



EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE GENERAL

SANTE E

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APPEAL COMMITTEE

Plant Protection Products - Legislation

31 March 2022

SUMMARY REPORT

Chair: Claire BURY

The meeting took place via web conference due to measures taken to contain the COVID-19 pandemic.

1. Adoption of the Agenda

The agenda was adopted.

2. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation amending Implementing Regulations (EU) No 2015/1295 and No 540/2011 as regards the conditions of approval of the active substance sulfoxaflor

The Commission presented the draft proposal and the outcome of the written voting procedure of the Standing Committee of 28 January 2022. The Commission asked to the Member States if they had any further comments on the draft Regulation, if there is a change in their position since the written voting procedure for the Standing Committee of 28 January 2022 and if they would like to clarify or modify their reasons for abstaining or voting against the draft Regulation.

One Member State informed that it will change its position from 'Against' to 'Abstain', while maintaining the reasoning already provided during the written voting procedure for the Standing Committee of 28 January 2022 (i.e. outdoor uses are possible with risk mitigation measures).

Italy confirmed its support and announced submission of a written declaration

One Member State confirmed its position 'Abstain' for the same reasons as provided at the Standing Committee of 28 January 2022 (i.e. outdoor uses are possible).

Upon request of a Member State, the Commission confirmed that the applicant can submit an application in line with Article 7 of Regulation (EC) No 1107/2009 to modify the approval conditions. All new data which became available after the deadline for submitting confirmatory data can be submitted in such an application.

The Committee agreed to vote by written procedure in accordance with Article 3(5) of Regulation (EC) No 182/2011.

The vote resulted in a no opinion with 6 Member States voting against representing 13.6% of the population and 6 Member States abstaining representing 25.84% of the population.

Italy made the following protocol declaration:

“The protection of pollinators is an important objective to reach in the Farm to Fork strategy since pollinators have a crucial role in order maintaining the biodiversity in both animal and vegetal biomes. Even though not the only, plant protection products are one of the causes of the decline of the pollinators’ populations, therefore their utilization has to be strictly controlled and the absence of any unacceptable risk for humans and non-target species, including pollinators, has to be demonstrated before their use being authorized.

In the case of the active substance Sulfoxaflor the new data, submitted as requested by the Commission implementing Regulation (EU) 2015/1295 approving this substance in accordance with Regulation (EC) No 1107/2009, have been assessed by EFSA as sufficient to demonstrate the safe use of Sulfoxaflor for domestic honeybees but are not enough to demonstrate a safe use for bumblebees and solitary bees and as a consequence an unacceptable risk for bumblebees and solitary bees cannot be completely excluded.

Based on the above considerations, Italy is in favour of the draft Commission proposal to restrict the use of Sulfoxaflor.

On the other side Italy would like to underline that the international trade and the huge movement of persons and goods lead to a massive introduction of harmful organisms in the territory of the European Union which may cause serious damages not only on crop production but also on the entire EU floral heritage and the Regulation (EU) 2016/2031 foresees that a number of phytosanitary measures, including several chemicals with different modes of action, have to be adopted by Member States in order to control the new “imported” pests, and to avoid the insurgence of pest resistance. In this context, Sulfoxaflor which is a compound of relatively new introduction on the market may have a potential utility to achieve this target, also considering the drastic reduction of insecticides available for this purpose.

Therefore, while confirming the favourable vote on the Commission’s proposal in order to protect pollinators in a context of uncertainty of scientific information, Italy also requests the Commission to quickly take into consideration eventual new data submitted by applicant under the Art. 7 of the Regulation (EC) No 1107/2009 in order to remove the proposed limitation of the use of this compound.”

The chair informed the members of the Committee that, in accordance with Regulation (EC) No 182/2011, the Commission would consider proceeding with the adoption of the measure, subject to confirmation.

N.B. The drafts on which the Committee expressed an opinion are subject to a defined procedure in relation to the formal adoption by the Commission.

Claire BURY
Deputy Director General