Anticipating MRL changes

It is important to identify upcoming changes to MRLs in citrus markets, to reduce risk, costs and food waste in the supply chain. By Paul Hardman


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Pre-empting changes in maximum residue levels (MRLs) is becoming increasingly difficult, as the MRL-setting processes are being stress-tested by external non-technical factors.

Identifying changes

The CGA has developed a network of resources and channels to promptly pick up on planned MRL changes. Typically, this also involves following the agenda of regulatory decision-making bodies, such as the Standing Committee on Pesticides (SCOPAFF) in the European Union. Also, the World Trade Organization (WTO) notifications are followed closely, since it's the official channel through which countries communicate their intentions to change MRLs. Not all the details from meeting or decision-making processes are shared with the public. But generally, the indications trigger a follow-up discussion with authorities to discover what the most likely outcomes will be in each case.

For longer-term planning, the CGA is also watchful regarding policy changes in the way countries regulate and approve MRLs. The effects of these changes tend to only manifest decades down the line.

The on-going scanning by the CGA for any signs of MRL changes in the regulatory status of crop protection options, is closely linked to other efforts to identify alternatives with Citrus Research International (CRI) and the crop protection industry. If MRLs are lowered and that crop protection option is no longer useful, it might take years to replace or find alternatives for that solution.

Feedback from these processes to the broader industry is usually provided via Cutting Edge publications or through the Citrus Sustainability Forum (CSF), and of course, the *Recommended Usage Restrictions for Plant Protection Products on Southern African Export Citrus.*

New dynamics in MRL-setting processes

The challenge of anticipating MRL changes is aggravated by countries using MRLs to achieve objectives other than consumer protection. These two recent examples from the European Union (EU) stand out:

- Reduction in the EU Thiamethomaxam and Clothiodin MRLs: Both these actives have poor association with the decline of bee populations in the EU. Fortunately, they are not widely used in the citrus industry in Southern Africa. Nevertheless, what is concerning is that EU MRLs have been lowered for these products not based on any human health concerns, but because of their potential impact on bee populations. At the surface, this might sound morally appropriate, as bees should be protected. However, this is the incorrect means through which to achieve these goals. It simply ignores the fact that environmental protection is the basis for appropriate registration in every country. At its core it challenges the sovereignty of a country to make its own rules about the registration of products. The other key problem is that it ignores the fact that pests and diseases differ between nations and climates. Thus, a EU-based scientific finding might not apply elsewhere. Therefore, the relevant and best science should be applied to these decisions. Legal challenges may try to protect this fundamental principle.
- France banning the import of cherries: In the last week of March 2023 France banned the import of cherries treated with Phosmet. Growers would have used the product legally and the residues would have been acceptable in the EU. The ban was introduced at the members' state level, despite France also subscribing to the broader EU regulations in the regulatory process to reduce the MRLs for Phosmet (which would be introduced later during 2023). It's not the technical merits of this case that are the issue, but rather the fact that the EU and EU members are no longer following a predictable regulatory pattern when it comes to knowing which MRLs are going to apply in future.

A direct consequence of the approaches used in the examples cited are that the EU market is no longer a "common market" and the EU residue tolerances will increasingly be out of sync with other countries. This takes us back to the 1990s when each member state set their own MRLs – it's de-globalisation.

The obvious challenge is that crop protection decision-making is going to become increasingly difficult as growers align with limited markets that they intend to supply. If that market is disrupted, they will find it difficult to supply others. This should be seen in the overall context of the increasing pressure to reduce pesticide use generally – such as promoted with the EU Farm-2-Fork strategy – while also meeting phytosanitary and sanitary obligations.

Citrus growers are strongly encouraged to join the Citrus Sustainability Forum (CSF) where these developments are being discussed and highlighted. Participation in the CSF equips stakeholders to better understand relevant dynamics and risks. Please contact the CGA office to get involved.