

To:**European Commission****DG for Health and Food Safety**

Pesticides and Biocides Unit – SANTE/E4

F101 04/64

B-1049 Brussels/Belgium

Date: 3rd April, 2019**Cc: EFSA**

Pesticide Peer Review

Subject: Request to revise the Guidance Document for Non-target arthropods

Dear Madam or Sir,

In 2018 the ecotoxicology experts of several Member States responsible for the risk assessments of plant protection products and active ingredients expressed their concerns regarding the current risk assessment scheme for non-target arthropods. This letter intends to underline the urgency to update the current Guidance Document on terrestrial ecotoxicology.

Generally, the legal framework for PPPs according to Commission Regulation (EC) No 1107/2009ⁱ, Commission regulation (EU) No 283/2013ⁱⁱ and Commission regulation (EU) No 284/2013ⁱⁱⁱ requires consideration of impacts on non-target species, on their ongoing behaviour and impacts on the biodiversity and the ecosystem, including potential indirect effects via alteration of the food web.

The current risk assessment scheme^{iv} for non-target arthropods dates back 20 years and focusses on the protection of beneficial insects in the agricultural landscape. Under mandate M-2009-0002 the Panel on Plant Protection Products and their Residues (PPR) on request by EFSA, the European Food Safety Authority, started to develop and update the guidance documents on terrestrial ecotoxicology. As pointed out in the “Scientific Opinion addressing the state of the science on risk assessment of plant protection products for non-target arthropods”, the current risk assessment does not protect insects as it should according the abovementioned legal framework. A number of deficiencies have been identified leading to a conflict of the practical assessment conducted by EFSA and national authorities with the legal requirements as outlined above. Points, which should be improved, include, among others, the lack of protection goals, the selection of the standard species, the use of the vegetation distribution factor, design and use of field studies, consideration of recovery and indirect effects, landscape level effects and multiple stressors.

Evidence on sharp declines in arthropod abundance and diversity is mounting (e.g. Hallmann et al. 2017^v, Shortall et al. 2009^{vi}, Potts et al. 2016^{vii} Sánchez-Bayo and Wyckhuys 2019^{viii}). In addition, the reduction of farmland birds in several EU member states alarmed risk assessors, although this may not come as a surprise as the fate of flora and fauna is interlinked (e.g. Thomas et al., 2004^{ix}). The current risk assessment tolerates large reductions of arthropod populations in the agricultural fields and does not aim to prevent food web effects of PPPs that threaten farmland birds^x. Considering the

obvious deficiencies in the current scheme it becomes increasingly difficult to justify performing the current risk assessment against better knowledge.

Since 2015 work on several guidance documents and opinions in the field of ecotoxicology has started and in some cases even finalised (e.g. bats, amphibians and reptiles, and birds and mammals). Whilst this progress is highly appreciated by the experts there is increasing concern and urgency to update the non-target arthropod guidance facing the real world situation for arthropods.

As a result initiatives of experts in the central zone (Harmonisation meeting of the central zone in Dessau, DE, 2018) as well as on EU level (Ecotox general meeting 185) aimed at amending at least parts of the current risk assessment scheme for arthropods leading to a more robust assessment in accordance with the requirements of Commission Regulation (EC) No 1107/2009. Proposals for improvement, which have been discussed, mainly concern an amendment of the vegetation distribution factor but consideration has also been given to the maximum allowed period for recovery as well as the scale of rating of effects in the off-field.

All involved member states agree on the urgency to revise the Guidance Document as soon as possible. The majority is in favour of a complete revision of the non-target arthropod risk assessment rather than an amendment in parts. The Member States therefore inform the Commission on this pressing concern.

The undersigned Member States respectfully ask the Commission to initiate the process as originally foreseen in the mandate (No. M-2009-0002 scheduled for 2015) for EFSA to revise the Guidance Document for non-target arthropods as soon as possible and to supply the authority with appropriate funds to realise a thorough revision of the Guidance Document on non-target arthropods other than bees not later than by the end of 2019.



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ⁱ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market

ⁱⁱ Commission Regulation (EU) No 283/2013 of 1 March 2013 setting out the data requirements for active substances, in accordance with the Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market.

ⁱⁱⁱ Commission Regulation (EU) No 284/2013 of 1 March 2013 setting out the data requirements for plant protection products, in accordance with the Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market.

^{iv} Candolfi MP, Barrett KL, Campbell P, Forster R, Grandy N, Huet M-C, Lewis G, Oomen PA, Schmuck R and Vogt H, 2001. Guidance document on regulatory testing and risk assessment procedures for plant protection products with non-target arthropods. Report of the SETAC/ESCORT 2 Workshop, Wageningen, the Netherlands, and SETAC-Europe, Brussels, Belgium.

^v Hallmann CA et al. (2017): More than 75 percent decline over 27 years in total flying insect biomass in protected areas. PLoS ONE 12(10). DOI: 10.1371/journal.pone.0185809.

^{vi} Shortall CR, Moore A, Smith E, Hall MJ, Woiwod IP, Harrington R. Long-term changes in the abundance of flying insects. Insect Conservation and Diversity. 2009;2(4):251–260.

^{vii} Potts S.G., Ngo H.T. et al. (2016): The assessment report of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services on pollinators, pollination and food production.

^{viii} Sánchez-Bayo, F., & Wyckhuys, K. A. (2019). Worldwide decline of the entomofauna: A review of its drivers. *Biological Conservation*, 232, 8-27.

^{ix} Thomas J.A., Telfer M.G., Roy D.B., Preston C.D., Greenwood J.J.D., Asher J., Fox R., Clarke R.T., Lawton J.H. (2004) Comparative losses of British butterflies, birds, and plants and the global extinction crisis. *Science*, 303, 1879–1883.

^x (2014): Protection of biodiversity of free living birds and mammals in respect of the effects of pesticides. UBA-
Texte 2014(30).