

Pesticides: framework for Community action to achieve a sustainable use of pesticides

2006/0132(COD) - 13/01/2009 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a legislative resolution amending the Council's common position for adopting a directive of the European Parliament and of the Council establishing a framework for Community action to achieve a sustainable use of pesticides.

The recommendation for second reading (under the codecision procedure) had been tabled for consideration in plenary by Christa **KLASS** (EPP-ED, DE) on behalf of the Committee on the Environment, Public Health and Food Safety.

The amendments were the result of a compromise between Parliament and Council. The main amendments were as follows:

Legal base: the legal bases is Article 175(1), the compromise text does not use Article 152(4) as the Environment Committee had suggested.

Objective: the objectives include encouraging the promotion of non-chemical alternatives to pesticides.

Precautionary principle: the provisions of the Directive shall not prevent Member States from applying the precautionary principle in restricting or prohibiting the use of pesticides in specific circumstances or areas.

Definitions: Parliament inserted a definition for "non-chemical methods" which means alternative methods to chemical pesticides for plant protection and pest management, based on agronomic techniques such as those referred to in point 1 of Annex III, or physical, mechanical or biological pest control methods.

Quantitative targets: Parliament dropped its requirement to insert minimum targets for national action plans into the text of the legislation. However, national action plans must include quantitative targets which may cover different areas of concern, for example workers' protection, protection of the environment, residues, use of specific techniques or use in specific crops. The NAPs shall also include indicators to monitor the use of plant protection products containing active substances of particular concern, especially if alternatives are available. Member States shall give particular attention to the plant protection products containing active substances approved in accordance with Council Directive 91/414/EC which, when subject to renewal of approval under Regulation (EC) No ... [concerning the placing of plant protection products on the market] will not fulfil the criteria relevant for approval laid down in Annex II, paragraph 3.6-3.8 of that Regulation.

On the basis of such indicators and taking into account where applicable the risk or use reduction targets achieved already prior to the application of the Directive, **timetables and targets for the reduction of use shall also be established**, in particular if it constitutes an appropriate means to achieve the risk reduction with regard to priority items identified under Article 15(2)(c). These targets may be intermediate or final. Member States shall use all necessary means designed to achieve these targets.

The National Action Plans shall take into account plans under other Community legislation on the use of pesticides, such as planned measures under Directive 2000/60/EC. Five years after entry into force of the legislation, the Commission must submit a report on the information communicated by the Member States

in relation to the National Action Plans, which should contain methods used and the implications concerning the establishment of different types of targets to reduce risks and use of pesticides. After 9 years, the Commission must submit a report on the experience gained by Member States on the implementation of national targets.

Training: all professional users, distributors and advisors must have access to appropriate training by bodies designated by the competent authorities.

Requirements for sales of pesticides: distributors must be able to provide adequate information to customers as regards pesticide use, health and environmental risks and safety instructions to manage risks for the products in question. The compromise text states that micro distributors selling only products for non professional use may be exempted if they do not offer for sale pesticide formulations classified as toxic, very toxic, carcinogenic, mutagenic or toxic for reproduction pursuant to Directive 1999/45/EC.

Information and awareness-raising: Member States shall put in place systems for gathering information on pesticide acute poisoning incidents, as well as chronic poisoning developments where available, among groups that may be exposed regularly to pesticides such as pesticide operators, agricultural workers or persons living close to pesticides application areas. To enhance the comparability of information, the Commission, in cooperation with the Member States, shall develop 3 years after entry into force of the directive, a strategic guidance document on monitoring and surveying of impacts of pesticide use on human health and the environment.

Aerial and ground spraying: if the area to be sprayed is in close proximity to areas open to the public, there must be specific risk management measures to ensure that there are no adverse effects on the health of bystanders shall be included in the approval. The area to be sprayed shall not be in close proximity to residential areas. As from 2013, the aircraft shall be equipped with accessories that constitute the best available technology to reduce spray drift.

A request by a professional user must contain information about the time of spraying and the amounts and the type of pesticides applied. Parliament accepted a clause stating that Member States may provide that requests for applications of aerial spraying in accordance with an approved application plan for which no answer was received on the decision taken within the time period laid down by the competent authorities shall be deemed to be approved.

In particular, circumstances such as emergency or specific difficult situations, single requests for application of aerial spraying may also be submitted for approval.

Information to the public: Member States may include in their National Action Plans provisions on informing persons who could be exposed to the spray drift. The text does not contain any references to informing neighbours.

Reduction of pesticide use or risks in specific areas: these specific areas include areas used by the general public or by vulnerable groups as defined by Regulation (EC) N° ... [concerning the placing of plant protection products on the market], such as parks, public gardens, sports and recreation grounds, school grounds and playgrounds and in the close vicinity of healthcare facilities. The use of pesticides is minimised or prohibited in these specific areas. Appropriate risk management measures shall be taken and the use of low-risk plant protection products as defined by Regulation (EC) No [concerning the placing of plant protection products on the market] and biological control measures shall be considered in the first place.

Exchange of information and best practice: a new clause stated that the Commission shall put forward as a priority for discussion in the thematic strategy expert group the exchange of information and best practice in the field of sustainable use of pesticides and integrated pest management.

