

**Question for written answer E-000223/2016  
to the Commission**  
Rule 130  
**Bart Staes (Verts/ALE)**

Subject: Derogations under Article 4.7 of Regulation (EC) No 1107/2009

In Article 4.7 it is stated that derogations are possible in cases of serious danger to plant health which cannot be contained by other available means.

1. Would the Commission agree that this definition limits the use of Article 4.7 to special cases such as quarantine pests?
2. Has the Commission, with the aim of helping to guide applicants, developed a list of cases that could qualify for use of the derogation under Article 4.7? Does it agree that, for example, herbicides used against weeds competing against crops ought never to qualify as they are not phytosanitary threats?
3. Does the Commission offer Article 4.7 derogations as a standard solution for any pesticide that does not satisfy the criteria set out in points 3.6.3, 3.6.4, 3.6.5 or 3.8.2 of Annex II?