

MRL HARMONIZATION WORKSHOP

MEXICAN REGULATORY FRAMEWORK

CROP PROTECTION



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May 27th, 2021



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AGRICULTURE AND LIVESTOCK NATIONAL CONTEXT



- Glyphosate Ban Decree



- Promotion of an agroecological model



- Native Maize Law



- “NOM 051” Food Labeling Standard



- Budget cuts in SENASICA,



- No ag subsidies for large producers & delay in tax refunds



- Elimination of diesel support program



- Steep budget drop 40% for SADER (Ag Minister)



- Elimination of commercial agriculture programs

GOVERNMENTAL PRIORITY PROGRAMS: AGRICULTURAL SECTOR



INTERSECTORAL GROUP FOR HEALTH, AGRICULTURE, ENVIRONMENT AND COMPETITIVENESS (GISAMAC)



Promote the sufficient and sustainable production of healthy foods, **prioritizing family agriculture of medium-size producers**, as well as the protection and restoration of the ecosystem services on which Mexico field depends.

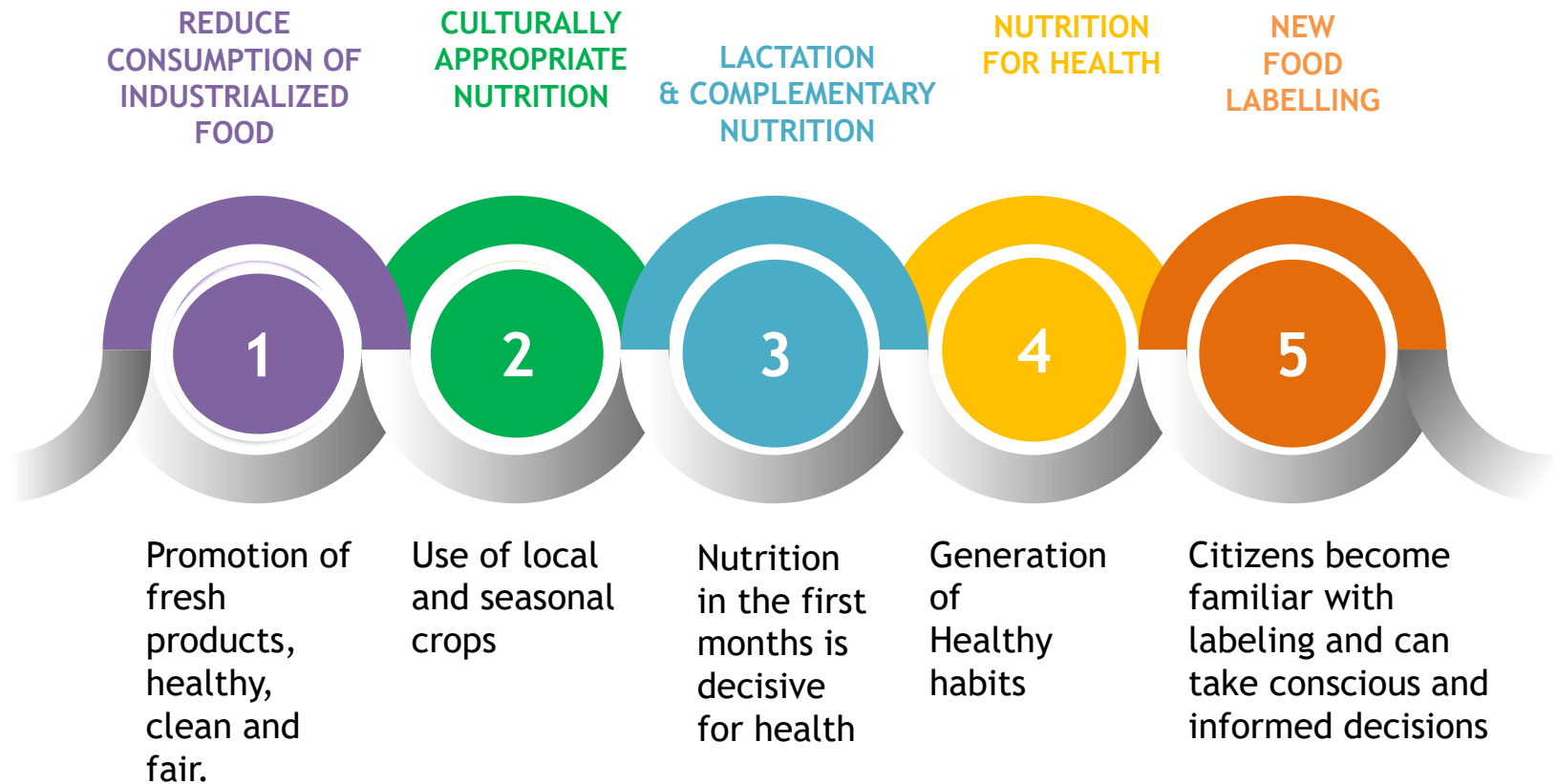
MULTIPLE GOVERNMENT AGENCIES WHOSE EFFORTS ARE COORDINATED BY GISAMAC



These efforts have led to the approval of food labeling as well as the Decree on glyphosate ban

HEALTHY, FAIR, SUSTAINABLE AND ECONOMICAL FEEDING STRATEGY (GISAMAC)

KEY THEMES



National Context THAT IMPACTS THE SECTOR

- ✕ • Industrial agriculture is **NOT** a priority for the current administration
- 👨🌾 • Broad interest of the current government to promote **agroecology** and avoid the use of GMOs and pesticides.
- ⚖️ • Key Ministries are led by actors with a **vision contrary to industrial agriculture**
- 🧬 • The issue of agrochemicals and **GMOs** in Mexico has not been easy, since it tends to become **politicized**
- ♟️ • Dominance of **political issues** on the agenda
- 🏛️ • **Electoral process 2021** underway (The Chamber of Deputies is renewed and there are elections in practically all the States of the Mexican Republic).

GOVERNMENT INSTITUTIONS IN PESTICIDES DECISION-MAKING



MARIA LUISA ALBORES
SEMARNAT (Environment)

**OPINION AND
IMPORT PERMIT**
Former secretary
of social
development



ALEJANDRO SVARCH
COFEPRIS (Protection against
health risks)

**IMPORT AND
COMMERCIALIZATION
AUTHORIZATION**
Recently appointed.
Registration and import
procedures stopped



VICTOR VILLALOBOS
SADER (Agriculture)

OPINION



VICTOR SUÁREZ
SADER (Agriculture)

Vision of promoting
agroecology



JAVIER TRUJILLO
SENASICA (food safety and
quality)

**BIOLOGICAL
EFFECTIVENESS
OPINION**



ELENA ALVAREZ BULLYA
CONACYT (National Council
Science & Tech)

**OPINION ON GLY
IMPORTS**
Vision of promoting
agroecology
and substitute
agrochemicals

GOVERNMENT WORKING GROUP FOR THE GLYPHOSATE DECREE IMPLEMENTATION

Actions that Agencies of the federal public administration must implement to gradually replace the use, acquisition, distribution, promotion and importation of glyphosate, as well as the use of GM maize:



Coordinate, promote and support scientific research to develop **alternatives to glyphosate**



SADER
SECRETARÍA DE AGRICULTURA
Y DESARROLLO RURAL



SEMARNAT
SECRETARÍA DEL MEDIO AMBIENTE Y
RECURSOS NATURALES



SALUD
SECRETARÍA DE SALUD

No later than the first semester of 2023, the **Ministry of Health; Agriculture and Rural Development and Environment and Natural Resources** should promote the necessary legal reforms to prohibit the use of glyphosate as an active substance in agrochemicals and genetically modified corn in Mexico

Establish security measures and impose the corresponding sanctions for compliance with this Decree.



Biosafety authorities, will refrain from granting new permits and will **revoke those already granted for the release of GM corn seeds and grain** until it is fully replaced no later than January 31, 2024



SHCP
SECRETARÍA DE HACIENDA
Y CRÉDITO PÚBLICO

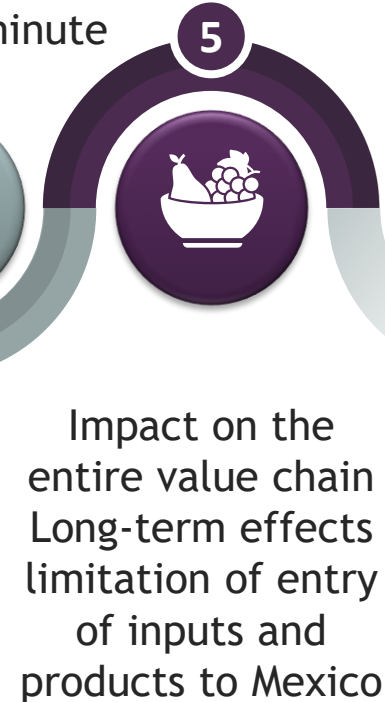
Within the ninety days following the entry into force of the Decree, it will issue the legal provisions and make the corresponding **budgetary adjustments**

CROP PROTECTION: PROBLEMS AND RISKS

- **December 2018** - National Commission for Human Rights recommends restricting, prohibiting highly hazardous products
- **Since Nov 2019** - Ministry of the Environment denied all glyphosate import permits based on the “precautionary principle”, for alleged damage to health and the environment
- **Since 2019** - more than 1000 procedures delayed by COFEPRIS, affecting registration and commercialization of pesticides and biotech traits.
- **During 2020** - **SEMARNAT + CONACYT + Influence Groups as Greenpeace have positioned a media campaign against Glyphosate** with intent to ban 80 pesticides, move to a pesticide-free agroecological model
- In several states, restrictions on crop protection products have been approved for alleged damage to bees
- **December 31, 2020** - presidential decree published, phaseout of glyphosate by January 2024; revocation of authorizations for biotech traits, affecting grains trade between the US and Mexico

THE DECREE

Glyphosate was the
main target,
GMO corn
was included
in the last minute



LEGAL PROCESS: PROGRESS AND ARGUMENTS THAT PREVAIL



To this date, the Amparo lawsuits filed against the Presidential Decree **still do not have a final ruling**. Various applicants requested the Decree to be suspended while the trial was carried out. In those lawsuits -in which this request was denied-, the statement was that the Decree implies the protection of human right to health, above private interests.



One of the main points that were asserted by the applicants is **the right to food access, since the Decree affects the supply chains**, and inevitably the main impact will be on the final consumer; Those who have denied the requested suspension have said nothing. This could also be seen as an impairment of the public interest.



In the case in which the suspension has been provisionally granted, **the judges point out that authorities are not presenting evidence supporting that glyphosate is harmful to health**, and that it has not been proved that mechanisms or alternatives that can be implemented as a substitute for glyphosate already exist.

LEGAL PROCESS: PROGRESS AND ARGUMENTS THAT PREVAIL



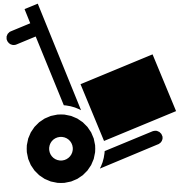
Likewise, they point out that the authority, when issuing the Decree, determines that permits and authorizations should be revoked, and the requests for them denied, but **without pointing any risk assessment criteria or scientific research that supports it as a health risk.**



By suspending the Decree, the objective is to prevent authorizations or permits from being revoked and their issuance being prohibited, **without mediating science-based information.**



The suspension may benefit other people than those who filed the lawsuits, since the effects of the said suspension may have an **impact on those related with the activities of import, commercialization and use of glyphosate and / or GM corn.**



The next predictable step after the Decree is the intervention of the government in the MRLs.



If MRLs are reduced below those established by CODEX, EPA or the EU, or even reduced to zero, agricultural production with applications of glyphosate would be blocked.



México would request that the agencies that establish MRLs (Codex, EPA) conduct studies on pesticide applications to GMOs in various growth stages and publish the MRLs determined.

MRLs

WHAT COMES NEXT...



THANK YOU



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 **PROCCyT A.C.**

 **PROCCYT**