Meeting between Anne Bucher, Director General of DG SANTE and the European Crop Protection Association (ECPA)

Date: 15 February 2019

Participants:

DG SANTE - Anne Bucher, Matthew (SANTE);

European Crop Protection Association - Mr Jean Philippe Azoulay (Director General),

Report:

It was a courtesy meeting, requested by ECPA, in order to present their industry and discuss the future of crop protection in Europe. An open and frank discussion took place about a number of issues.

The meeting started with positive mention of the recent political agreement on the General Food Law revision (the third trialogue took place on 11 February). ECPA expressed satisfaction with the outcome, calling it a “game-changer” for the crop protection industry. The industry understands that it is in its interest to be seen as transparent, and wants to change. Their concerns about the disclosure of confidential business information and about intellectual property rights seem to be alleviated in the final agreed text. ECPA counts on the Commission to guarantee controlled disclosure. In that respect, ECPA pointed out the procedure that is currently followed by the European Medicines Agency (i.e. downloading is only possible for those who had set up an account, and signed a disclosure clause) and asked that EFSA replicates a similar procedure. SANTE will reflect about this proposal, however reminded that it is the responsibility of EFSA to set up a workable system and that the system to be set up should not undermine the proactive nature of the public disclosure, nor the easy accessibility to the disclosed documents.

ECPA provided data about the crop protection industry and their member companies. About 600 synthetic active ingredients are on the global market, half of which are on the market in Europe. 80% of these are produced by the biggest eight high technology companies. The top four companies (Bayer, Syngenta, BASF, Bio (+ FMC) are also active in research. The yearly turnover of the crop protection industry is about 60 billion euros. The big companies are also players on the global seed market. The yearly turnover of the seed industry is around 40 billion euros. ECPA member companies not only produce synthetic products but also products of natural origin (e.g. copper-based ones). Currently, the number of synthetic pesticides is seen to be decreasing, however there are not yet enough non-synthetics on the market.

SANTE reminded of the fact that the number of active substances have increased in reality since 2011.
Regarding the implementation of the Sustainable Use of Pesticides Directive, SANTE would like to see more commitment from Member States. ECPA foresees big changes in the future, already in the coming months, as their companies are planning to make big announcements.

With regard to the future of the crop protection industry, ECPA informed that substances of natural origin are expected to have a market share of 15% by 2025. Precision farming will be in the forefront: the big companies (BASF, Bayer etc.) are already heavily investing in technology (e.g. in image recognition, satellite systems). The use of herbicides is expected to be significantly reduced thanks to new technologies; however it is more challenging to replace fungicides.

ECPA is concerned about the CJEU ruling on mutagenesis.

ECPA enquired about the procedure on setting import tolerances for cut-off criteria substances. SANTE explained that import tolerance requests undergo the procedures laid down in the MRL legislation, including a risk assessment by EFSA. The setting of import tolerances will then be considered on the basis of the outcome of the risk assessment on a case-by-case basis, taking into account all relevant factors.

In relation to the REFIT evaluation, ECPA considered that re-opening the plant protection products regulation would be Pandora’s Box. NGOs are not in favour of that either. SANTE mentioned the on-going work of the Commission on the implementation report and on the Staff Working Document. The Commission report will be presented to the co-legislators during the first half of 2019.

Replying to the question of ECPA asking about any issues that the industry should be aware of, SANTE pointed to the importance of the implementation of the endocrine disrupters criteria and to “cocktail effects”.

When discussing key challenges for the crop protection industry, ECPA called for predictability in the approval system, highlighting the high costs of preparing the dossiers and the long authorisation process. ECPA mentioned the importance of the pre-submission advice provided by EFSA, the possibility to respond to concerns raised during the EFSA process, and the ability to submit more data towards the end of the process in case science changes (e.g. in form of opening an additional commenting window). SANTE explained that currently there is a clause in the Implementing Regulation on plant protection products according to which no new data can be submitted after a certain deadline. This Implementing Regulation will need to be amended before the revision of the GFL enters into application. In that respect, it may provide for a broader scope to change the rules on data submission. SANTE promised to reflect on this issue, as this is also one of the problems identified in the REFIT evaluation.

ECPA asked about what will happen to the EFSA Management Board and expressed ECPA’s interest to participate as a representative of the industry in the Management Board once the new rules apply (as of 2022). SANTE clarified that under the new rules, four members (as well as four alternative members) in EFSA’s Management Board will be representing civil society and food chain interests. These members (and the alternate members) are to be appointed by the Council on the basis of a list drawn up by the Commission.