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To: SG INPUT ROADMAPS FEEDBACK
Subject: Roadmap: Feedback received for REFIT Evaluation of the EU legislation on plant protection products and pesticides residues (Regulation (EC) No 1107/2009 and Regulation (EC) No 396/2005) - DG:SANTE - Register ID :85076002321-31

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Your Voice In Europe: ROADMAP feedback for REFIT Evaluation of the EU legislation on plant protection products and pesticides residues (Regulation (EC) No 1107/2009 and Regulation (EC) No 396/2005)

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Related document: REFIT Evaluation of the EU legislation on plant protection products and pesticides residues (Regulation (EC) No 1107/2009 and Regulation (EC) No 396/2005)

Feedback:

FEDIOL welcomes the launch of the fitness check evaluation of the 2 Regulations governing pesticides and their residues to ultimately improve the existing legislative frame. As highlighted in the roadmap, many difficulties arise in the implementation of such legislations, some of them have already been highlighted by FEDIOL in the past.

The Roadmap identifies a number of areas which will be subject to evaluation (page 5). Whilst a number of mentioned issues are already relevant – such as how the competitiveness of the EU agriculture is taken into account or the procedures for setting, modifying, deleting and reviewing MRLs -, FEDIOL would like to highlight the need to consider the following additional points:

- *Transparency in process – when changing the status of a pesticide or the level of its residue, stakeholders need to be given enough time to address the issue and assess its*

consequences. FEDIOL trusts that a process needs to be established to ensure this.

- Further ensuring a risk assessment and move away from hazard-based criteria.*
- Setting processing factors – annex VI of current Regulation 396/2005 is still left empty. Differences in setting and implementing processing factors at national levels lead to trade disruptions and heavy burden for food business operators. This is against the overall REFIT ambit.*
- Ensuring coherence with other food legislations – Once assessing the pesticide legislation and particularly the MRL Regulation, care should be taken that the impacts on trade are also considered. As already highlighted by FEDIOL in its views on the REFIT of the general food law, discrepancies exist in the various secondary legislations and particularly on pesticides and its implementation. MRLs are primarily trade standards rather than safety standards and this should be further considered when setting further rules and residues limits. The case of processing to redeem compliance should be given due consideration to prevent unnecessary waste and heavy consequences on the sector. Furthermore, the issue of pesticides dual uses needs to be specifically addressed through appropriate mechanisms.*
- Ensuring coherence at a global level – strengthen the existing processes to further consider residues set at the Codex Alimentarius level or in other non-EU regions as appropriate depending on the commodity at stake when modifying existing residues levels to avoid further discrepancies globally – make the process of setting import tolerances more accessible to all stakeholders by limiting the prerequisites, in particular data requirement, to essential elements.*
- Ensure enough staff at Commission level – the non population of the Annex VI on processing factors under Regulation 396/2005 is one example highlighting the need of dedicating more resources on the issue of pesticides. Further support towards food business operators – to facilitate addressing changes in MRLs or pesticide authorisation status and further issues related to the implementation of Regulation 396/2005 and 1107/2009 - is also required.*

FEDIOL stands ready to take part in the REFIT evaluation and provide further input in the process.

Feedback file: