



2017/0000(RSP)

16.10.2017

DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 106(2) and (3) of the Rules of Procedure

on Commission implementing regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No XXXX
(2017/0000(RSP))

Committee on the Environment, Public Health and Food Safety

Members responsible: Pavel Poc (on behalf of S&D), Kateřina Konečná (on behalf of GUE/NGL), Bas Eickhout (on behalf of Greens/EFA), Piernicola Pedicini (on behalf of EFDD), and Frédérique Ries (co-signing)

European Parliament resolution on Commission implementing regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No XXXX (D053565-01 – 2017/0000(RSP))

The European Parliament,

- having regard to the draft Commission implementing regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No XXXX,
- having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC¹, and in particular Article 20(1) thereof,
- having regard to Articles 11 and 13 of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers²,
- having regard to Article 7 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety³,
- having regard to the European Food Safety Authority (EFSA) Conclusion on the peer review of the pesticide risk assessment of the active substance glyphosate⁴,
- having regards to the Committee for Risk Assessment (RAC) Opinion of the European chemicals Agency (ECHA) proposing harmonised classification and labelling at EU level of glyphosate,
- having regard to the European Parliament resolution of 13 April 2016 on the draft Commission implementing regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the

¹ OJ L 309, 24.11.2009, p. 1.

² OJ L 55, 28.2.2011, p. 13.

³ OJ L 31, 1.2.2002, p. 1.

⁴ <http://www.efsa.europa.eu/en/efsajournal/pub/4302>

market, and amending the Annex to Implementing Regulation (EU) No 540/2011 (D044281/01 – 2016/2624(RSP)),

- having regard to the European Citizens' Initiative (ECI) "Ban glyphosate and protect people and the environment from toxic pesticides",
 - having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,
 - having regard to Rule 106(2) and (3) of its Rules of Procedure,
- A. whereas the purpose of Regulation (EC) No 1107/2009 is 'to ensure a high level of protection of both human and animal health and the environment and to improve the functioning of the internal market through the harmonisation of the rules on the placing on the market of plant protection products, while improving agricultural production'; whereas the provisions of Regulation (EC) No 1107/2009 are underpinned by the precautionary principle;
- B. whereas the systemic herbicide glyphosate currently has the highest global production volume of all herbicides; whereas 76 % of the use of glyphosate worldwide is in agriculture; whereas it is also widely used in forestry, urban and garden applications; whereas 72 % of the total volume of glyphosate applied globally from 1974 to 2014 has been sprayed in just the last 10 years;
- C. whereas the general population is exposed primarily through residence near sprayed areas, through home use, and through diet; whereas exposure to glyphosate is on the rise owing to the increase in the total volume of glyphosate used; whereas the impact of glyphosate and its most common co-formulants on human health must be regularly monitored; whereas glyphosate and/or its residues have been detected in water, soil, food and drinks and non-comestible goods, as well as in the human body (e.g. in urine);
- D. whereas in the 2014 European Union Report on Pesticide Residues in Food report published on 26 October 2016, EFSA noted that Member States took a limited number of oilseeds and soybeans samples although these crops are likely to be treated with glyphosate and therefore residues may be expected; whereas according to EFSA no information on glyphosate residues in animal products is available; whereas EFSA considered the results to be statistically not very robust;
- E. whereas EFSA recommended in 2015 that Member States should increase the number of analyses of glyphosate and related residues (e.g. trimethyl-sulfonium) in products for which the use of glyphosate is approved and where measurable residues are expected. In particular, the number of samples of soybeans, maize and oilseed rape should be increased. Member States are also encouraged to develop and/or implement existing analytical methods to control glyphosate related metabolites and to share the results with EFSA;
- F. whereas glyphosate is a non-selective herbicide which kills all herbage; whereas it acts by interfering with the so-called shikimate pathway, a pathway that is also present in algae, bacteria and fungi; whereas sub-lethal exposures of *Escherichia coli* and

Salmonella enterica serovar Typhimurium to commercial formulations of glyphosate have been found to induce a changed response to antibiotics;

- G. whereas according to Regulation (EC) No 1107/2009, an active substance may only be approved if it is not or is not to be classified as a carcinogen category 1A or 1B in accordance with the provisions of Regulation (EC) No 1272/2008, unless the exposure of humans to the active substance concerned is negligible or there is a serious danger to plant health that cannot be contained by other available means;
- H. whereas in March 2015 the International Agency for Research on Cancer (IARC) classified glyphosate as 'probably carcinogenic to humans' (Group 2A), on the basis of 'limited evidence' of cancer in humans (from cases of real-world exposure), 'sufficient evidence' of cancer in laboratory animals (from studies of 'pure' glyphosate), and 'strong evidence' of mechanistic information related to carcinogenicity (for genotoxicity and oxidative stress) for both 'pure' glyphosate and glyphosate formulations; whereas the criteria used by IARC for Group 2A are comparable to those for Category 1B in Regulation (EC) No 1272/2008;
- I. whereas in November 2015 EFSA finalised a peer review of glyphosate and concluded that 'glyphosate is unlikely to pose a carcinogenic hazard to humans and the evidence does not support classification with regard to its carcinogenic potential according to Regulation (EC) No 1272/2008'; whereas in March 2017 Risk Assessment Committee (RAC) of ECHA concluded by consensus that there is no evidence to link glyphosate to cancer in humans, based on the available information and that glyphosate should not be classified as a substance that causes genetic damage (mutagen) or disrupts reproduction;
- J. whereas in the context of litigation in the US brought by plaintiffs who claim to have developed non-Hodgkin's lymphoma as a result of exposure to glyphosate, the court unsealed internal documents by Monsanto, while Monsanto is the owner and producer of Roundup®, the active substance of which is glyphosate; whereas the released correspondence shed doubts on the credibility of some studies both Monsanto-sponsored and presumably independent, which were among the evidence used by EFSA and ECHA for their evaluation of the safety of glyphosate, whereas in this regard, transparency and public availability of scientific studies, as well as of the raw data that these studies are based on, are of utmost importance;
- K. whereas aside from its conclusion on carcinogenicity of glyphosate, ECHA's concludes that glyphosate causes serious eye damage and is toxic to aquatic life with long lasting effects;
- L. whereas before a 18 months technical extension was granted for glyphosate on 29 June 2016, the European parliament adopted a resolution on 13 April 2016 calling on the Commission to renew the approval of glyphosate for 7 years; not to approve any non-professional uses; not to approve any uses of glyphosate in or close to public parks, public playgrounds and public gardens; not to approve any agricultural uses of glyphosate where integrated pest management systems are sufficient for the necessary weed control;
- M. whereas European parliament's resolution of April 2016 was also calling on the Commission and on EFSA to disclose immediately all the scientific evidence that has been the basis for the positive classification of glyphosate and the proposed re-

authorisation, given the overriding public interest in disclosure; whereas this has not been done to date;

- N. whereas the European Citizens' Initiative the draft implementing measure referred to in recital 13 - and reached more than a million of signatures of European citizens within less than a year - does not only "refer specifically to glyphosate in one of its three aims" but explicitly calls to "Ban glyphosate and protect people and the environment from toxic pesticides" in its very title; whereas on 6th October 2017, the European Commission received the submission of this ECI and is bound to reply by 8 January 2018;
- O. whereas in accordance with Article 13 of Regulation (EC) No 1107/2009 any decision for approving an active substance need to be based on the review report by EFSA, other factors legitimate to the matter under consideration and the precautionary principle;
- P. whereas Commission Implementing Regulation (EU) .../... of XXX renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011, based on scientific evaluation conducted by the German Federal Institute for Risk Assessment (BfR), EFSA and ECHA nevertheless proposes to authorise glyphosate until 15 December 2027, i.e. for ten years, whereas it would apply from 16 December 2017;
- Q. whereas the specific provisions outlined in the Annex I of the draft implementing regulation are not binding at the Union level but pass the responsibilities onto the Member States;
- R. whereas in its resolution on 15 February 2017, the European Parliament stresses the need to revise Regulation (EC) No 1107/2009 in order to foster the development, authorisation and placing on the EU market of low-risk pesticides of biological origin and calls on the Commission to submit, before the end of 2018, a specific legislative proposal amending Regulation (EC) No 1107/2009, outside of the general revision in connection with the REFIT initiative, with a view to establishing a fast-track evaluation, authorisation and registration process for low-risk pesticides of biological origin;
- S. whereas a Communication from the European Commission on the future of the Common Agriculture Policy is announced for before the end of 2017 and budget proposals for May 2018;
1. Considers that the Commission's draft implementing regulation fails to ensure a high level of protection of both human and animal health and the environment, fails to apply the precautionary principle, and exceeds the implementing powers provided for in Regulation (EC) No 1107/2009;
 2. Calls on the Commission to withdraw the draft implementing regulation and submit a new one in in line with the requirements laid down by Regulation (EC) No 1107/2009, i.e. including not only EFSA's opinion but also other legitimate factors and the precautionary principle;

3. Calls on the Commission and the Member States not to approve any non-professional use of glyphosate nor to approve any use of glyphosate in or close to public parks, public playgrounds and public gardens after 15 December 2017;
4. Calls on the Commission and the Member States in particular not to approve any agricultural use of glyphosate after 15 December 2017 where integrated pest management systems are sufficient for the necessary weed control;
5. Calls on the Commission to adopt necessary measures to phase out the active substance glyphosate in the European Union until no later than 15 December 2020, ensuring that no use of glyphosate is authorised after that date, possible renewal period and period referred to in Article 32 of Regulation 1107/2009 being included;
6. Welcomes the proposed exclusion of POE-tallowamine from use in plant protection products containing glyphosate; calls on the Commission and Member States to accelerate their work on the list of co-formulants not accepted for inclusion in plant protection products;
7. Calls on the Commission and Member States to ensure that the scientific evaluation of pesticides for EU regulatory approval is based only on published peer-reviewed and independent studies commissioned by competent public authorities, considers that the REFIT procedure of Regulation (EC) No 1107 can potentially be used for this purpose; furthermore EFSA and ECHA should be granted sufficient resources in order increase their capacity, to enable the commission of independent scientific studies and to further ensure that the highest scientific standards are upheld and health and safety of EU citizens protected increase their capacity for;
8. Calls on the Commission and Member States to ensure sufficient testing and monitoring of glyphosate residues in feed, food and drinks produced in as well as imported into the Union, in order to address the current data gap pointed out by EFSA;
9. Calls on the Commission and Member States to finance research and innovation with regard to sustainable and cost-efficient solutions for pest-management products to ensure a high level of protection of human and animal health and the environment;
10. Calls on the Commission and Member States to propose adequate transitional measures for the agricultural sector, and to publish a guidance document outlining a/all possible safer low-risk alternatives to help the agricultural sector during the phase out period of the active substance glyphosate and b/all resources already available to them in the context of the current CAP;
11. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States.