



Pesticide newsletter

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Regulatory news



Mexico: The State of Oaxaca bans glyphosate

On September 8, 2021, the Congress of the State of Oaxaca in Mexico approved the addition of [Article 128 bis](#) to the Law on Ecological Balance and Environmental Protection of the State of Oaxaca. This article prohibits the use, distribution, acquisition, donation or supply of hazardous agrochemicals and pesticides, endocrine disrupting chemicals, persistent organic compounds and other chemicals hazardous to health and the environment. The Secretariat of Environment, Energy and Sustainable Development of Oaxaca will publish a list of the banned products, which will include at least glyphosate and glyphosate based herbicides (GBH), products listed in Annexes A and B of the Stockholm Convention on Persistent Organic Pollutants, Annex III of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, and the Montreal Protocol on Substances that Deplete the Ozone Layer. The state governor must publish the order in the state government's official gazette for it to take effect.

This decision [strengthens](#) the Mexican government's commitment to [ban glyphosate](#) - and GMO corn - within three years. The [presidential decree](#) banning glyphosate, which was published in the official gazette on December 31, 2020, is being challenged in courts by the pesticide industry and organizations of producers. The Congress of the State of Oaxaca is thus a support of the Mexican government in its role as a forerunner in the Americas.

This law on pesticides is crucial because it will speed up research and implementation of alternatives in a context marked by the ecological crisis. It could also lead to a permanent ban on the use of glyphosate in the State, before the January 2024 deadline established in the presidential decree.

The Secretariat of Environment, Energy and Sustainable Development of Oaxaca has 90 calendar days after the publication of the article in the official gazette to publish a list of banned pesticides, which will be updated annually. Commercial establishments will have a six-month grace period to implement the bans on sales to distributors and users, but the decree only refers to commercial and mercantile establishments and not users, meaning that substitution plans are more about stocks. Unfortunately, the penalties for non-compliance planned in the original initiative were removed from the decree, due to a lack of agreement among the Congress committee members.

The initiative is nevertheless ambitious, with the Oaxaca Ministry of the Environment promoting the bans, mainly to distributors and users of chemicals and agrochemicals, through dissemination campaigns, taking into account the cultural plurality, with no less than eleven indigenous languages in the State.

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