

To the NL ministers of agriculture and environment

Datum
9 januari 2026

The Ctgb's advisory letter to the Dutch ministers of agriculture and the environment on the Commission's proposal to simplify and strengthen the food and feed safety legislation (*courtesy translation*).

Dear ministers,

The Ctgb (the Netherlands board for the authorisation of plant protection products and biocides) took note of the proposal from the European Commission (EC) to simplify and strengthen the EU food and feed safety legislation. This proposal includes proposed amendments to the EU regulations for the placing on the market of plant protection products and biocidal products. With this letter, the Ctgb draws your attention to what it considers to be the most important aspects and advises you accordingly from the perspective of protecting human health, animal welfare, and the environment, as well as the feasibility of the proposals.

The Ctgb experiences that the current system for the assessment of plant protection products and biocides is overburdened and therefore welcomes that the European Commission's (EC) took the initiative to address this using a more targeted, risk-based approach. The proposals of the EC, however, need to be amended on key points to at least maintain the current level of protection and to strengthen the authorisation system. In their current form, the proposals could be counterproductive, lead to greater inefficiency, and even result in a lowering of the level of protection of humans, animals and the environment. These key points are:

- A risk-based, programmatic approach to the reassessment for the renewal of active substance approval should be based on a European system that provides the EC and Member States in a timely and systematic manner with information on new scientific insights into risks of active substances. This

should also include establishing an obligation for the EC to present a work programme in a timely manner and to adjust it periodically. This applies to both plant protection products and biocides.

- The reassessment for the renewal of the authorization of plant protection products and biocidal products should be linked to the risk-based reassessment system for active substances.
- Broad-spectrum, toxic substances should be excluded from the definition of biocontrol.

These points are explained in more detail below.

Current situation

Current European legislation for the placing on the market of biocides and plant protection products requires active substances to be approved at EU-level before products based on those substances can be authorised by national competent authorities such as the Ctgb. Subsequently, approved active substances and authorised products must, after a predefined period, be reassessed for their safety and efficacy in light of the most recent scientific knowledge and guidance.

The drawback of this system is its non-selectiveness: every substance and every product must be periodically reassessed, regardless of its risk profile. In practice, for both biocides and plant protection products, the set timelines are not met; deadlines for the reassessment of active substances and products are repeatedly postponed. In addition, in the case of biocides, the reassessments of products are not linked to the reassessments of the active substances. This system is inefficient, as the available assessment capacity is not used optimally.

Commission proposal and advice of the Ctgb to the ministers

Renewal of active substance approval

The EC proposes to replace the current system with a programmatic approach, by which most active substances would be granted unlimited approval and would therefore, in principle, no longer be subject to periodic reassessment. In case of new scientific insights, or at the request of Member States, selected substances can still

be reassessed within a work programme to be established by the EC. The EC expects that relevant new insights are taken into account more rapidly in this way. The thus freed capacity can help speed up the processing of other applications, such as those for biocontrol (plant protection) and for the ongoing review programme (biocides). Substances with a high hazard profile, such as substances that are candidates for substitution, would be excluded from unlimited approval and would therefore continue to be subject to periodic reassessment.

The Ctgb agrees with the reasoning that a more targeted system of re-assessments could lead to increased efficiency and a more effective use of assessment capacity, aimed at maintaining a high level of protection. However, the Ctgb considers the proposed implementation of this more targeted reassessment system insufficient to achieve this objective and considers it could even result in a lowering of the level of protection. The Ctgb regards this as cause for concern.

To realise the benefits identified by the EC, the Ctgb considers the following amendments to the proposal as essential:

1. The programmatic approach must ensure that new scientific insights, guidance, and monitoring data are taken into account effectively. Under the current system, the burden of proof to demonstrate that active substances continue to meet the safety criteria lies with the applicant, as this information must be submitted for reassessments. If periodic reassessments are discontinued, a European system is needed to provide the EC and Member States in a timely and systematic way with information on new scientific insights into risks of active substances. This system should form the basis of the work programme, ensuring that active substances are reassessed at the right time (in a timely manner) and on the right aspects (risk-based). Such a system is lacking in the proposal. The Ctgb advises you to advocate for the establishment of such a system, organised at European level, for both plant protection products and biocides.
2. There must be certainty that the EC will establish a work programme in a timely manner and update it periodically. This is important not only to ensure that the right substances are reassessed at the right time, but also to ensure that sufficient assessment capacity is available for that purpose. Only under these conditions can competent authorities ensure the availability of adequate knowledge and expertise and prevent the system from becoming

overburdened again. The current proposal does not set a deadline for the initial work programme or for its periodic updates. The Ctgb therefore advises you to advocate for a clear deadline for the adoption of the initial work programme and for its periodic revision. In addition, for biocides the proposal provides only for a *power* for the EC to draw up a work programme, whereas for plant protection products the proposal includes an *obligation* for the EC. In the absence of such an obligation for biocides, the necessary legal certainty is lacking. The Ctgb advises that an obligation for the EC to periodically establish a work programme should also be pursued for biocides.

Renewal of product authorisation

Under the current system, the reassessment for renewal of the authorisation of plant protection products is linked to the European reassessment of the active substances for the renewal of their approval. This ensures that the most up-to-date knowledge on the substances is taken into account in a uniform and simultaneous manner. For biocidal products this link does not currently exist. While the EC proposes, for both plant protection products and biocides, to carry out the reassessment of most active substances solely on the basis of a work programme, the reassessment of products is proposed to remain periodic (and therefore not risk-based). This means that, for plant protection products, these product reassessments would be decoupled from the reassessments of the active substances and would have to be conducted even if the active substances have not yet been reassessed at EU-level. Based on current experience with biocidal products, the Ctgb considers this a highly undesirable situation. Because a product reassessment must use the most recent information on the active substance, this effectively shifts the reassessment of active substances from a uniform European process to a Member State-level reassessment as part of the product evaluations. The Ctgb foresees that this will result in new information on substances to be fed into national product procedures for which these procedures were not intended. Individual Member State competent authorities would then have to evaluate the same new information on the substance at different times. This inevitably leads to a less efficient use of assessment capacity, divergent outcomes (and thus an uneven playing field), delays, and uncertainty. Furthermore, conducting periodic product reassessments for lower-risk products (for which the reassessment of the active substance is deemed unnecessary) also results in inefficient use of assessment capacity. The intended efficiency gains in the substance assessment

process are therefore at risk of being negated by this shift of workload to the Member States.

The Ctgb therefore advises advocating for a risk-based reassessment system in which the reassessment of products is linked to the risk-based reassessment system for active substances. This should apply to both plant protection products and biocidal products.

Definition of biocontrol for plant protection products

The EC proposal includes measures to accelerate the market entry of products based on substances of natural origin (biocontrol), such as prioritising the processing of biocontrol applications, provisional authorisation of products based on new biocontrol substances that have not yet been formally approved, and tacit authorisation if the competent authority does not decide on authorisation based on mutual recognition of biocontrol products within the procedural deadlines. The underlying rationale for these proposed measures is that biocontrol products have a lower risk profile and can reduce dependence on hazardous synthetic substances.

Many of these proposals align with advice previously given by the Ctgb, and the Ctgb can therefore support them - except for one key point. Whether biocontrol products actually have a lower risk profile, and thus whether the proposed measures are justified, depends on the definition of biocontrol and thereby which products are included by the definition. The EC proposes a definition that also includes broad-spectrum, toxic substances of natural origin. But the fact that a substance is of natural origin says nothing about its risks. The Ctgb considers this neither responsible nor scientific. Such natural substances do not differ from synthetic substances in their risks to humans, animals, and the environment; they do not merit the proposed benefits. Furthermore, the level of protection is undermined, in particular by the proposal to automatically grant mutual recognition for biocontrol product authorisations if the competent authority has not decided within 120 days - a deadline that is not feasible for broad-spectrum, toxic substances.

The Ctgb therefore advises advocating for the exclusion of broad-spectrum, toxic substances from the definition of biocontrol¹, or, alternatively, not supporting the benefits proposed for such substances and products.

Finally, the Ctgb supports the attention the EC is giving to innovative techniques, including drones. These offer opportunities for more precise application of products. However, the Ctgb considers that innovative techniques must at all times be applied in a way that does not lower—and ideally strengthens—the level of protection for humans, animals, and the environment. Exposure to, and the emission of, substances should be the same as or lower than with current application techniques. It is also essential that sufficient attention is given to ensuring the enforceability of applications using such techniques.

As signed,

Drs. Rob J.T. van Lint

President of the board

¹ Please refer to the Ctgb [overview document](#) for more information on the definition of biocontrol.