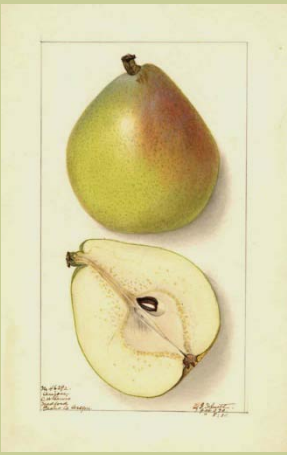


Northwest Horticultural Council

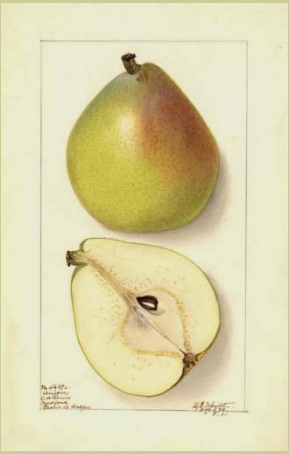
*Taiwan's New MRL
Enforcement Policy: A Report
from the Minor Crop Farmer
Alliance*

*California
Specialty
Crop
Council
2009 MRL
Workshop
June 3-4
San
Francisco*

*Mike Willett
Vice President for Scientific Affairs
Northwest Horticultural Council
Yakima, Washington USA*

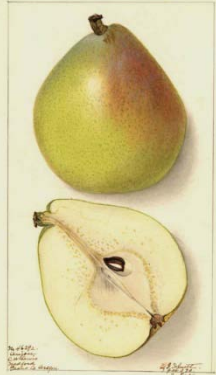


Taiwan MRL Enforcement: Background



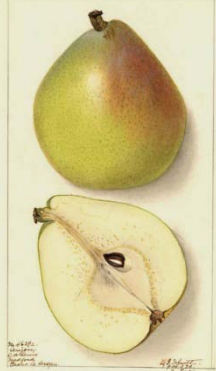
- *In 1999 Taiwan first announced its intent to enforce MRL standards*
- *Since very few MRLs were established in Taiwan at that time, industry recognized the clear possibility of extensive trade disruption*
- *Following a communication of the negative potential of this regulation, Taiwan agreed to a number of measures that would prevent trade from serious disruption*

Taiwan MRL Enforcement: Background



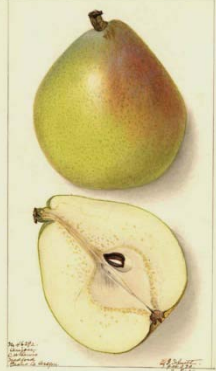
- In the July 1999 agreement Taiwan agreed to establish provisional MRLs for pesticides identified by the U.S. as priority active ingredients*
- A list was developed with the assistance of the American Crop Protection Association (CropLife America) with funding from USDA*
- A contractor (Loy Newby) contacted registrants of priority chemicals and urged them to submit their information to the Taiwanese government.*

Taiwan MRL Enforcement: Background



- *Provisional MRLs were established in Taiwan using Codex and MRLs of its major trading partners*
- *These were to be made permanent by July 2000*
- *However, this did not happen and the list was considered unofficial (secret)*
- *But the storm had passed and we were not aware of any MRL violations until 2007 even though it was clear that the registration process in the U.S. had resulted in many new active ingredients being used on crops exported to Taiwan for which no MRLs were established.*

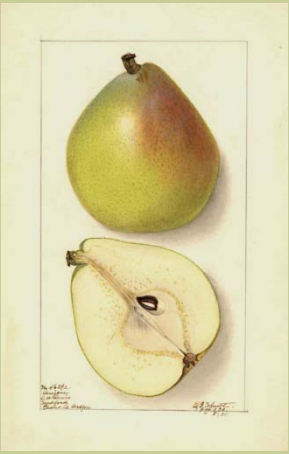
Taiwan MRL Enforcement: Recent History



- *Beginning in about 2007 initial instances of MRL enforcement occurred (wheat, strawberries)*
- *In response, in an attempt to head off problems, the U.S. pressed and Taiwan agreed in 2007 and 2008 to establish a limited priority list for MRL establishment (two lists- 248 MRLs). EPA staff has worked closely with Taiwan to provide information and assistance. FAS has worked very hard on this issue.*
- *However, according to reports from the Taiwan government, a backlog of almost 1500 MRLs existed at that time*

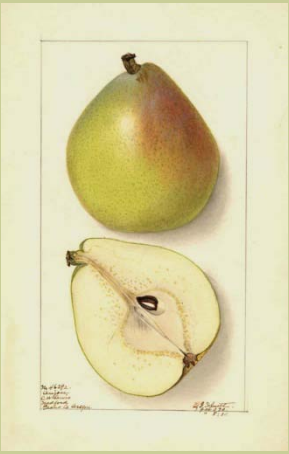
Taiwan MRL Enforcement: Recent History

- In late February 2009, the first of an eventual 11 containers of apples from the Pacific Northwest was rejected due to detections of endosulfan and fenpyroximate (Fujimite)*
- The provisional MRL for endosulfan had been dropped without the required notification to the U.S. Fenpyroximate had never been granted an MRL on apples in Taiwan*
- The rejections were the results of an unannounced MRL enforcement policy triggered by an internal audit comparing domestic vs. import residue testing*

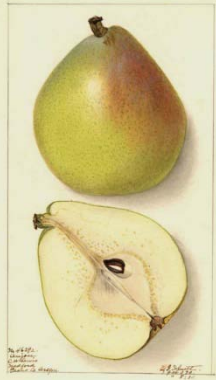


Taiwan MRL Enforcement: MCFA Delegation

- Dr. Gabriele Ludwig, California Almond Board; Dr. Lori Berger, California Specialty Crops Council; Matt Lantz, Bryant-Christie; Rick Tomlinson, California Strawberry Commission; Marcy Martin, California Grape and Tree Fruit League; Gordon Smith, California Tree Fruit Agreement; Dr. Mike Willett, Northwest Horticultural Council; and Claire Iorizzo, Mahkteshim Agan North America.*
- Support for delegation partially provided by a grant from the Technical Assistance for Specialty Crops program*

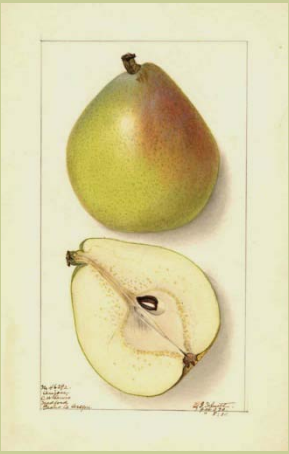


Taiwan MRL Enforcement: What You Need to Know



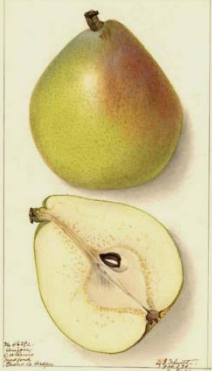
- *Taiwan's provisional and official MRL values for your crops*
- *Understanding of the active ingredients in the Taiwanese surveillance program although there is no warranty that the list won't change without notice*
- *Understanding of the possible penalties for MRL violations.*

Taiwan MRL Enforcement: MRL Values



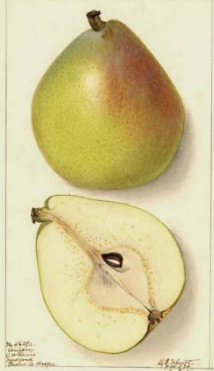
- <http://www.doh.gov.tw/ufile/doc/Pesticide%20Residue%20Limits%20in%20Foods9607.pdf>
- www.mrldatabase.com
- *Provisional MRLs are available from? (It may still be a secret list)*

Taiwan MRL Enforcement: Pesticides in Residue Scan



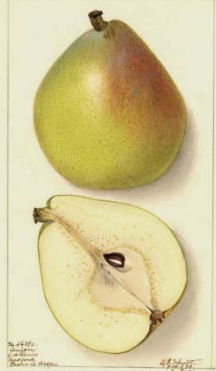
- *Multiresidue testing protocol is on Taiwan Department of Health web site (Chinese language version):*
- *http://www.nlfd.gov.tw/ch/Download_DownloadPage.aspx?Path=3642&UID=11&ClsID=8&ClsTwoID=31&ClsThreeID=0&KeyWord=&Sort=1&Year=0*
- *Item No. 4 on page one is the Multi-residue analysis method (4) that was promulgated on 2008-09-03. Item No. 11 on page two, which was promulgated 2005-08-24, is the Multi-residue analysis method (3).*

Taiwan MRL Enforcement: Enforcement Actions



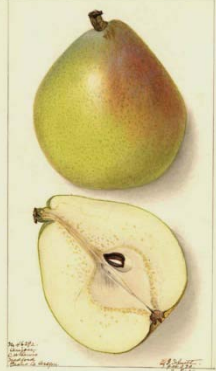
- *Screening for 196 pesticides.*
- *Initially sampling 2.5% rate.*
- *A residue screening test takes three days to five days. Loads are held while awaiting results. If a violation occurs, a retest can be requested within 15 days. If a second violation occurs, similar product sent to the same importer is tested at 20%. If another violation occurs, lot by lot (100%) sampling occurs.*
- *To reduce sampling, the importer needs five clean shipments and the total amount imported must be three times greater than the violating shipment.*

Taiwan MRL Enforcement: Enforcement Actions



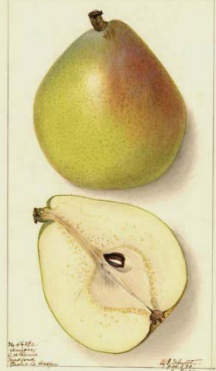
- A procedure exists to allow importers to move containers out of the customs area to their cold storage while waiting for screening results but importers note that the paperwork is extensive and customs fees must be paid*
- Following 3 violations from a specific country, Taiwan can require a national pesticide residue improvement plan*
- Additional violations can trigger 20% up to 100% testing of all imports of a given commodity*

Taiwan MRL Enforcement: Current Situation



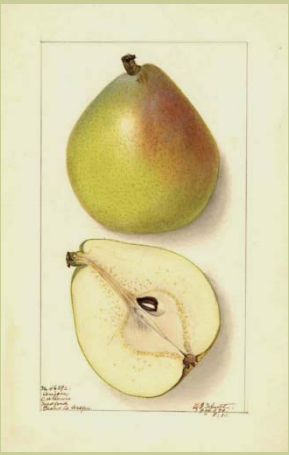
- *Exporters and growers are scrambling to redesign pest management programs to maintain efficacy but avoid rejections (i. e. PNW cherries)*
- *NHC advice to cherry shippers:
(<http://www.nwhort.org/TaiwanCountryAlert3.html>)*
- *This advice takes into account pest control products likely to be used, MRLs in Taiwan and the list of chemicals in the regulatory screening program*

Taiwan MRL Enforcement: Current Situation



- The U. S. government continues to press the Taiwanese to adopt a comprehensive MRL list in the spirit of the 1999 agreement: establish national MRLs and where national MRLs are not establish defer to Codex MRLs or MRLs of its major trading partners*
- Broader trade talks with U. S. are on hold because of this MRL dispute*
- The Taiwanese government is struggling internally to avoid trade disruption while balancing consumer food safety and domestic producer concerns*

Taiwan MRL Enforcement: Recognition



Resolution of this issue will come because of the work of many people and organizations:

- Colleagues in the MCFA delegation who represented specialty crop interests beyond their own commodities*
- Staff of USEPA who have worked hard on both technical and trade issues*
- USDA FAS in Washington, D. C. and at the American Institute in Taiwan*
- Office of the USTR*

A topographic map of the Northwest region of the United States, showing the Pacific Northwest coastline, major rivers, and mountain ranges. The map is color-coded by elevation, with greens and yellows for lower elevations and browns and reds for higher elevations. The text is overlaid on the map.

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