https://fyi.org.nz/request/35470-mpi-role-in-experimental-pesticide-trials-app205201-and-app205221/

MINISTRY FOR PRIMARY INDUSTRIES (MPI)

OFFICIAL INFORMATION ACT REQUEST:

MPI role in experimental pesticide trials APP205201 and APP205221

J R BRUNING. SEPTEMBER 15, 2026.

This request concerns the Environmental Protection Authority's recent approvals for field trials for experimental plant-protection substances, authorised under EPA approvals APP205201 (Syngenta, 84 experimental substances) and APP205221 (Corteva, 20 experimental substances).

The applications include novel compounds that may not previously have been assessed by an overseas regulator. The identities of the active ingredients and formulations have not been publicly disclosed. The trials are intended, among other things, to generate efficacy, crop-safety and residue data.

MPI has stated that human-health and environmental concerns associated with agricultural chemicals are principally addressed by EPA, while MPI's role in experimental trials principally concerns ACVM authorisation and approved operating plans.

This request is particularly timely because the Agricultural Compounds and Veterinary Medicines Amendment Bill 305-2 proposes a new statutory consent regime for experimental agricultural compounds.

While the Bill would strengthen MPI's formal role by requiring the Director-General to identify and manage specified risks before granting research consent, the proposed regime does not appear to resolve the wider problem examined by this request: how risks that are not yet known or adequately characterised are detected once experimental substances are used in field trials.

In particular, the Bill does not appear to require baseline or post-trial environmental monitoring, worker exposure or health monitoring, or an integrated mechanism through which findings are systematically shared between MPI, EPA and WorkSafe. The present approvals therefore provide an important test of whether the existing regulatory system contains such safeguards in practice, and whether the proposed reforms would actually remedy any gaps revealed.

As such, this request concerns the approvals for incompletely characterised experimental pesticides:

Syngenta APP205201: application dated 15 June 2026; EPA decision notified 30 July 2026. That is 45 days from the date on the application to notified decision.

Corteva APP205221: application dated 27 July 2026; EPA decision notified 24 August 2026. That is just 28 days.

These active ingredients and their formulation compounds have not been publicly disclosed. There is no disclosure of the extent to which these active ingredients have been risk assessed by other jurisdictions such as the European Food Safety Authority:

- Corteva: ‘As no data exists on these compounds’
- Syngenta: ‘These include active ingredients that have been approved by regulatory authorities around the world, and novel compounds that are in the early stage of development and therefore have not been assessed by any overseas regulatory authority.’

The publicly available applications focus on efficacy, crop safety and residue data, and do not disclose any requirement for prospective worker-health monitoring or biomonitoring.

The applications raise unusual questions concerning the extent to which any risk assessment may have occurred at all for the secret substances. Syngenta expressly states that its application includes both active ingredients approved by regulators overseas and ‘novel compounds that are in the early stage of development and therefore have not been assessed by any overseas regulatory authority’. Corteva states that ‘no data exists on these compounds’ and only that overseas regulators ‘may also be aware’ of substances depending on their development stage and that many are being trialled internationally to generate efficacy and residue data.

Overseas awareness, experimental use and substantive regulatory assessment are different evidential thresholds.

Faster approval of previously assessed pesticides should therefore be distinguished from authorisation of previously unassessed experimental substances. Regulatory reliance can draw upon an existing evidential dossier and regulatory assessment. Experimental authorisation may instead occur while that evidence is still being generated. Indeed, the applications describe trials intended to generate efficacy, crop-safety and residue data.

The publicly available documentation provides no evidence that these chemicals or novel compounds have undergone comprehensive risk assessment in any foreign jurisdiction, for example, by the European Food Safety Authority (EFSA) to evaluate human toxicology, operator and worker exposure, environmental fate and degradation, metabolites and transformation products, groundwater exposure, ecotoxicology and effects on non-target organisms for each chemical, including each pesticidal and/or novel substance.

For example the legally binding European Commission Regulation (EU) No 283/2013: Data requirements for active substances would require the following information:

- Identity and physicochemical properties
- Methods of analysis and monitoring
- Human toxicology and metabolism, including absorption, distribution, metabolism and excretion; acute, short- and long-term toxicity; carcinogenicity; reproductive and developmental toxicity; neurotoxicity and endocrine effects
- Residues, including metabolites and degradation products in food and feed
- Operator, worker, resident and bystander exposure
- Environmental fate and behaviour, including degradation, transformation products, persistence and movement through soil, water, sediment and air
- Groundwater contamination
- Ecotoxicology, including birds, mammals, aquatic organisms, bees and other arthropods, soil organisms, plants and other non-target organisms

- Effects from single, prolonged or repeated exposure, including direct and indirect, reversible and irreversible effects
- Impacts upon biodiversity and ecosystems.

Regulation 283/2013 explicitly requires analytical methods capable of measuring active substances and relevant metabolites in body fluids and tissues, including matrices used in operator, worker, resident and bystander exposure studies. (Page 20/84)

European regulatory approach to confidentiality and environmental information

We believe it is useful to outline that European pesticide regulation applies a substantially more structured approach to commercial confidentiality than what appears to be the case in New Zealand.

Under the EU Transparency Regulation and the General Food Law, confidentiality is an exception rather than something determined by the applicant. A request must fall within a legally permitted category and be supported by verifiable justification demonstrating significant harm to the applicant's interests. The applicant provides confidential and non-confidential versions and identifies the grounds for each claim. The responsible authority then conducts a concrete and individual examination and issues a reasoned decision. Information for which confidentiality is not justified is made public.

For pesticides, these protections sit within an additional environmental transparency framework. Regulation (EC) No 1107/2009 expressly preserves the operation of Directive 2003/4/EC on public access to environmental information.

The Court of Justice confirmed in Bayer CropScience v Stichting De Bijenstichting (C-442/14) that information concerning pesticide emissions into the environment extends beyond the simple identity of a product. It can encompass the nature, composition, quantity, date and place of releases, environmental residues and drift, and information concerning medium- and long-term environmental consequences. Commercial or industrial confidentiality cannot simply be invoked to prevent disclosure of information falling within this environmental-emissions protection.

This European approach is particularly relevant to New Zealand because the EPA itself places considerable reliance on assessments by European and other overseas regulators. In declining to find grounds to reassess glyphosate, for example, the EPA expressly relied upon conclusions reached by regulators in the European Union, Australia and the United States, and continues to describe those bodies as comparable international regulators whose assessments inform its own regulatory position.

There is therefore an important question of regulatory consistency.

If New Zealand relies upon European regulatory assessments as evidence supporting pesticide approvals or decisions not to reassess, to what extent does it also recognise the evidential, transparency and confidentiality disciplines under which those European assessments are produced?

In APP205201 and APP205221, the public documentation does not make discernible an equivalent process requiring each confidentiality claim to fall within prescribed categories,

demonstrate significant commercial harm, undergo an individual regulatory assessment, and be balanced against the public interest in environmental information.

OIA REQUEST

1. MPI AUTHORISATION AND ASSESSMENT

For APP205201 and APP205221, please provide the MPI/ACVM authorisation, permit, approval or other instrument permitting the experimental trials, together with the approved operating plan or equivalent document.

Please provide any substantive scientific or risk assessment undertaken or relied upon by MPI before permitting the trials, including consideration of:

- human or worker exposure;
- residues in crops, food or animal products;
- environmental contamination or persistence;
- metabolites, degradation or transformation products; and
- risks arising from substances for which toxicological or regulatory information was incomplete.

2. INFORMATION AVAILABLE TO MPI

Please confirm whether MPI was provided with the identities, formulations, hazard information and Safety Data Sheets for the experimental substances before authorising their use.

Please identify which of the 104 substances, if any, MPI understood had not previously undergone substantive assessment by an overseas regulator, and the basis for that understanding.

3. MONITORING AND REPORTING

Please provide any requirements imposed by MPI for recording or reporting:

- where and when experimental substances are applied and in what quantities;
- residues or contamination detected during or following trials;
- worker exposure or adverse health events;
- unexpected environmental or non-target effects; and
- adverse or unexpected findings reported back to MPI, EPA or WorkSafe.

Please provide any record identifying how such findings are expected to feed back into subsequent ACVM or EPA regulatory decisions.

4. DIVISION OF REGULATORY RESPONSIBILITY

(a) Please provide any existing MPI policy, memorandum, guidance, agreement or substantive correspondence identifying the respective responsibilities of MPI, EPA and WorkSafe for ensuring that experimental pesticides with incompletely characterised hazards can be trialled safely in New Zealand.

Please also provide substantive correspondence between MPI and EPA, WorkSafe, Syngenta or Corteva concerning APP205201 or APP205221.

(b) Please provide any MPI assessment of whether the research-consent regime proposed in the Agricultural Compounds and Veterinary Medicines Amendment Bill would address any regulatory, monitoring or inter-agency coordination issues identified through APP205201 or APP205221, including any consideration of environmental monitoring, worker-health monitoring or systematic feedback of trial findings to MPI, EPA or WorkSafe.

Routine administrative correspondence and duplicates may be excluded.

If MPI holds no substantive assessment or record responsive to any individual component above, please simply confirm that no such record is held.