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Biodiversity protection against pesticides: EU Ombudsman condemns the European Commission for slyly relying on an industry expert!

DG Sante is proposing a new approach to define the level of protection of nature against pesticides: the Specific Protection Goals (SPG) for Ecosystem Services. This approach is supported by the chemical industry and, in particular, by professor Maltby (UK)¹. Without any request for Pr. Maltby's declaration of interest, DG Sante invited her as the main independent expert in a workshop dedicated to SPGs. Ms. Maltby has designed this new approach, jointly with chemical industry (CEFIC, the industry umbrella organisation) in the past 10 years and was paid by CEFIC for this.

The failure of DG Sante in asking Ms. Maltby to fill out a 'Declaration of Interest' (DoI) prompted PAN Europe to send a written complaint to the EU Ombudsman in September 2020. Only when PAN Europe protested against this major conflict of interest, a DoI was written, but only after the meetings the Commission, EFSA and Member States had with Ms. Maltby. DG SANTE also failed to control the DoI and only did so after the Ombudsman initiated its investigation.

In its conclusions², the Ombudsman opposed DG SANTE's views that Ms. Maltby had only a minor role and suggested DG SANTE to improve the policy and emphasised the importance of always requesting for a DoI from invited experts.

Hans Muilerman, Chemical officer at PAN Europe said: "Conflicts of Interests in the EU pesticide management seem to be an endless story: this new example shows how little importance DG Sante gives to the necessity to involve truly independent experts. DG Sante is pushing hard to promote its Ecosystem Services approach, with the help of a CEFIC-linked scientist, while there is no single evidence that this will lead to the protection biodiversity needs."

Martin Dermine, Policy Officer at PAN Europe added: "This Ecosystems Services approach is a black box: it seems to be a new strategy to postpone improvements on protecting wildlife. This is a part of the schizophrenic approach from the European Commission: on the one hand, strong objectives of biodiversity restoration at Commissioners' level through the Biodiversity Strategy but then the pesticide unit from DG Sante is at the steering wheel and prevents things from improving, teaming up with CEFIC".

Pesticides are one of the foremost factors leading to a decline of birds, bees, insects, etc.³ The past few years have seen scientists, NGOs, and several member states asking for revisions of the guidelines on pesticides for better environmental protection. Instead of quickly improving the current guidelines and developing new ones to improve biodiversity's protection, DG SANTE proposes to adopt a new system for the protection of biodiversity. It is called 'Ecosystem Services for humans', a controversial system that only protects parts of the ecosystem. It protects those parts that delivers human services, while human services even can overrule demonstrated harm for biodiversity. This new system was co-designed by Ms. Maltby with help of industry and EFSA.

PAN Europe criticizes the system heavily as it fails to protect biodiversity fully, flouts pesticide regulations and will lead to environmental damage. This approach, if allowed, will lead to another 10-years of time wasted on a flawed industry-designed system, with the result that biodiversity remains unprotected and at risk in agricultural areas.

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¹ <https://www.sheffield.ac.uk/biosciences/people/academic-staff/lorraine-maltby>

² <https://www.ombudsman.europa.eu/en/case/en/57609>

³ Francisco Sánchez-Bayo, Kris A.G. Wyckhuys, Worldwide decline of the entomofauna: A review of its drivers, *Biological Conservation* 232 (2019) 8–27