EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

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Summary report of the Standing Committee on Plants, Animals, Food and Feed
Section *Phytopharmaceuticals - Plant Protection Products - Legislation*
25 OCTOBER 2017

CIRCABC Link: https://circabc.europa.eu/w/browse/cf5e29e5-fcce-49e2-8efe-532c4e86f46

SUMMARY REPORT

Section B **Draft(s) presented for an opinion**

B.01 **Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation renewing the approval of the active substance glyphosate 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 Implementing Regulation (EU) No 540/2011** (Draft Review Report Doc. SANTE/10441/2017 rev. 1)

(SANTE/10440/2017 rev. 1)

Legal Base: Article 20(1) of Regulation (EC) No 1107/2009
Procedure: Opinion of the Committee via the examination procedure

The Commission summarised the events since the last PAFF meeting on 5 October:

1) Further allegations that the scientific assessment of glyphosate carried out in the EU was flawed

On 18 October PAN Europe wrote to the Commission to inform about a new report on alternatives to glyphosate in weed management. In their e-mail they also mentioned a publication by the JRC and Wageningen University reporting on findings of glyphosate and its metabolite AMPA in topsoils in the EU, which, according to PAN was not foreseen in the EU assessment of glyphosate.

However, EFSA confirmed that the predicted levels of glyphosate and AMPA in soils were considered during the EU review of glyphosate and the risk assessment carried out for soil microorganisms as reported in the EFSA Conclusion was based on levels considerably higher than the maximum value reported in the study by JRC and Wageningen University. Therefore the study does not impact the EFSA Conclusion on glyphosate.

The e-mail, as requested by PAN, was made available to Member States on CIRCABC.

On 20 October the Commission received an e-mail questioning the setting of the ADI for glyphosate. The Commission asked EFSA and BfR for their comments on this subject. Both the e-mail and the replies were uploaded on CIRCABC.

In their responses, EFSA and BfR confirmed that the allegations are unfounded. The ADI proposed in the EFSA Conclusion is supported by the available scientific evidence, following the detailed assessment by the experts during the peer review process.

Therefore, as repeated at previous occasions, given the thorough scrutiny of all available information by the EU agencies and BfR, there are no grounds to call into question the scientific assessments and conclusions on glyphosate carried out in the European Union.

2) European Citizens Initiative

The organisers formally submitted the 1 million validated signatures to the Commission on 6 October 2017.

In line with the provisions of the ECI Regulation the Commission received the organisers at a meeting held in Brussels on 23rd October to allow them to explain in detail the matters raised in their citizens' initiative and provide an opportunity for the Commission to ask questions to clarify the initiative and its objectives.

The organisers shall also be given the opportunity to present the citizens' initiative at a public hearing. The European Parliament has confirmed that this hearing will take place on 20 November 2017.

The Commission shall set out in a Communication, within three months from the submission date i.e. by 8 January 2018, its legal and political conclusions on the citizens' initiative, the action it intends to take, if any, and its reasons for taking or not taking that action.

3) Resolution of the European Parliament

The Commission informed Member States that the European Parliament adopted in plenary a non-binding Resolution on 24 October 2017 with 355 votes for, 204 votes against and 111 abstentions asking among others to phase out glyphosate-based herbicides by December 2022.

4) Volumes of annual sales of glyphosate-containing plant protection products on their markets

The Commission thanked those Member States that, following the Commission's request had provided information or estimates of the volumes of glyphosate-containing plant protection products placed on their markets.

Based on the information made available by MS and by Eurostat, the total value of sales of glyphosate based products in the EU would appear to be around 1 billion euros.

5) Member States positions on the Commission's proposal to renew the approval of glyphosate

The Commission asked Member States (MS) for their indicative positions on the draft Commission Regulation proposing the renewal of the approval of glyphosate for 10 years:

- 16 MS would be in favour
- 9 MS would be against
- 3 MS would be abstaining

One MS proposed that instead of a renewal, the current approval should be extended by 3 years. That MS reiterated its confidence in the rigour of the EU scientific assessment but also requested that during that time the Commission should contact the WHO and request a review of the diverging views of the organisation's bodies which have been involved in the scientific assessments of glyphosate i.e. IARC and JMPR. That MS further requested that in addition to the extension proposal, the Commission should propose to amend the conditions of approval of glyphosate, in particular to oblige MS to pay particular attention to the impacts on biodiversity when assessing authorisations of products, as well as to ban the use of glyphosate in public spaces and by consumers. The same MS also requested that during the ongoing REFIT evaluation of the pesticides Regulation, the possibilities to increase transparency of the assessment process should be examined. Another MS proposed a renewal for 3 years only. Some MS indicated that they cannot support any period of renewed approval.

A further MS indicated to be opposed to any renewal of approval and instead requested to set a definitive date for a phase-out of the substance within 5 years, referring also to the latest Resolution of the European Parliament of 24 October. The Commission noted that in the light of the outcome of the assessment for glyphosate the legal framework does not allow to fix a definite end-date for the active substance as companies could submit another application for renewal of approval or a new application in the future.

The Commission then asked MS for their indicative positions on a modified draft Commission Regulation proposing the renewal of the approval of glyphosate for 7 years:

- 13 MS would be in favour
- 7 MS would be against
- 8 MS would be abstaining (Several of them indicated that this was the case because they had no mandate to vote on such a proposal)

Several MS indicated that they considered that the criteria for the renewal of the approval of glyphosate are clearly fulfilled and that they would therefore prefer a renewal period of 15 years. They emphasised that they were ready to support 10 years and in a spirit of further compromise 7 years would be the minimum period

of renewal they would be ready to accept. These MS reiterated that they see no grounds based on the scientific assessment to justify shorter periods of renewal.

The Commission then asked MS for their indicative positions on a modified draft Commission Regulation proposing the renewal of the approval of glyphosate for 3 years:

- 12 MS would be in favour
- 7 MS would be against
- 9 MS would be abstaining (Several of them indicated that this was the case because they had no mandate to vote on such a proposal)

Some MS who would be ready to accept a 3-year renewal period in a spirit of compromise indicated that an extension would be preferable given the very short duration and the procedures and work a renewal would entail (i.e. submission of a renewal application on the same day as renewal, review of all the existing authorisations of products within a short period of time, etc.).

Against this background, the Commission did not proceed with a formal vote and indicated that it would reflect on the next steps, taking into account the positions and comments of Member States.