

EU Pesticide Policies: A Trade Perspective

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Outline of this presentation

- SPS Agreement primer
- Concerns raised in the SPS Committee
- Other Committee Activities
- Work ahead in 2024

WTO Agreement on the Application of Sanitary and Phytosanitary Measures

The right to protect human, animal, or plant life or health



Avoiding unnecessary barriers to trade

WTO Agreement on the Application of Sanitary and Phytosanitary Measures

1. Non-discrimination
2. Scientific justification
 - harmonization
 - risk assessment
 - consistency
 - least trade-restrictiveness
3. Equivalence
4. Regionalization
5. Transparency

WTO SPS Committee

- Regular forum for consultation and to carry out functions related to **implementation of the SPS Agreement**
- Forum for consultations with countries to **resolve trade concerns** with specific SPS measures
- Raise trade concerns, singly and **in coalitions**, on the “floor” of the Committee
- Provides **regular access to SPS and trade officials** for “bilateral” meetings on the margins



U.S. – EU Agricultural Trade

Top U.S. exports are soybeans, tree nuts

Planting seeds (\$337 million USD in 2023)

Nature of the agricultural trade relationship

Market access vs. entry requirements

MRL-related STCs being raised in the SPS Committee

Raised continuously since 2014 –Costa Rica, China, Colombia, India, Peru, Paraguay, United States (March 2024)

Regulation 1107/2009

- Authorization and renewals
- Hazard-based cut off values (genotoxicity, carcinogenicity, reproductive toxicity, endocrine disruptors, persistent organic pollutants)
- Uncertainty, Data Gaps
- Reduction to LOQ after non-renewal

Most supported STC - Argentina, Brazil, Canada, Ecuador, Guatemala, Kenya, Panama, Uruguay

MRL-related STCs being raised in the SPS Committee

Concerns raised

- Hazard vs. Risk
- Sufficiency of scientific evidence, risk assessment
- Transition policies
- Lack of import tolerances
- Derogations, emergency uses*
- Trade impact – local conditions, lack of alternatives

EU Response

- Explains the EU process
- Goal is lowest possible MRL based on GAPs
- No attempt to address SPS concerns

MRL-related STCs being raised in the SPS Committee

“EU import tolerances for certain pesticides to achieve environmental outcomes in third-countries”

- Raised by Australia, India, USA
- Supported by Argentina, Brazil, Canada, China, Colombia, Costa Rica, Ecuador, Guatemala, Israel, Japan, New Zealand, Paraguay, Uruguay
- Importance of respecting local conditions

EU Response

- No equally effective and less trade restrictive alternative to protect pollinators
- Implementation date 36 months after entry into force
- Will consider environmental issues when granting ITs

Other Activities in the SPS Committee

- ePing platform
- Twelfth Ministerial Conference SPS Declaration, “Responding to Modern SPS Challenges,” and Work Program (completed in 2023)
- Sixth Review of the Operation and Implementation of the WTO SPS Agreement (to be completed in late 2024)
- Mis- and disinformation

Work Ahead in 2024

- Reaching consensus on the report to Ministers for the SPS Work Program
- Conclusion of the Sixth Review
 - November Thematic Session
 - New voices in the MRL conversation

Thank you!

*Looking forward to your questions and
comments during the Q&A Discussion...*