



THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

Voluntary  Public

**Date:** 1/23/2018  
**GAIN Report Number:** E18008

## EU-28

**Post:** Brussels USEU

### EU Renews Glyphosate for Five Years

#### Report Categories:

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

#### Approved By:

Lisa Allen

#### Prepared By:

Tania De Belder

#### Report Highlights:

[Commission Implementing Regulation \(EU\) 2017/2324](#) renews the approval of the active substance glyphosate for five years. The renewal became valid on December 16, 2017. This came after the EU Commission's Appeal Committee decided in favor of renewing the license for glyphosate on November 27, 2017, which was different from the position of the Standing Committee on Plants, Animals, Food and Feed (PAFF) in an earlier vote. This report will explain the different positions of the most influential Member States, as well as the status of the European Citizen's initiative (ECI) on Glyphosate.

## **General Information:**

### **Appeal Committee Approves Glyphosate**

The renewal of glyphosate remains one of the most controversial issues in the EU. The Commission put forward a 5-year renewal proposal, since it became clear that it would not be possible to reach a qualified majority at the PAFF Committee on a 15-year nor 10-year renewal. However, they also failed to reach a qualified majority on the 5-year renewal at the November 9, 2017 meeting after an official vote. The proposal then moved to the Appeal Committee for further discussions at a higher Member State level. Typically, the Appeal Committee outcome reflects the same as the PAFF Committee. However, the Appeal Committee unexpectedly decided in favor of renewing the license for glyphosate for five years on November 27, 2017. This was the first time since 2011 that the Appeal Committee took a decision different than that of the PAFF.

The breakdown of the votes in the appeal committee was as follows:

- In favor (18) – Bulgaria, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Ireland, Latvia, Lithuania, Netherlands, Poland, Romania, Slovenia, Slovakia, Spain, Sweden, and the UK
- Against (9) - Austria, Belgium, Croatia, Cyprus, France, Greece, Italy, Luxembourg, and Malta
- Abstain (1) – Portugal

It was only possible to secure a qualified majority in the final hours before the actual vote, when the German Minister of Agriculture trumped the Ministry of Environment and changed the German vote from abstaining to supporting the Commission's proposal. This was in addition to the shift in positions by Bulgaria, Poland and Romania. While these Member States abstained on the vote for the 5-year proposal, they had all previously supported the 10-year proposal, which means they were most likely hoping for a longer authorization period. In the end, they voted in favor most likely to ensure the renewal.

The approval of glyphosate was renewed on December 16, 2017, when [Commission Implementing Regulation \(EU\) 2017/2324](#) went into force, right after the previous authorization was about to expire.

The renewal process of a substance generally starts three years prior to the expiration of the existing renewal. In the case of glyphosate, though it has been thoroughly assessed over the last few years, this process will start again in two years.

### **Member States Opposing Glyphosate**

Some of the nine Member States that voted against not only expressed their disappointment about the renewal, but also promised to take additional measures to ensure a shorter phasing out period of glyphosate. Both France and Italy already announced that they would ban glyphosate as soon as alternatives are on the market, and at the latest within three years. Austria's new government will fund a feasibility study on glyphosate replacements to be carried out through the third quarter of 2018. Depending on the study's finding, it is also likely to implement a full or partial ban in order to align itself with France and Italy. They will also commission a legal opinion report on whether a total national ban on glyphosate would be in compliance with EU laws.

In the meantime, France, Italy and Belgium are already developing a more natural product based on pelargonic acid, which could potentially be an alternative for glyphosate. It is a naturally occurring chemical found in a host of plants, thistles in particular. The primary manufacturer is owned by a Belgian agrochemical company and based in France, while it has an exclusive distribution agreement with an Italian chemicals company. The company's herbicide product, marketed as Beloukha, is 70 percent pelargonic acid and is authorized in France since 2014. According to the company, it is considered as a natural alternative for glyphosate, although it is not as effective, since it does not destroy the roots of the weeds.

Additionally, Six Member States (France, Belgium, Luxemburg, Malta, Greece and Slovenia) sent a letter to the Commission to express their concerns about the risks associated with the use of products containing glyphosate and requesting a study and an appropriate exit plan to phase out glyphosate in the EU. Slovenia was the only Member State to vote in favor of glyphosate, but this was only to allow a transitional period of 3-5 years to prepare for a shift to other alternatives. In their letter, the Member States referred to the European Parliament's (EP) resolution that called for the Commission to adopt the necessary measures to phase out the substance by December 2022 and extend specific restrictions for the use of glyphosate for weeding and pre-harvest desiccation.

### **European Parliament Action**

While the European Parliament has no official roll in the renewal process for substances, the ENVI committee objected to the renewal of glyphosate. This objection led to a European Parliament plenary vote on October 24, 2017, to block the 10-year renewal of glyphosate. Their resolution called for the Commission to adopt the necessary measures to phase out the substance by December 2022. The European Parliament most likely took this action to try to put pressure on the Commission prior to its vote and to make a political statement.

Another recent initiative by the Socialists and Democrats in the EP was the request to set up a special committee to investigate glyphosate and other pesticide products. The Conference of Group Presidents in the EP officially backed the creation of this special committee and it will have to be approved by the Parliament's plenary in February. The idea is to find out whether the positive reports of the European Food Safety Agency (EFSA) and the European Chemicals Agency (ECHA) on glyphosate were influenced by Monsanto. However, the general scope will be broader as they will scrutinize the way in which various pesticides are authorized.

### **The European Citizens' Initiative (ECI) on glyphosate and the Commission's Response**

The European Citizens' Initiative is a tool for citizen participation and agenda-setting at EU level, giving at least one million EU citizens the possibility to invite the Commission to submit a legislative proposal. An Initiative needs to be launched by a committee composed of at least seven EU citizens from at least seven different Member States. The organizers must submit their proposed initiative to the Commission to be registered. The Commission must assess the legal admissibility of the proposal before registering it but does not analyze the substance at this stage. Once an Initiative is registered, organizers have one year to collect statements of support.

Whenever a formally registered European Citizens' Initiative (ECI) receives one million signatures for support from at least seven Member States, the organizers can submit their initiative and meet the Commission. They are also invited to participate in a public hearing at the European Parliament. The

Commission must decide within three months to either follow the request or not and is required to explain this in a Commission Communication.

At the beginning of 2017, the Commission officially registered the European Citizens' initiative (ECI) "to propose to Member States a ban on glyphosate, to reform the pesticide approval procedure, and to set EU-wide mandatory reduction targets for pesticide use". The Commission had to decide whether or not it would act and explain the reasons for that choice for the ECI on glyphosate, since it reached the necessary one million signatures by mid-2017. The Commission's [communication](#) was adopted on December 12, 2017 and they also committed to present a legislative proposal in 2018 to increase transparency and quality of studies used in the scientific assessment of substances.

The first request of the ECI was a ban of glyphosate-based herbicides and the Commission replied that it is the responsibility of the Member States for the authorization, use and/or ban of glyphosate-based products on their territories. According to the Commission, substances are approved in the EU if there is objective evidence of safe use by a thorough scientific assessment and the only reason for reducing the length of the proposed renewal from the standard 15 years to 5 years was to ensure the widest possible support from Member States since it became a political issue.

The second request of the ECI is to ensure that the scientific evaluation of pesticides in the EU is based on studies by competent public authorities instead of the pesticide industry. The Commission agrees that transparency in scientific assessments and decision-making is vital and committed to put forward a legislative proposal in the spring of 2018. The Commission will propose to change the current rules to make sure that scientific studies are publicly available.

The third request of the ECI refers to EU-wide mandatory reduction targets for pesticide use in order to shift towards a pesticide-free future. The Commission replied that EU policy is already directed towards reducing dependency on pesticides and achieving a pesticide-free future and that they will strive to ensure that Member States comply with their obligations under the Sustainable Use Directive and reduce dependency on pesticides. Member States will have to establish more precise and measureable targets in their National Action Plans.

To read the full communication: <http://ec.europa.eu/citizens-initiative/public/initiatives/successful/details/2017/000002>

For more information on European citizens' initiatives (ECIs):  
<http://ec.europa.eu/citizens-initiative/public/basic-facts>