

August, 2016

Austrian Comment on the draft COM delegated regulation setting out scientific criteria for the determination of endocrine disrupting properties in the context of the biocide and pesticides legal frameworks

Austria thanks the Commission for the presentation of the draft delegated act respectively the implementing regulation on the scientific criteria for the identification of endocrine disruptors within the BPR and the PPPR. We appreciate very much the sound preparation work on these legal proposals, in particular the assessment of socio-economic impacts.

Please note, that the **comments, published as Austrian position, represent the position coordinated between the Austrian expert institutions UBA (Austrian Environment Agency) and AGES (Austrian Agency for Health and Food).** We kindly ask you to specify this on the CIRCABC website.

Austria welcomes that the proposed criteria are based on the WHO definition, which was option 2 in the Commission Road Map. Regarding the WHO Definition which is the basis for the criteria in the Commission Road Map (“known or presumed to have caused endocrine-mediated adverse effect”) and later in the draft legal text (“known to cause an adverse effect”), we would ask for further clarification as to why the Commission has deviated from its original proposal and what consequences the Commission would expect.

Furthermore we find that the formulation of Section A, point 1 (“..known to cause..”) is not consistent with “weight of scientific evidence approach” as referred to in point 2.

Finally, we deem that a detailed description of the “weight of scientific evidence approach” would be more appropriately dealt with in a separate guidance document.

In discussions with Austrian stakeholders a consideration of “severity” and “potency” was also deemed necessary to allow for a more practicable implementation of the criteria. Also these aspects - being elements of expert judgement - are proposed to be generally dealt with in a separate guidance.

We find it very important to ensure coherence across the different legal frameworks dealing with endocrine disruptors in order to avoid situations where the same substance is identified as endocrine disruptor under one legal framework whereas under the other ones not.