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To: The Deputy Permanent Representative

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## Council discussions on the amendment to the General Food Law

Dear Deputy Permanent Representative

I am writing on behalf of the European Crop Protection Association, representing the companies that manufacture pesticides in Europe, with regards to the current proposal being discussed in the Council and Parliament to amend the General Food Law.

**Our industry fully supports the efforts to improve transparency** in the risk assessment process, and welcomes the Commission proposal in this regard, particularly where it can help build trust in the EU approval system for pesticides. Anything that can be done to build trust in the system can only be good for us as industry, for decision makers and for citizens. As evidence of our commitment, in March our industry launched a global initiative to make all safety related data, from studies submitted in to the approval process, publicly available.

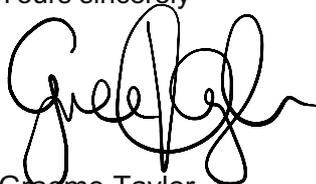
However, even with our commitment to transparency **we still believe that there is an important balance to be struck in the proposal when it comes to protecting what is legitimately Confidential Business Information (CBI)**. The protection of CBI lies right at the heart of the ability of companies to continue to invest in Research & Development – of which our companies jointly invest \$6bn per year - and continue to bring new and innovative solutions to the market. Not only that, but there is a need to prevent those who would produce counterfeit or illegal pesticides – currently 15% of the market - from having free access to this information.

**The current changes proposed by the Presidency, although in the right direction, still do not go far enough** in our view in maintaining the necessary protection for CBI. Without further amendment, these proposals will have an impact on the ability of all sectors to continue to invest in innovation and consequently create jobs and growth in Europe.

In addition to our concerns around the need to protect CBI, **we also have concerns about the way in which such information will be made available; the timing on which it will be made available; and also the lack of an appeals process**. There is already precedent in EU legislation (for example, in pharmaceuticals) which we believe can, and should, be followed to avoid singling out the food chain.

We understand the issue is currently proceeding to discussion in attaches on 14<sup>th</sup> November, after which a mandate will be sought for informal trilogues to begin in January. I attach a copy of our position paper which outlines some specific changes we would like to see. We would welcome the opportunity to explain our concerns in more detail to you.

Yours sincerely



Graeme Taylor  
Director of Public Affairs

