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TEXTS ADOPTED

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**P8\_TA(2018)0022**

**Setting up a special committee on the Union's authorisation procedure for pesticides**

**European Parliament decision of 6 February 2018 on setting up a special committee on the Union's authorisation procedure for pesticides, its responsibilities, numerical strength and term of office (2018/2534(RSO))**

*The European Parliament,*

- having regard to the proposal for a decision of the Conference of Presidents,
- having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC<sup>1</sup>,
- having regard to Commission Regulation (EU) No 546/2011 of 10 June 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards uniform principles for evaluation and authorisation of plant protection products<sup>2</sup>,
- having regard to Commission Implementing Regulation (EU) 2016/1056 of 29 June 2016 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval period of the active substance glyphosate<sup>3</sup> and Commission Implementing Regulation (EU) 2016/1313 of 1 August 2016 amending Implementing Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance glyphosate<sup>4</sup>,
- having regard to Commission Implementing Regulation (EU) 2017/2324 of 12 December 2017 renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011<sup>5</sup>,

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<sup>1</sup> OJ L 309, 24.11.2009, p. 1.

<sup>2</sup> OJ L 155, 11.6.2011, p. 127.

<sup>3</sup> OJ L 173, 30.6.2016, p. 52.

<sup>4</sup> OJ L 208, 2.8.2016, p. 1.

<sup>5</sup> OJ L 333, 15.12.2017, p. 10.

- having regard to its resolutions of 13 April 2016<sup>1</sup> and of 24 October 2017<sup>2</sup> on the draft Commission implementing regulation renewing the approval of the active substance glyphosate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011,
  - having regard to the decision of the European Ombudsman of 18 February 2016 in Case 12/2013/MDC on the practices of the Commission regarding the authorisation and placing on the market of plant protection products (pesticides),
  - having regard to Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers<sup>3</sup>,
  - having regard to the judgment of the Court of Justice of the European Union of 23 November 2016 in Case C-442/14 *Bayer CropScience SA-NV, Stichting De Bijenstichting v College voor de toelating van gewasbeschermingsmiddelen en biociden*,
  - having regard to Rule 197 of its Rules of Procedure,
- A. whereas concerns have been raised about the assessment of glyphosate, in particular as to whether an independent, objective and transparent assessment has taken place, whether the classification criteria of Regulation (EC) No 1272/2008 of the European Parliament and of the Council<sup>4</sup> have been properly applied, and whether relevant guidance documents have been properly used;
- B. whereas concerns have been raised with regard to the application by the Commission of the approval criteria and precautionary principle laid down in Regulation (EC) No 1107/2009 when granting the technical extension of the approval of glyphosate in 2016, when adopting Implementing Regulation (EU) 2016/1313, and when adopting Implementing Regulation (EU) 2017/2324;
1. Decides to set up a special committee on the Union's authorisation procedure for pesticides, vested with the following strictly defined responsibilities:
- (a) to analyse and assess the authorisation procedure for pesticides in the Union, including the methodology used and its scientific quality, the procedure's independence from industry, and the transparency of the decision-making process and its outcomes;
  - (b) to analyse and assess, using an evidence-based approach, the potential failures in the scientific evaluation of the approval, or renewal of approval, of active

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<sup>1</sup> Texts adopted, P8\_TA(2016)0119.

<sup>2</sup> Texts adopted, P8\_TA(2017)0395.

<sup>3</sup> OJ L 55, 28.2.2011, p. 13.

<sup>4</sup> Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

substances such as glyphosate by the relevant EU agencies, as well as compliance by the EU agencies with the relevant Union rules, guidelines and codes of conduct in force;

- (c) to analyse and assess, in particular, whether the Commission has acted in accordance with the provisions of Regulation (EC) No 1107/2009 when taking decisions with regard to the conditions of approval of glyphosate and the renewal of approval of glyphosate;
  - (d) to analyse and assess possible conflicts of interest at all levels of the approval procedure, including at the level of the national bodies of the rapporteur Member State in charge of the assessment report drawn up in accordance with Regulation (EC) No 1107/2009;
  - (e) to analyse and assess whether the EU agencies responsible for the evaluation and classification of active substances are adequately staffed and financed so as to enable them to fulfil their obligations; to analyse and assess the possibility of commissioning and/or conducting independent research and testing, and the financing thereof;
  - (f) to make any recommendations that it considers necessary with regard to the Union authorisation procedure for pesticides in order to achieve a high level of protection of both human and animal health and the environment; to undertake visits and hold hearings to this end with the EU institutions and relevant agencies, as well as with international and national institutions, non-governmental organisations and private bodies;
2. Stresses that any recommendation of the special committee shall be presented to and, if necessary, followed up by Parliament's competent standing committees;
  3. Decides that the powers and available resources of Parliament's standing committees with responsibility for matters concerning the adoption, monitoring and implementation of Union legislation relating to the area of responsibility of the special committee shall remain unchanged;
  4. Decides that whenever the special committee work includes the hearing of evidence of a confidential nature, testimonies involving personal data, or includes the exchange of views or hearings with authorities and bodies on confidential information, including scientific studies or parts thereof granted confidentiality status under Article 63 of Regulation (EC) No 1107/2009, the meetings shall be held *in camera*; decides further that witnesses and experts shall have the right to make a statement or to provide testimony *in camera*;
  5. Decides that the lists of people invited to public meetings, the lists of those who attend them and the minutes of such meetings shall be made public;
  6. Decides that confidential documents that have been received by the special committee shall be assessed in accordance with the procedure set out in Rule 210a of its Rules of Procedure; decides further that such information shall be used exclusively for the purposes of drawing up the final report of the special committee;
  7. Decides that the special committee shall have 30 members, in accordance with Rule

199(1) of its Rules of Procedure;

8. Decides that the term of office of the special committee shall be nine months, except where Parliament extends that period before its expiry, and that its term of office shall run from the date of its constituent meeting; decides that the special committee shall present a final report to Parliament containing factual findings and recommendations as to measures and initiatives to be taken.