



EUROPEAN COMMISSION

**Cabinet of Commissioner John Dalli
Head of Cabinet**

Brussels, 4 November 2010
CAB D

Dear Mr Muilerman,

Thank you for your letter of 12 September 2010, in which you bring forward some concerns for possible further discussion with Commissioner Dalli.

Commissioner Dalli is highly committed to an open and transparent dialogue with all relevant stakeholders representing the different policy fields, without preferential treatment to one or the other group. To this end, the Health and Consumers Directorate General regularly consults stakeholders in a double approach: First, and more process-oriented within the Stakeholder Dialogue Group. Secondly direct participation of stakeholders is requested in face-to face-meetings with representatives or by invitation of experts identified by stakeholders to participate in technical expert groups.

This open approach also includes stakeholders' involvement in actions taken by the Commission in order to fulfil its obligations as regards Directive 2009/128/EC, establishing a framework for Community action to achieve the sustainable use of pesticides. I am confident that also Member States, when establishing and revising their National Action Plans, will foresee sufficient public participation in this action. In any case, I can assure you that the Commission will keep stakeholders informed on information submitted by Member States on their National Action Plans in accordance with the provisions of Article 4 of the Directive.

DG Health and Consumers is closely monitoring the preparation of the new Common Agricultural Policy and we will not only defend the policy areas under Mr Dalli's responsibility but also seek for possibilities to strengthen them further.

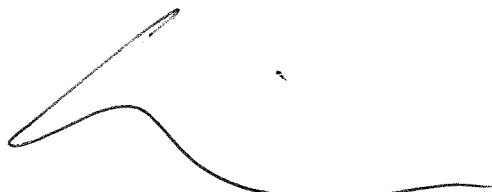
As you indicated, the European Food Safety Authority (EFSA) plays a very important role in providing independent scientific advice to the Commission. This is also true for the drafting of guidance documents within EFSA's Panels, where the Commission has no direct say in the work done by the EFSA scientists. Nevertheless, the Commission is of course keen to supervise the correct implementation of the existing legislation also by EFSA and will not accept formulations which could be interpreted as not being lawful.

Pesticide Action Network
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I can assure you that the responsible services in DG Health and Consumers are aware of the draft guidance document you mentioned, and that they will assist EFSA in interpreting the legal obligations from Article 8(5) of Regulation (EC) No 1107/2009 in a way which is in line with the text of that Regulation. I understand that after some direct discussion between the service involved in EFSA and the DG, a letter is currently under preparation which will further clarify this matter to EFSA.

Concerning the assessment of active substances, I would like to stress the fact that the Commission takes decisions on the basis of current scientific and technical knowledge, as reflected in the EFSA conclusions.

Yours sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and curves, starting with a large upward stroke on the left and ending with a long horizontal tail on the right.

Joanna Darmanin