Ctgb-reactie ingediend in publieke consultatie EFSA conceptbijenrichtsnoer d.d. 30-9-2022

GD section	Line	Comment
General comment		The protection of bees is very important to Ctgb. Our comments are made in the light of our desire for a risk assessment methodology that is sufficiently protective, practically feasible and can be adequately implemented as soon as possible. The Ctgb considers the draft guidance document to be a great step forward and we strongly support a swift finalisation, adoption and implementation.
6.0	2012-2016	We appreciate the move from a single point to an inclusion of the dose-response curve in the effect estimate. A reference is made to an analysis of bee-specific dose response data in the supplementary document, section 5.2, however we note that section 5.2 of the supplementary data is a section on the exposure assessment. Perhaps the intended reference is section 6.3, where the extrapolation factors are calculated based upon an analysis of the dose-response data in numerous bee studies?
6.1.2	2081-2090	We appreciate the move to gathering better dose-response information in larval tests, as well as a useful description of how to deal with potentially confounding situations.
6.1.2	2104-2105	We do not understand the point of this sentence. Surely endpoints from all tests (also under finalized Guidelines) should be carefully considered? The basis of the effect assessment is a careful and thorough evaluation of all data (standard, guideline, literature) for potential endpoints should be performed. We would prefer a sentence that better reflects this actuality or simply to remove the sentence, which seems superfluous in the context of the section, anyway.
6.1.3	2114-2120	We support the WG interpretation of the data requirements for a.s. and ppps.
6.2	2157-2164	This section seems to suggest that all right censored data should be ignored when uncensored data is available, but does this not result in an overly-conservative dose-response?
6.3		Reference could be made to the extrapolation factors in the birds and mammals guidance to assist assessors in interpreting/understanding this section (i.e., this is also in-line with existing Guidance).
6.6.2	2369-2371	In cases where there is no toxicity in the acute study at the limit dose but the Tef for solitary bees is used (on either solitary bee or honey bee endpoints) this would still result in a quite low endpoint, although in fact no toxicity was observed in the test. Does this fit into the tiered approach? Since the toxicity value and slope are quite sensitive parameters according to the sensitivity analysis, presumably there would be significantly more failures at Tier 1 in the solitary bees assessment? Since there is no additional assessment factor we agree that an adjustment is necessary to take into account between species differences, but since no impact/sensitivity analysis was available for solitary bees it is difficult to judge those chosen. Perhaps it would be an idea to adjust these factors (or eliminate them) if/when there is no toxicity observed in any of the available tests in bees (or possibly including NTAs), if it turns out that they indeed make the first tier too sensitive?
6.7	2401-2407	Wouldn't several aspects of inter-species extrapolation be addressed by expressing effect values in ug/mg bee bw (or µg/µg bee bw/d) and implementing weighing of bees in toxicity tests?
8.1.1	2744-2753	But for very non-toxic substances which show no toxicity at limit doses, would it not make sense to assume that there is no trt? Otherwise, isn't there a significant risk of assuming TRT for many non-toxic substances due to the use of the default worst-case Haber's exponent? There is a point at which no higher dosing can be achieved and (in time) at which the mortality in controls will become too great to extend the test further.

9.2.2.1 and Annex K, Section 1.3	3066	We appreciate the desire to consider behavioral effects in bees, however, we would note that determining behavioural effects (outside of gross changes) can be very tricky even in mammalian toxicology. It would be useful to understand what type of sensitivity the current OECD tests have for behavioural effects. We would suggest that investigation of the ring-testing reports and adding to the GD (perhaps the analysis in Annex K, Section 1.3, with a summary here in 9.2.2.1) the level of effects seen in negative and positive control groups would assist assessors in understanding and interpreting the reliability and relevance of this information from the standard tests.
10.1	3299	We appreciate the switch to the "opposite" hypothesis for higher tier (field) studies, particularly considering the difficulty in identifying effects at a specific percentage.
10.1	3281	A reference for Lückmann and Schmitzer, 2019 is missing in the reference list.
10.6.8	3737	Approach 1 seems to refer to all tests, however, we would not agree that laboratory toxicity studies are less relevant since the exposure level may be different the PEQ. Approach 2 suggests that if the exposure deviates from the PEQ but helps to determine a dose-response the test could then be considered relevant. It should therefore be assumed that limit tests are all irrelevant? This section is a huge deviation from normal toxicological and risk assessment procedure: confusing the exposure in toxicity tests with the exposure in the field is stringently avoided. Laboratory toxicity tests are intended to determine at what dose an effect may be seen, over different periods of time and/or developmental periods. There is no correlation of exposure levels or duration for toxicity tests (with the exception of field effect tests) and this is as it should be. Please consider significant revision of this section (and/or specifying that it is intended only for field studies and not for all toxicological studies).

10.7.1.	3756 – 3768	Model complexity appears as a critical factor of the model suitability for use in regulatory risk assessment. However, since models come in all shapes and sizes, and modelers can be very creative in their approaches, we recommend that the requirement for a particular model complexity is less accentuated in the final version of the Guidance. Simple models can sometimes be an adequate solution for complex issues.
10.7.2	3822-3823	It is stated in the draft Guidance "the models can only predict mechanisms which are appropriately considered and implemented." However, we believe that models can go beyond this, i.e., they can predict/explain mechanisms that are not considered and that are not used in setting up the model. That potential for discovery is one of the main advantages of modelling over conventional experimental studies.
10.7.2.4	3862-3874	This section seems to have no practical relevance in the context of this Guidance. Consider possibly to remove it or replacing it to supplementary information.
12.	4092	It would be highly appreciated if a mixture calculator (e.g., Excel sheet) is provided with this Guidance.
Annex C – higher tier effect studies; section 2.1	196	From our perspective the most important concept in the MDD method is that of categorizing levels of effect (or range of levels), however, we are aware of the long discussions regarding the β value to be considered/of importance in the statistical methodology. The statistical methodologies used to measure the level of effect, and the categorization of the level of effect, can, of course, vary, and indeed should be updated when new information is available. In the case of bees, as an effect size of importance has already been determined, this categorization becomes less interesting, though it may nevertheless be quite useful for bumble and solitary bees. Edit: we see that this has been done, in a way, in section 2.2. We would consider it useful to "translate" the percentages into terms. See comment on section 2.2.
Annex C – higher tier effect studies; section 2.1	215-236	We agree with and support the concept of equivalence testing and its use in higher tier testing for bees.
Annex C – higher tier effect studies; Section 2.2	418-422	We agree with this section, which is in line with the categorization of effect as the MDD concept, which is relatively well-understood by assessors.
Annex C – higher tier effect studies; Section 2.2	all	Please address the fact that the concept of recovery has not been considered in this section, as clearly the level of effect can be dependent upon the timing of observation and it may be possible to observe transient effects, and there has been no information on the relevance of these. Guidance as to how to categorize these in communication and conclusion would be helpful.
Annex C – higher tier effect studies; section 2.3	479-489	We agree with $\alpha_E = 0.2$ and with using this for both honey and other bees.
Annex C – higher tier effect studies; sections 3-6	all	We appreciate the additional guidance provided on higher tier studies in honey bees as well as field studies in other bees.
Supplementary document, Section 7, Sensitivity and impact analysis	all	We appreciate the sensitivity and impact analysis but wonder if other scenarios (weeds in the treated field) would not actually be more critical due to the longer period of blooming.