

## EU Ombudsman urges Commission to prioritise substitution of most toxic pesticides

The EU Ombudsman urges the European Commission to speed up the substitution of the most hazardous pesticides within the EU. Following a complaint by PAN Europe, she concludes that there was no maladministration in the decision by the European Commission to rely on a standard adopted by the European and Mediterranean Plant Protection Organization (EPPO). However, if the Commission would continue to work with EPPO, it should urge EPPO to adopt more stringent rules on conflicts of interest and allow the participation of stakeholders other than the pesticide industry in its work.

In January 2023, PAN Europe lodged a complaint with the EU Ombudsman denouncing the endorsement of flawed guidelines from EPPO by the Commission. PAN Europe argued that these guidelines have been heavily influenced by the pesticide industry and obstruct the much-needed substitution of the most dangerous pesticides, thus breaching the Pesticide Regulation and its provisions for a high level of protection. The Ombudsman's assessment found no clear evidence of maladministration in the Commission's decision to rely on a standard adopted by EPPO. Similarly, she did not find conclusive evidence of a conflict of interest involving the one expert with industry ties, as there are currently no measures in place to prevent such situations. However, she acknowledged that PAN Europe's concerns are understandable and offered suggestions for improvement.

Therefore, the decision of the Ombudsman highlights two important issues:

- **A longstanding failure to act on substitution of the most toxic pesticides:** despite being aware since at least 2020 that the current rules on pesticide substitution are ineffective, the Commission has failed to take decisive action. The Ombudsman's ruling underscores the Commission's longstanding neglect in addressing these ineffective substitution rules, which has allowed hazardous substances to remain in use longer than necessary.
- **Inadequate conflict of interest policies:** the Ombudsman's decision highlights EPPO's conflict of interest policies as grossly inadequate (compared to EFSA's standards). It also acknowledged the understandable concerns about EPPO's industry-heavy influence.

*"PAN Europe expects the European Commission to immediately implement the Ombudsman's recommendations", said Salomé Roynel, Policy Officer at PAN Europe. "There is no room for further delays. The continued authorization of hazardous pesticides must end immediately thanks to substitution."*

The decision clearly directs the Commission to revise the rules of substitution, enforce stricter conflict of interest policies, and ensure a more balanced representation of stakeholders. This includes implementing mandatory, publicly accessible declarations of interest.

### Toxic 12: Europe's most toxic pesticides

**Background: PAN Europe's Toxic 12 Campaign** has been shining a light on the most dangerous pesticides still authorised in the EU. Our work reveals the shocking reality: the regulation urging their prompt substitution with safer alternatives is not implemented. As a result, farm workers but also consumers, are exposed to residues of these very dangerous pesticides. Despite the EU's legal commitment to replacing these dangerous chemicals, they

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remain massively authorised in Member States. In 2020, the Commission pledged to reduce by 50% the use of these so-called “more hazardous” pesticides and to revise the rules of substitution. Over four years later, no draft of new rules has been made public, and no significant progress has been seen in reducing human and environmental exposure to these substances.

## Read more:

- [Decision on how the European Commission adopted a guidance document on comparative assessment in the context of the substitution of hazardous substances in pesticides \(case 177/2023/VB\) | Decision | European Ombudsman \(europa.eu\)](#)
- [Ban Toxic 12](#)
- [Forbidden fruit: The dramatic rise in dangerous pesticides found on fruits and vegetables sold in Europe](#)
- [EPPO PP1 - PP1/271\(3\) - Guidance on efficacy aspects of comparative assessment](#)

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