

President of the European Commission Jean-Claude Juncker  
European Commission  
Rue de la Loi  
1049 Brussels

Cc: Mr Commissioner Jyrki Katainen  
Cc: Mr Commissioner Karmenu Vella

April 18th 2019

## **Implementation of EFSA Bee Guidance Document**

Dear Mr President of the European Commission Jean-Claude Juncker,  
Dear Mr Commissioner Jyrki Katainen,  
Dear Mr Commissioner Karmenu Vella,

On February 25th 2019 we sent you a cross-party letter on the approval and implementation of EFSA's 'Bee Guidance Document' (BGD - original letter, see attached). One month later on March 21, we received an answer from Commissioner Andriukaitis.

The answer by Mr Vytenis Andriukaitis that we received has not reassured us and was in fact missing the point on several issues. With this letter we want to point out some critical remarks and also express our fear that a weakened version of the BGD would be adopted during the SCoPAFF meeting of May 20-21, a few days before the European elections.

We know you take the issue of bee health and survival of pollinators in general very serious and therefore address our concerns to you once more.

## **Background**

According to the answer we received on 21<sup>st</sup> March, the European Commission (EC) will submit to the vote of Member States a 'compromise' version of the BGD that allows to get the agreement of most of the member states and stop the '5-year imbruglio' on the BGD. However, the EC fails to acknowledge that this partial version excludes assessment of chronic toxicity and risks to wild bees, the assessment of which were key factors leading to the exemplary decision of the Commission to ban the outdoor use of 3 neonicotinoids (imidacloprid, clothianidin and thiamethoxam) last year. This decision was based on an in-depth assessment of these pesticides' risks to bees, carried out by the European Food Safety Authority using its new and complete version of the BGD<sup>1</sup>. The latter is to date the most comprehensive and up-to-date scheme to assess the impact of pesticides on pollinators.

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<sup>1</sup> EFSA Guidance on the risk assessment of plant protection products on bees (*Apis mellifera*, *Bombus* spp. and solitary bees). First published in the EFSA Journal: 4 July 2013

According to the Bee Guidance Document (BGD), new patterns of exposure (at low doses but prolonged in time) constitute an essential aspect for the evaluation of systemic pesticides. This is why the EFSA BGD considers not only a pesticide's acute toxicity to bees but introduces other important parameters to properly evaluate the risk of systemic pesticides for bees:

1. chronic toxicity arising from longer exposure in time and accumulation effects;
2. multiple exposure routes in food (pollen, nectar, honeydew), water (guttation water, surface water) and habitat (soil, dust, etc.);
3. effects on different life stages of bees and effects likely to affect the whole colony (for honey bees).

These parameters, including the evaluation on chronic toxicity, are of paramount importance: Without these parameters in mind, the toxicity for pollinators of the three neonicotinoid recently banned (thiamethoxam, clothianidine, imidacloprid) could not have been properly assessed. They need to be considered in each pesticide risk assessment in order to protect our pollinators.

The EC in its 2018 EU Initiative on Pollinators, underlined the importance of immediately implementing the EFSA BGD. It therefore recently submitted (July, 2018) to the SCoPAFF a proposal for a step wise implementation of the EFSA BGD, starting with the protocols to assess acute, chronic and larval toxicity on bees, for which internationally agreed guidelines are available. However, in its October 2018, December 2018 and January 2019 meetings, Member States rejected this proposal.

Following the inputs of SCoPAFF, the EC has thus elaborated a “compromise” proposal, according to which:

- only the section of the EFSA BGD concerning the acute toxicity tests, and only for honey bees will be used: the adoption of all other sections will be postponed until the publication of a “revised” version of the EFSA BGD.
- key tests to assess the risk of pesticides on bees (as chronic toxicity and larval toxicity) will be left out and the effects of pesticides on pollinators other than honeybees will be ignored.
- the adoption of the above mentioned tests will be postponed until a review of the EFSA BGD takes place. This process will take years and threaten the survival of pollinators, while adopting the test protocols already available and internationally validated, could already make the difference for the survival of pollinators in the EU.

In other words, this new proposal will not at all improve the present assessment scheme (except for including more exposure routes in the evaluation, a very minor improvement compared to what the EFSA BGD currently contains).

The EC has on several occasions communicated proudly about its outdoor ban on three neonicotinoids which puts it at the “forefront worldwide”. However, with the current measures planned on the BGD there is a risk that these neonicotinoids will be replaced by other substances that are equally dangerous to pollinators since they won’t be assessed in the same rigorous way.

Given the scientific consensus on the alarming state of pollinators’ health and their declining numbers across the EU we therefore call you on to ensure that all pesticides, and in particular the remaining neonicotinoids, are assessed according to the same high standards as the three recently banned neonicotinoids.

We therefore call on the EC and the Member States:

- To adopt the BGD as presented in July 2018 and to adopt all the sections of the EFSA BGD for which internationally validated test protocols are already available or at the final stage of validation, including chronic and larval toxicity tests;
- To avoid any modification of background mortality and trigger values established in the EFSA BGD; and
- To finance and conduct research activities to facilitate the elaboration of those test guidelines and protocols not yet available.

We look forward to your response on this urgent matter and also request a meeting to discuss this further, ahead of the vote scheduled for 20/21 May.

Yours sincerely,

Bart Staes MEP, Co-rapporteur PEST committee