

Machinery for pesticide application

2008/0172(COD) - 05/09/2008 - Legislative proposal

PURPOSE: to ensure that new machinery for pesticide application does not endanger the environment unnecessarily.

PROPOSED ACT: Directive of the European Parliament and of the Council.

BACKGROUND: the European Parliament and the Council have recognised, in the Decision adopting the 6th Community Environment Action Programme, that the impact of pesticides on

human health and the environment must be further reduced. As a first stage, this objective concerns plant protection products. Since then, the European Commission has adopted the "[Thematic Strategy on the Sustainable Use of Pesticides](#)" and proposed a [Directive](#) of the European Parliament and of the Council establishing a framework for Community action to achieve a sustainable use of pesticides to deal with the main legislative aspects of its implementation.

In its Thematic Strategy, and in the preamble as well as in the explanatory memorandum to the proposed Framework Directive, the Commission has made a commitment to introduce the necessary environmental protection requirements for new pesticide application equipment into a separate proposal.

Well designed, constructed and maintained machinery for pesticide application plays a significant role in reducing the adverse impacts of pesticides on human health, in particular on the operators of the machinery, and on the environment. Harmonisation of requirements for such machinery is a prerequisite for ensuring a high standard of protection while ensuring the free movement of such products in the Community. For this purpose, the Commission is now proposing a Directive amending Directive 2006/42/EC on machinery.

CONTENT: the objective of the proposal is to ensure that new machinery for pesticide application does not endanger the environment unnecessarily. To this end, the proposal introduces supplementary essential environmental protection requirements that must be fulfilled by new machinery for pesticide application before it is placed on the market and/or put into service in the Community. These supplementary essential requirements are mandatory provisions intended to ensure that the products do not endanger the environment unnecessarily.

In addition, amendments are made to the Annexes. In particular, the first General Principle set out in introduction to the Annex I is amended to include the obligation for manufacturers of machinery for pesticide application, where appropriate, to estimate the risks of damage to the environment.

Part 2 of Annex I sets out supplementary essential health and safety requirements for several categories of machinery. It is proposed to add a reference to machinery for pesticide application to the first paragraph defining the scope of Part 2. The new supplementary environmental protection requirements are introduced in a new Section 2.4. The requirements set out in the proposed new Section 2.4 apply to machinery for pesticide application. A definition of 'machinery for pesticide application' is given which makes it clear that the requirements apply to machinery intended for applying plant protection products and biocidal products for pest control, in line with the scope of the Thematic Strategy and the Framework Directive.

Machinery for pesticide application includes self-propelled machinery, towed, vehicle-mounted and semi-mounted machinery, airborne machinery as well as stationary machinery intended for pesticide

application, both for professional and consumer use. It also includes powered portable and handheld machinery and manually-operated portable and handheld machinery for pesticide application with a pressure chamber. However, the requirements set out in the Annex do not apply to manually-operated portable or handheld pesticide application equipment without a pressure chamber or to simple pesticide application equipment without moving parts, since such equipment is not in the scope of the Machinery Directive. Two new subsections set out essential requirements that aim to ensure that machinery for pesticide application is designed and constructed in order to minimise damage to the environment and is accompanied by the necessary instructions relating to its correct use, maintenance and inspection.

Lastly, the proposed new essential requirements are intended to be supported by technical specifications of harmonised standards for the various categories of machinery for pesticide application. To that end, the Commission will give an appropriate mandate to the European Standardisation Organisations.