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Glyphosate: the next steps

The recent findings of the ECHA are to be welcomed, but the path from here is far from smooth...

I have received a lot of emails and letters about the possible ban on glyphosate. It will be well known by now that in March 2017 the European Chemicals Agency (ECHA) found that the active ingredient did not meet the criteria for being a carcinogen, supporting the findings of the European Food Standards Agency (EFSA) and contradicting the controversial findings of the IARC. The stage is, therefore, set for the Commission to move to reauthorise glyphosate, which it would ideally move to do for the maximum period possible in order to avoid a repeat of this debacle before time.

However, the legislation governing active ingredient renewals suggests that the Commission now needs to submit its draft proposal for reauthorisation back to the Standing Committee on Plants, Animals, Food and Feed (SCoPAFF) for approval. This was the body that failed to make a decision last time, leading to the temporary approval that is currently ongoing pending full re-approval. Its inability to make a decision is because politics inevitably gets involved in decision making in SCoPAFF: the committee is made up of representatives of the national governments of the Member States. Thus, despite the ECHA decision representing a battle win, it is clear that the war is far from over.

On its return to SCoPAFF, the vote on the proposal will be on the basis of Qualified Majority Voting. This means that in order to pass, 55% of member states (i.e. 16 out of 28) and representing 65% of the EU's population must vote in favour. A blocking minority of 4 Member States representing more than 35% of the population can scupper this, or Member States can abstain so that no decision is reached. This is what happened in 2016, when 7 Member States abstained, resulting in the current temporary extension and postponement of decision for the ECHA report.

A quick look at the maths of the Member States voting in Council shows that the known anti-glyphos (France 13%, Netherlands 3.4% and Sweden 2%) make up 18% already. Germany, with 16% of the population, and Italy, with 12%, and both with vocal anti-glypho lobbies, voting against would be enough for a blocking minority. However, as occurred last year, abstentions would produce a similar non-approval situation and the decision would fall back to the Appeals Committee of the Council (again a political decision), and then failing a decision again, back to the Commission for a final determination. And all of this while the European Parliament could move again for a Resolution appealing to the Commission to take citizens' supposed concerns into account (how many them would still be concerned if there was a food shortage ongoing at the present time?). The temporary re-approval will expire at the end of 2017 so a decision is needed without delay.

The last Commission President was particularly critical of member states "hiding" behind the committee procedure to avoid making difficult decisions on matters such as genetic modification and chemicals re-approval. Ex-President Juncker said that this was "not democracy", but this belies the democratic deficit of the Commission powers which have supposedly been given to it by the Member States. The Commission may again become the fall guy for this difficult decision on glyphosate renewal, but political leadership in difficult decisions is a prerequisite of any functioning administrative body. While the EU has responsibility for chemicals regulation decisions, it is the EU that must act. It is worth remembering that even following re-approval, Member States are entitled to legislate at national level as to the use of approved active ingredients in plant protection products on their territories. Member States who are concerned can enact national restrictions, such as on recreational usage, accordingly.

The cynic in me notes that the farcical charade of trying to find democratic consensus on this simple issue amongst 28 countries further damages the credibility of the EU project as a whole and reaffirms that we are better off out. If the Commission now fails to act in accordance with the considered opinion of its advisory bodies, it inflicts yet another wound into the whole system of EU level harmonised legislation, perhaps even mortally so if the decision making process becomes gripped by political paralysis.

On the other hand, whilst UK farmers absolutely do not want non-approval of glyphosate, if a ban is coming at EU level, as a secondary measure we don't want any non-approval affecting us prior to the United Kingdom leaving the European Union. In this context, any delay is a potentially useful one. But this is where I introduce a note of caution

though: currently chemicals approval is devolved to the European Commission and the twin bodies of EFSA and ECHA, and we urgently need an understanding of which body will take over from these in the UK after Brexit. Any EU level restriction on glyphosate, and the protracted and inefficient committee approval processes, must not be copied over to the UK under the clumsy and constitutionally catastrophic auspices of the Great Repeal Bill. I will write to Minister George Eustace to ask for clarification on this - what we absolutely do not want is the convoluted EU process to be used as the UK approvals process even on an interim basis. A clean break is essential so that when we leave the EU, decisions can be made quickly and on the basis of best available science and risk assessment. Our farmers must be able to rely on this essential farm chemistry without protracted and intransigent political wrangling.

Motivation to attack the credibility of glyphosate is largely driven by an irrational fear of GM technology and the anti-corporate agenda irresponsibly fuelled by the green lobby conspiracists in certain Member States. I urge all farmers and concerned parties to use whatever means available to them to help spread the broader message about the value glyphosate brings to farming and food security, particularly conservation agriculture practices. Social media and Facebook are good for getting the message across, particularly as to the minimal relative toxicity of glyphosate compared to everyday substances such as table salt and caffeine. Please keep lobbying your MEPs and MPs for their support too and invite them to see glyphosate working on your farms. I will continue to be a voice of reason in this debate, but it can make a real difference if there are multiple voices uniting in support of common sense.

We know now that the scientific consensus is overwhelming in favour of the responsible usage of this chemical. The data is there and the safeguards are there. Brexit may give us the lifeline we need, but within the restrictions of the current legislative framework, it would be preferable if the Commission simply drew an end to this debacle and allowed us to get on and farm.