26 May 2009

PLANT PROTECTION CHALLENGES IN THE FRUIT AND VEGETABLES SECTOR

Dear,

Freshfel Europe, the European Fresh Produce Association representing the interests of the fresh fruit and vegetables supply chain, is writing you with regard to the Commission proposals on a number of active substances which will mark the end of the review process started in 1991. Our sector has serious concerns with regard to the possible withdrawal of the active substances **Diphenylamine, Metam Sodium and Paraffin oil CAS 6472-46-7**.

While the fruit and vegetables sector is at the forefront in taking up integrated production methods and reducing chemical inputs, a sufficient wide range of plant protection solutions remains crucial to ensure the success of these techniques. The ongoing review process in the framework of the current legislation (since 1991) has brought down the total number of authorised active substances from + 1000 to 450 by the end of this year, confronting our sector with over 250 different crops already with several gaps in plant protection solutions The enclosed graphic of the situation in France is hereby representative for the fruit and vegetable sector at large.

Freshfel fully acknowledges the need of the review process and the overhaul of EU pesticide legislation, to provide for a continued high level of consumer protection, but feels that some proposals fail to sufficiently take into account the lack of alternative active substances available for use, especially in the fruit and vegetables sector. Indeed our sector is confronted with limited investment by crop protection manufacturers, given that potential sales generate very slow pay-back on their investments in research, development and particularly authorisation for use. With 3% of the cultivated area in Europe, fruit and vegetables typically represent 5-10% of the turnover of crop protection manufacturers.

With regard to the non-inclusion proposals presented to the Council on the above mentioned substances, we understand these are largely attributable to the lack of data on specific issues not entailing any serious health risks. Moreover the Rapporteur Member States for each of the substances supported an inclusion in Annex I of Dir.91/414/EEC. While the legislation foresees the possibility to resubmit a dossier in case of a non-inclusion, any decision would not be possible before the phase-out of the active substances resulting from the non-inclusion (in this case mid 2011). This would effectively leave growers without these important plant protection solutions for a period of 6 months to 2 years; furthermore representing a disincentive to the crop protection manufacturers who might meanwhile lose certain markets.

EUROPEAN FRESH PRODUCE ASSOCIATION A.I.S.B.L

av. de Broqueville 272 bte 4 • 1200 Brussels • Belgium • Tel : +32 2 777 15 80 • Fax : +32 2 777 15 81 • e-mail : info@freshfel.org

www.freshfel.org • www.freshquality.org • www.freshcongress.com

If one considers the situation with scald control on **apples and pears**, the possible withdrawal of the plant growth regulator **Diphenylamine (DPA)** would have serious implications with regard to the storage of approximately 10% of the EU crop (over 30% for certain varieties) and have knock-on effects on third country supplies to the EU.

Furthermore:

- The main reason for the non-inclusion proposal are unknown metabolites resulting from home-processing, while commonly treated varieties are not the likely choice for home processing.
- DPA is the only effective plant protection solution against scald for certain varieties
- New state of the art cold stores are better suitable for scald control, but require serious investments and enough time to replace older cold storage capacity

With regard to soil disinfection, the possible withdrawal of **Metam Sodium** would remove one of the last options following the phase-out of Methyl Bromide and considering 1,3-Dichloropropene and Chloropicrin are also threatened. The substance is widely used in the production of **vegetables, soft fruit, pome fruit, potatoes and flowers**.

Furthermore:

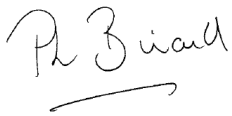
- Soil disinfection, while drastic, remains crucial for certain crops in which possibilities for crop rotation are limited. For certain minor crops the only solution is Metam Sodium.
- Soil disinfection is not applied systematically, typically once every 3-5 years.
- Metam Sodium leaves no residues on the final products, nor has there been any report of water contamination. The metabolites are naturally occurring substances.
- Non-chemical soil disinfection (eg. steaming) is highly CO_2-intensive, raising other environmental issues, while having the same drastic effect as chemical soil disinfection.

Finally, with regard to **Paraffin oil CAS 6472-46-7**, the possible withdrawal would further reduce the already limited number of insecticides used in the production of **bananas, citrus fruit, pome fruit, potatoes and flowers**. Furthermore paraffin oils, being non toxic and biodegradable, are widely used in the framework of integrated and organic production.

For these reasons we urge you to **actively consider an inclusion of the above mentioned substances, or at the very least solid guarantees (i.e. conditional inclusion, extended phase-out)** that growers will not lose these solutions pending resubmission of the dossiers. While we realise the substances are not needed or suitable in every EU Member State, we strongly advocate an EU perspective in this matter considering both domestic protection and total supply. National authorisations and national action plans provide the possibility to include mitigating measures if necessary.

We trust that you appreciate our concerns and remain available for any further information.

Yours sincerely,



General Delegate
Freshfel Europe

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