Procedure file

Basic information

COS - Procedure on a strategy paper (historic)	2002/2015(COS)	Procedure completed
Plant protection products: placing on the market, evaluation of the active substances (Directive 91/414/EEC). Report Subject 3.10.09.02 Plant health legislation 4.60.04.02 Consumer security		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health, Consumer Policy	V/ALE LANNOYE Paul A.A.J.G.	04/12/2001
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	
	AGRI Agriculture and Rural Development	PPE-DE PARISH Neil	19/02/2002
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2494	17/03/2003
	Environment	2399	12/12/2001
	Agriculture and Fisheries	2387	20/11/2001
	Environment	2378	29/10/2001
	Agriculture and Fisheries	2377	23/10/2001
European Commission	Commission DG	Commissioner	
	Health and Food Safety		

Key events

25/07/2001	Non-legislative basic document published	COM(2001)0444	Summary
23/10/2001	Debate in Council	2377	
29/10/2001	Debate in Council	2378	
20/11/2001	Resolution/conclusions adopted by Council		
12/12/2001	Resolution/conclusions adopted by Council		

16/01/2002	Committee referral announced in Parliament		
23/04/2002	Vote in committee		Summary
23/04/2002	Committee report tabled for plenary	A5-0155/2002	
29/05/2002	Debate in Parliament		
30/05/2002	Decision by Parliament	T5-0276/2002	Summary
30/05/2002	End of procedure in Parliament		
07/08/2003	Final act published in Official Journal		

Technical information

Procedure reference	2002/2015(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/5/16106

Documentation gateway

Non-legislative basic document		COM(2001)0444	25/07/2001	EC	Summary
Committee report tabled for plenary, single reading		A5-0155/2002	23/04/2002	EP	
Text adopted by Parliament, single reading		T5-0276/2002 OJ C 187 07.08.2003, p. 0024-0173 E	30/05/2002	EP	Summary

Plant protection products: placing on the market, evaluation of the active substances (Directive 91/414/EEC). Report

PURPOSE: To evaluate progress on the implementation of EEC Directive on the placing of plant protection products on the market.
CONTENT: Council Directive 91/414/EEC on the placing of plant protection products on the market marked a departure for the European Community in that it placed consumer protection and environmental considerations over and above agricultural priorities. Moreover it was one of the first Directives to advocate use of the precautionary principle. It provided for a 12-year programme of evaluation of 834 active substances already on the market at the time of its entry into force in July 1993. These 834 active substances were placed on a positive list for use within the European Community. Products not listed were forbidden from use with the EU. Further, bearing in mind the need for subsidiarity the Directive provided that the Commission would be responsible for evaluating the active substances on the list whilst the Member States would be responsible for authorising and evaluating products containing these substances. Article 8 (2) of the Directive stipulates that the Commission should prepare a Progress Repot on the evaluation of the programme by July 2001. In preparing this Report the Commission is fulfilling its obligations under the terms of the Directive. The Article also suggests that the Commission should decide whether the 12 year deadline for the evaluation of the substances should be extended. In light of the many difficulties and lack of resources for the implementation of this Directive the Commission is urging an extension of the deadline to 2008 as opposed to 2003 as originally envisioned. The Report notes that progress on evaluating the substances has been considerably delayed thanks, in large part, to procedural difficulties. Thus, a typical dossier could contain around 50 000 pages and take approximately four and a half years to prepare. In addition standardised risk assessment procedures needed to be established before work could progress satisfactorily. The Report does make note of the fact that the Member States made a major contribution in agreeing to work in one language on technical assessments - in spite of the difficulties this imposed at national level. Because of these initial shortcomings, on average, only two decisions of the 834 substances a year were made. This has now improved with at least 20 decisions per year being made. In spite of these improvements, the Report notes that should the revised time-table of 2008 be completed an average of 50 decisions per year on existing active substances (peaking at 85 in 2007) will be needed. This, it is argued, can only be achieved through an increase in existing resources, procedural changes for dossier evaluation, tighter time-tables and improved use of information technologies. Certainly, the Report hopes that the new "European Food Authority" will help provide a foundation upon which to extend the activities of the Directive. It is estimated that at least 25 qualified evaluators will be required at the level of the EFA if the deadline is realistically to be met. Regarding the current state of play, the Report explains that prior to beginning the gargantuan task of assessing all 834 substances these substances were divided into four lists. The first is a priority list of 90 substances considered to be the most widely used in the market as well as those of clear concern.The current situation is that Directives have been or are

about to be taken on 13 existing substances in Annex I of the Directive; Decisions have been taken not to include 16 substances in Annex I and withdrawing them from the market, 39 substances have been peer-reviewed and final discussions are on-going; 21 substances are undergoing or are scheduled for peer review; and one assessment report still has to be submitted. The second list contains 149 substances. Early indications imply that by 2003 at least 89 substances should be withdrawn from the market. The third list comprises the 402 remaining chemical substances, also considered "pesticides" but not as widely used as those on the second list. Again early indications would suggest that at least 235 substances should be withdrawn from the market in July 2003. Lastly, the fourth list, comprises the 193 remaining substances identified as being of lower concern and to which other data requirements might apply. Although of lower concern the Report nevertheless estimates that some 124 substances may be expect to be withdrawn from the market in 2003. The Commission is now awaiting comments on this Report from the European Parliament and Council prior to proposing any changes or amendments to the existing Directive.?

Plant protection products: placing on the market, evaluation of the active substances (Directive 91/414/EEC). Report

The committee adopted the report by Paul LANNOYE (Greens/EFA, B) on the Commission's evaluation report on the implementation of Directive 91/414/EEC. The report was highly critical of the way in which the directive was being implemented, citing unsatisfactory evaluation procedures, delays and a lack of transparency. It wanted the extension of the evaluation deadlines to be subject to a number of conditions, including a pledge by the Commission that it would put forward a proposal for the revision of the Directive by the end of 2002. The committee pointed out that the pesticides listed in Annex I may not be genuinely regarded as 'safe', given that some of the active substances authorised were subject to very tight restrictions and actually presented a serious risk. Moreover, the evaluation procedure did not take account of some important aspects such as endocrine disruption and the incidence of authorised active substances on the health of vulnerable groups such as children and foetuses. The committee called for future evaluation to take account of these factors as well as of any possible additive effects linked to total exposure to certain pesticide products. It also wanted serious consideration to be given to issues such as resistance to plant protection products, integrated pest management and good agricultural practice. The Commission should put forward proposals before July 2003 for a programme for the reduction in the use of pesticides, together with a Code of Best Practice for each crop with regard to the use of authorised pesticides, with priority assigned to non-chemical agricultural methods. The report also called for the evaluation and decision-making procedure under the Directive to be made more transparent and democratic, by involving representatives of interest groups (such as consumers, NGOs and water producers). Lastly, it wanted to see a publicly-accessible database created at EU level, giving details of the quantities of all pesticides produced and sold, the way in which they are used, their toxicological characteristics and non-chemical alternatives.?

Plant protection products: placing on the market, evaluation of the active substances (Directive 91/414/EEC). Report

The European Parliament adopted a resolution drafted by Paul LANNOYE (Greens/EFA, Belgium) which is critical of the Commission's report. (Please refer to the document dated 24/04/02.) It called for the following before an active substance is included in Annex I: - the criteria for inclusion to be clarified and for them to constitute an integral part of the Directive; - the evaluation and authorisation procedure to consist of two stages, the first being the exclusion of any active substance which presents characteristics such as being carcinogenic, toxic, mutagenic, an endocrine disruptor, persistent, or bioaccumable; the second stage being that the active substance is on a priority list established under relevant international treaties ratified by the EU, or on a list of priority hazardous substances for water policy annexed to Directive 2000/60/EC. In the case of active substances not excluded, evaluation must take account of their incidence on the health of children or foetuses as well as any possible or synergetic effects linked to total exposure to certain pesticide products. Parliament added that the granting of authorisation should be conditional upon the producer providing information on the appropriate method of detecting the substance in respect of which the authorisation is requested. There needs to be a redefinition of the concept of "relevant metabolites" and for the revision of the corresponding "Guidance document", with a view to ensuring a complete toxicological evaluation of the metabolites of active substances equivalent to the toxicological evaluation of primary substances, as well as for the publication of the Guidance document on "Drinking water produced from surface water." Finally, there should be legally binding labelling requirements for produce treated with pesticides, so that the consumer is informed about all pesticides used during production, storage and marketing.?