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Pesticide Maximum Residue Limit Standards

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Report Highlights: Residues in food products imported into New Zealand need to be lower than either Codex Maximum Residue Limits (MRLs), New Zealand's domestic MRL standard, or New Zealand's default standard. Although New Zealand has a well-developed policy regarding MRLs for domestically produced food products, MRL policies related to imported food products are currently in the early stages of a review process by the government of New Zealand to provide additional clarity.

Includes PSD Changes: No
Includes Trade Matrix: No
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Background

This document outlines New Zealand's process for setting Maximum Residue Limits (MRLs) along with the procedures and enforcement regulations that New Zealand employs to test imported food products for agricultural compound residue levels. Although New Zealand has a well-developed policy regarding MRLs for domestically produced food products (covering both domestic consumption and export), MRL policies related to imported food products are currently in the early stages of a review process by the government of New Zealand to provide additional clarity.

New Zealand utilizes Codex MRL standards when testing imported food products. If detected residue levels are found to be higher than the codex standard or the food product/residue combination is not listed by Codex, New Zealand applies its domestic MRL standard. If not identified in New Zealand's domestic MRL standard, a default standard of 0.1 mg/kg may be applied to the imported food product. Imported food products that breach the New Zealand domestic MRL or default standard cannot be legally sold in New Zealand. They are subject to an assessment by New Zealand on a case-by-case basis to determine whether any regulatory action is required. Regulatory action could range from notification of the importer of non-compliance to product recall if an unacceptable public health risk is identified.

Which government agencies are involved in MRL establishment and what are their responsibilities?

The New Zealand Food Safety Authority (NZFSA) is the entity responsible for the development of regulations and procedures and their enforcement related to food safety. NZFSA is part of the Ministry of Agriculture and Forestry (MAF).

What laws and regulations guide the development and enforcement of MRLs for pesticides? Are there default pesticide enforcement levels?

New Zealand (Maximum Residue Limits of Agricultural Compounds) Food Standard 2004 (NZFS) applies to all food products sold in New Zealand, both imported and domestically produced. The NZFS lists the MRLs for a range of agricultural compound/food combinations, makes reference to the acceptance of imported food products complying with Codex MRLs and also includes a provision for residues of up to 0.1 mg/kg as a default standard for an agricultural compound/food combination not specifically listed. MRLs are set under the Food Act (1981), which prohibits the sale of food that is unsound or unfit for human consumption, contaminated, injurious to health or harmful.

What is the process for the establishment of MRLs? Does New Zealand accept Codex MRLs?

When setting New Zealand's MRLs for domestically produced food products, the NZFSA assesses residue data supplied by applicants for registration of agricultural compounds to determine what residue levels are likely to arise from appropriate use of that product. The NZFSA also utilizes a toxicology data package submitted for an agricultural compound to establish an Acceptable Daily Intake (ADI) level in accordance with international principles. This role now has largely been assumed by the Environmental Risk Management Authority (ERMA) of the New Zealand government. ERMA uses the same data to set an Acceptable Daily Exposure (ADE) and a Potential Daily Exposure (PDE) for foods.

When proposing a new MRL, the NZFSA compares the ERMA PDE (or ADI) to the National Estimated Daily Intake (NEDI) for the substance, which is estimated from data on food consumption figures and known residue levels in the food. If the NEDI is less than or equal to the appropriate PDE, then the residue is considered acceptable and the NZFSA will recommend that the Minister for Food Safety set the MRL at the proposed level. Other factors take into account uncertainties in the data and in the extrapolation of the test results from animals to humans. ADIs calculated by NZFSA are compared with FAO/WHO figures (when they exist) as a check that the process has been correctly implemented in New Zealand.

Codex MRLs are considered in New Zealand's MRL setting process for domestically produced food products and are adopted when considered appropriate. However, New Zealand's MRLs for domestically produced food products for a given agricultural compound may at times differ from the international limit agreed to by the Codex Alimentarius or other countries. This comes as a result of New Zealand taking into account Good Agricultural Practice (GAP) principles in New Zealand that may result in different usage levels of agricultural compounds compared with other countries, as well as food safety concerns for New Zealand consumers.

Is there a defined regulatory process for the establishment of imported MRLs?

New Zealand is currently developing its policy related to MRLs of imported food products, utilizing the methodology established by the Codex Alimentarius Commission. Currently, imported food products sold in New Zealand are tested against the MRLs specified for that food in the current editions or supplements of the Codex publications titled "Pesticide Residues in Food" or "Residues of Veterinary Drugs in Foods". If the imported food product/residue combination is not listed or does not meet these standards, it is measured against the NZFS. The NZFS includes a provision for residues of up to 0.1 mg/kg as a default standard for food product/residue combinations that it does not list. NZFSA is aware that MRLs based on New Zealand's farming conditions don't always reflect appropriate overseas usage of agricultural compounds and that Codex MRLs are not established for all pesticides. NZFSA is now in the initial stages of reviewing its imported foods systems and is considering how to deal with imported foods containing residues that have not been considered through the New Zealand or Codex systems.

What actions are taken when residues are found above the MRL?

Imported food products that are not listed in or do not meet any of the three standards New Zealand applies to imported food products (codex, NZFS and the default) may not legally be sold in New Zealand. At present NZFSA has the regulatory flexibility to assess imported food products in this situation on a case-by-case basis to determine whether any regulatory action is required. The course of action selected will be in response to the perceived public health risk of the food product. Regulatory action can range from notification to the importer of non-compliance, to product recall if an unacceptable public health risk is identified. Due to marketing concerns, importers have at times destroyed or re-exported food products that breached New Zealand's MRLs, even though not obligated to do so by NZFSA following determination that the food product was safe for human consumption.

Are MRLs established for crop groups, individual crops or both?

The NZFS outlines MRLs for both individual food crops as well as food crop groups.

What residues of pesticides define the MRL – is only the parent chemical measured or are specific metabolites included?

Testing is conducted for either the parent chemical or specific metabolites depending on what residues are expected to remain after harvest. The testing is undertaken by one of four accredited laboratories in New Zealand.

Does New Zealand have a routine surveillance/testing program for pesticide residues in imported foods?

Routine testing administered by the NZFSA for agricultural compound marker residues was initiated following the organization's creation in 2002. Government sponsored testing of MRLs rarely occurred prior to this. Testing of MRLs under NZFSA has increased with the introduction of the Food Residues Surveillance Programme (FRSP) in 2003. This ongoing program is being implemented to assess the effectiveness of current controls of chemical residues on imported and locally produced foods. The pilot program for the 2003/04 year is focused on multi-residue screening of lettuce, tomatoes, broccoli, bananas, table grapes, wine and potatoes, as well as an investigation of glyphosate residues in wheat and potatoes. NZFSA proposes to adjust the list of food/residue combinations targeted each year. Testing of imported food products can occur at the point of entry to New Zealand or at retail. Tested food products are not held while authorities wait for test results. NZFSA covers the cost of the testing.

How frequently is the printed copy or website listing of MRLs updated?

The NZFS has been revised twice in 2004 and is expected to be updated approximately every three months.

Additional Information

NZFSA website
www.nzfsa.govt.nz

The Codex MRLs are available at:
http://faostat.fao.org/faostat/collections?subset=FoodQuality

A copy of the NZFS for 2004 can be found at:
http://www.nzfsa.govt.nz/policy-law/legislation/food-standards/nz-food-standard-2004-mrl.pdf

Information on the FRSP program is available at:
http://www.nzfsa.govt.nz/science-technology/research-projects/food-residues-surveillance-programme/index.htm

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