

**Question for written answer E-001464/2023
to the Commission**

Rule 138

Billy Kelleher (Renew)

Subject: Generic plant protection products – single market infringements by certain Member States

According to Article 43 of Regulation (EC) No 1107/2009, generic plant protection products containing already approved active substances, safeners and synergists should be authorised without prejudice. In addition, Article 34 stipulates that generic producers are exempted from providing a full reassessment or standalone draft registration report, as providing identification and comparability data suffices.

However, France and Germany do not follow the exemption laid out in Article 34, clearly infringing single market rules.

In Germany, the Federal Office of Consumer Protection and Food Safety argues that generic applicants must submit an up-to-date assessment taking into account the guidance documents applicable at the date of application.

In France, the Agency for Food, Environmental and Occupational Health and Safety has refused to authorise generic products, because they cannot be considered as similar to the product of reference. However, the agency has failed to clarify its rationale.

Generic plant protection products drive competition and innovation in the agri-food sector and will help the EU achieve the objectives of the European Green Deal.

1. Is the Commission aware of the situation in France and Germany?
2. How is it planning to ensure that Regulation (EC) No 1107/2009 is uniformly implemented across the EU, in line with single market rules?

Submitted: 3.5.2023