

Outcome of the consultation with Member States, the applicant and EFSA on the pesticide risk assessment for pyridalyl in light of confirmatory data

European Food Safety Authority (EFSA)

Abstract

The European Food Safety Authority (EFSA) was asked by the European Commission to provide scientific assistance with respect to the risk assessment for an active substance in light of confirmatory data requested following approval in accordance with Article 6(1) of Directive 91/414/EEC and Article 6(f) of Regulation (EC) No 1107/2009. In this context EFSA's scientific views on the specific points raised during the commenting phase conducted with Member States, the applicant and EFSA on the confirmatory data and their use in the risk assessment for pyridalyl are presented. The current report summarises the outcome of the consultation process organised by the rapporteur Member State the Netherlands and presents EFSA's scientific views and conclusions on the individual comments received.

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Key words: pyridalyl, peer review, confirmatory data, risk assessment, pesticide, insecticide

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Summary

Pyridalyl was approved on 1 July 2014 under Regulation (EC) No 1107/2009 by Commission Implementing Regulation (EU) No 143/2014. It was a specific provision of the approval that the applicant was required to submit to the European Commission further studies on the toxicological and ecotoxicological information to address the relevance of impurities 4, 13, 16, 22 and 23 by 31 December 2014.

In accordance with the specific provision, the applicant, Sumitomo Chemical Agro Europe S.A.S., submitted an updated dossier in December 2014, which was evaluated by the designated rapporteur Member State (RMS), the Netherlands, in the form of an addendum to the draft assessment report. In compliance with guidance document SANCO 5634/2009-rev.6.1, the RMS distributed the addendum to Member States, the applicant and EFSA for comments on 20 April 2015. The RMS collated all comments in the format of a reporting table, which was submitted to EFSA on 16 July 2015. EFSA added its scientific views on the specific points raised during the commenting phase in column 4 of the reporting table.

The current report summarises the outcome of the consultation process organised by the RMS, the Netherlands, and presents EFSA's scientific views and conclusions on the individual comments received.

The applicant submitted further studies on the toxicological information to address the relevance of impurities 4, 13, 16, 22 and 23. However, a **data gap** for a GLP-compliant Ames test and QSAR analysis for impurity 23 was identified by both the RMS and EFSA. In addition DE proposed a **data gap** for a GLP-compliant Ames test performed with the current pyridalyl technical specification. The DE proposal would further address the toxicological relevance of impurities when comparing their maximum content in the technical specification (considering not only impurity 23). EFSA noted that although the compliance of the toxicological studies compared to the proposed specification was not specifically mentioned under confirmatory data, the data gap on impurity 23 do not allow concluding on the compliance of the toxicological studies compared to the proposed specification. The non-compliance of the toxicological studies with the technical specification is still a **critical area of concern**.

The applicant submitted further information to address the ecotoxicological relevance of impurities 4, 13, 16, 22 and 23. EFSA agreed that, for the only batch on which analytical measurements were available, impurities 4, 13, 16, 22 and 23 are not considered relevant from the ecotoxicology point of view. EFSA noted that although the compliance of the ecotoxicological studies compared to the proposed specification was not specifically mentioned under confirmatory data and not assessed by the RMS, the non-relevance of impurities allowed concluding on the compliance of the ecotoxicological studies compared to the proposed specification.

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1. Introduction

1.1. Background and Terms of Reference as provided by the requestor

Pyridalyl was approved on 1 July 2014 under Regulation (EC) No 1107/2009¹ by Commission Implementing Regulation (EU) No 143/2014².

It was a specific provision of the approval that the applicant was required to submit to the European Commission further studies on the toxicological and ecotoxicological information to address the relevance of impurities 4, 13, 16, 22 and 23 by 31 December 2014.

EFSA previously finalised a Conclusion on this active substance on 24 May 2013 (EFSA, 2013).

In accordance with the specific provision, the applicant, Sumitomo Chemical Agro Europe S.A.S., submitted an updated dossier in December 2014, which was evaluated by the designated rapporteur Member State (RMS), the Netherlands, in the form of an addendum to the draft assessment report, Vol. 4 (the Netherlands, 2015a). In compliance with guidance document SANCO 5634/2009-rev.6.1 (European Commission, 2013), the RMS distributed the addendum to Member States, the applicant and the EFSA for comments on 20 April 2015. The RMS collated all comments in the format of a reporting table, which was submitted to EFSA on 16 July 2015. EFSA added its scientific views on the specific points raised during the commenting phase in column 4 of the reporting table.

The current report summarises the outcome of the consultation process organised by the RMS, the Netherlands, and presents EFSA's scientific views and conclusions on the individual comments received.

1.2. Interpretation of the Terms of Reference

On 22 December 2014 the European Commission requested EFSA to provide scientific assistance with respect to the risk assessment of confirmatory data following approval of an active substance in accordance with Article 6(1) of Directive 91/414/EEC and Article 6(f) of Regulation (EC) No 1107/2009. EFSA's scientific views on the specific points raised during the commenting phase conducted with Member States, the applicant and EFSA on the risk assessment of confirmatory data for pyridalyl are presented.

To this end, a technical report containing the finalised reporting table is being prepared by EFSA. The deadline for providing the finalised report is 13 August 2015.

On the basis of the reporting table, the European Commission may decide to further consult EFSA to conduct a full or focused peer review and to provide its conclusions on certain specific points.

¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC. OJ L 309, 24.11.2009, p. 1-50.

² Commission Implementing Regulation (EU) No 143/2014 of 14 February 2014 approving the active substance pyridalyl, 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. OJ 45, 15.2.2014, p. 1-6.

2. Assessment

The comments received on the pesticide risk assessment for the active substance pyridalyl in light of confirmatory data and the conclusions drawn by the EFSA are presented in the format of a reporting table.

The comments received are summarised in column 2 of the reporting table. The RMS' considerations of the comments are provided in column 3, while EFSA's scientific views and conclusions are outlined in column 4 of the table.

The finalised reporting table is provided in Appendix A of this report.

Documentation provided to EFSA

1. Netherlands, 2015a. Addendum to the assessment report on pyridalyl, confirmatory data, Vol. 4, April 2015, updated July 2015.
2. Netherlands, 2015b. Reporting table, comments on the pesticide risk assessment for pyridalyl in light of confirmatory data, July 2015.

References

- EFSA (European Food Safety Authority), 2013. Conclusion on the peer review of the pesticide risk assessment of the active substance pyridalyl. EFSA Journal 2013;11(8):3240, 87pp. [doi:10.2903/j.efsa.2013.3240](https://doi.org/10.2903/j.efsa.2013.3240). Available online: www.efsa.europa.eu
- European Commission, 2013. Guidance document on the procedures for submission and assessment of confirmatory information following approval of an active substance in accordance with Regulation (EC) No 1107/2009. SANCO 5634/2009-rev. 6.1

Abbreviations

a.s.	active substance
DAR	draft assessment report
GAP	good agricultural practice
DG SANCO	European Commission Directorate General Health and Consumers
EFSA	European Food Safety Authority
EU	European Union
LC ₅₀	lethal concentration, median
LD ₅₀	lethal dose, median; dosis letalis media
MRL	maximum residue level
MS	Member State
NESTI	national estimated short-term intake
OSR	oilseed rape
PBI	Plant-back interval
PEC	predicted environmental concentration
PEC _{sed}	predicted environmental concentration in sediment
PEC _{soil}	predicted environmental concentration in soil
PEC _{sw}	predicted environmental concentration in surface water
PRIMo	Pesticide Residue Intake Model
RMS	rapporteur Member State
TMDI	theoretical maximum daily intake

Appendix A – Collation of comments from Member States, applicant and EFSA on the pesticide risk assessment for the active substance pyridalyl in light of confirmatory data and the conclusions drawn by EFSA on the specific points raised

2. Mammalian toxicology

No.	<u>Column 1</u> Reference to addendum to assessment report	<u>Column 2</u> Comments from Member States / applicant / EFSA	<u>Column 3</u> Evaluation by rapporteur Member State	<u>Column 4</u> EFSA's scientific views on the specific points raised in the commenting phase conducted on the RMS's assessment of confirmatory data
2(1)	Vol. 4, ADDENDUM on Confirmatory Data, C.1 Confidential information, Conclusion	Notifier (June 5, 2015): A non-GLP screening Ames test for impurity 23 (Sumitomo Report No. SUT-0148) is attached to this comment. The result is negative. The DEREK analyses for impurity 23 (Sumitomo Report No. SUT-0146) and pyridalyl (Sumitomo Report No. SUT-0147) are also attached. Impurity 23 has no genotoxicity alert. The alerts for impurity 23 that do not occur for parent pyridalyl are equivocal hepatotoxicity and plausible skin sensitization. Since pyridalyl itself is a sensitizer, the alert for sensitization is not considered cause for concern. Furthermore, as liver is a target organ for pyridalyl (hepatocellular hypertrophy), an additional alert for hepatotoxicity for an impurity present at low levels is not immediately alarming. With the above information, the Notifier believe that the toxicological relevance of impurity 23 has been sufficiently addressed.	NL (June 2015): At this time of the evaluation no new data can be submitted. Therefore, the studies have not been evaluated by the RMS. However, it was noted that the Ames test did not comply with GLP and would not be considered to be acceptable. We have indicated in the addendum that more information is available but that they have not been evaluated at this time.	RMS proposal: Data requirement: a GLP-compliant Ames test and QSAR analysis for impurity 23. EFSA: agreement with the RMS' proposal. Data gap A GLP-compliant Ames test and QSAR analysis for impurity 23. The compliance of the toxicological studies compared to the proposed specification still needs to be demonstrated.

No.	Column 1 Reference to addendum to assessment report	Column 2 Comments from Member States / applicant / EFSA	Column 3 Evaluation by rapporteur Member State	Column 4 EFSA's scientific views on the specific points raised in the commenting phase conducted on the RMS's assessment of confirmatory data
2(2)	Vol. 4 Compliance of the batches used in the toxicity studies compared to proposed technical specification.	EFSA: EFSA agreed with the conclusions that for impurity 4, 13, 16 and 22 the proposed specification is covered by the tested toxicological batches and no further studies are required based on these impurities. However, since impurity 23 exceeds the maximum for toxicological equivalence further information, namely a (Q)SAR analysis and an Ames test, is needed. The compliance of the toxicological studies compared to the proposed specification still needs to be demonstrated.	NL (June 2015): this comment supports the conclusion made by the RMS. As indicated on page 12 of the addendum we concluded that a QSAR analysis and an Ames test is required for impurity 23.	RMS proposal: Addressed. See data requirement 2(1). EFSA: EFSA agreed with the RMS. See data gap at 2(1).
2(3)	Vol.4- Annex C on ADDENDUM Confirmatory Data	FR: FR agrees with the conclusion of the RMS on the relevance of pyridalyl impurities.	NL (June 2015): we thank FR for the support.	RMS proposal: Addressed EFSA: see data gap at 2(1).
2(4)	Vol. 4, Confirmatory data	DE: The data gap has not been addressed. The conclusion by the RMS is not supported. In the toxicological batch the content of the impurities 4, 13, 16, 22 was lower than 1 g/kg. However, the proposed specification is between 2 and 3 g/kg and therefore at least an Ames Test should be provided. The	NL (June 2015): Not agreed with. As indicated in the addendum for impurity 4, 13, 16 and 22 the proposed specification is covered by the tested toxicological batches when applying the criteria from the Guidance on the assessment of the equivalence of technical materials of substances under Regulation (EC) No 1107/2009 (SANCO/10597/2003 rev. 9).	RMS proposal: Addressed EFSA: agreed with the RMS' assessment. However, DE had a divergent view and further data besides data gap in point 2(1) would be required according to DE opinion. A data gap might be proposed to

No.	Column 1 Reference to addendum to assessment report	Column 2 Comments from Member States / applicant / EFSA	Column 3 Evaluation by rapporteur Member State	Column 4 EFSA's scientific views on the specific points raised in the commenting phase conducted on the RMS's assessment of confirmatory data
		conclusion on impurity 23 is supported.	Therefore, no further studies are required.	<p>cover the uncertainties raised by DE; i.e. GLP Ames test performed with the current pyridalyl technical specification.</p> <p>The DE proposal would further address the compliance of the toxicological studies compared to the proposed specification (considering not only impurity 23).</p>

5. Ecotoxicology

No.	Column 1 Reference to addendum to assessment report	Column 2 Comments from Member States / applicant / EFSA	Column 3 Evaluation by rapporteur Member State	Column 4 EFSA's scientific views on the specific points raised in the commenting phase conducted on the RMS's assessment of confirmatory data
5(1)	Vol. 4 Compliance of the batches used in the ecotoxicity studies compared to proposed technical specification.	EFSA: EFSA agreed with the conclusions that for impurity 4, 13, 16 and 22 the proposed specification is covered by the tested ecotoxicological batches and no further studies are required based on these impurities. EFSA also agrees that for ecotoxicology no further information is required for impurity 23. EFSA notes that for ecotoxicity the addendum only covers studies performed with one batch.	NL (July 2015): the confirmatory data only concerned the mentioned impurities, but not the compliance of the ecotoxicological and toxicological studies compared to the proposed specification. Hence, the RMS is of the opinion the question of EFSA is not relevant in relation to the confirmatory data.	EFSA: we agree that, for the only batch on which analytical measurements were available, impurities 4, 13, 16, 22 and 23 are not considered relevant from the ecotoxicology point of view. We noted that although the compliance of the ecotoxicological studies compared to the proposed specification was not specifically mentioned under confirmatory data and not assessed by the RMS, the non-relevance of

	<p>The compliance of the ecotoxicological studies compared to the proposed specification still needs to be demonstrated.</p> <p>The compliance of the toxicological studies compared to the proposed specification still needs to be demonstrated.</p>		<p>impurities allowed concluding on the compliance of the ecotoxicological studies compared to the proposed specification.</p>
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