

## *Harmonization of U.S. and Canadian Pesticide Registrations*

### Background

The United States and Canada are engaged in an effort to harmonize their procedures for pesticide registration. Eventually, this initiative will enable the crop protection industry to register selected products in both markets.

When labels for certain crop protection products are issued jointly by the Environmental Protection Agency (EPA) and Canada's Pest Management Regulatory Agency (PMRA), growers will have access to a much wider range of products because many formulations are unavailable in both countries.

Currently, there are roughly 20,000 pesticide products containing approximately 1,150 active ingredients registered in the United States. As of 2004, the PMRA was reporting Canadian registrations for 5,274 pesticide products containing 525 registered active ingredients.

The initiative to harmonize pesticide registration in the United States and Canada was launched under the auspices of the North American Free Trade Agreement (NAFTA), which went into effect in 1994. However, the volume and complexity of scientific study data necessary to support EPA and PMRA pesticide registrations had increased dramatically over the previous 20 years, and the harmonization process has proven to be challenging.

At the same time, growers were expressing a greater desire to purchase and transport pesticide products across the border between the United States and Canada. To start the harmonization process necessary to facilitate this commerce, CropLife America, CropLife Canada and the Mexican trade association AMIFAC supported the establishment of the NAFTA Industry Working Group (IWG) on Pesticides, which is working with the Technical Working Group established by EPA and PMRA to resolve many difficult issues.

EPA and PMRA differ significantly in their regulatory approval process for pesticides. Timelines for registration applications and petitions for label amendments, risk assessment, and food-residue tolerances (known as maximum residue levels, or MRL's) are all approached differently by U.S. and Canadian regulators. There are also language differences (because Canadian labels must be in French as well as English) along with units of measurement differences arising from Canada's use of the metric system.

Nevertheless, there has been progress towards a resolution of some of these differences. Canada, for example, has decided to use EPA tolerances as the MRL's for its food-use registrations (except where EPA tolerances exceed 0.1 parts per million). Meanwhile, EPA and PMRA are gradually harmonizing their protocols for the various studies required for registration, and they are harmonizing their risk assessment policies, as well.

In March 2007, EPA and PMRA issued their first-ever joint label for an existing pesticide, and there are eight other products in the queue for a NAFTA label. Also in 2007, EPA piloted the Own Use Import (OUI) program, which enables American growers to buy specific products from Canadian dealers which agree to be licensed as U.S. dealers (so that they may legally affix a U.S. label to the Canadian product).

The OUI program is intended to provide U.S. growers with limited access to Canadian products until there is widespread adoption of NAFTA labels.

### Position

- CropLife America supports NAFTA labels for products volunteered by registrants and the step-wise, deliberative approach that EPA and PMRA are using to issue joint labels for pesticide products volunteered by registrants.
- CropLife America opposes any legislative mandate to harmonize the pesticide registration programs of the United States and Canada, since it is difficult for Congress to adequately address the regulatory complexities that need to be considered.
- CropLife America will continue to cooperate with EPA as the Agency develops both interim and long-term approaches to the goal of free and fair trade in crop protection products to benefits the growers in Canada and U.S.