STELLA KYRIAKIDES
MEMBER OF THE EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY

Rue de la Loi, 200
B-1049 Brussels – Berl 10/380
stella.kyriakides@ec.europa.eu

Brussels, 2 April 2021

Dear Madam, dear Sir,

Thank you for your letter dated 25 January 2021 to First Vice-President Timmermans and myself in which you ask the Commission to ban three active substances: sulfoxaflor, cypermethrin and benfluralin. This response is also on behalf of the First Vice-President.

As set out in the Farm to Fork and Biodiversity Strategies, the Commission fully shares your objective for a more environmental-friendly agriculture and the restoration of biodiversity. The strategies also set out clear objectives in terms of a reduction of the overall use and risk of pesticides by 50% and the use of more hazardous pesticides by 50% by 2030.

The EU legislation on pesticides currently in place is known to be one of the strictest – if not the strictest – in the world. Pesticides can only be authorised if, after a scientific risk assessment, it is demonstrated that the particular uses would not lead to adverse effects to human or animal health, or to unacceptable effects to the environment.

As to the specific substances mentioned in your letter, Regulation (EU) 2015/1295 approved in 2015 *sulfoxaflor* with the condition for the applicant to submit confirmatory data with regard to honeybees and other pollinators by 18 August 2017. The applicant delivered the confirmatory data on time and these were assessed by the co-Rapporteur Member State (Czech Republic). On 26 February 2019, EFSA adopted its conclusion on the peer review of the confirmatory data. A year later, on 25 February 2020[1] EFSA updated its conclusion following a request from the Commission to complete the risk assessment for bumble bees

[1] https://www.efsa.europa.eu/en/efsajournal/pub/6056

To the attention of the Members of the Circle of Organisers of the Save Bees and Farmers European Citizens Initiative: Aurelia Stiftung, BUND, European Professional Beekeepers Association, Friends of the Earth Europe, Générations Futures, Global 2000, Pesticide Action Network Europe, Slow Food EU and Umweltinstitut München

E-mail: info@savebeesandfarmers.eu

and solitary bees 'off-field' (i.e. in field margins), taking into account spray drift reducing measures, and to complete the assessment of the risk to bees from puddle water. The conclusion confirmed an acceptable risk to bees for uses in permanent greenhouses. However, in the light of the outcome of the assessment of the risk to bumble bees and solitary bees from outdoor uses it could not be concluded that the risk to bumble bees and solitary bees in field margins is low. Therefore, the Commission has proposed to restrict the approval for sulfoxaflor to uses in permanent greenhouses only, which is currently under discussion with Member States in the Standing Committee on Plants, Animals, Food and Feed. So far no qualified majority of Member States supports the Commission's proposal, but the decision-making process is still ongoing.

In its conclusions on *cypermethrin* in 2018[2], EFSA indicated a high risk to aquatic organisms, high risk to off-field non-target arthropods and high risk to bees. As several Member States considered that these risks could be addressed with appropriate risk mitigation measures, the Commission mandated EFSA to evaluate the required exposure reduction. In its statement on risk mitigation measures on cypermethrin in 2019[3], EFSA presented the levels of the necessary drift reduction and the measures that would achieve low risk to aquatic organisms, non-target arthropods and bees. Based on this assessment, the Commission has commenced discussions with Member States with a view to renew the approval of the substance, subject to very strict conditions to reduce exposure of all areas which are off-field. In addition, spray applications during flowering of the crop and when flowering weeds are present would be prohibited.

In its conclusions on *benfluralin* in 2019[4], EFSA indicated a high risk to aquatic organisms, high long-term risk for bird and mammals and a data gap was identified for a chronic study with adult bees and honeybee larvae. Therefore, the Commission has proposed a draft Regulation that would not renew the approval of this active substance, which has been discussed repeatedly in the Standing Committee on Plants, Animals Food and Feed. However, so far, no qualified majority of Member States supports the Commission's proposal and the decision-making process is not completed yet.

Let me conclude by underlining that the Commission pays the highest attention to the protection of bees considering their important role as pollinators not only in nature but also for many cultivated crops.

Yours sincerely,

D. Kyprianides

[2] EFSA (European Food Safety Authority), 2018. Conclusion on the peer review of the pesticide risk assessment of the active substance cypermethrin EFSA Journal 2018;16(8):5402

[3] https://www.efsa.europa.eu/en/efsajournal/pub/5822

[4] EFSA (European Food Safety Authority), 2019. Conclusion on the peer review of the pesticide risk assessment of the active substance benfluralin. EFSA Journal 2019;17(10):5842, 34 pp. doi:10.2903/j.efsa.2019.5842