

**Priority question for written answer P-000057/2022
to the Commission**

Rule 138

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Subject: Assessment of the long-term carcinogenicity and toxicity of plant protection products

According to Regulation 1107/2009, a plant protection product can be authorised only if it has no immediate or delayed harmful effect on human health.

The Court of Justice of the European Union ruled that a plant protection product cannot be considered to satisfy that condition if it exhibits any long-term carcinogenicity and toxicity. Moreover, it said that 'it cannot be concluded that Regulation No 1107/2009 exempts the applicant from submitting tests of long-term carcinogenicity and toxicity relating to the plant protection product', and that it is 'the task of the competent authorities, when examining an application for the authorisation of a plant protection product, to verify that the material submitted by the applicant [...] is sufficient to exclude, in the light of current scientific and technical knowledge, the risk that product exhibits such carcinogenicity or toxicity¹'.

However, Regulation No 284/2013 leaves it to the discretion of the Member State concerned to request such studies.

Does the Commission conclude from the above judgment that Regulation 284/2013 should be amended in order to make this request mandatory? If not, why not? How can it be ensured that the competent authorities have the material to ascertain that such products do not exhibit carcinogenicity or long-term toxicity?

¹ Judgement in Case C-616/17.