

CropLife Africa Middle East's Position Paper on the European Union's Initiative to Prohibit the Production for Export of Hazardous Chemicals Banned in the European Union

November 2023

Key Messages

1. Protecting human health and the environment is of utmost importance and **CropLife Africa Middle East (CL AME) welcomes the European Union's (EU) intentions and objectives behind this initiative. However, we believe the chosen policy instrument is missing the core intended objectives.**
2. An EU export ban on prohibited chemicals **may shift product supply to other regions, displacing the problem instead of solving it. It may also lead to an increase in use of counterfeit and illegal pesticide.**
3. **CL AME is willing to collaborate to enhance knowledge transfer and traceability in the supply chain through the EU's Prior Informed Consent legislation, creating a more effective and transparent system for managing chemicals globally.**
4. As an industry, **we take our responsibility to reduce the potential risks of pesticides use at all levels of the network, notably by promoting adoption of integrated pest management activities.** To support countries in reducing their reliance on Highly Hazardous Pesticides (HHPs) over time, **CropLife has also launched the Sustainable Pesticide Management Framework** in [Kenya](#) and Morocco, in 2021 and 2022.
5. CL AME believes that an EU export ban of chemicals prohibited in the EU will negatively affect smallholder farmers in the Africa Middle East region, by reducing their toolbox of solutions, limiting options to combat pests and diseases, and to manage resistance, which will **negatively impact food security, trade, and their livelihoods.** Therefore, CL AME **calls for a localized green transition in Africa**, with sustainability agendas tailored to each country's unique needs and challenges.

Context

Agriculture is a key sector in the Africa Middle East region, employing a large portion of the population and serving as a vital source of foreign exchange through the export of crops¹. However, food insecurity remains widespread due to various factors such as climate change, pests and diseases, and further exacerbated due to recent crises like COVID-19, the war in Ukraine and price inflation. Farmers, especially smallholders, are encountering difficulties in adapting to these challenges, and nearly 60% of the African continent's population experience food insecurity².

Considering the EU is a leader in terms of production standards, quality, worker safety, and environmental sustainability, CL AME believes³ that an EU blanket ban on certain pesticides would worsen the situation. Removing these EU active ingredients from the market, which have undergone local safety assessments, would leave little alternatives and few modes of action

¹ https://oxfordbusinessgroup.com/wp-content/uploads/files/blog/specialreports/960469/OCP_Agriculture_Africa_Report_2021.pdf

² UNCTAD 2022 report "Revitalizing African Agriculture: Time for Bold Action"

³ Based on a preliminary analysis (see Annex 1) conducted with our national associations

available, limiting farmers' options in combating pests and diseases, limiting resistance management options, ultimately impacting food security, trade, and the livelihoods of farmers in the Africa Middle East region. Smallholder farmers play a crucial role in food production and are highly vulnerable to these challenges, especially where removal of EU sources may escalate counterfeit and illegal trade.

Moreover, it should be taken into consideration that different regions have specific agronomic and climatic conditions that require different pesticides for effective control. Some pesticides are also used beyond agriculture for controlling pests that transmit diseases like Dengue, Malaria, and Zika.

CL AME Recommendations

1. An EU export ban of chemicals prohibited in the EU may lead to unexpected collateral damage and miss the opportunity to improve transparency in the global trade of chemicals

An EU Export Ban may result in a shift of product supply from the EU to other regions and countries, therefore displacing the problem instead of solving it. In addition, what is often overlooked is that the EU is not just a leader in terms of production standards, quality, worker safety, and environmental sustainability, but also in terms of long-term investments and well-established programs that promote the responsible and sustainable use of pesticides. A blanket ban on production could jeopardize these investments. Furthermore, most of the affected companies operating in the EU are also the ones investing in local programs to support the proper use of their products compared to other operators in the region coming from outside Europe.

Additionally, such a ban could lead to an increase in the circulation and sale of counterfeit and illegal pesticides. This is a well-documented⁴ consequence of banning decisions, even within the EU itself. Illicit markets for counterfeit pesticides are widespread across many countries. To ensure food and human safety while protecting the environment, and instead of imposing hazard-based regulation schemes to other regions in the world that follow FAO's guidance on risk-based assessments, EU's efforts should be focused on supporting capacity building. It should also be focused on combating the sale of illegal products, rather than banning pesticide exports from the EU despite their registration at the point of sale. Indeed, it is important to recall that regions have different needs, and each country is best placed to assess the impacts of pesticides they decide to authorize (already thoroughly assessed during the authorization process).

CL AME acknowledges the European Union (EU) as an international leader in chemical policy and supports its goal of enhancing chemical safety globally. Furthermore, prohibiting the export of

⁴ A Study on Counterfeiting of Pest Control Products in Kenya, commissioned by Agrochemical Association of Kenya in collaboration with Pest Control Products Board, was done responding to the growing national and global concerns about the rising trend of counterfeit pest control product. AAK while commissioning this study observed in the background to the study that "the risk faced by the industry is real and seems to be spread countrywide". This concern is further amplified by the recently concluded National Baseline Survey on Illicit Trade (ACA February 2020), where the agrochemical industry featured under the chemical and allied industry. The size of illicit trade in the industry was estimated at KES11.8billion in 2017, rising by 23% to KES14.6billion in 2018. At the global level, the European Parliament report of January 2021, citing the European Crop Protection Agency (ECPA) noted that: "the trade in counterfeit pesticides has grown into a major profitable criminal enterprise. A global operation called Silver Axe seized 1,346 tons of illicit pesticides, worth up to EUR 94 million, during just the first four months of 2020 (Europol, 2020)". The threat that counterfeits pest control products pose to any economy are well known and have been a subject of research since 2010. These include environmental degradation (EOCD (2020)¹, putting human health at risk, loss of productivity, unfair competition, sales losses (OECD, 2011), loss investments (ACA, Feb 2020), food insecurity (OECD Dec.2018), loss of government revenues (ACA Feb 2020), among many other negative effects.

According to a study done by Kynetec in Egypt, ~20% of the crop protection products in use is thought to be counterfeit, reaching Egypt in an illegal way.

products that have applications beyond crop protection, such as those used in public health for vector control in other countries, may potentially violate World Trade Organization (WTO) rules.

2. To reduce the potential risks associated with pesticide use, governments and industry need to collaborate on stronger stewardship, effective use, and waste management activities

CL AME recognizes the potential of the EU and Rotterdam Convention's Prior Informed Consent (PIC) processes to create a more effective and transparent system for managing the global chemical supply chain. These legislations already contribute to the safe use of hazardous chemicals by all stakeholders. CL AME, and our regional network, is willing to facilitate collaboration with all stakeholders to explore ways to further enhance knowledge transfer and traceability in the supply chain.

As an association, we encourage our members to take responsibility to further reduce the potential risks of pesticides use at all levels of the network. CL AME promotes the implementation of integrated pest management programs⁵ (e.g., the use of conventional products in combination with biological products) and we support national associations to establish both empty container and obsolete stocks management schemes. In addition, in Kenya and Morocco, the Sustainable Pesticide Management Framework (SPMF) was launched in 2021 and 2022 respectively. This is a dedicated five-year capacity-enhancement program driven by the industry to achieve a step-change in responsible pesticide management, in line with the FAO-WHO Code of Conduct on Pesticide Management. The SPMF program combines best regulatory and stewardship practices to create an enabling environment for innovation and infrastructure that supports the responsible use of pesticides. This includes collaboration with governments on establishment of risk-based frameworks, improvement of poison information reporting centers, container management programs, innovation and anticounterfeit activities.

3. An Africa localized green transition that takes into consideration the vital crop protection needs of farmers outside the EU

CropLife Africa Middle East calls for an Africa localized green transition, which is not only essential for agricultural development but also socio-economic progress:

- “*One size does not fit all*”: sustainability agendas and objectives should be tailored to a region’s unique requirements.
- Major trading partner green programs, such as the European Union Green Deal, should not undermine the actions and ambitions of African countries striving for inclusive and sustainable growth.
- Every country is best placed to assess the environmental impact of pesticide use that they choose to authorize for their farmers. Pesticides are not automatically “*less necessary*” because they are not authorized in Europe.
- CropLife Africa Middle East believes that the EU’s Green Deal can support Africa’s Green Transition without a blanket export ban in several ways, notably by:
 - Giving African farmers adequate and realistic transition periods;

⁵ IPM is not a single pest control method but, rather, a series of pest management evaluations, decisions and controls, following a four-tiered approach:

- setting action threshold at which pest control action must be taken
- monitoring of pests
- prevention mechanisms

- and control which depends on the level of infestation, which includes combination of recommended products.

- Ensuring transparency and predictability, which are of the utmost importance for the whole food industry, in exporting as well as importing countries;
- Ensuring that proposals impacting Africa are based on impact assessments conducted in/for Africa;
- Consulting African partners more closely and regularly.

As per targets adopted at ICCM5⁶, CL AME supports an approach according to which “by 2035, stakeholders have taken effective measures to phase out highly hazardous pesticides in agriculture where the risks have not been managed and where safer and affordable alternatives are available; and to promote transition to and make available those alternatives”.

CROPLIFE AFRICA MIDDLE EAST

CropLife Africa Middle East A.I.S.B.L. is a non-for-profit industry organization representing the leading global manufacturers of pesticides, seeds and biotechnology products in Africa and the Middle East. Together with more than 20 national associations, CropLife Africa Middle East is the voice and advocate for the plant science industry in its region and worldwide.

CropLife Africa Middle East is committed to sustainable agricultural practices and to the responsible use of plant science technologies in the region. We promote the understanding of the benefits of modern plant science solutions. We are convinced that these products and solutions, developed and distributed by our member companies, are indispensable to control weeds.

We believe that the professional and responsible use of these products improve the incomes and livelihoods of farmers and their families and has the potential to contribute decisively to the growth of rural and national economies, as well as promoting food security in the region.

CONTACT US

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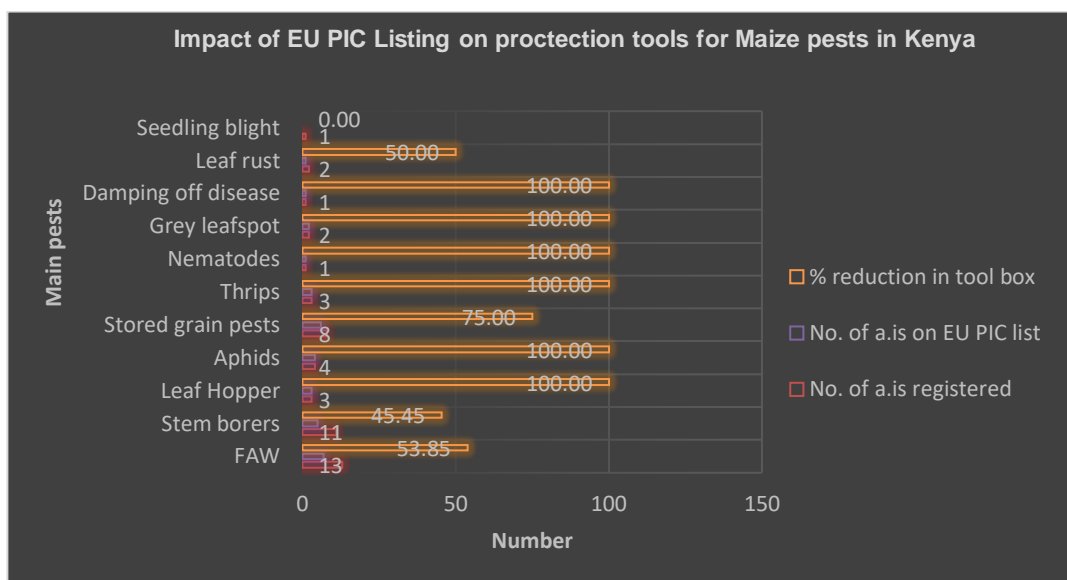
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⁶ <https://www.saicm.org/About/ICCM/tabid/5521/Default.aspx>

Annex 1: CropLife Africa Middle East’s preliminary data on the impact of the EU prohibition of production of hazardous chemicals for export on key crops⁷ in the Africa Middle East’s region:

- **Coffee in Kenya:** 72 active ingredients are registered against six main coffee pests. 33 of them are likely to be impacted as they are on the EU PIC listing. This has a 58% impact on the farmers’ toolbox. The possibility to ensure resistance is adequately managed is minimal as only one mode of action (MOA) will still be registered in the case of coffee berry borer, antestia bugs, and mites respectively, while none for the leaf miner and whiteflies.
- **Maize in Kenya:** A total of 49 active ingredients (AI’s) cater for the crop protection solutions registered for 11 main pests affecting maize. Out of these, a majority of products are registered for three main pests including fall armyworm (FAW), stem borers and stored grain pests, representing 65%. The likely impact from the EU PIC listing related withdrawal will be 75% reduction in the toolbox for maize pests. There is a likelihood of resistance building up entirely on all the solutions as less than two MOAs will remain for all the pests, except in the case of FAW which has four.



- In the case of **Cote d’Ivoire**, two of the AI’s, also registered in Kenya, are listed on the EU PIC listing and are likely to be affected. Unlike in the situation of Kenya, five MOAs will still be registered against FAW and may not be as affected. Maize in Ghana will also be impacted, as there are only two MOAs which is not sufficient for resistance management. If the attacks by FAW continues as experienced in the last few years, this will be a difficult pest to manage unless adequate alternatives are developed.
- **Mangoes in Senegal and Cote d’Ivoire:** Mangoes are listed in several countries as main crops and exhibit a blend of local and export use respectively, with Senegal and Cote d’Ivoire leading on exports. The major pests attacking mangoes in Senegal are fruit flies and anthracnose. Currently the AI’s constituting the two registrations are not in the EU PIC list. There are also biological solutions listed in the registrations such as plant extracts. In Cote d’Ivoire, there are only four AI’s, out of which one is listed on the EU PIC list. For both countries, there will not be sufficient tools to ensure resistance management as only

⁷ ‘Key crops’ refer to those crops that have a significant impact on a country’s food security, trade, and the livelihoods of farmers.

one MOA will still be registered to be combined with male annihilation technique, in the case of Senegal and only two for Cote d'Ivoire.

- **Tomatoes in Senegal:** Three major pests; white flies, tuta absoluta and ralstonia solanacearum affect tomatoes. This is a key crop used locally. Only one a.i solution exists for ralstonia solanacearum and this is included in the EU PIC listing and likely to be restricted in EU policy is considered in decision making. There is also no Mode of Action that will still be registered.
- **Tomatoes in Morocco:** In the case of Morocco, seven actives are registered for nematodes. Out of this, two are likely to be impacted due to EU PIC listing.
- **Cocoa in Cote d'Ivoire and Ghana:** 11 Als are registered to provide cover against the major pests affecting cocoa including Brown pod rot, Mirids and other drillers. Out of these, four are included in the EU PIC listing and likely to be restricted if EU policy is considered in decision making. In the case of Mirids and other drillers, there are only two MOAs that will still be registered, which are not sufficient for resistance management. In the case of Ghana, only one solution is registered for Capsid mirids. In addition, only one MOA will be registered against the pest and therefore there will not be sufficient tools for resistance management.