



EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

Safety of the Food Chain
Pesticides and Biocides

WORKING GROUP OF THE ADVISORY GROUP ON THE FOOD CHAIN AND ANIMAL AND PLANT HEALTH

***Ad hoc* EU Study on the trade in illegal and counterfeit pesticides**

25 March 2015, 14:00 h – 17:30h

Centre Albert Borschette, rue Froissart 36

SUMMARY REPORT

1. PARTICIPANTS:

- ❖ European Commission:
DG Health and Food Safety (DG SANTE)
Unit 3 - Pesticides and Biocides
- ❖ Representatives of Food Chain Evaluation Consortium (FCEC), Agra CEAS and ARCADIA
- ❖ Members of the Advisory Group:
 - COPA-COGECA,
 - ECCA,
 - ECPA,
 - ESA
 - PFP
- ❖ Non-members of the Advisory Group:
 - EAACC

2. INTRODUCTION

The objective of the meeting was to present the results of the Study on Trade of illegal and counterfeit pesticides. The study was performed by a private consortium of consultants: FCEC mainly by Agra CEAS and ARCADIA under a framework contract of the Commission. It started February 2014 for 12 months.

The terms of reference included 3 main tasks

1. Collection information on trade in illegal pesticides: Types of substances and products, volume, types, country of origin, port of entry ; Patterns of trade in illegal and counterfeited products
2. Evaluation of existing control measures in the EU
3. Assessment of the adequacy of the EU regulatory framework ; Suggestions for improvement/best practices

3. SUMMARY OF THE MEETING

3.1. Presentation by FCEC

A representative of the contractor presented the results of the study.

Theme 1 – Information on trade in illegal questions and interventions

Theme 2 - Existing control measures

Theme 3 – Assessment of the EU regulatory framework

The summary of the study is available on website of DG SANTE.

http://ec.europa.eu/food/plant/pesticides/docs/study_on_illegal_ppps_summary_en.pdf

3.2. Presentation by Commission representatives:

Commission representatives reacted to some of the recommendations contained in the report:

- Harmonisation of controls by Member States:
For the moment Article 68 of Regulation (EC) No 1107/2009 is the legal base for the adoption of rules harmonising controls. In the near future, the new Official Controls Regulation will include provisions allowing for the harmonisation of controls. For the moment it is important that MS exchange best practices and align their controls.
- Pre-notifications of imports: it seems that it could constitute an effective tool for the fight against imported illegal PPP.
- Increasing legal certainty: Some provisions in Regulation 1107/2009 seem to be ambiguous and prone to divergent interpretation by MS. Clarification should be provided for some provisions.
- Centralised data base of plant protection product authorisation "PPP Application Management System". The data base is now on line but the data is not yet complete.
http://ec.europa.eu/food/plant/pesticides/authorisation_of_ppp/index_en.htm
- Testing capacity and European Reference Laboratory: the issue concerns the testing of formulation in the frame of controls. First step could be the mapping of existing testing resources in Member States
- Registration of operators: seems that it could constitute an effective tool in the fight against illegal PPP. Manufacturers, formulators, distributors, packaging companies would have to be registered.
- Parallel trade: More controls are needed.
- Enhancing awareness: Commission together with other international organisations (OECD and Europol) is working on increasing awareness. Commission is providing training to MS authorities.

3.3. Discussion and Conclusion

Participants had the opportunity of asking questions to the contractor about the results of the study and commenting on the main recommendations.

Participants underlined the need to have a common understanding of the provisions of the regulation so that there could be harmonised controls, in particular with regard to the definition of plant protection products and placing on the market.

Some participants underlined the necessity of a better cooperation between enforcement bodies.

Participants also underlined the need for rapid and unexpansive testing tools for detection of illegal products.

It was also underlined that illegal trade did not only concern the products of main R&D companies but also concerned those produced by generic manufacturers/off-patent producers.

The Chairman thanked the contractor for their presentation and the participants for their valuable input to the discussion.