded in Australia.

Please feel free to contact Fiona Fleming (Advisor, Policy and Regulation) who is our lead with respect to this matter. I would especially ask that you inform Ms Fleming as soon as possible that this submission has been received and will be taken into consideration. If the FSANZ project team determines not to recommend the retention an MRL for endosulfan in tea, I would also ask that this determination be advised at the very earliest possible date so that industry can be informed.

Sincerely

Director, Legal and Regulatory

²[http://www.health.gov.au/internet/main/publishing.nsf/Content/6279C451E3D11E89CA257BF0001DA AE7/\\$File/ADI.pdf](http://www.health.gov.au/internet/main/publishing.nsf/Content/6279C451E3D11E89CA257BF0001DA AE7/$File/ADI.pdf)