

Machinery for pesticide application

2008/0172(COD) - 22/04/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 644 votes to 11, with 33 abstentions, a legislative resolution approving, under the first reading of the codecision procedure, the proposal for a directive of the European Parliament and of the Council on machinery for pesticide application, amending Directive 2006/42/EC of 17 May 2006 on machinery.

The amendments were the result of a compromise negotiated with the Council. The main amendments were as follows:

Scope of the Directive: the essential health and safety requirements are set out in Annex I of the Directive. Essential health and safety requirements for the protection of the environment are **applicable only to the machinery referred to in Section 2.4. of that Annex.**

A new recital stresses that the Directive is limited to the essential requirements with which the machinery for pesticide application must comply before being placed on the market and/or put into service while the European standardisation organisations are responsible for drawing up technical standards providing detailed specifications for the various categories of that machinery in order to enable manufacturers to comply with those requirements.

Machinery: under the compromise, machinery for pesticide application includes self-propelled, towed, vehicle-mounted, semi-mounted and airborne machinery, as well as stationary machinery intended for pesticide application, both for professional and non-professional use. It also includes powered or manually-operated portable and handheld machinery with a pressure chamber.

General: the manufacturer of machinery for pesticide application or his authorised representative must ensure that an assessment is carried out of the risks of unintended exposure of the environment to pesticides, in accordance with the process of risk assessment and risk reduction referred to in General Principle 1.

Machinery for pesticide application must be designed and constructed taking into account the results of the risk assessment so that it can be operated, adjusted and maintained without unintended exposure of the environment to pesticides. Leakage must be prevented at all times.

Controls and monitoring: it must be possible to easily and accurately control, monitor and immediately stop the pesticide application from the operating positions.

Distribution, deposition and drift of pesticide: the machinery must be designed and constructed to ensure that pesticide is deposited on target areas, to minimise losses to other areas and to prevent drift of pesticide to the environment. Where appropriate, an even distribution and homogeneous deposition must be ensured.

Tests: in order to verify that the relevant parts of machinery comply with the requirements, the manufacturer or his authorised representative must, for each type of machinery concerned, perform appropriate tests or have such tests performed.

Losses during stoppage: the machinery must be designed and constructed to prevent losses while the pesticide application function is stopped.

Marking and indication of pesticide in use: nozzles, strainers and filters must be marked so that their type and size can be clearly identified. Where appropriate, the machinery must be fitted with a specific mounting where the operator can place the name of the pesticide in use.

Provisions were also added in order to improve the **instructions** provided by the manufacturers of the machinery.

Involving interested parties: it is essential that all interested parties, including industry, farmers and environmental organisations, are equally involved in the establishment of the harmonised standards, so as to ensure that they are adopted on the basis of a clear consensus amongst all stakeholders.

Precautionary principle: where the available scientific evidence is too uncertain to allow an accurate risk estimation, Member States, when taking measures under this Directive, should apply the precautionary principle as contained in the Treaty and in the jurisprudence of the Court of Justice of the European Communities.