Procedure file

Basic information

INI - Own-initiative procedure	2017/2128(INI)	Procedure completed
Implementation of the Plant Protection Programme Regulation (EC) No 1107/2009 See also Regulation (EC) No 1107/2009 2006/0136(COD) Subject 3.10.09.02 Plant health legislation 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety		04/05/2017
		S&D POC Pavel	
		Shadow rapporteur	
		epp MCGUINNESS Mairead	
		ECR PROCTER John	
		HUITEMA Jan	
		HÄUSLING Martin	
		EFD PEDICINI Piernicola	
		ENF GODDYN Sylvie	
	Committee for opinion	Rapporteur for opinion	Appointed
	AGRI Agriculture and Rural Development (Associated committee)		05/07/2017
		epp JAHR Peter	
European Commission	Commission DG	Commissioner	
	Environment	VELLA Karmenu	

Key events

06/07/2017	Committee referral announced in Parliament		
06/07/2017	Referral to associated committees announced in Parliament		
10/07/2018	Vote in committee		
23/07/2018	Committee report tabled for plenary	A8-0268/2018	Summary
13/09/2018	Results of vote in Parliament		

			
13/09/2018	Debate in Parliament		
13/09/2018	Decision by Parliament	T8-0356/2018	Summary
13/09/2018	End of procedure in Parliament		

Technical information

Procedure reference	2017/2128(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation
	See also Regulation (EC) No 1107/2009 2006/0136(COD)
Legal basis	Rules of Procedure EP 54
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/8/09895

Documentation gateway

Committee draft report		PE618.104	08/05/2018	EP	
Amendments tabled in committee		PE623.701	13/06/2018	EP	
Committee opinion	AGRI	PE615.454	22/06/2018	EP	
Committee report tabled for plenary, single reading		A8-0268/2018	23/07/2018	EP	Summary
Text adopted by Parliament, single reading		T8-0356/2018	13/09/2018	EP	Summary
Commission response to text adopted in plenary		SP(2018)829	11/03/2019	EC	

Implementation of the Plant Protection Programme Regulation (EC) No 1107/2009

The Committee on the Environment, Public Health and Food Safety adopted an own-initiative report by Pavel POC (S&D, CZ) on the implementation of the Plant Protection Products (PPP) Regulation (EC) No 1107/2009.

The evaluation of the implementation of Regulation (EC) No 1107/2009 revealed that the objectives of protecting human and animal health and the environment are not fully being achieved and that improvements could be made in order to achieve all the objectives of the Regulation.

Main conclusions: the report noted in particular that the objectives and instruments of the Regulation and its implementation are not always sufficiently in line with EU policies in the fields of agriculture, health, animal welfare, food security, water quality, climate change, sustainable use of pesticides and maximum residue levels of pesticides in food and feed.

Members recalled that the precautionary principle is clearly not being applied in the risk analysis of pesticides. They found it unacceptable that the approval requirements of safeners and synergists have not yet been applied, contrary to the Regulation. They also considered it unacceptable that the negative list of co-formulants has still not been adopted, especially after the ban on POE-tallowamines in combination with glyphosate, which has highlighted the adverse effects that certain co-formulants can have.

Members are also concerned about:

- the steadily increasing use and identified cases of misuse of emergency authorisations granted under Article 53 in some Member States;
- the incomplete harmonisation of data and testing requirements in some scientific fields;
- the limited public availability of information on the evaluation and authorisation procedure, as well as the limited access to information.

The Commission is urged to propose improvements to further enhance the transparency of the regulatory process, including on access to the data in safety studies submitted by producers as part of their applications for market authorisation of PPPs in the EU. Members recognise the

need to review the procedure in order to improve evaluations, increase the independence of the authorities tasked with carrying out studies, avoid conflicts of interest and make the procedure more transparent.

The report stressed that the authorisation and promotion of low-risk and non-chemical pesticides is an essential measure to support integrated pest management with low pesticide inputs. It recognised the need for more research on these products and underlined the importance of creating an innovation-friendly regulatory framework which will allow the replacement of older chemistry by new and better crop protection products.

Recommendations: the report called on the Commission and the Member States to:

- ensure effective implementation of the Regulation as regards their specific roles in the approval and authorisation procedures;
- acknowledge that the protection of human and animal health and the environment are key objectives of the legislation, while improving agricultural production and safeguarding the competitiveness of the agricultural sector;
- ensure full and uniform application of the hazard cut-off criteria, following the existing harmonised guidance, and to make sure that substances are assessed for their risk only if there is evidence that they do not present hazardous (cut-off) properties, as required by the Regulation;
- implement the provisions on co-formulants, safeners and synergists, to establish a list of unacceptable co-formulants and rules so that safeners and synergists are tested at EU level;
- finalise methods to determine when certain derogations should be applied, in particular as regards negligible exposure or serious danger to plant health;
- incentivise research initiatives concerning active substances, including biological low-risk substances, and PPPs within Horizon Europe and the Multiannual Financial Framework 2021-2027;
- increase the overall transparency of the procedures in particular by explaining and justifying the decisions of the Standing Committee on Plants, Animals, Food and Feed.

Member States are called upon to:

- improve the serious and chronic understaffing of the national competent authorities, which leads to delays at the stage of hazard identification and initial risk assessment performed by Member States;
- better implement the authorisation procedures at national level, in order to limit the derogations and extensions granted under Article 53 of the Regulation to actual emergency situations;
- ensure effective enforcement of the Regulation, especially as regards controls on the PPPs marketed in the EU and regardless of whether they have been produced in the EU or imported from third countries.

Industry is called on to provide all data and scientific studies in a uniform electronic and machine-readable format to the rapporteur Member States and the EU agencies.

Implementation of the Plant Protection Programme Regulation (EC) No 1107/2009

The European Parliament adopted by 529 votes to 34, with 63 abstentions, a resolution on the implementation of Regulation (EC) No 1107/2009 on plant protection products (PPP).

Members noted that the objectives and instruments of Regulation (EC) No 1107/2009, as well as its implementation, are not always sufficiently in line with European policies in the fields of agriculture, health, animal welfare, food safety, water quality, climate change, sustainable use of pesticides and maximum residue levels for pesticides in food and feed. Improvements could be made to achieve the objectives of the Regulation.

Main conclusions: while considering that the European Union is the appropriate level to pursue the regulatory strategy in the field of pesticides, Members expressed concern at the fact that the Regulation has not been effectively implemented and that, as a result, its objectives as regards agricultural production and innovation are not being achieved in practice. They highlighted the fact that, partly owing to the low degree of innovation, the number of pesticide active substances is decreasing.

While recalling the precautionary principle, Members also considered it unacceptable that the approval requirements for safeners and synergists have not yet been applied and that the negative list of co-formulants has still not been adopted, especially after the ban on POE-tallowamines in combination with glyphosate, which has highlighted the adverse effects that certain co-formulants can have.

Members are also concerned about:

- the steadily increasing use and identified cases of misuse of emergency authorisations granted under Article 53 in some Member States;
- the incomplete harmonisation of data and testing requirements in some scientific fields;
- the limited public availability of information on the evaluation and authorisation procedure, as well as the limited access to information.

Highlighting that the credibility of the PPP authorisation system strongly depends on public trust in European agencies, Parliament urged the Commission to propose improvements to further enhance the transparency of the regulatory process, including on access to the data in safety studies submitted by producers as part of their applications for market authorisation of PPPs in the EU. Members recognise the need to review the procedure in order to improve evaluations, increase the independence of the authorities tasked with carrying out studies, avoid conflicts of interest and make the procedure more transparent.

According to Parliament, the system for the scientific evaluation of plant protection products should be scientifically robust, objective and based on peer-reviewed evidence, derived from an open, independent and multidisciplinary scientific approach in authorising any active substance, in line with the EUs risk analysis principles and the precautionary principle.

Low-risk pesticides: the resolution stressed that the authorisation and promotion of low-risk and non-chemical pesticides is an essential measure to support integrated pest management with low pesticide inputs. It recognised the need for more research on these products and underlined the importance of creating an innovation-friendly regulatory framework which will allow the replacement of older chemistry by new and better crop protection products.

Recommendations: the Commission and the Member States are called on to:

- ensure effective implementation of the Regulation as regards their specific roles in the approval and authorisation procedures;
- acknowledge that the protection of human and animal health and the environment are key objectives of the legislation, while improving agricultural production and safeguarding the competitiveness of the agricultural sector;
- ensure full and uniform application of the hazard cut-off criteria, following the existing harmonised guidance, and to make sure that substances are assessed for their risk only if there is evidence that they do not present hazardous (cut-off) properties, as required by the Regulation;
- implement the provisions on co-formulants, safeners and synergists, to establish a list of unacceptable co-formulants and rules so that safeners and synergists are tested at EU level;
- finalise methods to determine when certain derogations should be applied, in particular as regards negligible exposure or serious danger to plant health;
- incentivise research initiatives concerning active substances, including biological low-risk substances, and PPPs within Horizon Europe and the Multiannual Financial Framework 2021-2027;
- increase the overall transparency of the procedures in particular by explaining and justifying the decisions of the Standing Committee on Plants, Animals, Food and Feed.

Member States are called upon to:

- improve the serious and chronic understaffing of the national competent authorities, which leads to delays at the stage of hazard identification and initial risk assessment performed by Member States;
- better implement the authorisation procedures at national level, in order to limit the derogations and extensions granted under Article 53 of the Regulation to actual emergency situations;
- ensure effective enforcement of the Regulation, especially as regards controls on the PPPs marketed in the EU and regardless of whether they have been produced in the EU or imported from third countries.

Industry is called on to provide all data and scientific studies in a uniform electronic and machine-readable format to the rapporteur Member States and the EU agencies.