

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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POLICY

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Discord on Glyphosate Reduction Strategy

Report Categories:

Sanitary/Phytosanitary/Food Safety

Trade Policy Monitoring

Agriculture in the News

SP2 - Prevent or Resolve Barriers to Trade that Hinder U.S. Food and Agricultural Exports

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Report Highlights:

The German Minister of the Environment revealed a plan to end glyphosate use on November 6, 2018. This spurred criticism from the Minister of Food and Agriculture who presented her own proposal in April 2018. This report provides background on the various proposals

General Information:

In March 2019, the center-right Christian Democratic Union (CDU)/Christian Social Union (CSU) party and the center-left Social Democratic Party (SPD) formed a coalition government. On glyphosate, the coalition agreement stipulates, “The use of glyphosate containing plant protection products will be terminated as soon as possible. Alternatives [to glyphosate] will be developed and promoted as part of an agriculture strategy. These are to be available in the middle of the legislative period [i.e. 2019].”

The use or prohibition of glyphosate was a contentious issue between SPD held Ministry of the Environment (BMU) and the CDU/CSU held Ministry of Food and Agriculture (BMEL) in the previous government. While the current two ministers agree on the goal of phasing out glyphosate use, they disagree about the measures how to achieve this. On November 6, 2018, BMU Minister Svenja Schulze (SPD) together with Maria Krautzberger, President of the Federal Agency for the Environment (UBA)¹, presented a strategy for the reduction of glyphosate use. BMEL Minister Julia Kloeckner (CDU) responded with a press release² stressing the progress that has been made on reducing glyphosate and indirectly criticizing her colleague for taking over the discussion and branching out into her (Kloeckner’s) area of responsibility.

Translation of Minister Kloeckner’s statement

“As early as April of this year, I submitted the key issues paper on a strategy for reducing glyphosate. The target is clear in the coalition agreement: We have agreed to systematically reduce the use of glyphosate and glyphosate-containing pesticides significantly with the aim of ending the application as soon as possible. Since then, my ministry has initiated and conducted intensive discussions with the BMU. We are intensively discussing the contents of the new Plant Protection Application Ordinance in preparation for the ministerial vote with the BMU. Now it is important to come to joint results quickly and finally admit the draft in the departmental vote. Above all, this must be done with legal certainty. Because we agree with the BMU on the goal: the reduction of glyphosate use. It also does not help in the matter to once again question already regulated responsibilities. Over the past five years, we have reduced the use of glyphosate by one third through restrictive measures already. ”

¹ While the EU is responsible for the approval of active substances, for example glyphosate, the national authorities are responsible for the approval of plant protection products (for example glyphosate containing herbicides) in Germany. In Germany, the relevant authority is the Federal Agency for Consumer Protection and Agriculture (BVL). However, article 34 of the German Plant protection law (www.gesetze-im-internet.de/pflschg_2012/index.html) mandates BVL to take into consideration a risk assessment carried out by UBA on the effects on the environment.

² <https://www.bmel.de/SharedDocs/Interviews/O-Toene/18-11-06-Glyphosat.html>

Next steps

In order to go in effect, the two Ministries plus the Ministries of Economics and Health have to agree on a formal proposal to amend the *Plant Protection Application Ordinance*.³ That proposal would then move to the cabinet and eventually would have to be voted on by the *Bundesrat* (German equivalent to the Senate).

Key points of the BMU/UBA plan⁴

- Immediate ban on glyphosate use
 - In private gardens and parks
 - In nature protection zones and ecologically sensitive areas
 - For pre-planting, stubble treatment, and desiccation
- Total ban of glyphosate use when the current approval expires in 2023
- Until then, approval in Germany is conditional upon the following,
 - Starting on January 1, 2020, ten percent of a farm acreage has to be set-aside as pesticide free
 - Application is prohibited within 20 meters of a water body (creeks, rivers, lakes, dams etc.)

Key points of Kloeckner's reduction proposal presented on April 17, 2018⁵

Reduce the use of glyphosate with the aim of banning its use as fast as possible but in a way that complies with EU laws.

- Complete ban of glyphosate use
 - In public parks and on sports fields
 - On areas close to open water
 - In nature protection zones
- General ban of glyphosate use with exemptions
 - For private gardens to professionals with a certified training and on condition that non-chemical measures do not work
 - For post-harvest stubble treatment to areas where mechanical weed control would entail a high erosion risk
 - For agriculture and horticulture to fields with enough border structures⁶ to ensure refuge areas for insects and other animals
 - In case excessive rains prevent the use of mechanical weed control and whole harvests are in danger, affected farmers can apply for a waiver at the local plant protection authority. Applications have to be filed at least three days prior to the intended applications.

³ http://www.gesetze-im-internet.de/pflschanwv_1992/index.html

⁴ <https://www.bmu.de/pressemitteilung/schulze-legt-plan-fuer-glyphosat-ausstieg-vor/>
<https://www.bmu.de/themen/wasser-abfall-boden/bodenschutz-und-altlasten/bodenschutz-und-altlasten-worum-geht-es/faq-plan-zum-glyphosat-ausstieg/>

⁵ <https://www.bmel.de/SharedDocs/Interviews/O-Toene/18-04-17-Glyphosat-Video.html>

⁶ For example various forms of hedges, waysides

What does this mean for U.S. exports?

At this point, nothing changes for U.S. exporters. They are not affected by EU application restrictions but have to comply with the EU maximum residue levels (MRL) that are applicable to their respective products. However, this might change if the EU does not renew the current approval for glyphosate after it expires on December 15, 2022. In this case, the MRL would fall to the detection level (0.01 mg/kg) and products with detectable residues could no longer be sold on the EU market. In this case, the US and/or the importer could apply for an import tolerance for a specific product if the non-renewal was based on reasons other than health precaution (e.g. for environmental concerns). Import tolerances and the specific MRLs are granted by the European Commission based on a scientific evaluation by the European Food Safety Authority EFSA. This would entail an expensive and bureaucratic procedure.