



September 21, 2017

European Commission
EU-TBT Enquiry Point
DG for Internal Market, Industry, Entrepreneurship and SMEs
Unit GROW B2
Avenue des Nerviens 105
1049 Brussels
Belgium

Sent via e-mail: grow-eu-tbt@ec.europa.eu

Subject: Comments concerning the following WTO Notices:

G/TBT/N/EU/495, entitled, *"Draft Commission Implementing Regulation concerning the non-renewal of approval of the active substance iprodione, 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 Implementing Regulation (EU) No 540/2011."*

G/TBT/N/EU/498 entitled, *"Draft Commission Implementing Regulation amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance imidacloprid."*

G/TBT/N/EU/499 entitled, *"Draft Commission Implementing Regulation amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance thiamethoxam."*

Dear Sir or Madam:

Wine Institute submits the following comments on behalf of the California, (U.S.) wine industry. Wine Institute is the premier organization representing California wineries in the United States and around the world. With 1,000 winery and affiliated business members, the organization initiates and advocates public policy that enhances the ability to responsibly produce, promote and enjoy wine. Wine Institute works to bolster the economic and environmental contributions of California's signature agricultural industry by encouraging sustainable winegrowing and winemaking practices. California represents more than 85 percent of U.S. wine production and 97 percent of U.S. wine exports.

The following comments concern the European Union's communications to the WTO Committee on Technical Barriers to Trade, regarding proposed regulations set forth by the European Commission. We are grateful for the opportunity to provide comments, and respectfully request the European Commission give them serious consideration.

The proposed regulations would lead to a ban on the use of Iprodione in the EU and restrictions allowing the use of Imidacloprid and Thiamethoxam only in greenhouses or on seeds to be planted in greenhouses. While the regulations would not specifically affect the Maximum Residue Levels (MRLs) for these substances, Wine Institute is concerned that the EU will at some point substantially reduce or eliminate those MRLs, creating a potential barrier to importation of California wine.

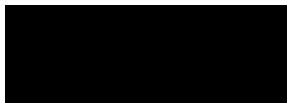
Iprodione, Imidacloprid, and Thiamethoxam are essential tools for protecting vineyards and maintaining grape quality in California. Iprodione is an effective fungicide, and its use is necessary to treat the fungus, *Botrytis cinerea*, on wine grapes. Imidacloprid is a common insecticide used to control vine mealybugs, aphids, white flies, fruit flies, and phylloxera. Most importantly, in vineyards it is used to control the glassy-winged sharpshooter (*Homalodisca vitripennis*), which transmits the agent responsible for causing Pierce's Disease (*Xylella fastidiosa*)—a deadly disease for vines. Thiamethoxam is used to treat vines from invasive species such as leafhoppers (*Cicadellidae*) and the Asian ladybeetle (*Harmonia axyridis*).

There is a crucial need to facilitate international trade by promoting regulatory coherence between trading partners. If the EU intends to review the MRLs for Iprodione, Imidacloprid, and Thiamethoxam, we ask the EU to consider the current tolerances set by Codex Alimentarius and the U.S. Environmental Protection Agency (EPA) (see table below). For this reason, Wine Institute respectfully requests the European Union not lower the MRLs below the lowest of the levels established by Codex Alimentarius or the U.S. EPA.

Substance	TBT Reference Number	Current EU MRL (ppm)	United States Tolerance (ppm)	CODEX Alimentarius MRL (ppm)
Iprodione	G/TBT/N/EU/495	20	60	10
Imidacloprid	G/TBT/N/EU/498	1	1	1
Thiamethoxam	G/TBT/N/EU/499	0.4	0.2	0.5

Wine Institute sincerely appreciates this opportunity to provide comments on this matter and thanks the European Commission in anticipation of their consideration. Please let me know if you have any questions.

Respectfully Submitted,



Tom LaFaille
Vice President and International Trade Counsel