

MRL HARMONIZATION WORKSHOP WEBINAR
MAY 26TH 2021



IMPACT OF CHANGING MRLs LANDSCAPE ON AFRICAN GROWERS

We are going to cover:

1. African agriculture and pest load – the context
2. African growers' trends and markets
3. MRLs and EU disruption
4. The impacts for growers and for Africa

AFRICA IS AT AN AGRICULTURAL CROSSROADS





KENYA

AN EXAMPLE FROM MRLS TO HUMAN LOSSES

Agriculture dominates

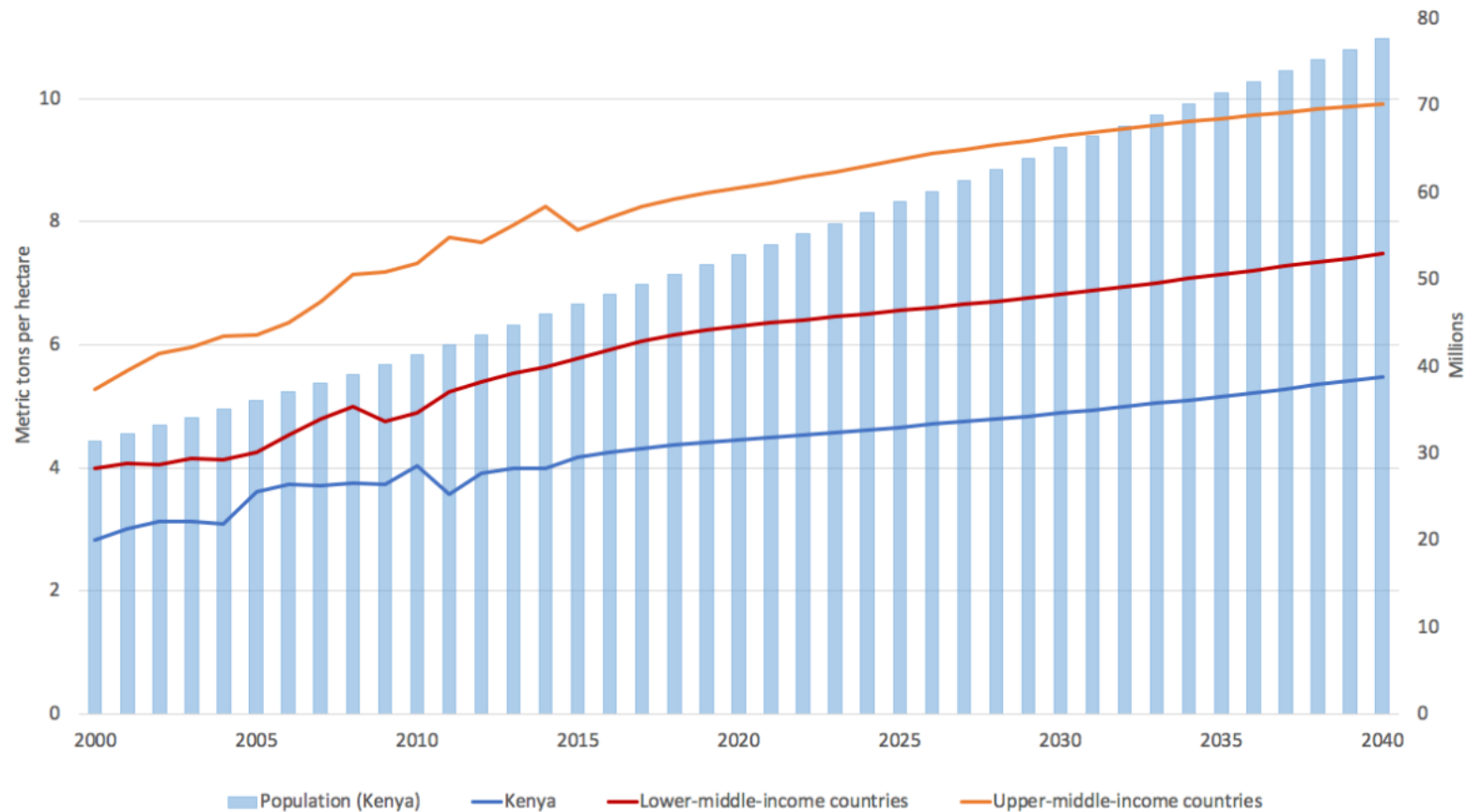
Directly: 35% of GDP
40% of livelihoods

50% of agriculture for
subsistence

Indirectly: 27% of GDP

60% of export earnings

But low yields, rising population



Source: IFs v. 7.34 initialised from FAOSTAT and UNPD data

1/5th + of arable land
unused

Farm productivity at 40%
of potential

Besides conflict, pest load
is the single greatest
constraint

Climate change biting
hard

CLIMATE CHANGE

FLOODS

DROUGHTS

RISING TEMPERATURES

ESCALATING PEST ATTACKS



OUR CLIMATE COST

FLOODS

Increased rainfall in rainy seasons, leading to flooding. Kenya is suffering more frequent flooding and extreme floods that cost about 5.5 per cent of GDP (Sh37bn; \$500m) every seven years

DROUGHTS

The country now experiences a drought that costs about 8 per cent of GDP (Sh53bn; \$800m) every five years.

TEMPERATURES

Temperatures in some Kenyan counties have risen by as much as 1.9 degrees Celsius, with most up by more than the global average of 1.5 degrees Celsius. Government estimates the direct cost in agricultural losses as 2.6 per cent of GDP.

PESTS

The rising temperatures, humidity and other climate changes are generating waves of alien insect invasions, viral plant disease pandemics, fungal attacks and problems with dominant adaptive weed species.



PESTS ARE THE BIGGEST HIT

THE FAO ESTIMATES THEIR IMPACT AT
40% OF OUTPUT \approx 25% KENYAN GDP

THE PEST LOAD

Worst **locust** invasion in 70+ years, coming in waves

New **wind-blown** pests: Fall Armyworm, Tuta Absoluta, False Codling Moth, and more

Rising white fly and other **vectors** increasing the spread of existing diseases such as tropical-only Tomato Leaf-Curl

More and new **viral** crop diseases from wheat rust to maize lethal necrosis

More vicious invasive and adaptive **weeds**, such as Striga weed

Rising **fungus** attacks, including killer aflatoxins driving crop write-offs

Rising **insect** populations, ticks, weevils, cockroaches and termites

Rising **zoonotic** diseases, pandemics, Nairobi Sheep Disease etc



A landscape painting featuring a vibrant green field in the foreground, with a path or stream leading towards a dense line of trees in autumnal colors (orange, red, and brown) in the background. The sky is dark and moody.

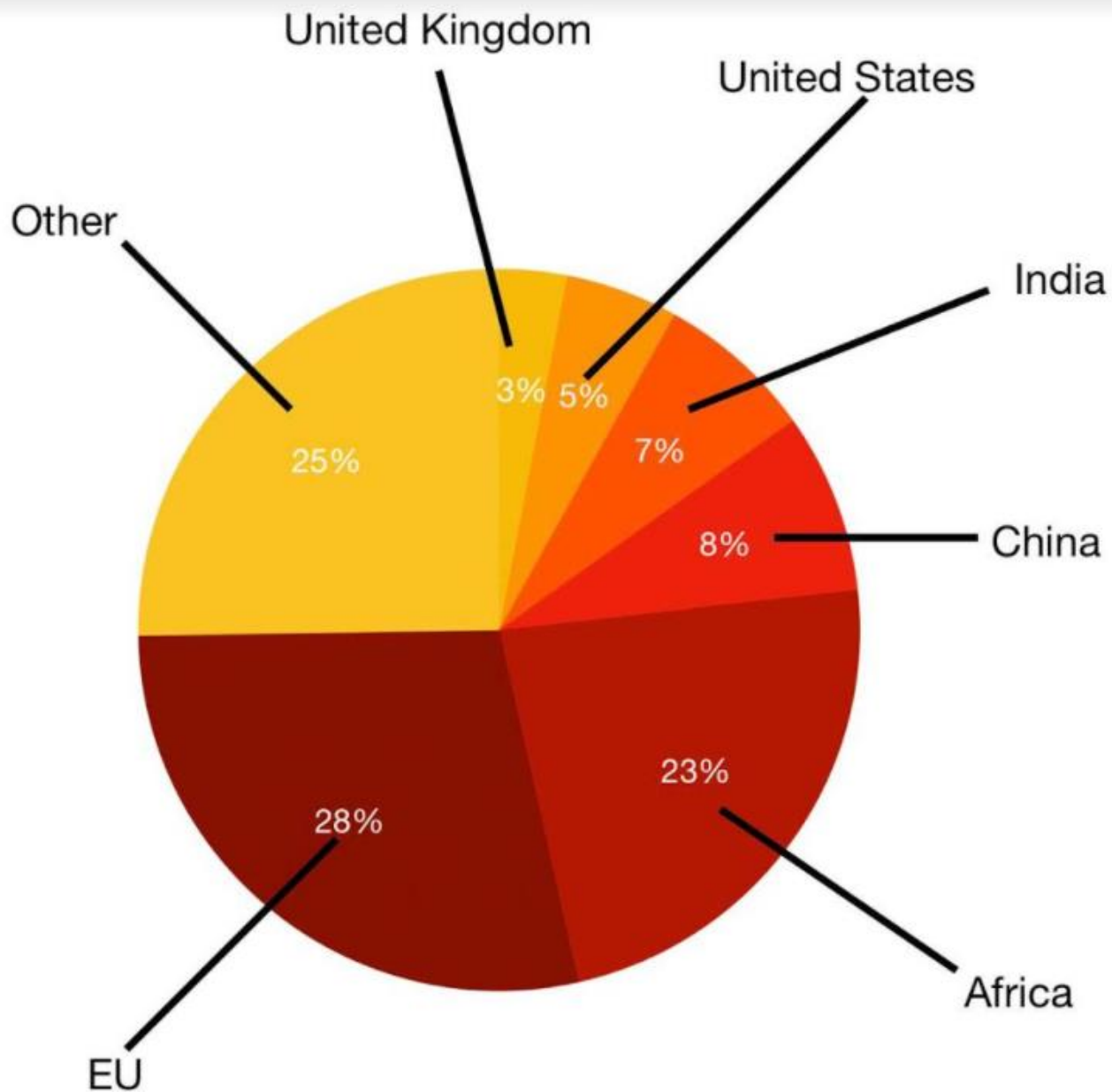
WE NEED PEST CONTROL

FOOD IS VITAL



SO IS TRADE

A DIRECT LINK TO EUROPE



AFRICAN AGRICULTURAL EXPORTS

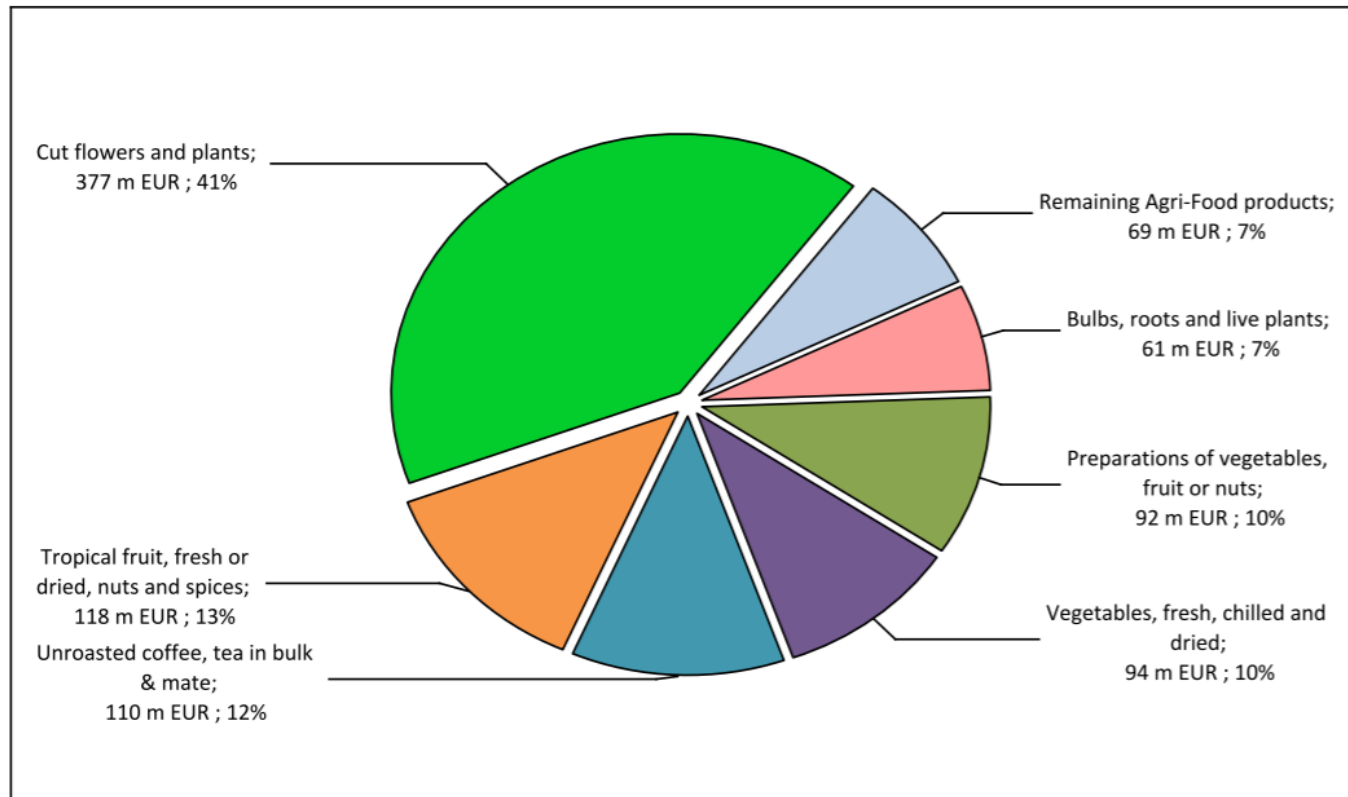
EU STILL TOP MARKET

- Africa's agricultural exports were rising until the 2020 pandemic, which affected cargo and volumes
- Africa has diversified export destinations, increasing exports to BRICS and Asia.
- But the EU remains the top export destination.

TOP EXPORT EARNER IN KENYA

Agriculture accounts for 60% of the country's exports

Top EU Agri-Food imports from Kenya in 2020



Kenyan Growers

Directly:

0.5 million jobs

Indirectly:

2 million jobs

THE EU'S STRATEGY: AFFECTING MORE THAN THE EU

The European Union's Farm-to-Fork Strategy aims to:

- Reduce pesticides and antibiotics by 50% by 2030
- Reduce fertilizers by 20% by 2030
- Increase organic areas by 25% by 2030.

BUT it is affecting Africa too, in a series of touch points.



Active ingredients	comments
1. Chlorothalonil	EU: Withdrawal of authorisation by 20 th November, 2019; grace period upto May 2020
2. Clodinafop	EU: Approval will expire on 20 th April, 2020
3. Oxyfluorfen	EU: Approval expires 31 st December, 2021
4. Permethrin	EU: Not approved for crop use since the company withdraw the data support. But Approve for use in cattle (ectoparasites)
5. Pymetrozine	EU: Withdrawal of use by 30 th April 2019 and grace period upto 30 th January, 2020.
6. Carbendazim	EU: Not approved
7. Dichlorvos	EU: Not approved
8. Dimethoate /Omethoate	EU: Withdrawal of Authorisation by 31 st December, 2019. Grace period: 30 th June, 2020 Kenya: <i>The product is restricted as per gazette Notice No. 7189 of 2014 and statement in the label 'NOT FOR USE ON FRUITS AND VEGETABLES'</i>
9. Thiacloprid	EU: Expiry of approval 30/4/19
10. Deltamethrin	EU: Expiry of approval 31/10/2020 Approved in: US, Australia, Canada, Kenya
11. Abamectin	EU: Expiry of approval 30/4/2020
12. Chlorpyrifos	EU: Expiry of approval 31/1/2020
13. Gamma-cyhalothrin	EU: Expiry of approval 31/3/2025

14. Oxydemetonmethyl	EU: Not approved Kenya: Restricted for use by professional only.
15. 2,4-D-Amine	EU: Expiry of approval 31/12/2030
16. 1,3 Dichloropropene	EU: Not approved
17. Thiophanate- methyl	EU: Expiry of approval 31/10/2020
18. Bifenthrin	EU: Expiry of approval 31/7/2021
19. Carbaryl	Not approved.
20. Fenitrothion	Not Approved
21. Flubendiamide	EU: Expiry of approval 31/8/2024
22. Flufenoxuron	Not Approved
23. Glufosinate- ammonium	EU: Not Approved
24. Imidacloprid	EU: Expiry of approval 31/7/2022
25. Mancozeb	EU: Expiry of approval 31/1/2020
26. Tebuconazole	EU: Expiry of approval 31/8/2020
27. Malathion	EU: Expiry of approval 30/4/2022
28. *others	

ABANDONING CODEX MRLs

The EU is: moving MRLs to LoDs

This removes vital tools

We are running national training programmes
to equip growers to manage without crop
protection

But the effective bans are exacerbating our
pest loads, as large areas previously
benefiting from controls are now moved off
controls, creating a bigger matrix of
infections for vectors

EU LODS WTO DISPUTES - STUCK

STC Number - 448



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New search

EU MRLs for buprofezin, chlorothalonil, diflubenzuron, ethoxysulfuron, glufosinate, imazalil, ioxynil, iprodione, mancozeb, molinate, picoxystrobin and tepraloxydim

Maintained by:	European Union
Raised by:	Colombia; Costa Rica; Côte d'Ivoire; Dominican Republic; Ecuador; Guatemala; India; Panama; Paraguay; United States of America
Supported by:	Argentina; Australia; Brazil; Canada; Chile; El Salvador; Honduras; Indonesia; Nicaragua; Peru; Philippines; Turkey; Uruguay
First date raised:	November 2018 G/SPS/R/93 paras. 3.1-3.10. See also STC 453 , STC 454 , STC 457 , STC 474 and STC 475 .
Dates subsequently raised:	March 2019 (G/SPS/R/94 paras. 3.31-3.50)

Extracts from SPS Committee meeting summary reports

In November 2018, India raised a concern regarding the lowering of EU MRL for buprofezin to default levels, as notified by the European Union in G/SPS/N/EU/264 on 19 July 2018. India noted that the measure was more trade restrictive than necessary to protect against risks to human health and argued that as per Article 5.7 of the SPS Agreement, the European Union should have taken into consideration the existing Codex MRLs, as well as the MRLs of other Members. Specifically, in relation to grapes, the Codex MRL for buprofezin was 1 ppm, and in the case of rice, the

Open case, 23 countries contesting the EU's move off Codex MRLs through the WTO, with no evidence of safety issues ever served by the EU and no scientific evidence to support the changes.

AND THERE IS MORE

Europe is not reregistering, is banning,
is rolling out new legislation on
pollinators and endocrine disruptors.

These are driving MRL changes.

They are also creating an alternative
regime that we cannot challenge and
have no say in.



HAZARD WTO PETITIONS - STUCK

STC Number - 382



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New search

European Union legislation on endocrine disruptors

Maintained by:	European Union
Raised by:	Argentina; China; Dominican Republic; Ecuador; Guatemala; India; Panama; Paraguay; United States of America
Supported by:	Australia; Benin; Brazil; Burkina Faso; Burundi; Canada; Central African Republic; Chile; Colombia; Costa Rica; Egypt; El Salvador; The Gambia; Ghana; Guinea; Honduras; Indonesia; Jamaica; Kenya; Korea, Republic of; Madagascar; Malaysia; Mexico; New Zealand; Nigeria; Pakistan; Peru; Philippines; Senegal; Sierra Leone; South Africa; Chinese Taipei; Thailand; Togo; Uruguay; Viet Nam; Zambia
First date raised:	March 2014 G/SPS/R/74 paras. 4.3-4.4
Dates subsequently raised:	March 2015 (G/SPS/R/78 paras. 3.20-3.22) July 2015 (G/SPS/R/79 paras. 3.50-3.52) October 2015 (G/SPS/R/81 paras. 3.34-3.37) March 2016 (G/SPS/R/82 paras. 3.15-3.20) June 2016 (G/SPS/R/83 paras. 4.32-4.37) October 2016 (G/SPS/R/84 paras. 3.18-3.23) March 2017 (G/SPS/R/86 paras. 3.16-3.20) July 2017 (G/SPS/R/87 paras. 4.19-4.26) November 2017 (G/SPS/R/88 paras. 3.47-3.52) March 2018 (G/SPS/R/90 paras. 3.24-3.30) July 2018 (G/SPS/R/92/Rev.1 paras. 4.79-4.87) November 2018 (G/SPS/R/93 paras. 3.24-3.30) March 2019 (G/SPS/R/94 paras. 3.51-3.65) July 2019 (G/SPS/R/95 paras. 4.47-4.56) November 2019 (G/SPS/R/97/Rev.1 paras. 3.35-3.48) June 2020 (G/SPS/R/99 paras. 3.202-3.231) November 2020 (G/SPS/R/100 paras. 3.101-3.108) March 2021 (G/SPS/R/101 paras. 3.53-3.62)

Dispute still running, no scientific basis or evidence of safety issues ever presented by the EU, after 7 years of international dispute.

NOW WE FACE SDG DESTRUCTION

As the international community takes on the EU on its changes, the EU is now moving to convert Africa to the EU policies.

African votes went unanimously with the international community maintaining CODEX as a food safety body run using risk assessments.

BUT the EU has been pushing the African Union very hard to agree a Green Deal adopting the EU's Farm-to-Fork targets, hazard assessment and 'precautionary principle'.

The African Union has NOT agreed the Green Deal the EU wants. It has, instead and so far, aligned with Codex, the World Health Organisation, the FAO, the US, and the rest of the world





A BACK DOOR BID IN KENYA

Three NGOs have been funded by the German Green Party, a key driver of the EU's Green Deal, to put a petition into our parliament, which delivered this:

REPUBLIC OF KENYA

Approved for tabling



Bant SNA
15/10/2020

THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT (FOURTH SESSION)

THE NATIONAL ASSEMBLY
PAPERS LAID

DATE: 15 OCT 2020

DAY:
THURSDAY

DEPARTMENTAL COMMITTEE ON HEALTH

TABLED BY: CHAIRPERSON, DC - HEALTH

CLERK AT
THE TABLE:

R. K. TIASIRATI

REPORT ON THE

PUBLIC PETITION (NO. 70 OF 2019) REGARDING WITHDRAWAL OF
HARMFUL CHEMICAL PESTICIDES IN THE KENYAN MARKET

EU
POLICY
By the back
door



RECOMMENDATION TO KENYA PARLIAMENT

(viii) That, the Pest Control Products Board (PCPB) must ensure that products banned in other jurisdiction are not in use in Kenya.

THIS APPLIES ALL EU PRODUCT RULES IN KENYA

SETS KENYA AT ODDS WITH

KENYA

It will be adopting as its own domestic policy the very same EU methods and outcomes that Kenya has petitioned the WTO against, arguing that the EU moves are unscientific and an unfair barrier to trade. In a single parliamentary committee recommendation, it will be reversing Kenya's own foreign and trade policy positions.

AFRICA

It will be abandoning the African Union's renewed commitment to risk assessment and evidence-based registrations, and instead adopting bans based on the EU's 'precautionary principle' and hazard assessment. It will also be abandoning Africa's unanimous support for Codex as the determinant of food safety.

THE WORLD

Without a political mandate or manifesto to do so, Kenya will be abandoning the World Health Organisation, UN's Food and Agricultural Organisation, and international food safety standards and replacing them with the EU's standards based on Europe's political commitment to phase out pest control as a matter of targets.

PCPs for most insects, viruses, fungi, weeds and other pests will go

The activist petition aims to ban 262 PCP active ingredients, will wipe out pesticides as a solution for most pests in Kenya

The parliamentary health committee was told they were banned in the EU on food safety and health grounds. It never looked at the Codex/ EU battle, the WTO, or WHO position

BE CLEAR: this includes Malaria, Kenya will lose most mosquito controls

No solution for rampant tomato viruses, few left for Tuta Absoluta, 80% of tomato production will cease, according to tegemoe Institute

Virtually nothing to limit FAW, stem borer, rust, nematodes, white fly, False Codling Moth

Face end to rose exports, mango exports, wheat production, collapsing maize production

Most maize production will cease, substantially on maize streak virus and Striga weed

Not one remaining solution for termites – buildings will simply get eaten and collapse

In short: an agricultural, economic, food security and societal calamity

AND THE COST IS COLLOSAL





**THIS IS NOT A MATTER OF TRADE
WE FACE DEATHS**

HOW CAN THE WORLD NOT BE LOOKING?
AS ALL OUR CROP
CONTROL STOPS

Kenya Institute for Public Policy Research Analysis:

14.5m Kenyans face food insecurity and poor nutrition each year.

In 2019, 2.6m Kenyans were in a food insecurity

Global Hunger ind

Kenya's food insecurity sit

Food security?

H... the poor and who
or Income

29% ... rural areas and 20% of those living in
cities ... nted growth, caused by vitamin and mineral
deficiencies.

Pre-
Covid
2019



Expected impact on Kenyan GDP of our backdoor EU deal – 20% +

Maize and other agriculture will need to come in as imports from the rest of EAC

Will cause ballooning in food imports and trade balance and currency deterioration

Position in EAC, moved from strongest economy to least successful

Rise in hunger and starvation, stunting and malnutrition = more deaths, more health issues

Rising malaria

No solution to termites, will destroy any building at will

.....all so we can adopt an EU policy, you just heard the US Undersecretary assess as HIGHLY MIDGUIDED....
And which has generated some of the most contested laws in the EU with more derogations (waivers for specific EU member countries) than any other EU regulations ever

PAYING WITH LIVES



OUR REALITY

EXPORTS

Our biggest export industry brought to its knees, caught between pests and no pest control

MALARIA

Most insecticides on mosquitoes set to go causing deaths

FOOD

Is our hunger your sustainability?

WE NEED:

1. ADVOCACY ASSISTANCE,
VOICES IN EVERY FORUM
RAISING THIS AS AN URGENT
ISSUE
2. A SHARED POSITION AND
MOVEMENT EDUCATING OUR
KENYAN PARLIAMENTARIANS
3. A SHARED POSITION AND
MOVEMENT EDUCATING EU
POLITICIANS

Would the EU deliberately take African lives and call that sustainability? We don't think so. It just does not understand the actual facts of tropical diseases, of lethal maize viruses, of locust invasions. These issues are too far removed from the European reality.

We need to share the African food production facts, before people die.