



Brussels,

19.02.2009

SANCO/E3/WR/sf (2009) D/530165

Dear Mr Howatson,

Subject: Draft European regulation on placing plant protection products on the market.

I thank you for your letter of 8 January 2009, which was originally addressed to Commissioner Fischer Boel and then sent to Commissioner Vassiliou, who has asked me to reply on her behalf.

In your letter you express your concerns about the possible impact of the new Regulation on placing plant protection products on the market.

The Commission presented its proposal for a Regulation on placing plant protection products on the market¹ after a broad consultation of stakeholders. The objective of this proposal is to reduce risks to human health and the environment from the use of pesticides consistent with the necessary level of protection against pests. An impact assessment, which has been carried out by an external consultant, assisted the Commission to select the measures with optimal economic, social and environmental impacts allowing to achieve this objective. Our analyses showed that the new legislation will not significantly affect the market once it becomes effective.

After intensive discussions, a large majority of Member States on 18th December 2008 and of the European Parliament on 13th January 2009 supported a compromise text which maintains the definition of clear criteria for the approval of active substances to be used in plant protection products.

¹ COM (2006) 388

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The Commission has examined the effect of the proposed criteria and concluded that they might lead to the withdrawal of a limited number of active substances. This was similar to the conclusions drawn by the Swedish Chemicals Agency KEMI in its assessment and in a revised assessment presented by the Plant Safety Directorate (PSD) of the United Kingdom².

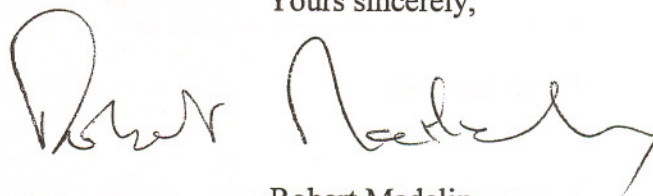
In addition to the Commission and Member States also the European Parliament examined the possible effect of the approval criteria: the department "Economic and Scientific Policy" of the European Parliament provided an own assessment of the impact of the approval criteria on human health, which is based on a report made by an independent consultant³. This report concluded that even hazard-based cut-off criteria could be expected to have a positive overall economical impact.

The Commission is of the opinion that no statistically robust analysis can be done to extrapolate food prices into a future when the approval criteria of the proposed Regulation would become fully operational for the market (2016 and beyond). Monofactorial analyses, which only take into account the availability of a certain plant protection product, but ignore important production factors for farmers, like energy prices or effects of global warming, are too simplistic to give a realistic picture of the possible impact of the new Regulation in the future. The same uncertainty applies to quantification of costs and benefits which are linked to the approval or non-approval of distinct active substances, as shown in the Impact Assessment done by the Commission on the Thematic Strategy for a sustainable use of pesticides⁴.

The Commission believes that the compromise text is well balanced and gives attention to the problem of availability to farmers of plant protection products, whilst ensuring a high level of protection of human health and the environment. Moreover it will create incentives for the development of new safer products and will contribute to a more sustainable, knowledge-based and competitive farming sector in Europe.

I hope that this information reassures you as to the attention which is being given to the problem of availability to farmers of plant protection products, whilst ensuring a high level of protection of human health and the environment.

Yours sincerely,



Robert Madelin

² <http://www.pesticides.gov.uk/environment.asp?id=1980>

³ <http://www.europarl.europa.eu/activities/committees/studies/download.do?file=22471>

⁴ SEC(2006) 894