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Committee on Sanitary and Phytosanitary Measures

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**EUROPEAN UNION MRLS AND PESTICIDE POLICIES – SPECIFIC TRADE CONCERN 448:  
EU MRLS FOR ALPHA-CYPERMETHRIN, BUPROFEZIN, CHLOROTHALONIL,  
CHLORPYRIFOS, CHLORPYRIFOS-METHYL, DIFLUBENZURON, ETHOXYSULFURON,  
GLUFOSINATE, IMAZALIL, IOXYNIL, IPRODIONE, MANCOZEB, MOLINATE,  
PICOXYSTROBIN AND TEPRALOXIDIM**

SUBMISSION BY THE UNITED STATES OF AMERICA

The following submission, received on 24 June 2022, is the statement made by the United States of America at the 22-24 June 2022 WTO SPS Committee, and is being circulated at the request of the Delegation of the United States of America.

1. Despite frequent and repeated interventions by many Members in this Committee, the European Union continues to apply the precautionary principle in its pesticide decision making processes, which creates trade barriers that undermine food security, result in food waste, and threaten the global food system.
2. The United States and other Members have repeatedly sought to engage the European Union about the impacts that its pesticide policies have on global agricultural supply chains. However, the EU's responses to date only refer WTO Members to existing EU regulations rather than directly addressing the urgent problems facing agricultural producers and exporters whose pesticide options are increasingly limited by EU policies.
3. Based on the continued use of emergency authorizations by EU member States, it appears that even farmers in the European Union do not have viable alternatives to certain active substances that are no longer approved for use in the European Union despite the clear need for plant protection products.
4. In November 2021, EFSA published eleven technical reports with the evaluation of emergency authorizations for the use of clothianidin, imidacloprid, thiamethoxam and/or thiacloprid in sugar beet from Belgium, Croatia, Denmark, Finland, France, Germany, Lithuania, Poland, Romania, Slovak Republic and Spain. EFSA concluded that in all 17 cases the emergency authorizations were justified, either because no alternative products or methods – chemical or non-chemical – were available or because there was a risk that the pest could become resistant to available alternative products.
5. EFSA's own review acknowledges that either no effective alternatives are available or that there is a risk of insect resistance to alternative products. Accordingly, we request that the European Union also afford producers in third countries the same and equal access to important and efficacious crop protection tools.
6. We highlight once more the importance of a science-based enforcement process to facilitate trade and protect plant and human health. The United States calls for the European Union to take the least restrictive trade actions and apply its MRLs for both imported and domestic goods at the time of production so as to allow products to move through the full channels of trade and to extend the transition period for all MRLs to the maximum term possible. As currently implemented, the EU approach is counter-productive and unsustainable to maintain the agricultural productivity and trade needed to ensure global food security.