

Scientists point to ‘systemic’ failings in EU pesticides regulation

Robert Hodgson 21 Apr 2020 [ENDS Europe](#)

Regulatory failure means potentially unsafe pesticides are coming to market in Europe, a group of scientists have warned in a peer reviewed paper that uses the case of glyphosate to reveal “systemic” abuses in implementing EU law.

“The large market value of this product (projected to reach US\$9.91bn by 2022) was without doubt an incentive for exploiting the available weaknesses of the system, but the same causes may produce the same results for other pesticides,” they wrote in a paper published in the European Journal of Risk Regulation.

Government delegates [voted in late 2017](#) to extend EU authorisation for the near ubiquitous herbicide by five years, despite a [petition signed by 1.3 million people](#) and [controversy over the alleged practices of US agrochemical firm Monsanto](#). Germany’s Bayer, which acquired Monsanto in 2018, is one of eight firms that applied last December as the ‘glyphosate renewal group’ for a further extension beyond 2022. The application will be [assessed by France, Hungary, the Netherlands and Sweden](#).

The paper focuses mainly on the application of the EU’s 2009 regulation on marketing plant protection products (the Pesticides Regulation), and outlines types of “scientific misconduct” by applicants seeking EU authorisation for a particular substance, including the “selective use and emission” of published data, dismissing adverse effects and the misuse of historical data or analytical tools.

The authors, who hold senior positions in environmental campaign groups and academia, also drew attention to the problem of assessing the toxicity of mixtures of chemicals, an issue the European Food Safety Authority (EFSA) has [acknowledged is complicated by the “potentially infinite” number of combinations](#) that could be used in a pesticide.

“A major obstacle to resolving the issue of the toxicity of formulations is that the composition of pesticide formulations may in principle be treated as confidential business information and not disclosed, although in the interests of public health, the law should require disclosure of all components of pesticide mixtures,” the report states.

The authors note that pesticide regulation as a whole is complicated by a lack of transparency, and warn that the effectiveness of [legislation adopted](#) in the wake

of the glyphosate controversy and an EU parliamentary investigation will depend largely on EFSA's interpretation of the law.

Co-author Apolline Roger, an adviser with the legal NGO ClientEarth, recognised the strength of EU pesticide legislation. “For the most part, it is not the law that needs to be reformed, but the way it is implemented,” she said.

Another author, University of Birmingham professor Aleksandra Cavoški, said EFSA had made “significant strides” in improving its independence policy and avoiding the issue of “revolving doors” between industry and regulation. “However, EFSA’s independence policy does not go far enough to prevent conflicts of interest that may result from the provision of research funding.”

The European Crop Protection Association (ECPA), which represents major firms such as Bayer CropScience and Syngenta, rejected the paper’s assertions of scientific misconduct. It argued they were based on “selective examples and partial explanations”, but recognised that “improvements in the system are needed and can be achieved by ensuring better and stronger implementation”.

The role of pesticides in the EU's agricultural system will be central to a [forthcoming](#) ‘farm to fork’ strategy for sustainable food production.

The ECPA said it recognised public concerns over pesticide use, and the commission’s aim to reduce both risks and volumes used. “We encourage the commission to use Harmonized Risk Indicator 1, with a clear and established baseline, in order to meet the vision set out in the Farm to Fork Strategy,” director general Géraldine Kutas told ENDS, referring to one of two EU indicators of pesticide use that has shown a downward trend in recent years.

Follow-up: European Journal of Risk Regulation [paper](#); EU data on [Harmonised Risk Indicator trends](#)