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Commissioner Vytenis Andriukaitis  
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### Criteria for endocrine disrupting properties, SCOPAFF meeting 28 February 2017

Dear Commissioner

Ahead of the upcoming SCOPAFF-Phytopharmaceuticals meeting on 28 February 2017, we would like to take this opportunity to express our significant concerns regarding the direction the negotiations are taking on the Commission's proposal for the criteria for endocrine disrupting properties.

**ECPA has stated very clearly since the outset that we cannot support the Commission's proposal.** We accept the use of the WHO/IPCS definition as a scientific starting point but that appears to be where the Commission's desire to ensure a science-based proposal suitable for regulatory decision making seems to end. Regulators, and the public, need to be able to clearly separate those substances that have the real potential to cause harm from those that do not, and this proposal does not and cannot do that without incorporating hazard characterisation elements, particularly potency.

The decision by the Commission in December to split the criteria and the derogation into two legislative proposals was in itself troubling, but at least there was still an allusion of allowing some risk-based assessment of substances. However, with the most recent decision to exclude the derogation from the proposals to be voted on 28 February 2017, we are yet again seeing the Commission giving in to perceived and political pressure to ignore science at the cost of agricultural productivity, competitiveness and trade in Europe; all with no added protection for health and the environment.

**The derogation must be re-introduced if the Commission is really committed to science-based legislation.** This step in the legislative process is supposed to be one involving technical experts – the removal of the derogation is politically motivated and clearly designed to pre-empt objection in the European Parliament. The time to deal with objections from the European Parliament is when the proposal arrives there: your technical discussions whilst we accept are not completely isolated from politics, should not be allowed to be undermined by it.

**The current proposal clearly ignores the needs of European farmers and contradicts Recital 8 of Regulation 1107/2009 which states that: "The purpose of this Regulation is to ensure a high level of protection of both human and animal health and the environment *and at the same time to safeguard the competitiveness of Community agriculture.*"**

We yet again call on the Commission to **adopt workable, proportionate and science based criteria that meet these aims. The current proposal does not do this, and we cannot support the text in its current form.**

Yours sincerely



Jean-Philippe Azoulay  
Director General

Cc: Commissioner Hogan, Commissioner Katainen, Commissioner Malmström,  
Commissioner Bierkowska, Secretary General Italianer  
Mr Ladislav Miko, Ms Sabine Jülicher, Mr Michael Flüh

To ensure full transparency, this letter will be published on the ECPA website and will be available at: <http://www.ecpa.eu/transparency-policy>.