



Pesticide newsletter

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Jurisdictional news



EU: the European Commission condemned by the European Ombudsman for trusting a scientist linked to industry to define the level of environmental protection against pesticides

The European Ombudsman had been seized on September 15, 2020 with a [complaint](#) about the method of environmental risk assessment of pesticides, and more particularly about the management of conflicts of interest with experts involved in the design of this method by the European Commission. In his [decision](#) of November 8, 2021, the Ombudsman condemns the Commission's management of conflicts of interest and calls on it to improve its practices in this area.

The case is about a review by the Commission of the criteria for assessing the environmental risks of pesticides, the so-called "specific protection objectives". The plaintiff, [PAN Europe](#), an environmental organization, and partner of Justice Pesticides, was concerned about the proposed methodology and alleged conflicts of interest with the experts involved in its development.

Through his investigation, the Ombudsman noted that the Commission had not asked the expert in question to submit a statement of interest before a training workshop in 2019. According to the Ombudsman, the Commission should have asked the expert to submit a statement of interest because of the nature of the

workshop, which dealt with the implementation of EU legislation in a controversial area, and because the expert was presented as independent.

PAN Europe has pointed out the links of the expert with the agrochemical industry and the fact that he was not a renowned independent scientist. The group also pointed out the lack of balanced representation in one of the workshops "as business interests (a few hundred companies) were given 20 seats (participants) while public institutions (representing 500 million EU citizens) had only 4 seats (participants)". In addition, it noted that the Commission relied on documents prepared by EFSA (European Food Safety Authority), an agency that has been [denounced](#) for its failures in the regulation of pesticides. The Commission, in its defence, stressed the "minor" nature of the expert's role.

The Ombudsman considers that the Commission should have asked the expert in question to submit a statement of interest before taking part in the review workshops (training workshops) "because of the nature of these workshops, the role of the expert in them and the fact that the expert was presented as independent". However, as the Commission has in the meantime asked the expert in question to submit an expression of interest for the February 2020 workshop, the Ombudsman sees no need to pursue this matter. The Commission is therefore simply invited to improve its conflict of interest practices. The case demonstrates once again the pervasiveness of conflicts of interest in the management of EU pesticides.

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