CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

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Agenda Item 16 **CX/PR 22/53/18**

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON PESTICIDE RESIDUES

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DISCUSSION PAPER ON MITIGATION OF TRADE IMPACTS ASSOCIATED WITH THE USE OF ENVIRONMENTAL INHIBITORS IN AGRICULTURE

(Prepared by New Zealand in collaboration with Australia)

Background

1. The use of environmental inhibitors to mitigate the impact of agriculture on environmental parameters is becoming an important topic internationally. Typically, environmental inhibitors are applied to crops, the land, feed or directly to animals to reduce the production of greenhouse gases (such as methane) or to reduce the release of soluble nitrogen into waterways or aquifers.

2. If not appropriately assessed and controlled there is a potential for their use, and associated residues from them, to have adverse impacts on international trade, human health, plant health or animal welfare. Furthermore, efficacy assessments and use conditions will likely be required for those farms or countries using them to count their effects against local or national environmental commitments (e.g. the Paris Accord commitments).

3. Some countries have already started to assess and approve some of these environmental inhibitors under existing agrichemical laws and registration standards, while others are looking to make the necessary changes to their regulatory frameworks. Against this background, it is timely and appropriate for Codex to grasp the initiative and promote a proactive approach to assessment and promulgation of harmonised international standards (e.g. maximum residue limits (MRLs)) for such compounds.

4. This is a rapidly emerging issue with some of these compounds already on the market in multiple countries and many more in development. A clear prioritisation of this potential work programme by the relevant Codex Committees is urgently needed to promote a harmonised regulatory regime and create greater commercial certainty for both the manufacturers of these compounds and to ensure the international trade in foods is not unnecessarily disrupted.

Relevance to the Codex Strategic Plan 2020-2025

5. The first goal of the new Codex Strategic Plan 2020-2025 highlights the need for both the Codex Alimentarius Commission (CAC) and Committees to: "*Address current, emerging and critical issues in a timely manner*". The Strategic Plan further acknowledges that: "The focus and needs of Codex Members are also evolving, for example, as they consider the voluntary United Nations' Sustainable Development Goals (SDGs) adopted by world leaders in September 2015". Climate change is an intergenerational crisis that threatens the safety and security of all nations. Current agricultural practices are a large contributor to greenhouse gases and environmental inhibitors are emerging as one of the important tools to help reduce this.

Relevant Current Codex Standards

6. In 2019 Codex arguably went part of the way by adopting the: *Guidelines for Rapid Risk Analysis Following Instances Of Detection Of Contaminants In Food Where There Is No Regulatory Level (CXG 92-2019)*. While this was a good start, these guidelines primarily just cover those reactive situations where residues of agrichemical may have retrospectively been found in food at very low levels.

7. They helpfully set a cut-off value (0.001 mg/kg) to indicate whether or not a specific risk management action might be taken on the basis of the concentration of the contaminant in the consignment tested. For values above the cut-off, application of these guidelines would result in the risk manager deciding to progress with a rapid risk analysis. For those compounds above the cut-off for which there are established health-based guidance values (HBGVs), toxicological points of departure (POD) or benchmark dose levels (BMDLs) it recommends a rapid exposure assessment process which provides for a level of reactive risk characterization.

8. They do not however provide a mechanism to proactively promulgate international assessments and MRL recommendations (where appropriate) for those compounds deliberately being marketed and directly applied to crops, land, or animal feeds and animals.

Relevance to current CCPR expertise and practices

9. Based on current expertise and representation, CCPR is considered the most appropriate Committee to assess those environmental inhibitors intended to be commercially marketed and applied directly onto pasture or crops, including the carryover of residues into food producing animals which may be feed the whole or part the treated pasture and crops.

10. Current toxicological assessment standards should be equally valid for environmental inhibitors as they are for other pesticides. Similarly, the assessment of residue depletion studies should also be very similar. Accordingly, as long as sponsors or national authorities are in a position to provide data and approved labels associated with the Good Agricultural Practice (GAP) in the use of these environmental inhibitors then Joint FAO/WHO Expert Meetings on Pesticide Residues (JMPR) should not need to substantially modify its current procedures.

What other Codex Committees will be relevant?

11. While CCPR is well placed to consider those situations where environmental inhibitors intended to be commercially marketed and applied directly onto pasture or crops, the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF) is arguably the most appropriate committee to evaluate those environmental inhibitors administered directly to animals or administered via their feed. Other committees such as the Codex Committee on Contaminants in Foods (CCCF) are likely to be less relevance.

12. At its meeting in 2021, CCRVDF25 noted[1] that the definition for veterinary drug did not exclude those veterinary drugs used solely for environmental purposes. The Committee took note that the future evaluation of such veterinary drugs was consistent with Goal 1 of the Codex 2020-25 Strategic Plan as more and more countries tried to address the impact of animals on climate change.

Recommendations

13. CCPR is invited to recommend that:

i. consistent with Goal 1 of the Codex 2020-25 Strategic Plan, its prioritisation and future evaluation of environmental inhibitors applied directly onto pasture or crops is an emerging and critical issue that is within its scope.

ii. environmental inhibitors administered directly to animals or via their feed can be considered by CCRVDF, and that any issues that may arise associated with those compounds used in multiple situations being considered by both committees can be considered by the current Joint CCRVDF/CCPR Working Group tasked with ensuring the appropriate harmonisation of approaches.

1 REP21/RVDF25, para. 151