EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE GENERAL

SANTE G
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APPEAL COMMITTEE

Plant Protection Products - Legislation and Genetically Modified Food and Feed

12 July 2017

SUMMARY REPORT

Chair: Ladislav Miko

1. Adoption of the Agenda

The agenda was adopted without amendments.

2. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation concerning the non-renewal of approval of the active substance picoxystrobin, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market and amending the Annex to Commission Implementing Regulation (EU) No 540/2011.

The Chair introduced the draft Commission Implementing Regulation concerning the non-renewal of the approval of picoxystrobin for use as an active substance in plant protection products, which was the same as that presented to the Standing Committee on Plants, Animals, Food and Feed (PAFF) on 18 May 2017.

As the PAFF Committee had not delivered an opinion in its meeting on 18 May 2017, it was necessary to refer this draft to the appeal committee pursuant to Article 5(4) of the Comitology Regulation (Regulation (EU) No 182/2011 of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers).

The Chair asked whether any Member State had changed its position or whether Member States had any further comments.

No Member State raised questions and therefore the draft was presented to the Committee for an opinion.

Vote taken: no opinion.

The Commission concluded that there was no qualified majority for the draft, but noted that it was supported by a significant number of Member States.

Reasons for the negative vote or abstention:

- Disagreement with the outcome of the peer review as reflected in the EFSA Conclusion in particular in relation to the conclusion on genotoxicity and the setting of reference values
- Different approaches to risk management e.g. preference to use confirmatory information to address certain issues
- Importance of the substance for production of certain crops

The chair informed the members of the Committee that, in accordance with Regulation (EU) No 182/2011, it is now for the Commission to decide on this authorisation.

3. Exchange of views and possible opinion of the Committee on a draft Commission Implementing Decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified soybean DAS-68416-4 pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council.

The Chair introduced the draft Commission Implementing Decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified soybean DAS-68416-4, which was the same as that presented to the Standing Committee on 12 June 2017.

No Member State raised questions and the draft put for vote.

Vote taken: no opinion.

Reasons for the negative vote or abstention:

- No agreed national position
- Negative public opinion
- Political reasons
- Risk assessment deemed not sufficient

Sweden made the following declaration:

The authorisation of placing on the market of products containing, consisting of, or produced from genetically modified soy DAS-68416-4 is on the agenda for this meeting. The authorisation does not include cultivation. Soy DAS-68416-4 is tolerant to glufosinate-ammonium-based herbicides.

The Swedish Board of Agriculture and the National Food Agency make the same conclusion as stated by EFSA i.e. this product is safe for human and animal health as

well as for the environment. Sweden therefore votes in favour of granting the product authorisation according to the Commission proposal.

This does not preclude the Swedish vote on a possible future granting of authorisation of cultivation of seeds that are tolerant to glufosinate-ammonium.

Glufosinate-ammonium is classified as a substance toxic for reproduction in category 1B which means that it does not fulfil the approval criteria for active substances according to the Regulation (EC) No 1107/2009.

In our view, potential use and cultivation of genetically modified organisms in Sweden should not have a negative effect on biodiversity and, as far as possible, not lead to an increased use of pesticides.

The chair informed the members of the Committee that, in accordance with Regulation (EU) No 182/2011, it is now for the Commission to decide on this authorisation.