

EN
P-001927/2026
Answer given by Mr Várhelyi
on behalf of the European Commission
(1.7.2026)

The Commission sent a letter of formal notice to Romania in November 2025¹ for failing to comply with Regulation (EC) No 1107/2009² as interpreted by the Court of Justice in case C-162/21 regarding the granting of emergency authorisations for the outdoor sowing of seeds treated with thiamethoxam and imidacloprid³. In their reply sent on 7 December 2025, the Romanian authorities indicated their intention to amend their practice and comply with the Court ruling. The Commission is monitoring the situation before deciding on possible further steps.

The Commission presented a new draft of the guidance document on emergency authorisations for discussion in the meeting of the Standing Committee Plants, Animals Food and Feed on 29-30 June 2026. The new draft only addresses technical aspects related to the application for emergency authorisations and their assessment, while the Commission intends to set out its view on the scope of the judgement of the Court of Justice in a separate Commission Notice.

In November 2025, the Commission sent a mandate to the European Food Safety Authority (EFSA) to assess the justifications for emergency authorisations⁴ repeatedly granted for the use of plant protection products containing 1,3-dichloropropene, diquat or cyanamide. The outcome of that assessment is expected in the second half of 2027. Based on the outcome, the Commission will decide on further steps such as the possibility to prevent further repetition of these emergency authorisations by Member States in line with Article 53(3) of Regulation (EC) No 1107/2009 as was done in 2020 for Romania⁵ and Lithuania⁶.

The active substances abamectin and cypermethrin are currently approved for use in the EU.

¹ INFR(2025)2146. See <https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/?langCode=EN>.

² OJ L 309, 24.11.2009, pp. 1–50.

³ See judgement of the European Court of Justice of 19 January 2023 in case C-162/21.

⁴ <https://open.efsa.europa.eu/question/EFSA-Q-2025-00618>.

⁵ OJ L 33, 5.2.2020, p. 16.

⁶ OJ L 33, 5.2.2020, p. 19.