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E-001536/2026

Answer given by Mr Várhelyi
on behalf of the European Commission
(30.6.2026)

Article 2 of Regulation (EC) No 1107/2009¹ defines the scope of that Regulation and clearly sets out the definition of both ‘plant protection products’ and ‘active substances’. The role of the working document on the scope of the Regulation² to which the Honourable Member refers is therefore not to create new legal criteria or a separate decision-making regime but rather to support a coherent and harmonised application of the existing provisions in technically complex or borderline situations.

The document and the related discussions with the Member States in the Standing Committee on Plants, Animals, Food and Feed (SCoPAFF) intends to support, but not replace the decisions taken by the competent national authorities under Regulation (EC) No 1107/2009. These are in charge of the authorisation of plant protection products according to clearly established legal requirements and procedural steps. The development and update of the scope document in the SCoPAFF is a practical mechanism for exchanges between Member States and the Commission on the basis of information, comments or questions submitted by competent authorities and/or economic operators with the aim of promoting consistency in the interpretation and application of the existing regulatory framework. The Commission will continue working with Member States towards this aim. Transparency is assured via the publication of updated versions of the working document (when needed) and via the summary of discussions in the minutes of SCoPAFF, which are publicly available.

In light of the above, the Commission does not consider it necessary to establish a binding procedural framework for discussions on whether ‘borderline’ products are in the scope of Regulation (EC) No 1107/2009 or not.

¹ Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products, ELI: <http://data.europa.eu/eli/reg/2009/1107/oj>.

² Available at : https://food.ec.europa.eu/document/download/0a630eff-9622-4f24-916c-33ead41e6724_en?filename=pesticides_ppp_app-proc_guide_scope_reg-1107-2019_1.pdf.