

(English version)

Question for written answer E-000712/26
to the Commission
Michał Dworczyk (ECR)
(19 February 2026)

Subject: Legal certainty and fair competition in the single market and the Commission's opaque activities outside the ordinary legislative procedure

In recent years, the Commission's opaque activities have on several occasions cast doubts on products that had previously been legally circulating on the EU market, even though the rules adopted under the ordinary legislative procedure had not been amended.

In the case of the Polish Smart Kid Belt product, the change in the regulatory approach led to the de facto elimination from the market of this innovative solution that had previously been on sale in many Member States ⁽¹⁾.

A similar situation occurred in the fish processing sector. The Commission, using a delegated act, introduced new technological requirements for salmon processing, which threatened to cause losses for companies that operated in line with lawful production methods ⁽²⁾.

Currently, another Polish product is at risk of being pushed out of the market through the use of non-legislative instruments. Since 2014, SILTAC has been used in agriculture as a non-plant protection product, in accordance with the classification confirmed by SCoPAFF ⁽³⁾ in 2017. In 2024, the Commission changed its interpretation and decided that it should be subject to Regulation (EC) No 1107/2009, despite the fact that the legislation had not changed. The reclassification, made by way of a new administrative interpretation, violates the principle of legal certainty, distorts competition in the internal market and hinders businesses' ability to plan.

1. On what basis did the Commission take steps to reclassify SILTAC?
2. Will the Commission ensure transparency regarding the process of reclassifying SILTAC, including the disclosure of documents and correspondence relating to this decision?
3. Does the Commission intend to strengthen the mechanisms for supervising the activities of officials in regulatory processes, particularly in relation to contacts with market actors and lobbyists, in order to ensure transparency, impartiality and equal treatment of market participants?

Submitted: 19.2.2026

Answer given by Mr Várhelyi on behalf of the European Commission
(4 June 2026)

The Commission would like to refer the Honourable Member to the reply provided to Question P-469/2026 ⁽¹⁾ on the same subject and explaining why the product SILTAC must be considered as a plant protection product according to Article 2(1) (a) of Regulation (EC) No 1107/2009 on the placing on the market of plant protection products (the PPP Regulation) ⁽²⁾.

All documents relating to the regular discussions in the Standing Committee on Plants, Animals, Food and Feed Section Phytopharmaceuticals — Legislation on whether products are in the scope of the PPP Regulation and to the particular case of SILTAC have been disclosed following specific requests submitted in accordance with Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁽³⁾.

In accordance with the Commission's Working Methods, contacts with stakeholders are conducted with transparency and members of the Commission should seek to ensure an appropriate balance and representativeness in the stakeholders they meet.

¹ This case is particularly controversial in the light of leaked correspondence indicating unethical and biased actions by Commission officials favouring child car seat manufacturers, and the case has been the subject of proceedings before the Court of Justice concerning the transparency of the Commission's actions: <https://curia.europa.eu/juris/document/document.jsf?cid=724057&docid=299499&doclang=EN>; <https://www.wirtualnemedia.pl/centrum-prasowe/artykul/53-minuty-tyle-zajelo-urzednikowi-komisji-europejskiej-na-przesadzenie-o-losach-polskiego-producenta>.

² In its judgment of 24 September 2025, the EU's General Court annulled a key provision, finding that the Commission had in fact introduced new obligations for businesses without the required scientific basis and without consulting EFSA: <https://eur-lex.europa.eu/legal-content/PL/TXT/PDF/?uri=CELEX:62024TJ0354>.

³ Standing Committee for Plants, Animals, Food and Feed.

⁽¹⁾ https://www.europarl.europa.eu/doceo/document/P-10-2026-000469_EN.html.

⁽²⁾ <http://data.europa.eu/eli/reg/2009/1107/oj>.

⁽³⁾ <http://data.europa.eu/eli/reg/2001/1049/oj>.

Commissioners, members of their cabinets and all Commission staff holding management functions are required to meet only interest representatives that are registered in the Transparency Register and publish information on and minutes of all such meetings in accordance with Commission Decisions (EU) 2024/3081 ⁽⁴⁾ and 2024/3082 ⁽⁵⁾.

⁽⁴⁾ https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L_202403081.

⁽⁵⁾ https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202403082.