



Ombudsman asks Commission to improve approval process for substances in pesticides

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The Ombudsman has made three suggestions to the European Commission to improve the process of approving ‘active substances’ – the components in pesticides that act against specific pests or plant diseases – for use in pesticides.

The Ombudsman asked the Commission to approve active substances only for uses that have been confirmed as safe by the European Food Safety Authority (EFSA); to publish an explanation of its approvals of active substances in language easily understandable to the public; and to use the confirmatory data procedure with particular restraint.

The proposals are the result of two inquiries into this issue. PAN Europe, an NGO working to reduce the negative effects of pesticides, first raised concerns with the Ombudsman about the decision-making process related to pesticides in 2013.

The Ombudsman made [proposals \[Link\]](#) about how to improve the process in 2015 and asked the Commission to report back in 2018. Dissatisfied with how the Commission had implemented the Ombudsman’s suggestions, PAN Europe came back with a complaint in late 2018.

The current complaint concerned two core issues: how often the Commission uses the confirmatory data procedure, under which a substance is approved but the producer still needs



to provide further evidence as to its safety, and why the Commission has approved substances where EFSA has either identified critical areas of concern or has not identified a safe use.

An example of a substance approved by the Commission using the confirmatory data procedure included one where the applicant had not provided adequate data on the substance's effects on surface and ground water. The substance was approved on the understanding that further data would be submitted at a later date.

The inquiry also looked into the decision-making process that led to five active substances being approved by the Commission, although EFSA's report has stated either that no safe use could be identified or that there was a critical area of concern. Under EU law, before an active substance can be used in a pesticide it must be approved at the EU level. Practically, this means that an application is made to a Member State Authority, which makes an initial assessment.

This assessment is then reviewed by EFSA, which passes its conclusions to the Commission. The Commission - based on the opinions of Member States - decides under what conditions to approve the substance.

While the Commission during the inquiry maintained that its practices were in line with EU rules, it listed changes and improvements it has made to address the issues raised - including by making the process more transparent.

Accepting these developments, the Ombudsman nonetheless asked the Commission to take further measures to improve the decision-making process and to make it more understandable to citizens.

The Ombudsman noted the commitment by the Von der Leyen Commission to take action to reduce by 50% the overall use of – and risk from – chemical pesticides by 2030, and asked the Commission to follow up her suggestions satisfactorily.