

Record of the

Meeting on the Progressive Phase-out of the Marketing of Highly Hazardous Pesticides

*between representatives of NGOs and BASF, Bayer, Syngenta
on 19 June 2013 in Frankfurt am Main*

All those individuals interested in attending the meeting reached an agreement on the background, aims, and planned schedule prior to the meeting and recorded these points (see Annex 1). The memorandum notes, *“The public is to be informed about the dialogue, the key arguments, and possible agreements reached during the meeting. To this end, a record of the meeting is to be prepared summarizing the tenor and the course of the discussion and the most important arguments as well as the participants’ assessment of the potential for continuing the discussion. Contributions to the discussion will not be attributed to individuals or the participating organizations or companies. Before the minutes of the meeting are published in a suitable form, (e. g. on the internet) consensus must be reached among all of the participants about the text.*

This document is intended to be the record of the meeting agreed upon by the participants (see Annex 2).

Point 1: How does PAN define highly hazardous pesticides?

PAN Germany summarizes its online research on the marketing of pesticides by BASF, Bayer, and Syngenta and considered by PAN to be highly hazardous, which is the background for this meeting. PAN International’s concept on highly hazardous pesticides (HHP) and the *PAN International List of Highly Hazardous Pesticides (PAN HHP List)* are also presented and contextualized in the international discussion about appropriate assessment criteria for HHP.

According to the signers and supporters of the PAN Germany online action, certain pesticides must be classified as highly hazardous on the basis of their intrinsic physical and chemical properties. Despite the measures implemented globally over the last two decades to reduce risks, these pesticides cannot be applied safely especially under conditions of poverty. The signers and supporters are therefore of the opinion that highly hazardous pesticides should not be placed on the market.



Point 2: Discussion

The PAN list of highly hazardous pesticides comprises only active ingredients and not products because in PAN's opinion

- undesirable effects are probable for highly toxic substances even at low dosages;
- problems are frequently more easily solved on the level of active ingredients; this is why as a rule legal bans apply to substances (thus, exclusion and substitution criteria in the EU are defined based on inherent substance properties);
- especially in developing countries, formulations are placed on the market and used that have not been approved or are illegal;
- within the context of assessment research, it is hardly possible to take into consideration the many diverse agents, formulations, mixtures of active ingredients, and areas of application on a global level (including uses outside of agriculture) and the relevance of the information won is questionable;
- the PAN list serves as an instrument for stakeholders to facilitate defining priorities for specific substances.

The NGO representatives emphasize the importance of the hazard approach because

- a reliable assessment of the actual individual exposition in practical use is very difficult;
- during the past two decades, the measures to reduce risks (e.g. instruction, training, and monitoring of persons who deal with pesticides) have been shown to be inadequate, especially under conditions of poverty;
- sufficient practical experience demonstrates that the use of highly hazardous pesticide active ingredients is unnecessary, when appropriate crop cultivation methods are adopted.

The hazard approach is unacceptable for the company representatives because

- it runs counter to the principle of risk assessment, which is the basis of international registration systems;
- plant protection products as they are applied by farmers contain active ingredients only in diluted form, which means that risks are considerably reduced;
- real / realistic risks are not taken into account;
- European companies cannot accept responsibility for generic products that are produced and marketed in other regions of the world;
- use-oriented, risk-based action is more appropriate, for example, evaluation of the evidence on site, in order to develop safer ways to apply products.

Point 3: Options for a progressive phase-out of the marketing of highly hazardous pesticides

The meeting was planned to offer an opportunity to discuss

- what measures are appropriate for realizing a progressive phase-out of the marketing of pesticides which PAN classifies as highly hazardous and
- whether implementation of these measures by the companies addressed here is realistic.



In the opinion of the companies whose representatives attended the meeting, a general categorization of pesticides based on the classification of substances is not acceptable. Activities to avoid problems related to pesticides should be related to risk assessment. Agreement could therefore not be reached between the representatives of the companies and NGO representatives on measures leading to an end to marketing pesticide active ingredients classified as highly hazardous by PAN.

The three companies have removed plant protection products to which the WHO classes Ia and Ib apply from their product portfolio for agricultural uses (Bayer CropScience, Syngenta) or will do so by the end of 2013 (BASF). As a consequence, this phase-out applies to all active ingredients of WHO Classes Ia and Ib used in agriculture. Justified exceptions are active ingredients for use in the realm of "public health" (BASF), seed treatment, and combating rats (Syngenta) or slugs (Bayer CropScience).

The representatives of the NGOs welcomed this decision as a first step and expressed the hope that other companies would follow suit.

Point 4: Identification, if possible, of common or complementary areas for action

The meeting also aimed to explore whether common or complementary areas for action could be agreed upon by the companies and the NGOs represented at the meeting. The participants reached the following agreements:

- Where this has not been the case so far (for example with respect to Bayer CropScience's phase-out of agricultural products of WHO Class Ia and Class Ib by the end of 2012), the companies will supply information about the phase-out of active ingredients and products classified as WHO class Ia and Ib.
- The NGOs will target the phase-out of the active ingredients and products that are classified in WHO Class Ia and Class Ib in their work.
- A continuation of the discussion was not arranged. However, both sides consider it possible that further discussions can, in principle, take place about specific topics or with respect to specific aims. However, these should be initiated by the organizations interested in these questions as they arise.



Annex 1

Discussion on the progressive phase-out of the marketing of highly hazardous pesticides

19 June 2013

K1, Hanauer Landstraße 204, 60314 Frankfurt am Main, Germany

Background

On 3rd December 2012 following an online action PAN Germany sent a letter to BASF, Bayer, and Syngenta that called for an end to the marketing of highly hazardous pesticides. The letter was sent in the name of about 10 000 individuals and 127 supporting organizations. In an accompanying letter, PAN Germany requested a meeting to discuss the issues raised. All three companies sent a detailed answer to the letter from the online action and responded positively to the proposal to meet. Agreement was reached that the meeting would focus on the online action letter sent to BASF, Bayer, and Syngenta and thus on the stepwise phase-out of the marketing of highly hazardous pesticides.

Participants

Representatives of the three companies who received the letter and of the organizations who supported the online action participated in the meeting. The group of NGO representatives resulted from an invitation made by PAN Germany to all groups that supported the PAN Germany online action to take part in a meeting in Germany with the representatives of BASF, Bayer, and Syngenta. The search for a common date with all those NGOs who were interested in participating via the website Doodle showed that a number of the interested NGO representatives were unable to attend on the dates proposed. The composition of the group of company representatives was the result of decisions reached by the companies. The list of participants can be found in the annex.

Content of the discussion

The meeting was based on the opinion of the signers and supporters of the online action that certain pesticides must be classified as highly hazardous on the basis of their intrinsic physical and chemical properties and that despite the measures implemented globally over the last two decades to reduce risks, these pesticides cannot be applied safely, especially under conditions of poverty. The signers and supporters are therefore of the opinion that highly hazardous pesticides should not be placed on the market.

The meeting was intended to offer an opportunity to discuss

- what measures are appropriate for realizing a progressive phase-out of the marketing of pesticides which PAN classifies as highly hazardous,



- whether implementation of these measures by the companies contacted in this context is realistic and
- whether agreement can be reached between the companies and the NGOs on common or complementary areas for action.

In view of the participants and the time frame for the meeting, a discussion of very specific aspects should be avoided. Moreover, the advantages and disadvantages of chemical plant protection in general or more specifically and the specific hazards of specific pesticides will not be discussed.

Framework for the meeting

The public is to be informed about the dialogue, the key arguments, and possible agreements reached during the meeting. To this end, a written record was to be prepared summarizing the tenor and the course of the discussion and the most important arguments as well as the participants' assessment of the potential for continuing the discussion. Contributions to the discussion will not be attributed to individuals or the participating organizations or companies. Before the record of the meeting is published in a suitable form, (e. g. on the internet) consensus must be reached among all of the participants about the text. PAN Germany will send the document to all supporters of the online action. Should common positions or agreements emerge during the course of the meeting, these will be identified and recorded. No representatives of the press will participate. If a consensus on the record is not reached by the end of September 2013, PAN will prepare a short report that includes the agenda, a list of the participating organizations and companies and notes that a consensual result was not possible.

Moderator

Dr. Wolfgang Bödeker

Schedule

- 11:00-11:15 Welcome and introduction
- 11:15-12:00 What are highly hazardous pesticides?
- 12:00-12:45 Discussion
- 12:45-13:45 Lunch break
- 13:45-15:30 Options for a progressive phase-out of the marketing of highly hazardous pesticides
- 15:30-16:00 Identification of mutual or complementary areas for action (time and circumstances permitting)



Annex 2

Participants

Moderator

1. Dr. Wolfgang Bödeker

Company Representatives

1. BASF SE, Ludwigshafen
Dr. Martin Dust
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5. Guest: Industrieverband Agrar [German Crop Protection Association], Frankfurt
Martin May
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NGO Representatives

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3. Misereor
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