

End of deadlines? Europe prepares "unlimited licenses" for active substances

Author(s): Растителна защита
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Following the failure of restriction plans, Brussels is considering a radical change by introducing open-ended licenses for active substances. Lawyers warn that removing expiration dates flips the rules of the game. Instead of the manufacturer being obliged to periodically prove that its product is safe according to the latest scientific standards, the burden will fall on society and regulators.

European plant protection policy is taking a sharp turn. Just a year ago, the main topic in Brussels was the "Farm to Fork" strategy and the SUR plan to reduce pesticides by 50%. Today, following mass farmer protests and political shocks, the European Commission (EC) is moving in the opposite direction – towards removing barriers and ensuring the long-term use of plant protection products.

The Administrative Trap

Until now, European regulation required active substances to undergo a strict scientific re-evaluation every 10 to 15 years. When a pesticide's license expired and the European Food Safety Authority (EFSA) was not ready with the new assessment, the European Commission automatically extended the authorization by 1 year. This happened repeatedly, leaving products on the market legally with expired safety assessments.

To prevent farmers from being left without products due to bureaucratic delays, the Commission has in practice made widespread use of the so-called Article 17 (administrative extension). This allows substance licenses to be extended administratively – often by one year, repeatedly. The result: dozens of pesticides remain on the market years after their original license expired, without having passed a successful new safety check.

The "Glyphosate" Case: The Commission Decides Alone

At the end of 2023, the case of the most widely used herbicide – glyphosate – clearly demonstrated Brussels' resolve. Despite conflicting data on carcinogenicity and the lack of a political majority among member states (Germany abstained, France wanted restrictions), the Commission then took matters into its own hands.

Citing the lack of conclusive evidence of harm in EFSA's report, the EC unilaterally extended glyphosate's authorization for the maximum period of 10 years (until 2033). This decision, widely covered by European media, set a precedent: the industry received a signal that its products would be protected, even under strong public pressure.

The New Plan: Licenses Without an End Date?

The real changes, however, are yet to come. According to a January 2026 article in *Handelsblatt*, the EC's Directorate-General SANTE is preparing the so-called "Omnibus Simplification". The goal is to completely eliminate the need for periodic reviews for most substances.

What the change envisions:

- **Open-ended approvals:** Instead of applying for renewal every 10 years, active substances will receive a license for an indefinite period.

- **The exceptions:** Regular checks will only be for the most dangerous chemicals (so-called "candidates for substitution"). All others will be considered safe until proven otherwise.
- **Longer grace periods:** The grace period for using already banned products could be extended from 18 to 36 months.

The Legal Attack: Is the Law Being Violated?

The plan for "open-ended licenses" is already meeting fierce resistance. The authoritative law firm *Geulen & Klinger* issued a statement that such a change is unlawful.

Lawyers warn that removing expiration dates reverses the principle followed until now. Instead of the manufacturer being obliged to periodically prove that its product is safe according to the latest scientific standards, the burden will fall on society and regulators – they will have to prove that a product is harmful in order to stop it. This in practice "cements" old formulas on the market for decades.

What's Next?

Europe is at a crossroads. On one side are the farmers, who insist on predictability and less bureaucracy after years of uncertainty. On the other are environmental organizations and scientists, who see a risk to health and the environment in the new plan.

A tough battle lies ahead in the European Parliament and the courts, which will determine whether European agriculture is heading down the path of deregulation.

Sources:

1. *Handelsblatt*: "EU-Änderungen bei Pflanzenschutzmitteln laut Gutachten rechtswidrig" (January 2026)
2. *ORF.at*: "Glyphosat: EU-Kommission verlängert Zulassung um zehn Jahre"
3. Regulation (EC) No 1107/2009 concerning the placing of plant protection products on the market

