

## **AGRAFACTS No48-20 (24/06/2020)**

**SANTE NEWS: Ombudsman questions ag-chem approvals; Bayer opposes glyphosate ban; Ombudsman questions ag-chem approvals:** The European Ombudsman Emily O'Reilly has written to Ursula von der Leyen seeking the Commission chief's views on issues related to how the EU's executive has been carrying out approvals of chemicals used in agriculture. In a 3-page letter (dated June 22), the Irish woman highlights to von der Leyen concerns originally raised by the Pesticide Action Network (PAN), giving her preliminary findings in a further 12 pages of annex.

The inquiry, O'Reilly explains, focuses on the "Commission's approval of active substances for which the European Food Safety Authority (EFSA) has identified areas of concern or no safe uses," as well as on the way the Commission "uses the procedure by which it approves an active substance but requests additional data to confirm its safety." The Ombudsman reminds von der Leyen that "the Commission can approve active substances only if they are not expected to have any harmful effect on human or animal health or any unacceptable effects on the environment." However, the food safety watchdog has confirmed that the Commission didn't ask for clarifications in the absence of certain information concerning the active substances flazasulfuron, which is a herbicide, isofetamid (fungicide), & epoxiconazole (also a fungicide). "This inquiry suggests that the Commission, as risk manager, took it upon itself to fill the gaps, which EFSA had not been able to assess," the Dublin woman, with Co. Offaly roots, explains. She complains that "the relevant section in the review reports does not clearly explain why the Commission approved the substances in question, in spite of EFSA's conclusions."

The former journalist also raises concerns over the Commission's use of the 'confirmatory data procedure' under which it can go back to applicants for more information. She reminds the Commission boss that she has already said the procedure should be used "with particular caution & restraint." Given that the Commission acknowledges that for active substances approved under this procedure since 2015, confirmatory data on the effect of treatment processes on the nature of residues in water has not yet been provided, "as the necessary guidance document does not yet exist." "I find it concerning," she says, that there's no sign of the guidance being finalised. She also notes that although EFSA argues that applicants should be allowed to submit data without guidance, the Commission disagrees. "The Commission is therefore likely to continue approving substances, through the confirmatory data procedure, where applicants do not provide information on the effects on water," O'Reilly notes, stressing that "the Commission should apply particular caution & restraint in using the confirmatory data procedure to approve substances missing this important information." The Ombudsman has given von der Leyen until Sept 30 to respond.