

Executive summary

Having a clear, efficient, and modern regulatory framework for pesticides is essential for addressing their impacts on human health and the environment, and to supporting a life-cycle approach to their management, while ensuring crop protection and a sustainable agricultural industry. This report conducts a broad review of the state of pesticide regulation in Mexico and provides recommendations for improvement.

Mexico has a comprehensive regulatory framework in place for addressing issues throughout the pesticide value chain. However, it is governed by a number of different laws and technical regulations, and managed by various authorities. The three most relevant authorities are the Federal Commission for the Protection against Sanitary Risks (COFEPRIS), a decentralised body within the Undersecretary of Health Prevention and Promotion; the Secretary for Environment and Natural Resources (SEMARNAT) and the National Service of Agrifood Health, Safety and Quality (SENASICA), a decentralised body of the Secretary for Agriculture.

The lack of an integrated life-cycle regulatory approach to pesticides management in Mexico poses a major challenge. In the last few decades, Mexico has addressed various issues of the pesticide regulatory framework in an *ad hoc* way instead of designing a regulatory system that effectively and efficiently covers the whole life-cycle of pesticides. Moreover, better collection and access to data on pesticides would support the life cycle management and help address the illegal trade of pesticides.

Another challenge involves recurrent delays in the registration of pesticide products. The regulation sets out the respective roles and responsibilities of COFEPRIS, SEMARNAT and SENASICA in the joint process of pesticides registration. After receiving the information, COFEPRIS requests technical opinions from SEMARNAT and SENASICA. While COFEPRIS is in theory ultimately responsible for granting the registration, in practice it is bound by the veto power of SEMARNAT and SENASICA. If any of these institutions uses its veto power, it cannot be overruled by COFEPRIS. This limits the incentive to work together to identify solutions and reach a consensus among all three regulators and highlights the need to harmonise approaches.

There are also areas for improvement around regulatory compliance and enforcement activities Mexico's pesticide sector. Effective compliance and enforcement strategies are essential to monitor the adequate implementation of the regulatory framework for pesticides and to ensure consumer safety, detect misuse and address the illegal trade of pesticides. Mexican regulators in this sector lack a common enforcement strategy and a transparent, multi-annual plan with specific goals for monitoring regulatory enforcement. Furthermore, roles and responsibilities are fragmented and the scope to be covered is wide, creating competing priorities and complexity. Other concerns include the widespread use of illegal and unregistered products, and insufficient funding for enforcement and evaluation of products.

Main recommendations to improve pesticide regulation in Mexico

- Mexican authorities would benefit from adopting a comprehensive, mutually agreed policy strategy for pesticides; it would be essential to establish a foundation for a hierarchy of goals and objectives, as well as an effective and efficient division of responsibilities.
- An on-going comprehensive review of the legal and regulatory framework for pesticides management in Mexico could include streamlining, simplifying and consolidating the existing frameworks as one of its objectives.
- Mexico should consider restricting the sale of certain pesticides only to persons who are trained or certified for their proper use and reintroduce national certification in this field.
- There is a need for Mexico to establish a systematic national monitoring programme for pesticides, building on existing measures and initiatives (such as expanding the residue monitoring programme to domestic food).
- The standard development process of rules may benefit from introducing early consultation and increased transparency in how inputs from public consultation are taken into account.
- International co-operation could be further strengthened to enable Mexico to fully benefit from the opportunities it creates and to support addressing the challenges that Mexico is facing in the area of pesticides management.
- Mexican authorities could also consider systematically requesting information on known restrictions or prohibitions of pesticides in other countries to support their decision-making on pesticides.
- Mexico would benefit from enhancing co-ordination among regulators on registration, such as streamlining the responsibility for granting registration or establishing a cross-agency mechanism for communication and the management of submissions.
- Digitalising the registration process would support an efficient use of resources, including during an optional pre-screening mechanism to check the completeness of dossiers for pesticides products registration.
- Mexico could also consider how to better reflect a risk proportionate approach in the registration process, for instance in relation making data requirements more flexible for specific types of lower risk pesticides (e.g. bio-pesticides) to support their greater uptake.
- Mexico should consider establishing a systematic review programme for pesticides, which should also address pesticides with an unlimited registration period.
- Mexico should consider increasing efforts to ensure that authorities have better infrastructure and there are adequate skills, expertise and capacity within each of the regulatory authorities involved, to improve evaluations of new products and to conduct inspections.
- The preparation of publicly available multi-annual inspection plans with clearly set enforcement goals and objectives should help to improve regulatory enforcement in the medium- and long-term and what is expected of the regulated entities
- Mexico could consider enhancing joint stakeholders' efforts to increase the amount, scope and reach of the training provided to farmers, in particular in relation to Good Agricultural Practices (GAP) and Personal Protective Equipment (PPE).



From:
Regulatory Governance in the Pesticide Sector in Mexico

Access the complete publication at:

<https://doi.org/10.1787/99adfd61-en>

Please cite this chapter as:

OECD (2021), "Executive summary", in *Regulatory Governance in the Pesticide Sector in Mexico*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/5fcd84ea-en>

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