



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***  
**9 NOVEMBER 2017**

*CIRCABC Link:*

<b>SUMMARY REPORT</b>
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**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. 2)**

(SANTE/10440/2017 rev. 2)

**Legal Base:** Article 20(1) of Regulation (EC) No 1107/2009

**Procedure:** Opinion of the Committee via the examination procedure

The Commission introduced the changes to the draft Regulation made since the meeting held on 25 October 2017 (i.e. the addition of a reference to the Resolution of the European Parliament (EP) of 24 October 2017 in Recital 13 and importantly a change in the proposed period of renewal to 5 years).

Additionally, the Commission presented to the Committee a slightly modified text (revision 3) that included a number of technical changes and corrections, as follows:

- Amendment of Article 3 such that entry into force is the day after publication (rather than the standard 20 days) – this is necessary due to the short time available before the expiry of approval;
- Addition of a new Recital (23) to support this change in Article 3;
- Correction of the reference to the European Parliament Resolution of 24 October 2017 in footnote 9, as well as the weblink of the Resolution;
- A correction in footnote 13 (to replace the word 'implementation' with the word 'implementing').

The Commission then explained the reasons why it had proposed to reduce the period for renewal of approval to 5 years.

These include the outcome of the thorough scientific assessment which clearly supported a renewal of approval, the comments of Member States in the meeting held on 25 October 2017, the Resolutions of the European Parliament, the European Citizens' Initiative and the legal and administrative requirements set out in Regulation (EC) 1107/2009. According to the Commission's analysis a renewal is the correct instrument rather than an extension of the existing approval as there are no reasons to justify any further extension, given that all scientific issues have been thoroughly examined and scrutinised, including the issue of carcinogenicity, and the evaluation process is thus completed. A renewal of approval also ensures that Member States have to review each existing authorisation of plant protection products on the market to ensure that the updated conditions of approval are implemented and that an up-to-date scientific assessment is carried out. This provides for an opportunity for Member States to amend existing authorisations and to include any necessary restrictions of use or to withdraw them completely, if warranted.

The Commission asked Member States for their indicative positions on the draft Commission Regulation proposing the renewal of the approval of glyphosate for 5 years.

One Member State, supported by two others, asked the Commission to also gauge all Member States' positions on a proposal for a 3-year extension or renewal. In response, the Commission reiterated the explanations given earlier in the meeting about why an extension was not legally sound and explained that a renewal for 3 years would also be legally problematic as this would mean that potential applicants would have to submit new applications on the day after the adoption of the Commission Regulation. This would not be practical and would, furthermore, preclude the inclusion of new evidence.

The Commission then proceeded to the form a vote with the following outcome:

- 14 Member States voted in favour (representing 36.95 % of the EU population)
- 9 Member States voted against (representing 32.26 % of the EU population)
- 5 Member States abstained (representing 30.79 % of the EU population)

Result of the vote: NO OPINION

Several Member States voting in favour indicated that they would have preferred a longer period of renewal but agreed to the shorter period of renewal in the spirit of compromise.

Two Member States voted against as they wanted a renewal or extension of approval for a maximum period of 3 years.

One Member State voted against as it could only support a 3 year extension of the current approval, followed by a phase-out period of two years. The Commission explained why a phase out was not legally possible: a definitive end-date for an active substance cannot be set as the possibility for applicant to submit a further application for renewal of approval or a new application in the future cannot be denied under the current legal framework.

Three Member States voted against due to political and societal sensitivity and environmental concerns.

One Member State voted against without any explicit reason.

One Member State voted against as it considered a 5-year renewal period as too long.

One Member State voted against as its national parliament had adopted a formal position against any period of renewal or extension of approval.

Three Member States abstained as they considered a 5-year renewal period too short and because they saw no scientific or legal reasons justifying such a short period of renewal. One of them indicated that the resources needed at national level to review the existing authorisations of glyphosate-containing products were of concern in particular in the light of the short period of renewal proposed.

A further Member State abstained because it could only support a renewal or extension of approval for a maximum period of 3 years. In addition, that Member State requested the Commission to 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. The same Member State further requested that a ban on the use of glyphosate in public spaces and by consumers should be considered. The same Member State also requested that during the ongoing REFIT evaluation of the pesticides legislation, the possibilities to increase transparency of the assessment process should be examined.

One Member State abstained without giving any explicit reason.

The Commission explained that it would proceed in line with the provisions allowed for under the comitology rules, which may include referral to the appeal committee by the end of November 2017.