

Pesticides - The EU's new legislative framework

*What do the hazard criteria
mean?*



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Where I want to take you...

- The future of science
- The influence of NGOs
- *Precautionary principle*
- Impact on agriculture and food
- And other considerations...?

Where we stop on the way...

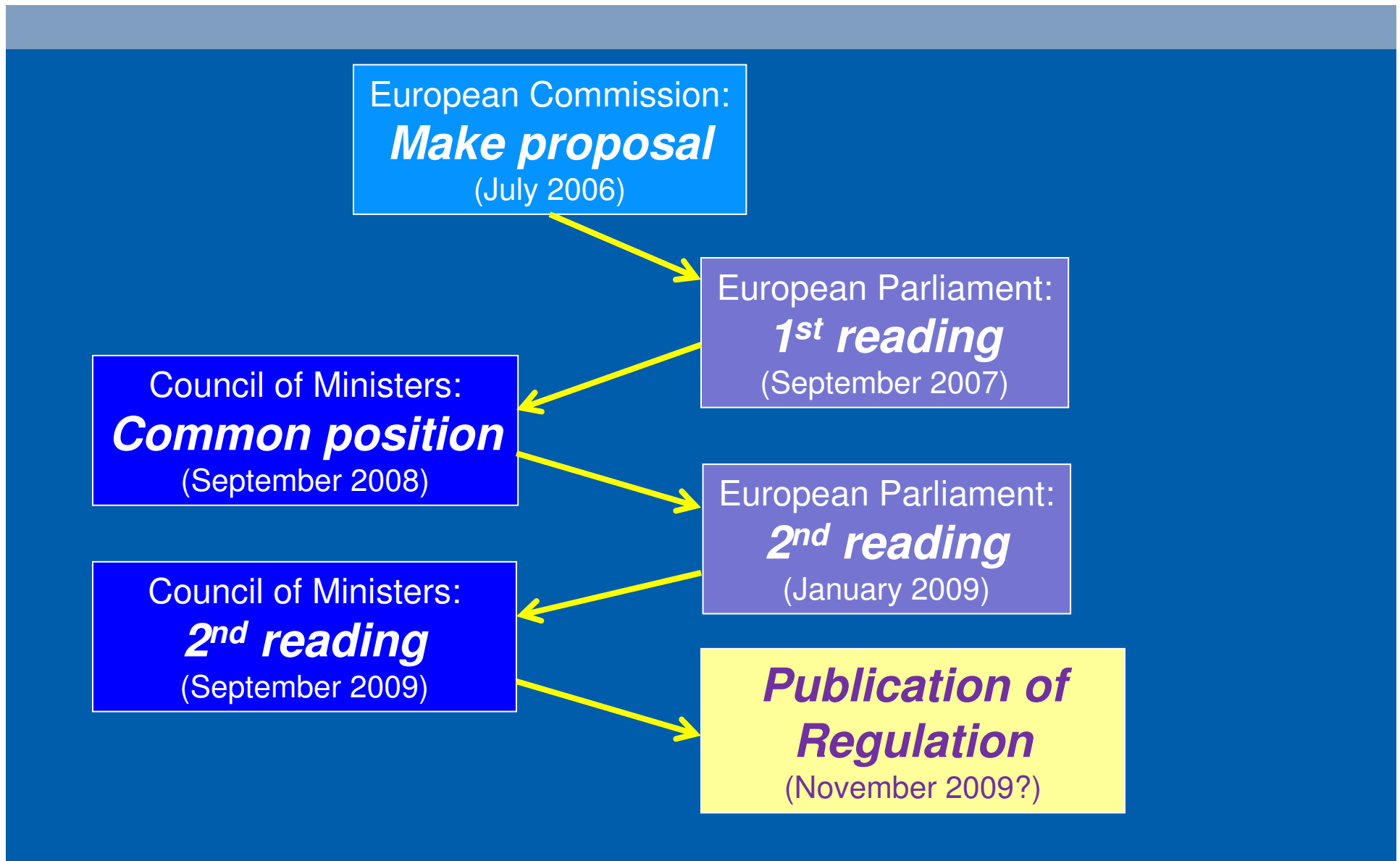
- *New EU legislation introduces hazard criteria in evaluation of plant protection products*
 - *How did the legislative process evolve*
 - *What are the criteria*
 - *Putting 'hazard' into context*
 - *Impact on substances and agriculture*
 - *Are there any trade issues?*
 - *Are there knock-on effects?*

Current situation

Legislative framework for plant protection products in the European Union

- **Directive 91/414/EEC** currently in place
- New Regulation was agreed between Council & Parliament in January 2009
- Publication of the Regulation is expected in late 2009

How the legislative process evolved



Cut-off criteria

- The evaluation of active substances has an additional layer which looks at hazard only
 - Risk is considered only in the second phase
- Substances will be banned only when they are reviewed

The criteria include:

- *Persistent Organic Pollutants*
 - *PBTs (Persistent-Bio accumulative-Toxic)*
 - *vPvB (Very Persistent-Very Bio accumulative)*
 - *Cat. 1 CMRs (Carcinogenic – Mutagenic(&2) - Reprotoxic)*
 - *Cat. 2 Carcinogenic & Reprotoxic*
 - *Endocrine disruptors (ED)*
- **Derogation depending on agricultural need**

How did we end up here?

Cut off criteria introduced late in the process:

- They were not considered in the Commission's initial impact assessment
- Decision taken without any detailed assessment of the economics and science
- Commission refused to request independent scientific advice at a late stage

Putting '*hazard*' into context

Four criteria to ban plant protection products:

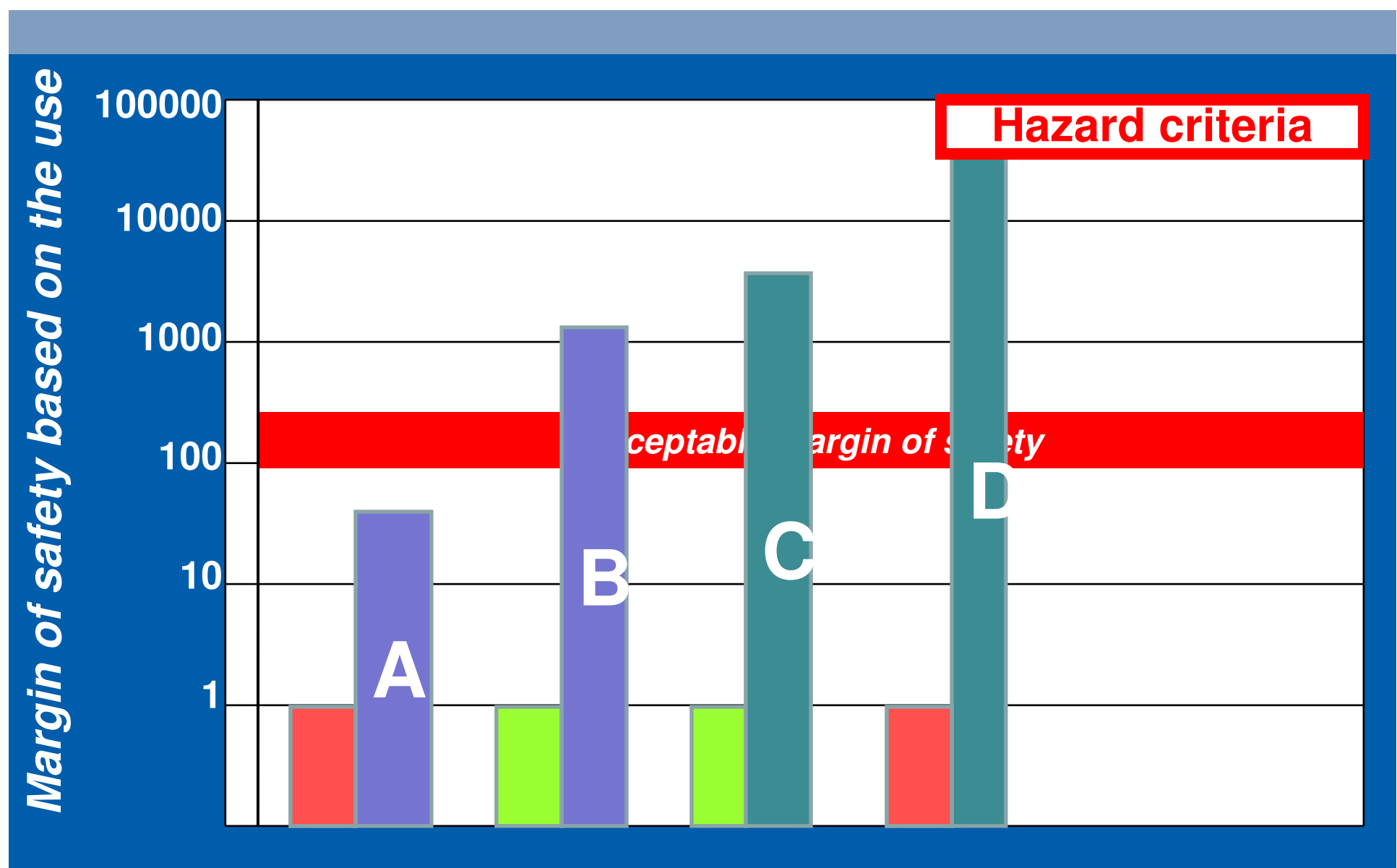
- *Carcinogen*
- *Mutagen*
- *Toxic to reproduction*
- *Endocrine disruption*

EU view of alcohol:

- Carcinogen: Category 1 or 2
- Mutagen: Category 2
- Toxic to reproduction: Category 1
- Endocrine disruption: Yes?

➤ **But risk of alcohol is managed!!**

Reducing risk with hazard criteria...?



Cut-off criteria – *Potential impact*

The legislation:

- **DOES** introduce hazard ‘cut-off’ criteria
- **DOES NOT** include a list of substances that will be affected
- Some authorities have assessed potential impact
- Assessment depends on the criteria
- Industry evaluation disputed – but similar!!
- Around 20 substances could be affected

Cut-off criteria – *Agricultural impact*

- Certain classes of chemicals are at risk, especially fungicides
- *The loss of fungicides would potentially lead to a yield loss in the UK of:*
 - *20% for wheat*
 - *25% for vegetable brassicas*
 - *22% for potatoes*
- **Concerns about supermarket reactions and possible “secondary standards”**

Trade issues?

Cut-off criteria raise concerns about impact on third country trade

- EU may question use in third countries
 - No consideration of agricultural need in those countries
- Third country governments may follow EU model in regulatory processes...

Knock on effects?

Potential impact beyond the agricultural markets

- EU argue that the legislation has no direct effects on 'biocidal uses'
 - *No consideration given to secondary effects*

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■ The influence of NGOs

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■ And other considerations...?

White EU man speak with forked tongue...

Pesticides

It is obvious that removing some active substances with such extremely hazardous properties... would not have a detrimental effect on human health and the environment

Letter from Commissioner

Cosmetics

The automatic ban... for CMR 1 & 2 substances made regulation of cosmetics dependent on a hazard-classification...
This could lead to absurd situations

Commission cosmetics proposal

Hazard criteria in policy making: Perception and reality..



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Quotes...

“Fear always springs from ignorance”

Ralph Waldo Emerson

***“There is nothing more frightful than
ignorance in action”***

Johann Wolfgang von Goethe

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Conclusion

- The EU process has an additional layer which looks at hazards only
 - The focus on hazard will not reduce risk!!!
- Need to consider (negative) knock-on effects:
 - Food production, security and safety
 - Future research
 - Developing countries
 - Consumer confidence
- Science has a key role to play in future
 - ‘Perception legislation’ not acceptable

Thank you!!

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