



Ombudsman tells Commission to report back on pesticides authorisation

The European Ombudsman's inquiry into the approval [1] of pesticides by the European Commission highlights concerns with the Commission's practice (known as the confirmatory data procedure) of approving the safe use of an active substance before it gets all of the data necessary to support that decision.

The Ombudsman notes the Commission's general acceptance of her proposals, made in June 2015, on how to improve the approval process for substances contained in pesticides but has asked for a follow-up report from the Commission by 18 February 2018 in order to fully verify compliance.

Emily O'Reilly stated: *"I note the Commission's intention to improve the process of approving and placing pesticides on the market, in particular by restricting the practice of approving a substance while simultaneously requesting data expected to confirm its safety, but before it receives the requested data."*

"Given the important implications for the environment as well as for human and animal health, I have asked the Commission to report back in two years' time on how it has implemented my proposals."

The case was brought by Pesticide Action Network Europe (PAN-Europe), a network of NGOs. PAN-Europe alleged that the Commission's way of approving substances for pesticides was, in some cases, unsafe and/or not in accordance with the relevant legislation.

The Ombudsman analysed the Commission's practice of approving substances while



simultaneously requesting data confirming their safety. She also examined the Commission's approval of ten specific active substances despite reservations concerning the substances expressed by the European Food Safety Authority [2] (EFSA).

Following her analysis, and in light of the importance of health and environmental protection in the EU, the Ombudsman made several proposals to improve the Commission's pesticide approval system.

After examining the Commission's responses to her proposals, the Ombudsman considered the Commission to have taken a constructive approach to restricting the use of the confirmatory data procedure. The Ombudsman was also generally satisfied with the Commission's stated intention to conclude the assessments of ten substances that it had earlier approved despite the lack of adequate scientific information regarding their safety at the time of the approvals.

In closing her inquiry, the Ombudsman concluded that while the Commission has largely accepted her proposals, proper verification of compliance will be possible only when she receives a further report, in early 2018, from the Commission.

The Ombudsman expects that, in its 2018 report, the Commission will be able to demonstrate that the confirmatory data procedure is being used restrictively; show improved oversight of Member States' use of pesticides, and show that the remaining assessments of the ten substances highlighted by PAN-Europe have been completed. The European Ombudsman's decision is available [here](#) .

[1] The Commission approves the active substances used in pesticides and the individual Member States authorise the use of pesticide products based on those active substances.

[2] The European Food Safety Authority provides advice to the Commission in the course of the approval process.