



EUROPEAN COMMISSION

HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

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**Summary report of the Appeal Committee**  
***Phytopharmaceuticals - Plant Protection Products - Legislation***  
**27 NOVEMBER 2017**

**SUMMARY**

**Section B**     **Draft(s) presented for an opinion**

**B.01 Exchange of views and possible opinion of the Committee on a draft Commission Implementing Regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011**

**Legal Base:** Article 20(1) of Regulation (EC) No 1107/2009

**Procedure:** Opinion of the Committee via the examination procedure

The Chair recalled the pertinent aspects relevant to the Commission's proposal to renew the approval of glyphosate, including the reasons why the Commission proposed to set the period for renewal of approval at 5 years and why a renewal was the correct measure to take rather than an extension of approval, as proposed by some Member States previously.

The Chair then introduced the draft Commission Implementing Regulation concerning the renewal of the approval of glyphosate for use as an active substance in plant protection products, which was the same as that voted on at the Standing Committee on Plants, Animals, Food and Feed (PAFF) on 9 November 2017.

As the PAFF Committee had not delivered an opinion at that meeting the draft had been referred to the appeal committee pursuant to Article 5(4) of Regulation (EU) No 182/2011 of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers.

The Chair informed the Committee that the Commission acknowledges that transparency is essential to maintain trust in the regulatory system and is taking into account the requests related to transparency in the ongoing European Citizens' Initiative (ECI) "Ban glyphosate and protect people and the environment from toxic pesticides". He informed that the Commission is examining options on

how to clarify and optimise the transparency rules applicable to scientific studies which are the basis of scientific assessments and will come up with proposals in due course. This will be further explained in the Communication that the Commission will adopt in response to the Citizens' Initiative.

In addition, the Chair informed the Committee that the Commission will ask the World Health Organisation (WHO) to clarify whether differences remain between the assessment of glyphosate carried out by the International Agency for Research on Cancer (IARC) and the Joint FAO/WHO Meeting on Pesticide Residues (JMPR).

In line with the rules of procedure of the Appeal Committee which require the Chair to endeavour to find solutions that command the widest possible support, the Chair asked Member States if they had any suggestions for modifications of the draft Implementing Regulation as tabled that would allow those that had not supported the Commission's proposal at the last meeting of the PAFF to do so now.

One Member State supported the Commission's commitments on transparency and on asking the WHO for clarification with regards to the assessment of glyphosate. In addition they requested to amend the Annexes to the draft Implementing Regulation to include references to the need for Member States to pay particular attention to the protection of amateur users and to the impact of glyphosate on biodiversity when carrying out assessments for plant protection products containing glyphosate.

One Member State continued to support the draft Commission Implementing Regulation but also requested to launch an in-depth study into the impacts of glyphosate on ecosystems to be carried out in the EU by 2020.

Three Member States that had abstained during the vote at the PAFF Committee on 9 November 2017 - as they considered that a longer period of renewed approval was justified – changed their position to support the proposal for a 5-year renewal in a spirit of compromise.

In reaction to the requests from the first Member State, the Chair presented a revised version of the Annexes to the draft Implementing Regulation to the Member States.

The Chair then proceeded to the formal vote with the following outcome:

- 18 Member States voted in favour (representing 65.71% of the EU population)
- 9 Member States voted against (representing 32.26 % of the EU population)
- 1 Member State abstained (representing 2.02 % of the EU population)

Result of the vote: **Qualified Majority in favour.**

Two Member States voted against as they wanted a renewal or extension of approval for a maximum period of 3 years.

One Member State voted against as it could only support a 3-year extension of the current approval, followed by a phase-out period of two years.

Three Member States voted against due to political and societal sensitivity and environmental concerns.

One Member State voted against without any explicit reason.

One Member State voted against as it considered a 5-year renewal period as too long.

One Member State voted against as its national parliament had adopted a formal position against any period of renewal or extension of approval.

One Member State abstained without giving any explicit reason.