



**Veblen Institute**  
*for Economic  
Reforms*

## Questions for Commissioner designates

*The questions listed below fall within the portfolios of the following commissioners:*

- Agriculture and food: **Christophe Hansen** (LU, EPP)
- Environment, Water Resilience and a Competitive Circular Economy: **Jessika Roswall** (SE, EPP)
- Trade and economic security: **Maros Sefcovic** (SK, S&D)
- Health and animal welfare: **Olivér Várhelyi** (HU, P4E)
- Executive Vice-President for Prosperity and Industrial Strategy: **Stéphane Séjourné** (FR, Renew)
- Executive Vice-President for Clean, Just and Competitive Transition: **Teresa Ribera Rodríguez** (SP, S&D)
- Executive Vice-President for Cohesion and Reforms: **Raffaele Fitto**, (IT, ECR)
- Commissioner for Climate, Net Zero and Clean Growth: **Wopke Hoekstra** (NL, EPP)

### **Mirror measures**

1) The regulatory gaps between the production standards that apply to EU production and imported goods are a growing concern for EU farmers and consumers.

The conclusions of the Strategic Dialogue on Agriculture stated that "*The overall ambition should be to create a stronger alignment of imports with EU food and farming standards.*"

Will you make this issue a priority of your mandate, and if so, how?

Would you agree to adopt a European Regulation on mitigation of environmental and health impacts associated with food imported to the EU or at least adopt a mirror

measures<sup>1</sup> reflex, which means that the EC would have to systematically consider including provisions on the treatment of imported and exported goods in all landmark EU legislation, at every stage, particularly in impact studies, consultations or when drafting legislative proposals?

2) Regarding exports, currently, the EU produces goods for export whose use is banned from the European market because of their hazardous nature or environmental impact. This is the case for certain chemical products including pesticides, single-use plastic products, certain plastics used in packaging, and so on.

Do you intend to legislate to put an end to these double standards (through sectoral export bans or through a horizontal legislation anchoring the principle of prohibition of exports to third countries of products not authorized on the EU market)?

### **Multilateral harmonization of standards / Codex**

3) Will you actively promote the definition of more ambitious international standards on pesticides and livestock practices, by including the objective of environmental protection in the mandate of the Codex Alimentarius?

### **Pesticides**

#### **4) Import tolerances**

While it is prohibited to treat crops in the EU with substances that are not approved or authorized by European regulations, crops produced outside the EU may have been treated with these substances provided that the foodstuffs imported into the EU comply with the MRLs set out in Regulation EC 369/2005. Furthermore, Member States, third countries and manufacturers may also request import tolerances, i.e. MRLs for pesticides, based on authorized uses outside the EU, and therefore potentially for substances that are no longer approved in the EU. Applications for import tolerances may lead the Commission to raise the MRLs for active substances, even when these substances are banned in the EU.

---

<sup>1</sup> Regarding imports, “mirror measures” are measures integrated in European legislation which condition access to the EU market on compliance with certain essential European standards, particularly in the areas of sustainability, the environment, health and animal welfare. Applied to exports, this means that the EU should adopt a horizontal legislation or sectorial legislations to end the exports of products whose sale and use are not authorized on the EU market because of their harmful impacts on health, the environment, animal welfare.

For instance, the MRL for glyphosate on soybeans is 200 times higher than for most other crops and rice is the only crop whose paraquat MRL is above the detection threshold.

Furthermore, MRLs do not apply to all agricultural production, and to crops grown exclusively for animal feed, energy or ornamental purposes.

Will you put an end to import tolerances for all banned pesticides (lowering the Maximum Residue Limits (MRLs) to the detection threshold and extending the use of MRLs to all agricultural production (including crops intended solely for animal feed, energy or ornamental use), also covering pesticides banned for environmental reasons?

#### 5) Beyond MRL

Regarding imports, the MRL approach may prove insufficiently effective in protecting the environment and the health of people in the producing country, particularly because for the moment, no MRL has been set for products intended (exclusively) for animal feed and the MRL regulation does not cover energy or ornamental products.

Moreover, it is possible to grow food using substances harmful to the environment without the chemicals in question ending up as residues in the final product. That is why alternatives must be found to the lowering of MRLs. In such cases, a total ban could be implemented for the most hazardous substances.

Will you gradually adopt import bans on crops treated with the most damaging banned substances?

#### 6) Export ban on pesticides.

Regulation EC 1107/2009 lays down requirements for the placing of pesticide products on the EU market, but it does not apply to pesticides produced in the EU for export to third countries. This leads to a situation where substances banned in the EU because of their hazardousness are still manufactured by European companies and exported to third countries, mainly LMICs. An investigation conducted by Public Eye shows that more than 80,000 tons of 41 banned pesticides were exported from the EU for agricultural use in 2018. The Commission committed in its 2020 strategy on sustainable chemicals to stop the production and export of all banned and hazardous chemicals by 2023, but it has so far failed to do so.

Will you ban the production, circulation and export to third countries of pesticides and substances prohibited for use within the EU?

### **Livestock**

#### 7) Effective implementation of the mirror measure on antibiotics as growth promoters

Antibiotic resistance results from the unreasonable use of antibiotics, which leads to the emergence of bacterial resistance through transmission mechanisms via the environment or food to humans and animals. Currently, 1.2 million people worldwide die every year from infections caused by microbial organisms resistant to all existing antibiotics. 24.1 million people will potentially be driven into extreme poverty, mainly in developing countries. And 10 million lives will be at risk by 2050.

Each year, the EU imports hundreds of thousands of tons of meat from animals treated with growth-promoting antibiotics. While this practice has been banned in the EU since 2006, this is not the case in the main countries producing and exporting meat to the EU (e.g. Brazil, Ukraine and Thailand). These imports are also encouraged by free trade agreements (See for example, the EU-Mercosur agreement, which provides for an additional annual zero-duty import quota of 180,000 tons for South American poultry, mainly from Brazil).

Since 1 January 2006, the use of growth-promoting antibiotics in livestock farming has been banned in the EU. To combat antibiotic resistance and the unfair competition imposed on European livestock farmers, the EU has extended this ban to third-country operators exporting animals or products of animal origin to the EU under EU Regulation 2019/6.

But this measure - still not applied in 2024 - contains loopholes. It only concerns antibiotics, which are considered medicinal products and not additives. And the effective implementation of the mirror measure is hampered by the inadequacy of controls and the absence of protective measures in the event of shortcomings being identified, as shown by the precedent relating to growth hormones.

Will you implement the ban on the importation of meat from animals that have been not only treated with but also fed on growth-promoting antibiotics?

## **8) Animal welfare**

Will you require adherence to standards equivalent to those in force in the EU for animal agriculture in third countries, particularly regarding breeding conditions, transport, and traceability?

## **Deforestation**

9) Will you oppose the proposal for a one year delay in the implement of the Regulation on deforestation-free products and work to strengthen the text concerning the covered areas (including wooded lands in order to protect peatlands and forested savannahs) and products (such as sugar cane, maize, cotton...) ?

## **Customs**

10) Custom review

Customs rules should be designed and revised to enable customs authorities to effectively implement the new sustainability import requirements for access to the EU market. The customs nomenclature must also be adapted to consider new measures taken by the EU to ensure that products become more sustainable and repeatable (ex. regulation on the eco-design of products).

Would you consider revising the customs nomenclature to identify goods that have been produced using sustainable processes and production methods (for example, organic farming products are not identified in the customs nomenclature, nor are products from the circular economy)?

## **Trade agreements**

11) The mission letter addressed by the President of the new Commission, Ursula von der Leyen asks the Commissioner designate for agriculture to “*work with the Commissioner for Trade and Economic security towards reciprocity and international level playing field*”. But she also asks the future Trade Commissioner to continue all ongoing trade negotiations.

Will you oppose trade agreements that encourage the exchange of goods or services harmful to the environment, climate, and health and which do not include provisions on core environmental, social and animal welfare standards for the most sensitive and impactful products?

Will you engage in favor of more sustainability-focused partnerships, with targeted market access for only those goods and services that are sustainable and useful for ecological and social transition and not already easily available locally? Will you act in favor of these new kinds of partnerships including commitments to phase out the trade of harmful products, such as plastics, highly hazardous chemicals, and other emissions-intensive products?

## **Investment protection**

Current International Investment Agreement (IIAs) and trade agreements which include investment chapters with Investor-State Dispute Settlement mechanisms (ISDS or ICS) represent a major obstacle to climate mitigation and adaptation and to the adoption of ambitious social and environmental policies. In its [resolution](#) of 23 June 2022 on the future of the EU international investment policy, the European Parliament "*urges the Commission and the Member States to ensure consistency between IIAs and the European Green Deal, environmental policies, labour rights and human rights, by excluding from treaty protection investments in fossil fuels or any other activities that pose significant harm to the environment and human rights*". However, for now, there is no alignment between these recommendations and the content of the existing agreements or even the new agreements under ratification or negotiation (also the case with the agreements recently renegotiated with Chile and Mexico).

In 2023, the Commission [proposed](#) a coordinated EU withdrawal from the ECT. This proposition was [endorsed by Parliament](#) on 11 April 2024 and [by the Council](#) on 30 May 2024. Meanwhile, several Member States have either announced their intent to exit or already started withdrawing from the ECT. However, the treaty continues to exert significant influence as it serves as the basis for arbitral proceedings, particularly within the fossil sector and including against EU Member States and even the EU itself. Moreover, its "sunset" clause will prolong its impact on existing investments for 20 more years.

12) Do you commit to align IIAs with the Paris agreement on climate change ? This would mean no longer include any provisions relating to investment protection that contravene our international obligations under the Paris Agreement (in accordance with the objective of article 2.1 (c) of the Paris Agreement, investments in fossil fuels or any other activities that pose significant harm to the environment and human rights should be excluded from treaty protection).

13) There are still fossil fuel disputes based on the ECT showing the ongoing harmful effects of the ECT on climate actions.

What actions do you plan to take to neutralize the sunset clause between exiting parties (beyond the EU Member State, eg, the UK)?

## **Public procurement**

Public procurement expenditures in the EU are equivalent to 15% of GDP. The corresponding activities are responsible for 10% of the total carbon footprint of the EU. Despite commitments under the Paris Agreement to significantly reduce their GHG emissions, 55% of public procurement expenditure is awarded to the lowest-priced bidder. Enrico Letta's report presented in March 2024 largely insists that public procurement is "instrumental in enhancing the productivity, resilience, and sustainability of the EU economy".

A recent study published by Carbone 4 shows that "if aligned with climate objectives, public procurement could play a significant role in creating markets for innovative low-carbon solutions and accelerating the shift of the European economy to climate neutrality".

The study assesses the impact of a Buy European and Sustainable Act that would prescribe a minimum threshold of EU content, and a maximum threshold of greenhouse gas (GHG) emissions of products purchased through public procurement.

Will you work towards implementing a reform of public procurement rules to promote sustainable and European purchases?

#### Contacts

Stéphanie Kpenou [kpenou@veblen-institute.org](mailto:kpenou@veblen-institute.org)

Mathilde Dupré [dupré@veblen-institute.org](mailto:dupré@veblen-institute.org)