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Voluntary - Public

Date: 5/8/2018

GAIN Report Number: E18030

EU-28

Post: Brussels USEU

Implications of Restricted Use for Neonics in the EU

Report Categories:

Agriculture in the News

SP2 - Prevent or Resolve Barriers to Trade that Hinder U.S. Food and Agricultural Exports

Approved By:

Lisa Allen

Prepared By:

Tania De Belder

Report Highlights:

On April 27, 2018, a majority of the Member States approved three draft Commission implementing regulations further restricting the use of neonicotinoids at the Standing Committee on Plants, Animals, Food and Feed (PAFF). These draft implementing regulations will ban all uses for Clothianidin, Imidacloprid and Thiamethoxam except for the application in permanent greenhouses in the EU. The European Commission deems these measures necessary to address alleged risks to bees according to the updated risk assessment by the European Food Safety Authority (EFSA). The Commission will adopt the regulation in the coming weeks, which means that the restrictions could be in place by the end of June 2018. There are no implications expected for the maximum residue levels (MRLs) and import tolerances for these substances, but USEU/FAS will continue to monitor.

General Information:

Background

Neonicotinoids, or neonics, are the most commonly used insecticides for many food and feed crops, but are a very controversial group of pesticides within the EU. The European Commission considers them to have detrimental impacts on bees and pollinators in general and decides in 2013 to restrict certain uses of the three neonicotinoids, Clothianidin (CTD), Imidacloprid (IMD) and Thiamethoxam (TMX), in bee-attractive crops, such as rapeseed. The European Commission asked the European Food Safety Authority (EFSA) to initiate a review of all new available data for the restricted uses by 2015, two years after the entry into force of the ban. In February 2018, EFSA finally published the results of its [updated risk assessment of the three neonicotinoids](#), which was based on an unapproved Bee Guidance document. In March 2017, the Commission unexpectedly proposed a broad extension of the current restrictions on the use of the three neonicotinoids in plant protection products by banning all uses except application in permanent greenhouses in the EU.

Outdoor Ban for Neonicotinoids

On April 27, 2018, the majority of the Member States endorsed the Commission's draft implementing regulations at the Standing Committee on Plants, Animals, Food and Feed (PAFF) to ban all outdoor uses. The Commission will adopt these regulations, amending Implementing Regulation (EU) 540/2011 regarding the use of [Clothianidin](#), [Imidacloprid](#) and [Thiamethoxam](#), in the coming weeks. After entry into force of the implementing regulations, Member States will amend or withdraw existing authorizations for plant protection products containing these active substances within three months and completely prohibit the placing on the market and use of treated seeds within six months.

Impact on Maximum Residue Levels (MRLs) or Import Tolerances

In principle, the draft implementing regulations and their additional restrictions do not immediately affect the MRLs for these substances. The Commission may prepare a proposal to delete the existing MRLs following revocation of the authorizations of plant protection products (Article 17 of Regulation (EC) no. 396/2005), but only when the active substance is no longer authorized for any use. The implementing regulations still allow for certain uses, i.e. the use in permanent greenhouses and the reasons for the restrictions are not related to human health concerns. This means that if, in the future, the Commission decides to delete existing MRLs, it should be possible for third countries to apply for import tolerances for all banned uses that no longer have MRLs. If this were to happen, the EU would need to notify such measures to the Committee on Sanitary and Phytosanitary Measures (SPS) of the World Trade Organization (WTO), since it would disrupt trade with third countries. FAS/USEU will continue to monitor the status of the existing MRLs.

