



Cutting Edge

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Update: Implementation of the Food Sanitation Law (Positive List System) in Japan and the Carbendazim (Benomyl) MRL

Dear Growers and Exporters

CGA earlier notified growers and exporters of the new Food Sanitation Law, otherwise referred to as the Positive List System, being introduced in Japan, intended to empower Japanese authorities to more adequately monitor and ensure adherence to pesticide maximum residue levels (MRLs) and other food safety requirement. The Food Sanitation Law also brings Japan's legislation in line with those of major trading partners and CODEX.

It was widely publicised that the Positive List System would take effect from the 29th May 2006, provided there be no delays in the law-making process. Questions have also been raised as to when the new MRLs would actually become effective (either at the time when the overarching legislation becomes applicable, or at a later date)? This question is particularly relevant in light of changes to the Carbendazim MRL on citrus (the new legislation has MRLs of 3.0 ppm for lemons and grapefruit and 7.0ppm for other citrus) and the imminent start to the packing season.

CGA have on hand translated summaries of official documentation that "establishes applicable laws and ordinances in response to the implementation of the [positive list system]". These indicate that the new MRLs for citrus will become applicable on the 29th May 2006. Therefore, to the best of CGA's knowledge, this date in May 2006 is when the new MRLs will become effective.

Growers must take cognisance of the fact that a number of MRLs are changing which in turn means changes are required to usage patterns of plant protection product. Growers should refer to the most recent *Recommended Usage Restrictions for Plant Protection Products in Southern Africa* document [PHI (MRL) Jan 2006] and apply the changes indicated there to their operations, including adhering to the pre-harvest intervals and MRLs.

Notwithstanding this translated official documentation, growers exporting to Japan should be aware that CGA obviously cannot provide any guarantee that the legal process is not changed before 29th May 2006, or that there is no delay to its practical implementation. To this extent growers must make their own marketing plans based on this risk.

Yours sincerely
By email
Paul Hardman
CGA

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