

MCFA

Minor Crop Farmer Alliance

October 31, 2012

Daniel Mullaney
Assistant U.S. Trade Representative for Europe and the Middle East
Office of the United States Trade Representative
600 17th Street, NW
Washington, D.C. 20508

Dear Mr. Mullaney:

The Minor Crop Farmer Alliance (MCFA) hereby responds to a request by your office for public comments on “Promoting US EC Regulatory Compatibility.”

MCFA is an alliance of national and regional organizations and individuals representing growers, shippers, packers, handlers, and processors of various agricultural commodities, including food, fiber, nursery, and horticultural products, and organizations involved with public health pesticides. Our members are extremely interested in the development of pest management tools, including pesticides and other efficacious techniques that are environmentally sound.

While our commodities are often called “minor crops,” they are vitally important components in our diets and they contribute to safe and aesthetic surroundings for our homes, schools, and places of business. American farmers grow more than 500 types of fruit, vegetable, tree nut, flower, perennial landscape, and turf grass crops in addition to the major bulk (row) commodity crops. Specialty crop production accounts for more than \$60 billion, or approximately 40% of total United States crop receipts. Our products often are exported to the European Union.

We think greater regulatory compatibility should be achieved in matters related to agricultural chemical registrations, especially in such trade specific areas as the setting of maximum residue tolerances (MRLs) for agricultural chemicals on food crossing national borders.

Even slight variations for the same agricultural chemical as may be imposed by either the United States Environmental Protection Agency (EPA) or its European Union (EU) counterpart can preclude or disrupt trade by leading to unnecessary product rejections at point of entry or, after entry, to consumer product recalls. This might easily be accomplished by the regulatory agencies of both political entities establishing reasonable and clear tolerance levels for agricultural chemicals when they might be inadvertently present on a food or used purposely in compliance with the producing nation’s regulatory framework.

Variations related to MRL levels are mere symptoms of the sharp differences that have developed over the years between our country and the EU in terms of their respective systems for regulating pesticides. This highly variable regulatory environment urgently requires comprehensive reform aimed at facilitating commercial trade, while keeping in place high standards of consumer health safety. These two important policy goals—commercial trade and consumer safety—are not mutually exclusive.

We suggest that the United States and the European Community collaborate to achieve greater global harmonization of agricultural chemical standards without delay. We believe this goal can be accomplished by harmonizing regulatory policies in the following areas:

- Use of the proportionality concept in setting MRLs
- Defining a reasonable criteria for minor use crops
- Establishing a transparent and quick process to establish import tolerances (MRLs)
- Establishing a reasonable tolerance for the presence of certain postharvest materials, such as morpholine in food grade waxes
- Joining global efforts to promote joint guidelines for residue trials
- Joining global efforts to align data collection processes and procedures for residue trials
- Joining global efforts to address obstacles to joint registration

We appreciate this opportunity to provide input on our priorities for regulatory cooperation between the United States and the European Union. We are also interested in participating in this effort should you need further guidance or clarification on our priorities.

Sincerely yours.

A handwritten signature in black ink that reads "Christian Schlect". The signature is written in a cursive, slightly slanted style.

Christian Schlect
Chairman
Minor Crop Farmer Alliance

cc. MCFA Executive Committee