

The Challenges of Securing Import Tolerances for Minor Crops

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ASTA
The voice of
the U.S.
spice industry



ASTA's Mission



- Founded in 1907.
- Based in Washington, D.C.
- ASTA works to ensure the supply of clean, safe spice, shape public policy on behalf of the global spice industry, and advance the business interests of its members.



ASTA Overview



More than 200 members worldwide
Represents all aspects of spice trade:

- Growing
- Importing
- Processing
- Marketing

ASTA Overview



ASTA provides regulatory and technical resources for its members.

- Regulatory guidance – FSMA compliance, labeling
- Technical assistance – analytical methods for spice constituents and adulteration prevention and detection; guidance for pathogen control.

ASTA provides a forum for discussion and assistance on key industry issues such as pesticide-related issues.



Spices



Spices



Spices are key food ingredients and while they're not nutritional in character and are used in very small amounts they provide essential flavor to food.

- The spice trade is an ancient trade - thousands of years old.

Most of us have large numbers of spices in our kitchen cabinets.

- Be sure to replenish your spice supply regularly.
- It's the volatile substances that provide the flavor from spices and the volatiles dissipate over time.

What are spices?



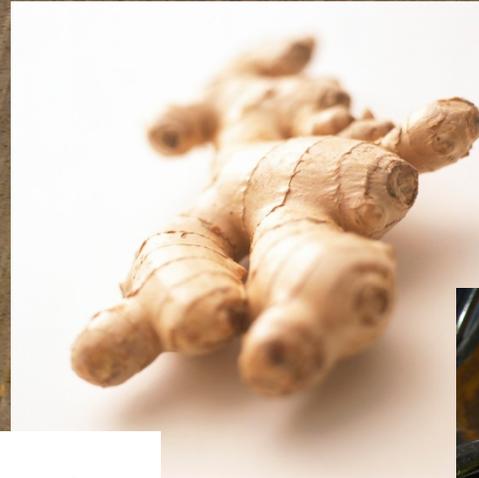
ASTA definition: “Any dried plant product used primarily for seasoning purposes”

- ASTA spice list includes most materials in FDA’s list of GRAS spices at 21 CFR 182.10.
- ASTA spice list also includes dehydrated vegetables used as spices (garlic and onion) and spices that are used as color additives (annatto, paprika, saffron and turmeric).
- EPA Crop Group 19 – Herbs and Spices at 40 CFR 180.41

Spices



Includes bark, berries, buds, leaves, roots, flowers, fruit and seeds



Berries – black pepper



Bark - Cinnamon



Seed - Nutmeg



Tree



Seed



Bud - Clove



Leaves - Basil



Fruit - Cardamom



Root - Ginger



Spice cultivation and processing



The majority of spices are grown outside of the U.S. in tropical and semi-tropical environments.

- Most spices cannot be cultivated in the U.S. due to incompatible environmental conditions.
- Therefore, most spices marketed in the U.S. are imported.

Spices are often grown in small lots in small family-owned farms.

- India, China, Vietnam and Brazil are significant spice producers.
- Spices are collected by aggregators that combine lots for sale to spice traders.

Spices grown on small plots are aggregated and taken to market



Spice market



Large-scale cultivation of spices is rare.



Challenges for minor crops



Economic challenges

- Lack of financial incentive to develop and market pesticides for small volume crops – unattractive ROI.

Practical challenges

- Political – advancing legal/regulatory changes.
- Social – some crops were not viewed as important such as dietary supplement materials. AHPA petition to add certain herbs with supplement uses to crop group 19.

Why are spices a minor crop?



Under U.S. law “minor use” means cultivation of a crop totaling <300,000 acres.

For spices, the meaning is similar in principle but different given spice cultivation practices outside of the U.S.

The majority of spices are grown outside of the U.S. in small lots in small family-owned farms.

- These are often growing areas less than an acre or two.
- Drying, sorting and aggregating are often done on-site.

Challenges for spices



The vast majority of spices are grown outside of the U.S. in developing countries.

- Pesticide regulation is not well-developed and enforced.
- Pesticide marketing is often in small quantities separate from label conditions.
- Spices consist of many varied media – berries, roots, bark, seeds, leaves, with many varied pests.
- Pesticide use is dictated by local growing conditions and pest control requirements which are often far different from the U.S. and therefore many pesticides necessary for use in spice growing regions are not registered for use in the U.S. and do not have tolerances.

Challenges for spices



Farmers are often unaware of pesticide concerns of importing countries and policies of their own countries.

- They use the pesticide that works for them regardless of export implications.

India is the global leader in spice production but is unique among large producers in that it consumes internally 90% of the spices it produces.

- Therefore, farmers often don't care about implications of pesticide use and may assume the spice will be consumed internally.

Challenges for spices



Lack of economic incentives for pesticide development, registration and tolerances.

- Because of the realities of spice cultivation and processing there is inadequate economic incentive for pesticide marketers to devote resources for spices.
- Generating required data, including field trials, for specific spices are considered too expensive compared to the likely ROI.

Existing MRLs for spices



Significant work was done by ASTA and the International Organization of Spice Trade Associations (IOSTA) beginning in the early 2000s to obtain MRLs for spices from the Codex Alimentarius Commission.

- Today there are ~60 MRLs for spices in general and ~90 MRLs that cover 6 specific spices.

This is a good starting point, but . . .

U.S. issue



U.S. law is inflexible regarding the presence in food of residues of pesticides that are not registered for use in the U.S. and for which tolerances do not exist.

- Example of orange juice and carbendazim from 2012.
- FDA determined that there was no safety issue so recall was not necessary.
- However, continued import was not permitted.

Ultimate solution was to cease application of carbendazim in the growing regions.

What is ASTA doing?



ASTA has become very active in the past several years.

1. Working with certain growing regions to cease the use of certain pesticides.
2. Working with U.S. EPA.

These are long-term activities that may take significant time to bear fruit.



What is ASTA doing?



Working with growing regions

- ASTA is working with growing regions to encourage the cessation of use for certain pesticides that are not registered for use in the U.S. and for which tolerances don't exist.

How does ASTA do this?

- Identify the appropriate officials for face to face discussions.
- Provide detailed explanations of U.S. law and regulations, social concerns, and the implications for the specific country and crop.
- Provide guidance to officials on execution. Much focus is necessary for success.



What is ASTA doing?



ASTA is working with EPA in several ways:

- ASTA and EPA are exploring the development of a program through which tolerances can be established through the use of monitoring data rather than field trials.
- EPA is also exploring how the agency might use MRLs established by Codex to establish tolerances in the U.S.



CLEAN, SAFE

SPICES

Guidance from the American Spice Trade Association



Questions?

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