

Environment Council - 20 December 2018

Any Other Business: Adoption of measures at EU level to create the conditions for discontinuing the use of the environmentally problematic substances contained in plant protection products

In view of the discussion proposed by the Belgian delegation, we welcome the opportunity to contribute our industry position on some of the elements contained in their supporting note.

Current approval system

The current EU plant protection product regulation fully meets the objectives of protecting health and the environment¹²³. We believe that any necessary improvements in the system can be achieved by ensuring better and stronger implementation of the current system. Better implementation of the Regulation to ensure its consistent and predictable application will help maximise the efficiency of the current system and contribute to increasing the competitiveness of EU agriculture, while continuing to protect health and the environment. With this in mind, ECPA makes the following recommendations:

- Involve Member States in the drafting of guidance documents
- Regular dialogue between all experts from evaluators and applicants
- Ensure the European Commission and Member States remain risk managers
- Increase the efficiency of the zonal system for Plant Protection Products authorisations and renewals

Availability of conventional active substances

The number of conventional active substances is indeed continually decreasing. This means farmers have access to fewer efficient tools to help them protect their crops, which brings with it a number of possible consequences, not least on the economy, trade, employment, yield, the environment, and the development of resistance. ECPA member companies are involved in the development of new solutions based on non-conventional substances, but their functions and application patterns have limitations, which often cannot make them a direct replacement for conventional active substances.

A recent study⁴ estimated that 75 out of the 400 active substances available to farmers might be withdrawn from the market as a direct result of hazard-based assessments. The same report underlines how important it is that EU farmers have access to the tools they need not only to stay competitive, but to reduce CO₂ emissions (CO₂ emissions from crop production would be 47% higher without these 75 substances) and protect jobs (540,000 jobs rely directly on the viability of staple and specialty crops).

1 Scientific Advisory Mechanism report: EU Authorisation process of plant protection products (2018)
https://ec.europa.eu/research/sam/pdf/sam_ppp_report.pdf#view=fit&pagemode=none

2 Ecorys Study supporting the REFIT Evaluation of the EU legislation on plant protection products and pesticides residues (Regulation (EC) No 1107/2009 and Regulation (EC) No 396/2005) available here: <https://publications.europa.eu/en/publication-detail/-/publication/5f718af5-d349-11e8-9424-01aa75ed71a1>

3 European Implementation Assessment. Regulation (EC) 1107/2009 on the Placing of Plant Protection Products on the Market available here: [http://www.europarl.europa.eu/RegData/etudes/STUD/2018/615668/EPRS_STU\(2018\)615668_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2018/615668/EPRS_STU(2018)615668_EN.pdf)

⁴ Steward Redqueen. Cumulative impact of hazard-based legislation on crop protection products in Europe. Final report. 21 July 2016.
http://www.stewardredqueen.com/uploads/nieuws/cumulative_impact_of_hazard_based_legislation_on_crop_protection_products_in_europe.pdf 1

Without access to these 75 substances staple crops⁵ would face a decrease in yields of 10-40%. Specialty crops will be highly affected and could lose up to 85% of their yields. This situation is especially prevalent in the Mediterranean countries where the farmers' toolbox is already extremely limited. Fewer options for farmers to protect their crops also means a greater risk of the development of resistance.

Removing crop protection products will leave farmers exposed to high risks from invasive species (such as *Xylella Fastidiosa* which has decimated olive crops particularly in Italy) and no solutions to mycotoxin forming diseases (such as those caused by ambrosia pollen – a particular concern for a number of European countries).

Need for certainty: Use of derogations suggests flaws in the system

Certainty and predictability are the conditions necessary to encourage the development of alternatives. The crop protection industry invests over €3 billion a year to develop ever better, ever safer products for the market. As a principle ECPA does not support regulation by derogation, as it does not provide the necessary predictability for multi-year investment or enable planned production and supply to the market. The increased use of article 53 emergency authorisations is a symptom of some of the difficulties in implementing Regulation 1107/2009, notably the reduced availability of EU approved active substances, the length of the procedures and the lack of available products for minor uses and specialty crops. Arbitrarily limiting the use of article 53 without solving the root cause of these difficulties, would only result in further limiting the solutions available for farmers to control invasive species, serious pests and diseases, and to manage resistance. In order to reduce reliance on article 53, steps should be taken to improve the current functioning of the Regulation.

CONCLUSIONS

We would urge Ministers to respond to the specific questions presented in the note from the Belgian delegation as follows:

- Note the risks to European Agriculture and Environment from current, emerging or future threats and call on all parties to ensure that the broadest possible range of effective control mechanisms is available to European farmers and public authorities;
- Support the development of new alternatives provided that they secure the appropriate level of crop protection;
- Encourage a predictable environment for farmers with a broad set of tools to control pests;
- Support a political and regulatory environment that would encourage continued investment in Europe in the development of alternatives, and the application of innovation in agriculture more broadly;
- Recall that the range of EU approved control tools for agriculture has been radically reduced in the last 15 years and action is now urgently required to ensure that risk assessment and risk management decisions are evidence based and are not unduly conservative to the extent that they are removing thoroughly assessed, previously approved substances from the market at an alarming rate, whilst preventing new innovations from becoming available in Europe.

⁵ Staple crops include: wheat, barley, maize, oilseed rape, potatoes, sugar beet and grapes. Specialty crops include: durum wheat, carrots, apples, beans, hops, onions, brassica, mushrooms, rice, tomatoes (open-air and greenhouse produces), pears, peaches/nectarines, soy, hazelnut, olives, tulip bulbs, apple trees, bell peppers, black currants, citrus fruits, cherries, sun-flowers and peas for selected countries.