Statistics on pesticides

2006/0258(COD) - 20/11/2008 - Council position

The Council adopted its common position with a view to the adoption of a Regulation of the European Parliament and of the Council concerning statistics on plant protection products. The Council took into account 5 amendments in spirit or partially (out of 26 amendments adopted by the European Parliament at 1st reading).

The common position also includes other changes, not envisaged by the European Parliament, which address a number of concerns expressed by the Member States in the course of negotiations.

The Council has made specific comments on the following issues:

Extension of the scope of the Regulation: certain amendments adopted by the European Parliament were not accepted by the Council since it considered that it would be burdensome for the respondents and administrations to extend the scope beyond sales and use.

Inclusion of biocides: amendments were not accepted by the Council since the knowledge of and the experience with biocides are still limited and the impact is unknown since the sector is under development.

Choice of data sources: requiring that the Commission approves the methods would involve a costly and cumbersome procedure. In line with the subsidiarity principle, the choice of data collection methods or data sources is the competence of the Member States.

Evaluation of data collected by a qualified group of experts: such an evaluation can not be accepted by the Council because it goes beyond the purpose of the Regulation.

Adaptation of the list of substances on a regular basis and in the light of ongoing consideration of active substances: this suggestion may lead to unnecessary increase of the administrative burden.

Confidentiality: the Commission has the obligation to take all necessary measures to ensure the protection of the confidential data transmitted by the Member States as provided for in Regulation (EC) N° 322/97. Therefore, there is no need to introduce new provisions or references in this respect.

Annual reporting obligation on quantities of PPP: the Regulation provides for the obligation for Member States to transmit to the Commission the required statistics. Member States shall select the data collection methods or data sources they consider the most appropriate. The obligation for reporting on the quantities of plant protection products produced, imported or exported have to be considered within the framework of the Regulation concerning the placing of plant protection products on the market.

Publication of data: the Council cannot accept to introduce in this particular Regulation the obligation for Member States to publish the statistics. The Regulation provides for the obligation for Member States to collect the necessary data and transmit the statistical results to the Commission.

Definitions: the definitions have been amended to take account of and align them to the ones used in the Regulation concerning the placing of plant protection products on the market.

Governing principles: accuracy is not enumerated among the principles that shall govern Community statistics according to Regulation (EC) N° 322/97. The Council can therefore not accept the amendment. However, this principle has been retained by the Council among the quality criteria.

Reference to Regulation (EC) No 322/97 and Regulation (EC) No 1588/90: a new recital has been introduced to clarify the framework within which the transmission of data has to be carried out and to recall how the confidentiality of data is ensured.

Objectives: the Council agrees to make a reference to the sustainable use of pesticides in the Directive. However, the Council cannot accept that the purpose of the Regulation should be to implement and evaluate the Thematic Strategy on the sustainable use of pesticides as suggested by the European Parliament.

Quality assessment: the Council has introduced an Article about quality assessment (Article 4).

Implementation measures: since the Article introduced by the Council on quality assessment is quite specific, the reference to the regulatory procedures for the quality reports and reporting measures has been deleted. Furthermore, the definition of the "area treated" has been moved from Annex II to Article 5 and the possibility for the Commission to amend the harmonised classification has also been moved from Annex III to Article 5.

Annex II, Section I, coverage: the Council has opted for providing the Member States with a large margin of appreciation to select the crops to be covered. The report on the implementation of the Regulation will be an opportunity to evaluate if it is necessary to modify the selection of crops.