

Coalition for an Enhanced Codex

Supporting Codex Alimentarius to enhance food security

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Introduction

As the most important international standard setting body in the area of food safety, the Codex Alimentarius plays a crucial role in protecting the health of the consumers while enabling trade in agricultural products. This activity benefits both farmers and consumers. One of its most important responsibilities is Codex's role in setting international pesticide maximum residue limits (MRLs).

Given the importance of global trade and the significance of MRLs in facilitating trade, the Codex Committee on Pesticide Residues (CCPR) plays a critical role in determining economic outcomes for all stakeholders that depend on trade flows. Enabling Codex to perform its role more effectively and efficiently by addressing current capacity challenges, embracing new scientific and administrative methods of evaluation, and ensuring adequate resources are available, is essential to supporting global food security and trade. Delays in the establishment of MRLs and the resulting lack of national/international harmonization have important consequences for market access, productivity and farmer livelihoods, contributing to a poorer and hungrier world.

Background

Since 1963, the global consumer's demand for a safe, plentiful, affordable food supply has substantially increased. As a consequence of this demand, there has been an increase in the world trade of food commodities. This situation has heightened the importance of Codex and specifically of the FAO/WHO Joint Meeting on Pesticide Residues (JMPR) as the most important body in enabling international MRL standards.

The Codex Alimentarius sets standards, guidelines and codes of practice for food safety and trade. It works through more than 20 committees and working groups, exercising the core codex risk-management function. Codex committees are supported by independent expert scientific panels that are jointly administered by WHO and FAO. These panels also provide technical and scientific expertise to member states and the World Trade Organization.

One of the most important function of the Codex Alimentarius in terms of trade in agricultural goods is its role as a standard setter in terms of international MRLs or Codex Limits (CXLs). The Codex Committee on Pesticide Residues (CCPR) is the committee in which MRL issues are discussed and standards established. The CCPR's role is to advance MRLs through the elaboration process which allows all member states to voice concerns on the standards being proposed. Once approved by the CCPR, the standard(s) are forwarded for adoption by the Codex Alimentarius Commission (CAC). It's the work of the CCPR is supported through other key bodies:

- The JMPR is an expert scientific panel administered jointly by the Food and Agriculture Organization (FAO) and the World Health Organization (WHO). It conducts scientific evaluations and provides advice on acceptable pesticide limits.
 - The WHO side evaluates the toxicology of pesticides and recommends Acceptable Daily Intake levels (ADIs)
 - the FAO side reviews and evaluates the National use patterns for the compounds under review and recommends Maximum Residue Levels (MRLs)
 - Both groups play a role in determining global dietary risk assessment based on the proposed MRLs and the recommended ADI.

The farmer perspective

Crop protection products – such as herbicides, fungicides and insecticides – contribute to improvements in agricultural productivity by protecting crops from disease, weed and insect pressures. However, the lack of MRLs for registered products restricts farmers who wish to trade, or must trade internationally, and impedes farmers' access to important crop input tools. Capacity limitations within Codex results in a process that can take years to establish MRLs/CXLs in most agricultural crops. This is further complicated since importing countries can apply zero or near-zero default tolerances for residues of pesticides if there is no national or Codex MRL in place. In the view of many agriculture and food companies and trade associations, the application of a zero or near zero default MRL elevates the commercial risk and uncertainty in the global market place, and is not a science based approach.

One function of the coalition's efforts is aimed at providing defensible economic assessments to illustrate the impact of the present Codex capacity limitations.

Example of the impact of MRLs on commodity trading: pulses

In 2011, the global pulse industry experienced a high-profile glyphosate MRL noncompliance on lentils. In this case, many Canadian farmers were using a crop protection product, glyphosate (or Roundup), for which an MRL had been established in Canada and certain other national jurisdictions for lentil exports. Glyphosate residues were well under the nationally established MRLs. However, in key import jurisdictions – countries using Codex standards and the EU – glyphosate use on lentils had never gone through the process of establishing an MRL. Consequently these jurisdictions applied a MRL of 0.1 ppm that caused rejections, as well as the threat of product recalls.

All of this happened solely as a result of a lack of regulatory harmonization. When food safety issues are encountered, they must be dealt with swiftly; however, this was not a safety issue. Underscoring the fact that there was no food safety risk, the following year both Codex and the EU established MRLs for glyphosate/lentil MRLs as follows:

- Codex - 5 ppm,
- EU 10 ppm

These values are 50 to 100 times the 0.1 ppm tolerance that was applied just one year earlier.

It must be emphasized that regulatory gaps alone caused shipments of safe, nutritious lentils to be treated as a food safety breach, and rejected – randomly and unpredictably, harming farmers and consumers. While the lentils in question were of North American origin, the concern is as relevant to pulse farmers in Uganda or Ethiopia as it is to Canadian farmers.

The issue

Recognition of the importance of Codex's role in establishing MRLs has led to recent efforts by its members to improve its processes. Since 2007, reforms have occurred in the CCPR decision-making process, reducing the time of the MRL elaboration process from over 10 years to approximately 2 years. Changes in the scheduling process have also allowed new active ingredients to be placed on the JMPR review schedule years in advance of their initial approval in member countries. These improvements in evaluation and scheduling processes only result in greater demand for evaluation resources, yet, JMPR capacity challenges continue to create significant delays.

Efforts must be taken to build on these process and scheduling successes and adopt changes to increase the JMPR review capacity to meet the ever increasing demand for the review and recommendation of Codex MRLs for

- new active ingredients, shortly after their introduction into the marketplace,
- new uses, particularly for minor/specialty crops, and,
- the reevaluation of chemicals that have been on the market for 15 years or more.

Currently, the schedule for the review of new active ingredients is full for several years into the future and the number of new uses reviewed each year by JMPR is limited. Ideally Codex

MRLs should be established soon after a new active ingredient or new use is approved by a national authority and in use on crops entering international commerce. If this does not occur, then growers do not have access to new chemical technologies and agricultural efficiencies cannot be realized by both farmers and consumers.

As a result of the capacity issues affecting JMPR, and ultimately Codex's decision-making ability, delays in the establishment of Codex MRLs, or the failure to develop MRLs, subjects the global food trade to an unpredictable international trade environment. This unpredictability includes national governments applying zero, near-zero, or undefined default tolerances to traded commodities.

Steady advances in the sensitivity of testing add to the urgency of addressing these trade challenges.

Increasing the capacity of JMPR

Farmers need more Codex MRLs, as well as Codex MRLs that are issued in conjunction with product registrations, or shortly thereafter, and certainly prior to treated commodities moving in international trade. While it is recognized that there is no easy solution to increasing the capacity of the JMPR, a fundamental requirement is high-level commitment to increase the capacity and efficiency of the JMPR from the leadership of FAO, WHO and the Codex Alimentarius Commission. Assurances must be obtained that resources for JMPR meetings are in the budgets of both FAO and WHO, as well as support for continual improvement and innovation in the review process.

Potential solutions appear to include several initiatives that together could result in a significant increase of the JMPR's ability to meet the current demand for Codex MRLs. The following key steps should be considered (*see full text of recommendations on next page*):

1. Increase the number of experts on panels, with the support of member countries
2. Ensure budget is available to cover secretariat staff, experts and the costs of the JMPR annual meeting
3. Leverage the availability of electronic tools to enable discussions to take place online before the JMPR meeting to free up time on the JMPR agenda for priority issues
4. Peer review of national reviews and MRLs already established by national authorities to avoid duplication and use resources efficiently
5. Maximize the use of crop groupings and representative commodities to maximize the number of MRLs established for minor/specialty crops and minimize the level of expert review effort
6. Avoid re-work and delay through clear guidance on residue trial requirements, the use of all available data, and modification of the policy that requires an approved label before a MRL can be recommended
7. JMPR participation in Global Joint Reviews
8. Ensure the consistency of application and adherence to the policies adopted by JMPR, CCPR

Recommendations:

1. **Increase the availability of experts:** While the demand for panel reviews has increased over the years, the number of experts on each panel has not increased substantially. Several potential reforms might be considered, such as hiring new staff to support the WHO and FAO panels to screen dossiers, summarize issues, and review work already done on the pesticide by national authorities; such assistance could relieve the burden currently placed on experts who must currently conduct the primary reviews of the dossier and write lengthy monographs. Ideally, experts should focus and render opinions on specific questions identified in the dossier relevant to assessing the safety of the pesticide use. Perhaps government- or professional association-sponsored fellowships could be offered to graduate school students, or sabbaticals to academics familiar with JMPR; such scientific experts could provide valuable time-saving assistance to the WHO/FAO panel members.
2. **Secure a budget for secretariat staff and experts:** Each year it is uncertain if adequate funds will be available to hold the JMPR meeting. Funding to cover the total cost of the JMPR meeting must be a regular item in the FAO and WHO budgets. Obtaining a multi-year grant from a foundation or food organization without a conflict of interest to supplement budget allocations could be explored.
3. **Maximize the use of electronic tools:** Full utilization of the electronic tools available would allow for issue discussion to occur before the actual face-to-face JMPR meeting. The JMPR meeting agendas could focus the time on complex scientific issues, increasing the number of active ingredients or additional uses reviewed at each annual meeting. Teleconferences or videoconferences should be considered as means to assist early reviews among experts as soon as the dossier has been submitted. If the review of a chemical is straight forward and no issues are raised, is there a need for discussion at an international meeting?
4. **Peer review of national reviews and MRLs established by national authorities:** JMPR should consider maximizing the use of national reviews, focusing on areas where they disagree. Many of the JMR experts are drawn from countries that have already done detailed reviews of the chemicals going through the JMPR process. Is it necessary to reevaluate the data anew? This would streamline the JMPR review process and allow for more chemicals to be reviewed each year. Consideration of MRLs established by national authorities prior to the JMPR review should be factored into JMPR's MRL recommendation to avoid creating unnecessary trade impediments that have no impact on food safety. Alternatively JMPR could review the dossier of a new active ingredient concurrent with the national authorities and consult with them prior to finalizing a Codex MRL recommendation.
5. **Maximize the use of crop grouping and representative commodities:** JMPR should consider establishing MRLs for crop groups and subgroups based on a review of representative commodity data. MRLs could be established on multiple commodities based on the extrapolation of residue field trial data on the representative commodity to other members of the crop group/subgroup allowing for the assessment of pesticide exposure of a chemical on multiple commodities without reviewing data for each individual commodity. This approach would maximize the number of MRLs that could be established for minor/specialty crops and minimizes the level of expert review effort.

6. **Avoid rework and delay:** The use of all available data developed on the same Good Agricultural Practice (GAP) (use pattern) or substantially similar GAP should be routine (global data sets). Additionally, revision is needed of the current JMPR policy to require that a new active ingredient or a new use appears on an approved label, with the use(s) at the GAP used in the residue trials, before a MRL is recommended. Since the recommended MRL is based on the GAP used in the residue field trials, having the use on a pesticide product label is irrelevant and causes unnecessary time delays waiting for a label to be approved in a member country. Once a Codex MRL is established, the GAP (use pattern) on a label can change at any time. This change in policy would allow pesticide manufacturers to submit residue field trials immediately upon study completion rather than wait for a label to go through a member state's approval process.

7. **Ensure the consistency of application and adherence to the policies adopted by JMPR, CCPR:** Experts should not be acting independently of the policies adopted by the CCPR. FAO and WHO Secretariats need to ensure that adopted policies are followed consistently. An expert's objection serious enough to delay a recommendation of a MRL should be communicated to the whole panel well in advance of the meeting.

Current Members of the Coalition for Codex MRLs Reform include:

1. Canadian Canola Growers Association
2. The Coca-Cola Company
3. CropLife International
4. European Coffee Federation
5. FoodDrinkEurope on behalf of Federation of Cocoa Commerce and CAO Bisco
6. Global Dairy Platform (GDP)
7. Global Farmer Network
8. Global Pulse Confederation (GPC)
9. Grain and Feed Trade Association (GAFTA)
10. HealthforAnimals
11. Himalayan Apple Growers Society (HAGS)
12. International Center for Tropical Agriculture (CIAT), member of the CGIAR
13. International Chamber of Commerce (ICC)
14. International Citrus Growers
15. International Fertilizer Association (IFA)
16. International Food and Beverage Alliance (IFBA)
17. International Grain Trade Council (IGTC)
18. International Organization of Spice Trade Associations (IOSTA)
19. International Seed Federation (ISF)
20. International Trade Center (affiliated with WTO and UNCTAD)
21. Inter-American Institute for Cooperation on Agriculture (IICA)
22. Minor Crop Farmers Alliance (MCFA)
23. PepsiCo
24. Rural Women in Agriculture
25. Tea Association of Canada
26. U.S. Soybean Export Council (USSEC)
27. World Spices Organisation

Current Observers of the Coalition for Codex MRLs Reform include:

- British Coffee Association (BCA)
- European Rice Millers
- International Coffee Organisation (ICO)
- International Cotton Association
- MAIZALL
- US Grains Council
- Syngenta

The coalition is still growing.

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