Pesticide Action Network Europe

To: Members of the SCoPAFF Committee - Section "Phytopharmaceuticals - Legislation"

Brussels, 15 January 2026

Subject: EU Standing Committee on Plants, Animals, Food and Feed (SCoPAFF); 20-21 January; position of Pesticide Action Network (PAN) Europe

Dear Members of the SCoPAFF committee,

On 20 and 21 January, you are invited to the EU Standing Committee on Plants, Animals, Food and Feed to discuss and potentially adopt opinions on several European Commission proposals. Ahead of this meeting, we would like to share PAN Europe's position on key issues concerning human health and environmental protection from pesticides. We kindly request that you give these matters your careful attention.

Agenda issues

1. Omnibus Simplification Package (A. 03)
2. Draft Commission Implementing Regulation (EU) concerning the non-renewal of the approval of the active substance flutolanil (C.01)
3. Draft Commission Implementing Regulation (EU) concerning the non-renewal of the approval of the active substance buprofezin (C03)
4. Active substances meeting the criteria for endocrine disruption: cyprodinil, fludioxonil, and fenoxaprop-P-ethyl (A. 05)

1. Omnibus Simplification Package (A. 03)

The European Commission's proposal for a food and feed safety omnibus[1] represents a significant weakening of EU pesticide law and a clear step backwards for the protection of human health, the environment, and farmers themselves from toxic pesticides. As Member States, you have a critical responsibility to prevent this erosion of hard-won safeguards enshrined in Regulation (EC) No 1107/2009.

Most concerningly, the proposal would make unlimited approval of pesticide active substances the default, dismantling the system of regular reassessment that has been proven to be essential to incorporate new scientific evidence revealing previously unknown toxicity of pesticides. At the same time, it would restrict Member States from acting on the latest science when authorising pesticide products, even when new evidence indicates serious risks. This approach directly contradicts EU case law and undermines national authorities' ability to thoroughly assess the toxicity of products to protect citizens and the environment.

The proposal further extends grace periods for substances that no longer meet approval criteria, including for health and environmental reasons, normalising the continued use of hazardous pesticides for up to three years. In parallel, it broadens derogations from safety criteria, allowing substances that fail approval requirements to be authorised not only in cases of serious plant health danger, but also to safeguard plant production. This shift directly contradicts the hierarchy of objectives established in Regulation 1107/2009, which clearly prioritises health and environmental protection over production considerations.

Regarding biocontrol, while facilitating access to alternatives to synthetic pesticides is welcome, the proposal introduces an insufficiently precise definition of biocontrol active substances, risking the inclusion of synthetically produced substances with poorly understood properties and impacts. This concern is compounded by provisional and accelerated authorisation procedures, as well as the removal of record-keeping obligations.

Finally, the proposal fails to meaningfully address pesticide residues in food, continuing to allow residues of EU-banned pesticides in imported products. This approach perpetuates double standards.

We urge Member States to reject this proposal in its current form. The food and feed safety omnibus undermines the precautionary principle, contradicts existing EU law provisions, and ignores citizens' clear and consistent demands for stronger pesticide regulation and a rapid transition away from conventional pesticides. Member States must stand firm to defend EU pesticide standards.

[1] Proposal for a regulation amending Regulations 999/2001, 1829/2003, 1831/2003, 852/2004, 853/2004, **396/2005**, 1099/2009, **1107/2009**, **528/2012**, 2017/625; Proposal for a directive amending Council Directive 98/58/EC and EP and **Council Directive 2009/128/EC**.

2. **Draft Commission Implementing Regulation (EU) concerning the non-renewal of the approval of the active substance flutolanil (C.01)**

Flutolanil meets the OECD definition of PFAS because it contains a trifluoromethyl group (-CF_3) bound to a carbon atom. It has been identified as persistent (P) to very persistent (vP) by EFSA.

Moreover, due to its molecular structure (-CF_3 group), and as confirmed by EFSA, flutolanil eventually breaks down into TFA, contaminating crops, soil and water resources. As explained above, TFA is an ultra-short PFAS, highly persistent, mobile, and soluble in water, which is currently undergoing assessment for its harmonised classification as Persistent, Mobile and Toxic (PMT), very Persistent very Mobile (vPvM) and toxic for reproduction category 1B. The latter proposed classification is based on evidence of clear developmental toxicity, including malformations of the eyes and skeletal system in rabbit offspring. TFA also impacts sperm quality and the thyroid hormone system in rats.

This results in TFA being a 'relevant' metabolite, according to Article 3, point 32 of Regulation (EC) No 1107/2009, which means the 0.1 µg/L groundwater limit applies to TFA. Alarmingly, TFA contamination in groundwater routinely exceeds this limit for relevant metabolites[2] and, in some cases, surpasses even the 10 µg/L threshold for non-relevant metabolites in groundwater[3]. An October 2025 study[4] has provided the first quantitative estimation of TFA emissions leaching into groundwater as a direct result of crop applications of 24 EU-approved PFAS pesticides, including flutolanil. For flutolanil, when representative uses on flowers and potatoes were considered, the resulting TFA leaching potential was estimated to be high (≥ 10 µg/L) according to the FOCUS modeling approach.

According to recent scientific warnings, TFA poses a serious threat to planetary boundaries, as most of the TFA released today will persist in the environment for future generations. Continued use of TFA-emitting substances will lead to the accumulation of this truly forever chemical in our environment. This constitutes a clear indication of a violation of the Pesticide Regulation (EC) 1107/2009, namely its Article 4(3), stating pesticides shall have no immediate or delayed effects on human health, directly or through drinking water, or on groundwater. TFA-emitting substances, including flutolanil, constitute a clear risk for citizens and groundwater and should be banned.

We call on you to **support** the Commission's proposal for **non-renewal of flutolanil.**

[2] Austria, Denmark
[3] Germany, Sweden, Switzerland.
[4] Trifluoroacetate leaching potential from fluorinated pesticides: an emission estimation and FOCUS modelling approach | Environmental Sciences Europe

3. **Draft Commission Implementing Regulation (EU) concerning the non-renewal of the approval of the active substance buprofezin (C03)**

PAN Europe reiterates its support for the proposal for non-renewal of the approval of buprofezin, which has been identified as an endocrine disruptor for human health by EFSA in its peer-review conclusions published in April this year. The substance was found to disrupt the Hypothalamic-Pituitary-Thyroid (HPT) axis, causing adverse effects on thyroid indicated by alternations in thyroid weight and thyroid histopathology. As substances that alter thyroid function may result in neurodevelopmental toxicity, the use of this substance should stop immediately. Therefore, we disagree with providing the maximum grace period of 6 months and an additional year, which in line with Article 20 Regulation (EC) 1107/009 should be given only to non approvals of substances that do not concern the protection of health and the environment.

We call on you to **support** the Commission's proposal for **non-renewal of buprofezin.**

4. **Active substances meeting the criteria for endocrine disruption: cyprodinil, fludioxonil, and fenoxaprop-P-ethyl (A. 05)**

As highlighted in our previous letters to SCoPAFF, recent conclusions by EFSA have confirmed that several substances currently under renewal, clearly meet the criteria for endocrine disruption, and as such, no longer fulfil the conditions for reapproval under the Pesticide Regulation. We regret to see that the Commission is presenting a non-renewal for buprofezin only, while the substances concerned - cyprodinil, fenoxaprop-P-ethyl and fludioxonil - are still under point A, even though it has been identified that they may cause harmful effects on human health -particularly vulnerable groups- and the environment. Meanwhile, other substances, including bixlozone and pyrimethanil, are being processed much more quickly.

Article 4 and points 3.6.5 and 3.8.2 of Annex II of the Pesticide Regulation clearly provide that active substances having endocrine-disrupting properties cannot be approved unless exposure is negligible. EFSA's findings show that this 'negligible exposure' condition was not demonstrated for these substances. Moreover, as the legal requirements under Article 4(7) for exceptional approval were not satisfied in time by applicants, renewal under this derogation is not permissible for any of these four substances.

In our letter of 23 June 2025, we expressed our deep concern to the Commission regarding the PAFF committee's repeated failure to take decisive action to ban these harmful substances. These repeated delays in decision-making are unacceptable and contribute to further setbacks in what has already been a prolonged evaluation process for all four substances. In particular, the latest delay has led to a proposal by the Commission to extend the approval period for buprofezin, which we strongly urge you to oppose (Agenda item B.06).

We therefore call on you to take a clear and firm stance in favour of the **non-renewal of all four endocrine-disrupting active substances**.

Thank you in advance for your consideration of these matters.

Sincerely yours,

On behalf of PAN Europe
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