

Parliament rejects criteria for endocrine disruptors

On 4 October 2017, the European Parliament voted to object to the European Commission's draft regulation setting out criteria for identifying endocrine disruptors in the area of plant protection products (PPPs). The vote followed the Parliament's Committee on the Environment, Public Health and Food Safety (ENVI) backing a motion for resolution to reject the criteria. The Commission says it needs now to reflect on the next steps to take.

Background

Endocrine disruptors, or endocrine-disrupting chemicals (EDCs), are substances that impact on the functioning of hormones, with potentially harmful effects on health. On 15 June 2016, the Commission presented its [long-awaited proposal](#) on criteria for the identification of EDCs, including a draft implementing act applying to chemical substances falling under the **Plant Protection Products Regulation (PPPR)** and a draft delegated act applicable to the **Biocidal Products Regulation (BPR)**. Each draft act needs to be adopted according to separate procedures. On 4 July 2017, the Commission's Standing Committee on Plants, Animals, Food and Feed (SC PAFF), made up of experts from the EU Member States, [voted](#) on the draft regulation on **PPP criteria**. The [agreed text](#) was sent to Parliament and Council, which had three months to examine it.

Parliament's objection to the proposed criteria

Currently, under the PPPR, an active substance is only to be approved if it is not considered to have endocrine-disrupting properties that may cause adverse effects on species other than those targeted. The PPP criteria proposed in the draft regulation provide for an exemption, or derogation, from the scope of the criteria for identifying EDCs, for substances that have an 'intended endocrine mode of action' (i.e. are deliberately designed to attack an organism's endocrine system). On 28 September, the ENVI Committee voted a [motion for resolution](#) to oppose the draft regulation. The motion, tabled by Bas Eickhout (Greens/EFA, the Netherlands) and Jytte Guteland (S&D, Sweden), argues that the Commission exceeded its implementing powers by modifying an essential element of the PPPR. It calls on the Commission to withdraw the draft regulation and submit a new one without delay, as well as to modify the draft by deleting its [last paragraph](#). The motion was adopted in plenary (as an [objection](#) pursuant to [Rule 106](#)) with 389 votes for, 235 against and 70 abstentions. The [Council](#) had decided on 22 September not to oppose adoption.

Reactions to Parliament's vote

The Commission [regretted](#) Parliament's vote, reportedly stating that the derogation had been essential in getting a qualified majority among Member States to support the criteria. The Health and Environmental Alliance (HEAL) [applauded](#) the decision to veto a proposal that 'would fail to protect human health and the environment'. ClientEarth [welcomed](#) this as a strong signal to the Commission, which 'essentially attempted to illegally rewrite' the PPPR. On the pesticides industry side, the European Crop Protection Association (ECPA) [is reported to have stated](#) that the criteria would have been 'unworkable, impractical and would have impacted negatively on the competitiveness of European farming', while acknowledging that 'a further protracted debate on this issue does nothing to build confidence or trust in industry or the institutions'.

Next steps

Parliament's vote on the **PPP criteria** means that the Commission cannot adopt the draft. It may: (i) withdraw the draft regulation, modify it and submit an amended version to the relevant committee (SC PAFF); (ii) withdraw the draft regulation without further action; or (iii) withdraw the draft regulation and submit a new one to the co-legislators. In the meantime, the interim criteria continue to apply. Parliament's vote on the delegated act on **BP criteria** is still pending, but any objection needs to be made by 4 November. [Council](#) intends not to raise objections.

