

Food and Feed Safety Simplification Package – what is relevant for plant protection products?

Conference: Protect our Health, Water &
Biodiversity from Pesticides
6 October 2026, Dublin

Klaus Berend, Director Food Safety, Sustainability and Innovation
Directorate-General Health and Food Safety



Food and feed simplification package - Context

Goals

Contribute to overarching EC objectives:

- **Streamline and further harmonise** the EU regulatory framework
- **Increase competitiveness** and resilience of EU food and feed systems
- **Achieve the abovementioned simplification targets** of reducing regulatory burden by the end of the mandate.



Objectives

Faster access to markets and innovation under existing rules

Lower administrative burdens for economic operators and public authorities

Remove unnecessary complexity in risk management

Food and Feed Safety Simplification Package

Targeted simplification for safer, smarter, and more competitive food systems

CLUSTER 1 -> FASTER ACCESS TO MARKETS AND INNOVATION UNDER EXISTING RULES

Regulation (EC) No 1107/2009 Measures to accelerate procedures for biocontrol substances and products

Directive 2009/128/EC Facilitate aerial spraying of plant protection products by drones

CLUSTER 2 -> LOWERING ADMINISTRATIVE BURDENS

Regulation (EC) No 1107/2009 Simplification beyond biocontrol – examples are on next slides

Regulation (EU) No 528/2012 Biocidal Products Regulation (BPR): data protection, union authorisation, approvals

Regulation (EC) No 396/2005 Maximum Residue Levels (MRLs): terminology, transitional periods, import tolerances

Regulation (EC) No 1829/2003 Clarification of legal status obtained by fermentation using GMMs

Regulation (EC) No 1831/2003 Feed additives: changes and renewals of authorisations, labelling

Regulations (EC) Nos 852/2004 & 853/2004 Notification of national hygiene measures

Regulation (EC) No 1099/2009 Depopulation reporting

Directive 98/58/EC Record-keeping for farmers (treatments & mortalities)



Food and Feed simplification package - Format

Organised in 3 proposals:

1. Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending **Regulation (EU) No 528/2012** as regards the **extension of certain data protection periods**
2. Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council **Directive 98/58/EC** and **Directive 2009/128/EC** of the European Parliament and of the Council as regards the **simplification and strengthening of food and feed safety requirements**, and repealing Council Directives 82/711/EEC and 85/572/EEC
3. Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending **Regulations (EC) No 999/2001, (EC) No 1829/2003, (EC) No 1831/2003, (EC) No 852/2004, (EC) No 853/2004, (EC) No 396/2005, (EC) No 1099/2009, (EC) No 1107/2009, (EU) No 528/2012, (EU) 2017/625** as regards the **simplification and strengthening of food and feed safety requirements**



Regulation (EC) No 1107/2009

Faster access to markets and innovation: biocontrol substances and products

ISSUES

- New biocontrol products face long delays in reaching the market
- Farmers lack access to safer alternatives for crop protection while the chemical toolbox is shrinking

SIMPLIFICATION MEASURES

- Clear definition of biocontrol substances
- Member States must give priority to the assessment of applications for approval of new biocontrol active substances & authorisation of products containing them
- Possibility for Member States to grant provisional product authorisations while approval procedures for new biocontrol substances are still ongoing.
- One zone for product authorisations and reinforced zonal and mutual recognition (tacit agreement if 120-day deadline is not met)
- EFSA can take the role of rapporteur Member State for initial risk assessment (need for extra resources)
- Waiving of the record-keeping obligations for farmers for biocontrol products

EXPECTED BENEFITS

- Accelerated placing of biocontrol plant protection products on the EU market
- Reduction of burden for operators
- 5 • Strengthening innovation, sustainability, and competitiveness in EU farming



Regulation (EC) No 1107/2009

Lowering administrative burdens: further simplifications

ISSUES

- Procedures for renewals of approval of active substances consume majority of resources in Member States and EFSA – leading to chronic delays and preventing innovative products reaching the market
- Mutual recognition not functioning properly; unequal access for farmers to plant protection products across Member States
- Legal uncertainty of provisions related to data protection, seed treatment, and basic substances

EXPECTED BENEFITS OF PROPOSED CHANGES (see next slides)

- Faster, more predictable processes for applicants
- Greater harmonisation and equal access to plant protection products across the EU.
- Reduction of burdens for companies, Member States authorities and EFSA without lowering safety



Regulation (EC) No 1107/2009

FURTHER SIMPLIFICATION MEASURES (1)

- Possibility for unlimited approvals for active substances with exceptions:
 - candidates for substitution (substances with problematic hazard properties)
 - substances approved under the derogation possibility set out in Article 4(7)
 - active substances for which a limited period of renewal is set in the light of relevant uncertainties emerging from the risk assessment including as a result of data gaps
 - transition measure: ongoing renewal procedures (~200) will continue
- Safeguards to maintain high level of protection:
 - Product authorisations remain limited (maximum 15 years) and subject to review and renewal
 - Obligation for Commission and Member States to periodically select substances with unlimited approval periods for full renewal or targeted reassessment (new provision – also applicable to substances with limited approval periods) – Possibility for review at any time (Art.21) and emergency measures (Art. 69) maintained.
- Article 4(7) derogation allows approval for 5 years of active substances not meeting all approval criteria if they are necessary to control a serious danger to plant health or plant production – substances with the most severe hazards are excluded from this possibility. The obligation for Member States to submit a phasing out plan is removed.
- Longer grace periods when no reasonable alternatives are available – max of 3 years instead of 18 months



Regulation (EC) No 1107/2009

FURTHER SIMPLIFICATION MEASURES (2)

- Simplification for applications for extensions of authorisations to minor uses
- Restoration of EU-wide data protection periods (instead of ‘per Member State’)
- Clarification related to “current scientific and technical knowledge” for product authorisation assessments: latest EU assessment is applicable - if Member States consider that an update is needed they must ask the Commission to act to launch an appropriate procedure i.e. renewal, targeted reassessment or full review.
- Clarification of provisions for basic substances (including for product marketing and possibility for dual approval of basic/active substances) – currently Member States apply divergent rules.
- Clarification of provisions related to seeds treated with plant protection products, which Member States do not apply in a harmonised way.



Regulation (EC) No 396/2005

Lowering administrative burdens – Maximum Residue Levels:

ISSUE

- Residues of substances not approved under Regulation (EC) No 1107/2009 due to particularly hazardous properties (*) may still be present in imported products if EFSA has confirmed that they are safe for EU consumers. This situation has been perceived as unfair by some stakeholders and some political groups in the European Parliament.

SIMPLIFICATION MEASURE

- Possibility for implementation on a case-by-case basis of the principle announced in the Vision for Agriculture and Food that the most hazardous pesticides banned in the EU for health and environmental reasons will not be allowed back to the EU through imported products, if considered justified after an impact assessment
- Since the term “import tolerance” is often misunderstood, it is replaced for clarity by "MRL based on a good agricultural practice in a third country".

EXPECTED BENEFITS

- Clarity for stakeholders and authorities in the MRL setting process.
- Stronger alignment of production standards applied to imported products.

(*) Substances with mutagenic, carcinogenic, or reprotoxic properties as well as endocrine disruptors that may cause adverse effects in humans and in non-target organisms. Also, substances persistent organic pollutants (POP), persistent, bioaccumulative and toxic (PBT) and very persistent and very bioaccumulative (vPvB).



Regulation (EC) No 396/2005 – other issues

Allow for transitional measures in all cases where MRLs are lowered

- Continued marketing of products compliant with earlier MRLs is limited, which creates problems for long shelf-life products of high economic value such as wine, hops, oil that were compliant with earlier (higher) MRLs when produced, leading to economic losses and food waste.
- Allowing transitional measures in all cases is more proportionate, gives farmers and food business operators legal certainty and avoids food/economic losses.

Allow the setting of permanent (instead of temporary) MRLs based on monitoring data

- Currently, the MRL Regulation allows to set temporary MRLs based on monitoring data in specific cases
- A review of MRLs after a certain period of time is mandatory and requires resources, but is not meaningful for certain substances where no changes occur. Therefore, reviews should be done in a more flexible way, case-by-case. Since permanent MRLs can be reviewed at any time, it is not necessary to set temporary MRLs.
- This approach does not compromise the high level of consumer protection, while simultaneously alleviating administrative burdens for food business operators and Member States.

Align the terminology of the technical zero by applying the term limit of quantification (LOQ).

Currently, the MRL Regulation uses “limit of determination (LOD)”, while the correct analytical term is “limit of quantification (LOQ)”. This is confusing as the acronym LOD is also the abbreviation for the “limit of detection“, which is different.



Directive 2009/128/EC

Faster access to markets and innovation - Application of PPPs by drones:

ISSUES

- Aerial spraying of PPPs is prohibited in general – Member States can grant individual derogations. Administrative burden of individual derogations is hampering development of application by drones (precision farming technology).

SIMPLIFICATION MEASURES

- Member States will be empowered to exempt certain types drones from the need for individual applications for derogation.
- Types of drones concerned to be defined in a future delegated act based on technical work to be conducted by EFSA and Member States experts.

EXPECTED BENEFITS

- Enabling innovation of drone technology under safe conditions will allow more targeted pesticide application and help protect human health and the environment.



Overall impacts & cost-savings



LEAN, FASTER SYSTEMS LEAD TO SUBSTANTIAL SAVINGS

- Abolishing systematic renewals of approvals/authorisations contributes most.
- Streamlined procedures & risk-based controls also reduce administrative burden.
- **Cost savings:**
 - €428 m/year (businesses, including €227 m/year for SMEs) +
 - €661 m/year (public authorities)
 - = > €1 billion/year



CLARITY & PREDICTABILITY WITH A FOCUS ON RISK & ENABLING INNOVATION

- Remove grey zones or duplications as provisions are clarified.
- Faster time-to-market for innovative solutions: **SMEs benefit most.**
- Safety levels remain unchanged.
- Science-based assessment continues + review & withdrawal powers remain.

Thank you for your attention!

For further informationen:

<https://ec.europa.eu/food/plant/pesticides>

https://food.ec.europa.eu/horizontal-topics/simplification-legislation_en

Disclaimer: All views expressed are purely personal and cannot be considered the official position of the European Commission.