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Sent: 14 July 2016 14:40
To: MIKO Ladislav (SANTE); JUELICHER Sabine (SANTE); SCANNELL Michael (SANTE); VAN GOETHEM Bernard (SANTE); [REDACTED] (SANTE); [REDACTED] (SANTE); [REDACTED] (SANTE); [REDACTED] (SANTE); [REDACTED] (CAB-ANDRIUKAITIS); [REDACTED] (SANTE); [REDACTED] (SANTE); [REDACTED] (SANTE); [REDACTED] (SANTE)
Cc: [REDACTED] (SANTE); [REDACTED] (SANTE); [REDACTED] (SANTE)
Subject: BTO meeting Commissioner Andriukaitis with Ambassadors from CDN, USA, BRA, URU, ARG - 13 July 2016

Participants:

- Commissioner Andriukaitis, A. Vinciuonas, [REDACTED], [REDACTED]
- Ambassadors from CDN, USA, ARG, BRA, URU and their assistants

Endocrine disruptors

US Ambassador opened meeting expressing concern of countries on proposals submitted by COM on criteria for ED, in particular their impact on import tolerances. Ambassador quoted a study of CropLife which estimates costs for US exports alone to be in range of 4-5 bn US \$. He quotes from EFSA opinion, which states that risk assessment is possible for ED. CDN Ambassador referred to recent glyphosate case, GM authorisations and now ED proposals which signal that EU is moving away from a scientific risk assessment and thus breaching WTO-SPS obligations. He urges COM not to apply hazard approach alone. CDN expresses expectation that in future MRLs for imports can continue to be set. URU Ambassador recalled recent letter of 13 Ambassadors to EU office in Geneva, where problem was already highlighted; he stressed importance to have technical workshop at WTO level on the EU proposal. BRA Ambassador questions why the EU decided for the current approach, although I.A. shows other options (in particular option with potency) providing same level of protection and more in compliance with SPS obligations. All were interested to learn about the next steps in the decision making process.

Commissioners response:

- Decision-making process only started now, comments are expected from MS, stakeholders and third countries through various channels by mid/end August; outcome of this process open, he pointed to the very divergent views and to the pressure coming from EP and some MS, whose position should be known to everybody. COM will await comments, assess them and decide afterwards on next steps.
- Mandate of COM was to establish scientific criteria to identify EDs; COM proposal based on WHO definition meets this request. Scientific world has still diverging views, He met all type of scientists on this topic.
- Hazard approach is enshrined in both basic legal acts, biocides and pesticides; COM has no possibility to deviate from this approach.
- COM proposal is in view of various positions expressed over the last years a proportionate response
- COM has kept the whole process fully transparent, involving and listing to all stakeholders concerned, including scientists from USA
- Confirmed that services are available for a technical workshop on this subject at WTO in Geneva

AV reiterated the hazard based approach in basic act and that scientists agreed that potency is not part of the identification of EDs.

■ explained the decision making process for the two acts and the involvement of Parliament and Council and clarified that COM proposal foresees possibility to establish MRLs, which should be accepted as an ambitious proposal to address the concerns expressed by the Ambassadors (recalling that decision-making process still at early stage).

