



The EU legal framework on pesticides What is the matter with neonics?



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EU pesticides regulatory framework



- Regulation (EU) 1107/2009 on the authorisation of pesticides
- One of the strictest in the world
- « High level of protection for human health animal health and the environment »
- « No harmful effect on health, no unacceptable effect on the environment »
- Health and the environment have priority on agricultural productions
- Active substance (e.g. glyphosate): approved at EU-level: the European Food Safety Authority (EFSA) assesses the risk, while the European Commission and Member States decide





EU pesticides regulatory framework

- Pesticides (« Plant Protection Products », e.g. Roundup): Member States. Unequal implementation of the law. Usually poor.
- Ministries of agriculture in charge of pesticides
- Lobby and collusion much higher at Member States' level
- Transparency much lower
- Low priority given to control enforcement of the rules
- National NGOs less funded





Derogations: from positive uses to systematic abuses

- Article 53: in case of emergency, derogations for pesticides not authorised at national level
- Unexpected danger to harvest, no alternative, exceptional
- Positive examples: bringing ‘biocontrol pesticides’ faster on the market (e.g. Luxembourg)
- Negative examples: maintaining highly toxic pesticides on the market (e.g. neonicotinoids, diquat, chloropicrine...).
- Since 2010, PAN Europe has been advocating against the abuses of derogations: 2 reports, countless letters to EU Commission and Member States, legal actions (BE, NL)



Neonicotinoids: a never ending saga

- Mid 90's: first national authorisations of neonicotinoids
- End 90's: first restrictions in France
- 2010: EU regulates seed treatment dust emissions
- 2013: EU partial ban on neonics for bee-attractive crops
- Numerous derogations provided (Romania +++)
- 2018: EU total ban
- 2019-2023: derogations





Neonicotinoids: the saga continues ...in Court !

- 2019: PAN Europe and Nature et Progrès Belgique take the Belgian State before the Belgian Council of State (Admin. Court)
- 2021: 5 prejudicial questions sent to the Court of Justice of the EU to better define the limits of derogations under article 53
- 2023: Court of Justice of the EU: « No derogations to EU-banned pesticides »
- EU Commission to revise its Guidance Document on derogations





Romania and neonics, a love story

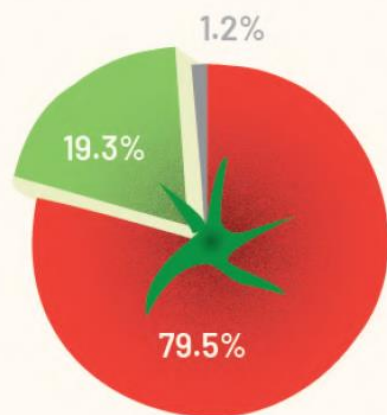


- Since the first restrictions in 2013: continuous derogations provided
- Justification: we need it for export profits
- Justification: 1/3 Romanian land covered with maize or sunflower, susceptible to *Tanymecus dilaticolis*. No space for crop rotation.
- 2018: EFSA concluded that alternatives exist and that Romania was wrong to give derogations in 2017
- 2018: EU Commission sent a warning to Romania not to repeat the derogations
- 2023: EU Court of Justice: a ruling is to be implemented immediately in the entire EU
- 2023 derogations on winter cereals: Romania is behaving like a paria state, in disrespect of EU rules...
- ...and the will of its citizens: Romanian citizens express themselves against pesticides

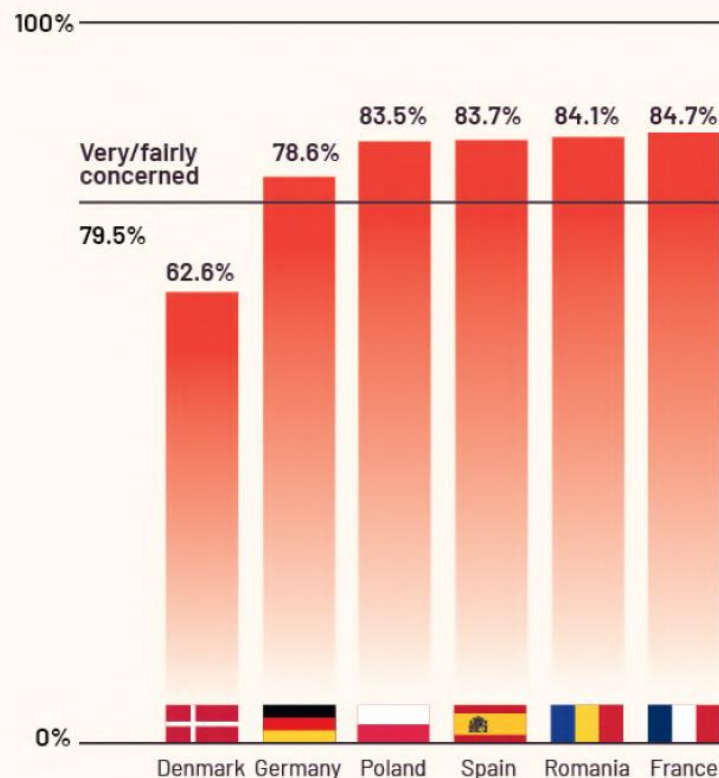


Romania and neonics, a love story

How concerned, if at all, are you about environmental impact of farming and food production methods



Very/fairly concerned
Not very/not at all concerned
N/A or DK



All respondents in the six Member States surveyed (6,059)



Thank you



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