Basic information

2006/0258(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Statistics on pesticides Repealed by 2021/0020(COD) **Subject** 3.10.09.02 Plant health legislation 8.60 European statistical legislation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CODE Parliament delegation to Conciliation Committee	STAES Bart (Verts/ALE)	09/10/2009

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	STAES Bart (Verts/ALE)	27/02/2007
ENVI Environment, Public Health and Food Safety	STAES Bart (Verts/ALE)	10/04/2007

Former committee for opinion	Former rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
AGRI Agriculture and Rural Development	GRAEFE ZU BARINGDORF Friedrich-Wilhelm (Verts/ALE)	19/12/2006

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2970	2009-10-26
General Affairs	2973	2009-11-16
Agriculture and Fisheries	2881	2008-06-23
Environment	2826	2007-10-30

	Education, Youth, Culture and Sport	2905	2008-11-20

European Commission	Commission DG	Commissioner
	Eurostat - European statistics	ALMUNIA Joaquín

Key events

Date	Event	Reference	Summary
11/12/2006	Legislative proposal published	COM(2006)0778	Summary
14/12/2006	Committee referral announced in Parliament, 1st reading		
30/10/2007	Debate in Council		
19/12/2007	Vote in committee, 1st reading		Summary
08/01/2008	Committee report tabled for plenary, 1st reading	A6-0004/2008	
11/03/2008	Debate in Parliament		
12/03/2008	Decision by Parliament, 1st reading	T6-0091/2008	Summary
20/11/2008	Council position published	11120/2/2008	Summary
15/01/2009	Committee referral announced in Parliament, 2nd reading		
31/03/2009	Vote in committee, 2nd reading		Summary
07/04/2009	Committee recommendation tabled for plenary, 2nd reading	A6-0256/2009	
23/04/2009	Debate in Parliament		
24/04/2009	Decision by Parliament, 2nd reading	T6-0318/2009	Summary
26/10/2009	Parliament's amendments rejected by Council		
04/11/2009	Formal meeting of Conciliation Committee		
10/11/2009	Final decision by Conciliation Committee		Summary
10/11/2009	Joint text approved by Conciliation Committee co-chairs	03676/2009	
13/11/2009	Report tabled for plenary, 3rd reading	A7-0063/2009	
16/11/2009	Decision by Council, 3rd reading		
24/11/2009	Decision by Parliament, 3rd reading	T7-0069/2009	Summary
24/11/2009	Results of vote in Parliament		
25/11/2009	Final act signed		
25/11/2009	End of procedure in Parliament		
10/12/2009	Final act published in Official Journal		

Technical information

Procedure reference	2006/0258(COD)

Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2021/0020(COD)
Legal basis	EC Treaty (after Amsterdam) EC 285-p1
Stage reached in procedure	Procedure completed
Committee dossier	CODE/7/01428

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE388.460	20/09/2007	
Committee opinion	AGRI	PE384.217	10/10/2007	
Amendments tabled in committee		PE396.535	14/11/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0004/2008	08/01/2008	
Text adopted by Parliament, 1st reading/single reading		T6-0091/2008	12/03/2008	Summary
Committee draft report		PE418.367	26/01/2009	
Amendments tabled in committee		PE421.448	19/03/2009	
Committee recommendation tabled for plenary, 2nd reading		A6-0256/2009	07/04/2009	
Text adopted by Parliament, 2nd reading		T6-0318/2009	24/04/2009	Summary
Report tabled for plenary by Parliament delegation to Conciliation Committee, 3rd reading		A7-0063/2009	13/11/2009	
Text adopted by Parliament, 3rd reading		T7-0069/2009	24/11/2009	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	11120/2/2008	20/11/2008	Summary
Draft final act	03676/2009/LEX	25/11/2009	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2006)0778	11/12/2006	Summary
Document attached to the procedure	SEC(2006)1623	11/12/2006	
Document attached to the procedure	SEC(2006)1624	11/12/2006	

Commission communication on Council's position	COM(2008)0899	09/01/2009	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2009)0486	17/09/2009	Summary
Follow-up document	COM(2017)0109	03/03/2017	Summary
Follow-up document	COM(2021)0790	14/12/2021	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0995/2007	11/07/2007	
CSL/EP	Joint text approved by Conciliation Committee co-chairs	03676/2009	10/11/2009	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Regulation 2009/1185
OJ L 324 10.12.2009, p. 0001 Summary

Statistics on pesticides

2006/0258(COD) - 03/03/2017 - Follow-up document

The Commission presents a report on the implementation of Regulation (EC) No 1185/2009 of the European Parliament and of the Council concerning statistics on pesticides.

The Regulation stipulates that the Member States have to transmit annually to the Commission their statistical data on pesticides placed on the market each year. In addition, they have to provide statistics on pesticides used in agriculture (pesticide use statistics) in five-year periods.

The report notes that all Member States, Switzerland and Norway are compliant on the coverage and timeliness of their data. Most countries provide their data sets on time and react in a spirit of good cooperation when further checks or corrections are required.

Information received from stakeholders: consultations with relevant Commission's services and agencies have brought forward the following important points for consideration:

any legislation on pesticides statistics should cater for harmonised risk indicators, which the Commission has to draw up under the Sustainable Use Directive, and should facilitate the calculation of risk indicators ‘by using the statistical data collected’;

it is difficult to collect meaningful data on pesticides use from farmers. The legislation should be adapted so that figures aggregated at a lower level can be released, as they could be needed for calculating risk indicators;

it is essential that policymakers are able to quantify the risk and the level of pesticide pollution;

pesticide statistics are too aggregated to effectively inform environmental risk assessment. The only way to effectively combine hazard data with data on exposure in order to understand risk is to have data on the application rates for specific active substances in pesticides by crop, area and ecosystem type;

should pesticides statistics become available at a sufficient level of detail, they could be extremely useful for conducting retrospective risk assessments of the actual levels of risk expected from the overall use of pesticides in the EU, for human and animal health, and the environment;

a balance between confidentiality and the relevance or usefulness of the data could be achieved by exploring different aggregation options, for example based on toxicity and use patterns.

Pesticide sales statistics: the Commission considers that all primary pesticide sales data is accurate and reliable.

Pesticide sales data provides a good quality estimate of the total quantity of pesticide products placed on the market on a national basis. It can show trends in new types of pesticides, quantities of products over time and the subsequent risks for people and the environment.

Many users would like to obtain detailed data on the volumes of individual active substances sold. However, neither the Commission nor the national statistics institutes can provide this information, as they have to comply with the Regulation and the confidentiality rules.

The Regulation is very restrictive in how the Commission may disseminate the data. All data has to be aggregated into classes and groups, regardless of whether or not the data is deemed confidential by the Member States. Taking into account the opinion of the relevant stakeholders, the Commission considers it important to further **adapt the legislation on pesticides sales, so that all data that is not confidential can be made available to the public** both as active substance, as well as in different forms of aggregation.

Pesticide use statistics: the first data on the agricultural use of pesticides was transmitted to the Commission at the end of 2015. To date, due to the very large volume of complex data, it has not been possible to fully process the data. The Regulation provides that each Member State has to decide on a selection of crops to be covered during the five-year reference period that is representative of the crops cultivated in that Member State and of the substances used. However, the choice of crops has been quite diverse. This has led to a situation where there is a risk that it will not be possible to fully compare data on pesticide use on crops between countries.

Furthermore, the reference period has to be a maximum of 12 months covering all plant protection treatments during a five-year period. Member States may choose the reference period at any time of the five-year period. This has led to a situation where countries have chosen different reference periods and thus it will not be possible to compare data for the same year between countries, nor to give any EU-level results.

Accordingly, the Commission considers it equally important to adapt the legislation on pesticides use statistics to ensure a more consistent approach and coverage across the Member States. This could include **specified common reference periods and clear coverage requirements for the crops** to be surveyed.

The coverage rules could be based on the crop production statistics and on analyses of the potential risks to environment and human health, based on the sales of active substances. These rules would be set up in close collaboration between the relevant Commission's services and national experts.

a strategy for agricultural statistics for 2020 and beyond provides that all agricultural statistics, except the economic accounts for agriculture, should be grouped under two framework regulations. The Commission strongly recommends that pesticide statistics should be also **merged** with the other agricultural statistics domains.

Statistics on pesticides

2006/0258(COD) - 25/11/2009 - Final act

PURPOSE: to create a legal framework, and to lay down harmonised rules, for the collection and dissemination of data concerning the placing on the market and use of plant protection products.

LEGISLATIVE ACT: Regulation (EC) No 1185/2009 of the European Parliament and of the Council concerning statistics on pesticides.

CONTENT: the Council adopted a regulation concerning statistics on plant protection products, on the basis of a text agreed with the European Parliament under the Parliament-Council conciliation procedure.

The regulation establishes a common framework for the systematic production of Community statistics on the marketing and use of approved pesticides. The statistics, together with other relevant data, will allow the member states to establish national action plans with quantitative objectives, targets, measures and timetables aimed at reducing the risks and impacts of pesticide use on human health and the environment.

The targets may cover different areas of concern, for example worker protection, protection of the environment, residues, use of specific techniques or use in specific crops. The statistics will also be used to establish harmonised risk indicators as referred to in annex IV to directive 2009/128/EC on the sustainable use of pesticides.

It should be noted that the European Parliament managed to obtain the following provisions:

- replacing the term 'plant protection products' with the term 'pesticides', which is also the definition included in the Directive on sustainable use, in order to ensure clarity and consistency of the whole legislative package;

- including the concept of 'biocidal products', with the possibility in the future to extend the scope of the regulation on pesticide statistics to cover the use of relevant 'biocides', in accordance with the results of an impact study;
- better information and greater transparency concerning pesticides by publishing the relevant data on the Internet;
- including a clear reference to the general legislative framework on statistics concerning the way statistics should be used (including the requirement of confidentiality);
- comitology: introduction of the regulatory procedure with scrutiny concerning the requirements of the quality reports on data collection by the Member States.

The Commission shall submit a report on the implementation of the Regulation to the European Parliament and the Council every five years. This report shall evaluate in particular the quality of data transmitted, the data collection methods, the burden on businesses, agricultural holdings and national administrations and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides. It shall, if appropriate, contain proposals designed to further improve data quality and data collection methods thereby improving the coverage and comparability of data and reducing the burden on businesses, agricultural holdings and national administrations.

The first report shall be submitted by 31 December 2016.

ENTRY INTO FORCE: 30/12/2009.

Statistics on pesticides

2006/0258(COD) - 09/01/2009 - Commission communication on Council's position

The Commission accepted in full, in part or in principle 12 of the 26 amendments adopted by the European Parliament in its first reading. Five of these 12 amendments are already reflected, at least in part, in the common position.

The Commission accepted amendments, either fully or in principle or in part, which would clarify and improve upon the Commission proposal. These include modifications:

- explaining the quality criteria for official statistics and the scope of confidentiality,
- giving a better description of the objectives of the proposal,
- creating a more explicit link with the other legislative proposals for the pesticide thematic strategy, in particular with the new Regulation for the placing of plant protection products on the market, concerning the application of reporting obligations and the revision of the list of products. The Commission expressed a reserved position with regard to the extension of the scope to biocides.

The Commission mainly rejected amendments considered to be either redundant or in conflict

with the general provisions of Council Regulation (EC) No 322/97 on Community statistics and the rules of the European Statistical System or to be technically unfeasible, premature or needlessly burdensome from an administrative viewpoint and for respondents.

The Commission considers that the common position does not alter the approach or aims of the proposal and can thus support it as it stands.

Statistics on pesticides

2006/0258(COD) - 24/04/2009 - Text adopted by Parliament, 2nd reading

The European Parliament adopted, under the second reading of the codecision procedure, the following amendment to the Council's common position: “This Regulation establishes a common framework for the systematic production of Community statistics on the placing on the market and use of those pesticides which are plant protection products, as defined in point (i) of point (a) of Article 2”.

Statistics on pesticides

2006/0258(COD) - 23/06/2008

The Council reached **political agreement** on a regulation concerning statistics on plant protection products, which establishes a framework for the production of Community statistics on the placing on the market and use of plant protection products. In particular, it instructs the Member States:

- to collect data regularly;
- on how to collect data;
- on how to transmit data to the Commission.

It also entrusts the Commission with the tasks of adapting some technical aspects and defining the quality evaluation criteria and the data transmission format.

Decision 1600/2002/EC laying down the Sixth Community Environment Action Programme recognised already that the impact of pesticides on human health and the environment, in particular from plant protection products used in agriculture, must be reduced further. The decision also underlined the need to achieve a more sustainable use of pesticides and called for a significant overall reduction of risks and the use of pesticides consistent with the necessary crop protection.

Harmonised and comparable Community statistics are essential for developing and assessing legislation and policies of the EU on sustainable development and for calculating relevant indicators on the risks for health and the environment related to pesticide sales and use, also in the context of the Community thematic strategy on the sustainable use of pesticides.

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.

Statistics on pesticides

2006/0258(COD) - 17/09/2009 - Commission opinion on Parliament's position at 2nd reading

The Commission accepts Parliament’s sole amendment to the Council’s common position.

At the same time, the Commission welcomes the invitation communicated to the Council by the Chairs of the political groups of the European Parliament to reconfirm the entire compromise as negotiated during the second reading stage between representatives of the European Parliament and the Council.

Statistics on pesticides

2006/0258(COD) - 11/12/2006 - Legislative proposal

PURPOSE: to create a legal framework, and to lay down harmonised rules, for the collection and dissemination of data concerning the placing on the market and use of plant protection products.

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

BACKGROUND: the 6th Environment Action Programme, approved in 2002, recognised that pesticide use impacts greatly both on human health and on the environment. Particular effort has been given, in particular, to reducing further still the use of pesticides for plant protection purposes. The Environment Action Programme underlines the need to achieve a more sustainable use of pesticides and to reduce the risk of pesticides.

In addition, the Commission Communication “Towards a Thematic Strategy on the Sustainable Use of Pesticides” (see INI/2002/2277), recognises the need for detailed, harmonised and up-to-date statistics on the sale and the use of pesticides at Community level. The Commission proposed to establish relevant mandatory requirements within two years of the adoption of the Thematic Strategy.

Indeed, monitoring the risks related to the use of pesticides needs appropriate indicators. The Member States, the Commission and the OECD have already conducted preliminary studies which seek to establish such indicators. The calculation of risk indicators is possible only on the basis of suitable data – such as pesticide use. Experts have, however, expressed their concerns about the accessibility, transparency, adequacy and reliability of such data.

CONTENT: the purpose of the proposed Regulation, therefore, is to create a legal framework that lays down harmonised rules for the collection and dissemination of data concerning the placing on the market and use of plant protection products. The Regulation instructs the Member States:

- to collect data regularly (annually as regards placing on the market and every five years as regards use);
- on how to collect data – such as representative surveys, statistical estimation procedures on the basis of expert judgements or models, reporting obligations imposed on the distribution chain for plant protection products, reporting obligations imposed on professional users, from administrative sources or by a combination of these means;
- on how to transmit date to the Commission.

It also entrusts the Commission with the tasks of adapting some technical aspects and defining the quality evaluation criteria and the data transmission format. The financing of actions for statistics on plant protection products will be covered by the Community statistical programme 2008-2012.

The proposal draws widely on the expertise of the 'Pesticide Statistics Experts Group'. It is also based on the experience gained through 30 pilot projects conducted between 1999 and 2004 within the technical action plan for improving agricultural statistics (TAPAS) and 10 projects carried out in 2005 in the new Member States and Acceding Countries with the support of the 2002 PHARE Multi-Beneficiary Programme for Statistical Co-operation.

Statistics on pesticides

2006/0258(COD) - 24/11/2009 - Text adopted by Parliament, 3rd reading

The European Parliament adopted by 581 votes to 19 with 3 abstentions, a legislative resolution approving, under the third reading of the codecision procedure, the joint text approved by the Conciliation Committee for a regulation of the European Parliament and of the Council concerning statistics on pesticides.

For details of the agreement, see the summary dated 10/11/2009.

Statistics on pesticides

2006/0258(COD) - 12/03/2008 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, by 556 votes to 8 with 10 abstentions, a legislative resolution amending the proposal for a regulation concerning statistics on plant protection products.

The report had been tabled for consideration in plenary by Bart **STAES** (Greens/ALE, BE) on behalf of the Committee on the Environment, Public Health and Food Safety.

The main amendments – adopted under the co-decision procedure - are as follows :

-Members wish to specify that the Regulation establishes a framework for the production of Community statistics on the production, placing on the market and use of pesticides. The latter term is used instead of “plant protection products.” Statistics should cover: the annual amounts of plant protection products produced and placed on the market according to Annex I; the annual amounts of plant protection products used according to Annex II; and the annual amounts of biocidal products used belonging to product types 14 to 19 as defined in Annex V to Directive 98/8/EC.

-a new clause states that the statistics shall, in particular, serve the following purposes: a) implementation and evaluation of the Thematic Strategy on the Sustainable Use of Pesticides; b) development of harmonised national and Community risk indicators, identification of trends in the use of plant protection products and assessment of the effectiveness of national action plans; c) recording of substance flows at the stages of production of, trade in, and use of plant protection products;

-the term ‘plant protection product’ is replaced by 'pesticides'. The latter is defined as (i) plant protection products as defined in Article 2(1) of Directive 91/414/EEC as amended; (ii) biocidal products as defined in Directive 98/8/EC belonging to product types 14–19 as defined in Annex V thereto;

-data will be collected from pesticide producers, traders and importers;

-Member States shall communicate their choice of data to the Commission, which shall approve the data collection method in accordance with the regulatory procedure with scrutiny;

- Member States shall ensure that producers of plant protection products and those responsible for placing plant protection products on the market or importing them report annually to the competent authority on: (a) the quantities in which a given active substance or a given plant protection product is produced; (b) the quantities in which a given active substance or a given plant protection product is supplied to processing firms or wholesalers in the EU; (c) the quantities in which a given active substance or a given plant protection product is exported. This information shall be assessed by the competent authorities and, where appropriate after editing to preserve the confidentiality of certain information, published;

-Member States shall ensure that the data collected are used for an adequate evaluation by the competent national authorities and their existing advisory bodies with regard to the aims of the respective national action plans as referred to in the proposed Directive establishing a framework for Community action to achieve a sustainable use of pesticides. This evaluation shall be published on the Internet, taking due account of the confidential nature of sensitive business information as well as privacy obligations;

-in accordance with Regulation (EC) N° 322/97, confidential data shall be used by national authorities and by the Community authority exclusively for the purposes of the Regulation;

-adaptation of the list of substances needs to take place on a regular basis and in light of the ongoing consideration of active substances;

-the Commission’s report shall evaluate in particular the quality and comparability of data transmitted, the burden on agricultural holdings, horticultural holdings and other businesses and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides, in particular with regard to the objectives set out in the text. It shall, if appropriate, contain proposals designed to further improve data quality and reduce the burden on agricultural holdings and other businesses;

-lastly, an amendment in the Annex states that statistics shall cover the agricultural, horticultural and professional nonagricultural use of plant protection products, such as use in communal green areas, road or railway maintenance, in each Member State.