Assessment of selected Pesticide provisions in the leaked Omnibus Proposal: Catastrophic deregulatory measures and limited reciprocity measures

Context

On December 16, the European Commission (EC) is expected to present a proposal "omnibus" regulation aimed at simplifying and strengthening food and feed safety requirements.

This omnibus is part of a broader work programme on "simplification" and deregulation launched by the EC in 2024[1], as explicitly acknowledged during the Competitiveness Summit held in Copenhagen on October 1, 2025 by EC President Ursula von der Leyen:

> *Because when we look at simplification, we all agree we need simplification, we need deregulation. We need it on the European level. Actually, we also need it on the national level, where gold plating is concerned. But I hope that with the omnibuses, we are setting a good example so others can also follow*[2]

This ambition drives the scrapping of vital protections in the areas of the environment, food safety, corporate responsibility, and consumers' rights. EU regulations aim that the food we eat is safe, traceable, and produced to a high standard. Civil society has dedicated years to achieving what we have now in terms of health, environmental, and social protection. While it is far from perfect, the Commission's plans are actually working backwards, making it weaker.

Euractiv leaked a working version of the draft "omnibus" regulation on Food and Feed Safety on November 21, 2025. Under the guise of simplification, DG SANTE is in fact initiating a profound shift in the logic governing pesticide regulation in Europe. The proposed reform paves the way for lowering of standards, marginalising independent science, and relegating public health and environmental protection imperatives to the background.

This brief analyses some provisions in the draft relating specifically to pesticides[3].

The leaked draft's deregulatory measures would seriously weaken EU protections. We urge Member States and MEPs to firmly reject them and to defend strong, ambitious pesticide regulations in the EU when the Commission presents its expected proposal on 16 December.

1 Omnibus I "durability" (Commission proposals adopted on 26 February 2025); Omnibus II package on investment simplification. (Commission proposal adopted on 26 February 2025) Omnibus III on the common agricultural policy (Commission proposal adopted on 14 May 2025) Omnibus IV package on small mid-caps, digitalisation and common specifications (Commission proposals adopted on 21 May 2025); Omnibus V on defence (Commission proposals adopted on 17 June 2025); Omnibus VI on chemicals (Commission proposals adopted on 8 July 2025) Omnibus VII on digital (Commission proposals adopted on 19 November 2025). Omnibus VIII on environment (Presented by the EC on December 10, 2025). Forthcoming Omnibus Proposals on Automotive, Energy product legislation, Taxation omnibus, Citizens. See https://commission.europa.eu/law/law-making-process/better-regulation/simplification-and-implementation/simplification_en

2 Speech by President von der Leyen at the Copenhagen Competitiveness Summit, 1 october 2025

3 Other areas targeted by the regulation proposal : Biocides, Feed additives, Hygiene rules, Animal welfare, Fermentation products, Official controls, Bovine spongiform encephalopathy

Catastrophic Deregulatory Measures:

- **Unlimited EU approvals of pesticides** (except, in particular, those that are candidates for substitution[4], substances approved by derogation from safety criteria[5], or those benefiting from a conditional approval subject to specific restrictions[6]). Currently, active substances are generally subject to periodic review every 10 to 15 years. These systematic reassessments are, in principle, carried out in light of the most recent scientific knowledge. Under the proposal, approvals would be granted for an unlimited duration.
  Today, it is through these periodic reviews that toxic pesticides are identified and banned. The proposed reform would thus remove any incentive to work on new active substances that would be less harmful both for human health and the environment.
  For example, if such review procedures had not taken place, Europeans would still be exposed to dangerous pesticides such as chlorpyrifos (a neurotoxin), mancozeb (reprotoxic and endocrine-disrupting), and the herbicide chlorothalonil, whose metabolites contaminate water bodies.

- **Removal of the obligation for Member States to take the latest independent scientific data into account when conducting national pesticide assessments. Member States would be able to rely solely on the latest EU-level EFSA evaluation for the substance's approval** (even if that evaluation was conducted long ago). This measure seeks to neutralise the effect of the April 2024 CJEU ruling, which clarified that Member States must take into account the most recent scientific evidence before authorising a pesticide product at the national level.

- **Doubling of grace periods, allowing the continued use of hazardous pesticides.** Even after being banned for human health or environmental protection reasons, pesticides could still be sold and used for an additional 3 years. This would expose citizens to highly toxic substances (including endocrine disruptors, carcinogens, and neurotoxic compounds) for several years after their official prohibition. Different grace periods set individually by Member States can create distortions within the EU, and extending them would move further away from harmonisation.

4 An active substance is a 'candidate for substitution' if its propertie indicate the substance is more hazardous. A candidate for substitution can only be approved for a maximum of 7 years before it needs to renewed. These candidate-for-substitution substances represent only a small number of substances.
5 Article 4(7) of Regulation (EC) No 1107/2009 allows the Commission to exceptionally approve an active substance that does not meet the usual safety criteria, if this is indispensable to control a serious danger to plants.
6 Article 6 of Regulation (EC) No 1107/2009

Insufficient measure:

- **Lowering MRLs to the limit of detection and ending import tolerances for the most hazardous active substances (those that meet the cut-off criteria of Regulation (EC) 1107/2009). Specifically, this applies to mutagenic, carcinogenic, reprotoxic, and endocrine-disrupting substances, as well as PBT substances and POPs (threats to both health and the environment).**

Ending the dichotomy between sanitary and environmental standards applied to products consumed in the EU has been a consistently stated objective of European institutions for the past five years. But what is proposed remains insufficient.

Why is this insufficient?

- **It does not cover all active substances banned in the EU, only the most hazardous ones (i.e. out of the 72 non-authorised substances identified with MRLs above the limit of detection, only about one-quarter fall within the scope of the measure.** Hence, the following ones are not covered:
    - Substances prohibited because they do not meet the other conditions set out in Regulation (EC) No 1107/2009. Indeed, when a substance is not automatically excluded because it does not meet the exclusion criteria, it may be prohibited due to its unacceptable effects on human health and the environment (Article 4(1)(b) and Annex II of Regulation 1107/2009).
    - Non-supported substances, i.e. those whose approval has expired and for which no renewal application was submitted or validated.

Examples of non-covered substances: fipronil, paraquat, acephate

- **It does not cover all imported products.** Crops used exclusively for animal feed, energy production, ornamental purposes, and processed food products are not covered by this regulation.
- **It does not work for all agricultural products.** For certain agricultural products, it is nearly impossible to detect residues in the final product. This is the case, for example, for hazelnuts or sugar. It is therefore entirely possible to use multiple pesticides at high doses and even at late growth stages without any residues appearing on the nuts.
- **It does not ensure that these substances will no longer be used in third countries. Indeed, food can be grown using environmentally damaging substances without the chemicals in question being found in residues in the final product. This might be the case**, for example, of herbicides such as glufosinate that are widely used in countries outside the EU, despite well-known risks to biodiversity (particularly pollinators) and to water and soil quality. Glufosinate also poses a threat to human health, notably for agricultural workers directly exposed to it.

Contacts

Stéphanie Kpenou (Veblen Institute) kpenou@veblen-institute.org
Giulia Gouet (Slow Food) g.gouet@slowfood.it
Jonas Jaccard (Humundi) jja@humundi.org
Amaury Ghijselings (CNCD 11.11.11) Amaury.Ghijselings@cncd.be
Sharon Sheets (Slow Food Deutschland) s.sheets@slowfood.de
Enzo Armaroli (FNH) e.armaroli@fnh.org
Giulia Mardegan (Slowfood Italia) g.mardegan@slowfood.it

Annex

	Current text	Proposed change in the omnibus
Unlimited EU approvals of pesticides	Regulation EC 1107/2009 'Article 5 - First approval First approval shall be for a period not exceeding 10 years.	Regulation EC 1107/2009 'Article 5 - First approval The first approval shall be unlimited in time except for: a) active substances that are identified as candidates for substitution in accordance with Article 24; b) active substances that are approved under Article 4 (7); or c) active substances for which a limited time of approval is set in accordance with Article 6.';
Member States' examination for authorisation	Regulation EC 1107/2009 Article 36 - Examination for authorisation 1. The Member State examining the application shall make an independent, objective and transparent assessment in the light of current scientific and technical knowledge using guidance documents available at the time of application. It shall give all Member States in the same zone the opportunity to submit comments to be considered in the assessment. It shall apply the uniform principles for evaluation and authorisation of plant protection products, referred to in Article 29(6), to establish, as far as possible, whether the plant protection product meets the requirements provided for in Article 29 in the same zone, where used in accordance with Article 55, and under realistic conditions of use. The Member State examining the application shall make available its assessment to the other Member States within the same zone. The format of the assessment report shall be established in accordance with the advisory procedure referred to in Article 79(2).	Regulation EC 1107/2009, Article 36 '1. The Member State examining the application shall make an independent, objective and transparent assessment in the light of current scientific and technical knowledge using guidance documents available at the time of application. For the active substances, safeners and synergists contained in the plant protection product, Member States shall rely on the last assessment conducted at EU level in relation to their approval. It shall give all Member States in the same zone the opportunity to submit comments to be considered in the assessment. Where a Member State considers that the last assessment conducted at EU level needs to be updated in the light of new scientific and technical knowledge, it shall inform the Commission as provided for in Article 18 or Article 21.';

Grace periods	Regulation EC 1107/2009 Article 46 Grace period "Where a Member State withdraws or amends an authorisation or does not renew it, it may grant a grace period for the disposal, storage, placing on the market and use of existing stocks. Where the reasons for withdrawal, amendment or non-renewal of the authorisation are not related to the protection of human and animal health or the environment, the grace period shall be limited and shall not exceed 6 months for the sale and the distribution and an additional maximum of 1 year for the disposal, storage, and use of existing stocks of the plant protection products concerned".	Regulation EC 1107/2009 'Article 46 Grace period 1. Where a Member State withdraws or amends an authorisation or does not renew it, it may grant a grace period for the disposal, storage, placing on the market and use of existing stocks. 2. Where the reasons for withdrawal, amendment or non-renewal of the authorisation are related to renewal of an approval with conditions and restrictions, non-renewal of approval under Article 20(1), or withdrawal of approval under Article 21(3), the grace period shall not exceed the maximum set under Article 20(2). 3. In all other cases, the grace period shall be limited and shall not exceed 2 years for the sale and the distribution and an additional maximum of 1 year for the disposal, storage, and use of existing stocks of the plant protection products concerned.';
Lowering MRLs to the limit of detection and ending import tolerances for active substances that meet the cut-off criteria of regulation EC 1107/2009	Regulation (EC) 396/2005 - Article 14 (2) (e) Decisions on applications concerning MRLs "a CXL or a GAP implemented in a third country for the legal use of an active substance in that country"	Regulation (EC) 396/2005 - Article 14 (2) (e) Decisions on applications concerning MRLs "(e) a CXL or a GAP implemented in a third country for the legal use of an active substance in that country. In case the active substance does not meet the criteria set out in points 3.6.2 to 3.6.5, 3.7.1 to 3.7.3, and 3.8.2 of Annex II to Regulation (EC) No 1107/2009 according to the latest available evaluation under Regulation (EC) No 1107/2009 and/or a specific evaluation in accordance with Article 43 to Regulation (EC) No 396/2005, a MRL based on a CXL or a GAP implemented in a third country cannot be established and the level established according to Article 18(1)(b) applies 7;

7 Article 18 Compliance with MRLs : "1. The products covered by Annex I shall not contain, from the time they are placed on the market as food or feed, or fed to animals, any pesticide residue exceeding: (b) 0,01 mg/kg for those products for which no specific MRL is set out in Annexes II or III, or for active substances not listed in Annex IV unless different default values are fixed for an active substance in accordance with the procedure referred to in Article 45(2) while taking into account the routine analytical methods available. Such default values shall be listed in Annex V".