MUSALL Benjamin (TRADE)

Subject: FW: Meeting on Monday @ 1130 hours: ECPA, endocrine disruptors and trade issues

From: mailto: [...]@ecpa.eu]
Sent: Monday, January 21, 2013 4:23 PM
To: MUSALL Benjamin (TRADE)
Cc:
Subject: RE: Meeting on Monday @ 1130 hours: ECPA, endocrine disruptors and trade issues

Dear Benjamin

Thanks for your time this morning to discuss the issue of endocrine disruption.

As I mentioned to you, we are working closely with both DG SANCO and DG ENV on the detailed criteria to be put in place to define Endocrine Disruptors. We are clearly concerned that the legislation is becoming more hazard based and not risk-based – but that is the framework we have in the Regulation and DG SANCO and DG ENV are obliged to deal with this reality!!

Regarding trade effects, we appreciate that this will not happen in the short term but it could happen - if and when certain substances are banned because they considered to be endocrine disruptors (EDs)! Our major concern is that MRLs will not be granted (or will be removed) if substances are banned as EDs. This is a situation that we would want to avoid and as we discussed, hopefully the likely US-EU will help in managing this issue.

We briefly discussed OECD when we met – I am still checking with colleagues about the current status of discussions in OECD and I will feedback to you in due course.

Regarding the legislative framework, I am copying below the relevant endocrine disruption part from Regulation 1107/2009 (Annex II, 3.6.5):

> *3.6.5. An active substance, safener or synergist shall only be approved if, on the basis of the assessment of Community or internationally agreed test guidelines or other available data and information, including a review of the scientific literature, reviewed by the Authority, it is not considered to have endocrine disrupting properties that may cause adverse effect in humans, unless the exposure of humans to that active substance, safener or synergist in a plant protection product, under realistic proposed conditions of use, is negligible, that is, the product is used in closed systems or in other conditions excluding contact with humans and where residues of the active substance, safener or synergist concerned on food and feed do not exceed the default value set in accordance with point (b) of Article 18(1) of Regulation (EC) No 396/2005.*
> *By 14 December 2013, the Commission shall present to the Standing Committee on the Food Chain and Animal Health a draft of the measures concerning specific scientific criteria for the determination of endocrine disrupting properties to be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 79(4). Pending the adoption of these criteria, substances that are or have to be classified, in accordance with the provisions of Regulation (EC) No 1272/2008, as carcinogenic category 2 and toxic for reproduction category 2, shall be considered to have endocrine disrupting properties.*
> *In addition, substances such as those that are or have to be classified, in accordance with the provisions of Regulation (EC) No 1272/2008, as toxic for reproduction category 2 and which have toxic effects on the endocrine organs, may be considered to have such endocrine disrupting properties.*

Thank you for your time this morning. I look forward to maintaining our dialogue on this and other relevant trade issues!

Regards

[...]