

EN
E-004113/2018
Answer given by Ms Malmström
on behalf of the European Commission
(14.9.2018)

According to our information, the new draft law adopts a risk-based approach and seeks among other things to address some of the administrative bottleneck problems of the current framework, under which three ministries (Agriculture, Health and Environment) are simultaneously responsible for approving new products. The new law would create a single approval process, as is the case in most other countries, under the responsibility of a new agency, with experts in all three areas. The timeframe for approval would be 24 months. The current framework foresees a maximum of 120 days for the approval of new products, although in practice it takes several years, causing a large backlog of applications.

The law still has to be approved by both chambers of the Brazilian Parliament. Brazil, like every country, is responsible for determining the adequate level of health and environmental protection in its territory, and for adopting its own risk evaluation and risk management policies.

The EU has been cooperating with Brazil in related fields, namely under the Sectoral Dialogues facility, which supported projects on the regulation of hazardous substances, good practice in the use of agrochemicals, sustainable agriculture and organic production.

The EU's sanitary and phytosanitary (SPS) import requirements are not negotiable and the EU insists on the reaffirmation of this principle in the SPS chapters that it negotiates in all its trade agreements including the EU-MERCOSUR trade negotiations. In addition, products imported into the EU have to meet the SPS requirements established by EU legislation, irrespective of whether they originate in a country that has concluded a free trade agreement with the EU.