European Commission

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22. 06. 2016

Brussels,
ARES(2016)

Mr Jorgo Riss
Director
Greenpeace European Unit
199 Rue Belliard
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Dear Mr Riss,

Thank you for your letter of 11 April 2016, sent on behalf of several NGOs, regarding the publication of confidential studies submitted by industry in the framework of Regulation (EC) No 1107/2009 on the placing on the market of plant protection products.

Your letter raises a number of questions both on the legal framework for public access to scientific information submitted by companies asking for the approval or the renewal of active substances and on the scope of my letter to the Glyphosate Task Force of 4 April 2016.

On the legal framework, I would like to emphasise that the EU pesticide peer review is a transparent process. The European legislation on plant protection products states clearly which information shall and shall not be made publicly available. The framework is based on a balance struck by the EU co-legislators at the time of adoption of that legislation between the right of the public to have access to information and the interest of companies to have certain industrial and commercial information treated as confidential. The same balancing exercise between these two conflicting needs was performed while adopting the legal rules on public access to documents.

I hope you understand that the Commission must comply with the existing legal rules and that disclosure of confidential information without the agreement of the owner of the data could lead to legal consequences.

Leaving aside the legal framework, I took the initiative, with my letter of 4 April 2016 to invite the Glyphosate Task Force to publish proactively the full studies provided to EFSA. My intervention was aimed at facilitating the decision making process and reinforcing trust in the ongoing EU procedure in the particularly complex case of glyphosate. The nature of my political initiative was explained by the Deputy Head of my Cabinet to Greenpeace, CEO and PAN Europe representatives in the meeting of 9 March 2016.

In this overall situation, I note that the main worries of civil society centre around the assessment of the carcinogenic potential of glyphosate, and the divergent outcome of the IARC and EFSA assessments in this regard. I have therefore focused my intervention on this part of the dossier, keeping in mind that my request for voluntary action by the Glyphosate Task Force should be targeted to the more pressing concerns of public society.

Finally, I would like to inform you that no decision has been taken yet by the Commission as regards a possible renewal of the approval of glyphosate.

Yours sincerely,