

**Suggested text for a Directive of the European Parliament  
and of the Council on measures for reduction of use and of  
impacts to health and environment from pesticides**

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## Introduction

More than ten years ago, in its 5<sup>th</sup> Environmental Action Programme (5<sup>th</sup> EAP), the European Union pledged to achieve a substantial reduction in the use of pesticides. Since then, other than implementation of the Directive 91/414/EEC pesticide registration scheme and the Biocides Directive, the EU has taken no further legislative action concerning pesticides.

A series of studies in the mid-1990s and an EU-wide stakeholder consultation in 1998 were expected to lead quickly to a Commission Communication on pesticide use. In 2000, the expected Communication had not yet been released, and it was not known when if ever the Commission would propose legislation to stem the increasing use of pesticides in Europe.

PAN Europe, deeply concerned about these delays and the urgent need for legislation, decided to see if it could assist the process of developing the binding EU-level legislation needed to achieve effective pesticide use reduction throughout the European Union.

At the October 2000 PAN Europe Conference, 70 delegates representing public interest groups from all over Europe agreed to work together on a Pesticide Use Reduction in Europe (PURE) campaign. They adopted the "PAN Europe position on Elements for a proposed EC Directive on measures for reduction of impacts to health and environment from use of pesticides", a position paper now signed by 28 public-interest organisations from 14 countries.

In the spring of 2001, the PURE legislative working group, co-chaired by Catherine Wattiez (Inter-Environnement Wallonie, Belgium) and Gretta Goldenman (legal consultant, Milieu Ltd, Belgium), began to meet frequently to prepare the text for a proposed PURE Directive. Other participants and contributors included: Liesbeth Vogelezang (University of Amsterdam, the Netherlands), Hans Nielsen (Ecological Council, Denmark), Hans Muilerman (Stichting Natuur en Milieu, the Netherlands), Lars Neumeister (PAN-Germany), Heike Schmitt (PAN-Germany), David Buffin (PAN-UK), Esmeralda Borgo (Bond Beter Leefmilieu, Belgium), François Veillerette (Mouvement pour les Droits des Générations futures, France), Sandra Blessin (PAN Europe), and Florence Bonollo (PAN Europe).

This publication is the result of their work. A draft Explanatory Memorandum is also under preparation and will be available shortly from PAN UK.

The PURE legislative working group foresees the need for an additional Directive to harmonise VAT levels for pesticide products at the highest level currently in place in a Member State. The additional Directive should also introduce special levies on pesticides in order to finance alternative methods and systems of pest control that are less dependent on pesticides.

## **Call for comments**

PAN Europe fully recognises that the European Commission alone has the power to initiate new legislation. We eagerly await the Commission Communication on Sustainable Use of Pesticides, expected sometime in May 2002, and look forward to the “Thematic Strategy” on Sustainable Use of Pesticides, promised in the forthcoming Sixth EAP at the latest by 2007.

We put forward this suggested text for a Directive as a discussion tool, with the aim of speeding the process of developing an effective and legally binding Community regime for achieving a high level of protection of the environment.

In the meantime, we welcome comments on this suggested text for a Directive from all stakeholders, including farmers, consumers, the pesticide industry, the Member States, and the European institutions. Please send all comments via email to PAN Europe ([pan-europe@pan-europe.net](mailto:pan-europe@pan-europe.net)).

## Executive Summary

The objective of the suggested Directive is to lay down measures which aim to contribute to a high level of protection of human health and the environment as well as to promote sustainability, through reduction of dependency on and, wherever possible, elimination of the use of pesticides.

The suggested Directive would apply only to professional handling and use of pesticides, and in particular 'plant protection products' as defined in Council Directive 91/414/EEC. It is based on the principles enshrined in the EC Treaty, *i.e.*, prevention of pollution by reduction at the source and the precautionary principle. In addition, it proposes the 'No, unless...' principle, *i.e.*, that no pesticides shall be used in the growing of crops or in other pest control applications unless it is determined that no other method, practice or system of control is available to prevent unreasonable pest damage.

To achieve its objective, the suggested Directive proposes

- Mandatory Community-wide targets and timetables for achieving reductions of use of pesticides, initially to be measured by frequency of application ;
- National action plans setting forth how each Member State will achieve the progressive reductions of uses of pesticides according to the targets and timetables in the Directive and in particular for all areas under control of public authorities and for agricultural uses ;
- National studies to determine the feasibility and consequences of various scenarios for the progressive reduction or phasing out the use of chemicals for pest control, and to serve as a basis for Member States to determine how they will achieve the mandatory targets;
- EU-wide and national measures to reduce dependency on chemicals for pest control, including mandatory application of integrated pest management (IPM) for non-agricultural pest control situations and of integrated crop management (ICM) on all cultivated land not yet in organic farming. The measures should include expanded financial support for research and extension on pest control practices that minimise and, where possible, eliminate the use of pesticides and for conversion to organic farming and low input agriculture.
- Mandatory training and certification of dealers and professional users of pesticides including farmers, according to minimum Community standards ;
- Mandatory technical requirements for and regular inspection of pesticide application equipment, storage facilities and use practices, and of dealers;
- Coordinated monitoring and data collection of the impacts of pesticide use on human health and the environment, including long-term research programmes;
- Coordinated systems for collecting information on production, import, export, sales, distribution and use of pesticides, including mandatory record keeping and reporting of all applications of pesticides including amounts used per crop.
- Bans on applications of pesticides by airplanes and in pesticide vulnerable zones
- Access to information and public participation in regulatory decisionmaking on pesticides, including for authorisations of plant protection products.

## **Suggested text for a Directive of the European Parliament and of the Council on measures for reduction of use and of impacts to health and environment from pesticides**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty of the European Community, and in particular Article 174 thereof,

Having regard to the proposal from ...

Acting in accordance with the procedure of Article 251 of the Treaty,

Whereas:

(1) According to Article 2 of the Treaty, one of the tasks of the Community and of the common market is to promote a sustainable development of economic activities within the Community and to promote a high level of protection and improvement of the quality of the environment.

According to Article 6 of the Treaty, the environmental protection requirements must be integrated into the Community policies, in particular with a view to promoting sustainable development.

(2) According to Article 174 of the Treaty, the Community policy shall be based on the precautionary principle and on the principles that preventive action should be taken and that environmental damage should be rectified at source.

(3) The Community policy as laid down in the sixth Community Environment Action Programme has as one of its objectives "to reduce the impact of pesticides on human health and the environment and more generally to achieve a more sustainable use of pesticides as well as a significant overall reduction in risks and of the use of pesticides consistent with the necessary crop protection".

(4) The need for a significant reduction of pesticide use per unit land under production and the call for conversion of farmers to methods of integrated pest-control, at least in all areas of importance for nature conservation, was already laid down in the fifth Environment Action Programme of the Community.

(5) As stated by the Commission Communication on the sixth Environment Action Programme, there is sufficient evidence to suggest that the scale and trends of problems caused by pesticides are serious and growing, in particular with respect to contamination of groundwater and foodstuff, and the continuing accumulation of certain pesticides in plants and animals. At the same time there is a poor understanding of the effects of small quantities of pollutants that accumulate in human bodies and consequently there is a need to protect vulnerable groups such as children and the elderly.

(6) According to Eurostat, a general increase of pesticide use is observed in Europe and in most EU countries since 1996.

- (7) Already in 1995, a study by the European Environment Agency on environmental trends concludes that pesticide levels in groundwater are increasing and are estimated to exceed the target of maximum 0,5 µg/l (for total amount of pesticides) in 75% of agricultural land, and that current Community policies are not sufficient to tackle pesticide pollution of groundwater, on which the majority of Europeans (65%) rely for their drinking water.
- (8) Further delays could worsen the situation with regard to contamination of the environment with subsequent implications for human health, especially regarding vulnerable groups such as workers and their families, fetuses, infants and children, and the elderly.
- (9) The increasing contamination of groundwater from pesticides can not only lead to risks for human health but also to greater costs for the water industry in treating water so that it meets Community standards for human consumption.
- (10) The pollution from the use of pesticides can be cross-border in nature.
- (11) A number of Member States have already successfully taken significant measures to reduce impacts to human health and the environment by *inter alia* working towards reductions in use of pesticides.
- (12) There are large disparities among Member States in applying measures to reduce impacts from pesticides, such as programmes to promote alternative methods of pest control, controls over application equipment, training and certification of dealers and users, recordkeeping of pesticide uses, and restrictions for use in pesticide vulnerable zones. These differences can cause distortions of the common market. Measures at Community level will prevent these distortions.
- (13) Achieving sustainable use of pesticides in all regions of the Community will strengthen the economic and social cohesion in the Community, as provided for in Article 158 of the Treaty.
- (14) Ensuring a sustainable use of pesticides is in accordance with Directive 91/414/EEC, which aims at ensuring a high standard of protection, giving environment, groundwater and human and animal health priority over the objective of improving plant production, and which requires that products be used properly, including when possible according to integrated pest management. However, Directive 91/414/EEC is not aimed at sustainable use. Moreover, this Directive does not address the problem of combinations of active substances.
- (15) Measures aiming at a sustainable use should be implemented by a collective effort of all Member States and by targets, criteria and procedures at Community level, to ensure coherence and consistency in the implementation.
- (16) According to the principle of subsidiarity, measures aiming at a more sustainable use are to be determined by the Member States, especially through national pesticide use reduction programmes, for which minimum targets and criteria and procedures are given at Community level.
- (17) Close coordination should be ensured with other Community legislation and in particular with Directive 91/414/EEC, Directive 2000/60/EC and the directives on pesticide residues in foodstuff.

- (18) Reduction of the dependency on and of the use of pesticides can be achieved by application of organic farming, by integrated crop management growing schemes and by integrated pest management for non-agricultural use of pesticides, aiming at environmental, economical and natural resource conservation objectives.
- (19) The impacts and risks to health, groundwater and the environment from the use of pesticides should be prevented wherever possible via measures to eliminate unsafe pesticide practices.
- (20) Measures of promotion are required at Member State level and research measures at national and Community level to realise these pest management methods in practice on a large scale.
- (21) Pesticide reduction measures will contribute to prevention of consumer exposure to pesticide residues and to ensuring a high level of food safety.
- (22) It is appropriate to lay down at Community level minimum training requirements for pesticide dealers, pest control operators, crop protection advisers and extension services and recordkeeping requirements for pesticide dealers and pest control operators.
- (23) It is desirable in the case of certain pesticides to require that a permit be obtained prior to each individual application.
- (24) For the coordination and monitoring of pesticide use reduction programmes, a system of reporting production, import and export, sales and distribution, and use of pesticides is needed, through which results of the national programmes can be communicated at Community level.
- (25) It is important to develop a pesticide label database for pesticide use reporting.
- (26) In order to ensure that requirements are satisfied, Member States shall make provisions for appropriate inspections of practices of dealers and pest control operators, by introducing producer responsibility for the recovery and disposal of pesticides, including the packaging, and by establishing systems of sanctions for violations.
- (27) Long-term research programmes are necessary to determine impacts on human health and the environment from pesticide use.
- (28) The implementation of this Directive and the adaptation of its Annexes to the development of technical and scientific knowledge requires close cooperation between the Commission, the Member States and the professional and public parties involved.
- (29) It is necessary to build the confidence of the public in the quality of governance by actively informing them and by involving them in all decision making processes related to pesticides.

Has adopted this Directive



### ***Article 1: Objective***

This Directive lays down measures which aim to contribute to a high level of protection of human health and the environment as well as to promote sustainability, through reduction of dependency on and, wherever possible, elimination of the use of pesticides.

### ***Article 2: Scope***

1. This Directive shall apply to all professional handling and use of pesticides.
2. This Directive shall apply, without prejudice to relevant Community provisions or measures taken in accordance with them, in particular, to:
  - (a) Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market <sup>(1)</sup>;
  - (b) Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market <sup>(2)</sup>;
  - (c) Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations, and administrative provisions relating to the classification, packaging and labelling of dangerous substances <sup>(3)</sup>;
  - (d) Directive 99/45/EC of the European Parliament and the Council of 13 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations <sup>(4)</sup>;
  - (e) Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations <sup>(5)</sup>;
  - (f) Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances <sup>(6)</sup>;
  - (g) Council Regulation (EEC) No 2455/92 of 23 July 1992 concerning the export and import of certain dangerous chemicals <sup>(7)</sup>;
  - (h) Council Directive 80/1107/EEC of 27 November 1980, on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work <sup>(8)</sup>;
  - (i) Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work <sup>(9)</sup>;
  - (j) Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy <sup>(10)</sup>; and
  - (k) Individual Directives based on the above Directives.

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<sup>1</sup> OJ No L 230, 19.8.1991, p. 1.

<sup>2</sup> OJ No L 123, 24.4.1998, p. 1.

<sup>3</sup> OJ No L 196, 16.8.1967, p. 1, as last amended.

<sup>4</sup> OJ No L 200, 30.7.1999, p. 1.

<sup>5</sup> OJ No L 262, 27.9.1976, p. 201, as last amended.

<sup>6</sup> OJ No L 33, 8.2.1979, p. 36, as last amended.

<sup>7</sup> OJ No L 251, 29.8.1992, p. 13, as last amended.

<sup>8</sup> OJ No L 327, 3.12.1980, p. 8.

<sup>9</sup> OJ No L 183, 29.6.1989, p. 1.

<sup>10</sup> OJ No L 327, 22.12.2000, p. 1.

### ***Article 3: Definitions***

For the purposes of this Directive:

1. 'Pesticide' shall have the meaning given to the term 'plant protection product' by Council Directive 91/414/EEC.
2. 'Professional handling and use' shall mean any application of a pesticide in the course of business or for-profit enterprise, or for a governmental entity, or in a location that is intended for public use or access.
3. 'Pesticide operator' shall mean any natural or legal person who uses or applies a pesticide.
4. 'Pesticide dealer' shall mean any natural or legal person who sells, offers for sale, handles, displays or distributes any pesticide.
5. 'Pesticide producer' shall mean the natural or legal person holding authorisation under Directive 91/414/EEC for placing the pesticide product on the market.
6. 'Integrated pest management (IPM)' shall mean a method of pest control in both agricultural and non-agricultural settings in which the use of pesticides is minimised as much as practicable and, wherever possible, eliminated, by giving priority to non-chemical practices and methods for prevention and control of pests.
7. 'Integrated crop management (ICM)' shall mean a method of cultivation in which the use of nutrients is optimised and the use of pesticides is minimised as much as practicable and, wherever possible, eliminated, by giving priority to non-chemical practices, methods and crop-growing systems for control of pests, and which is based on the elements set forth in Annex III.
8. 'No, unless... principle' shall mean that no pesticides shall be used in the growing of crops or in other pest control applications unless it is determined that no other method, practice or system of control is available to prevent unreasonable pest damage.
9. 'Frequency of application' shall mean the average number of times per year agricultural land can be treated with the prescribed dose of a pesticide, based on the quantities sold.
10. 'Pesticide vulnerable zones' shall mean areas to be defined on the basis of the criteria to be established under Article 7(6).
11. 'Organic farming' as defined in Council Regulation (EEC) No. 2092/91.

### ***Article 4: Principles***

Member States shall ensure that all pesticide operators follow the principle of prevention of pollution by reduction at the source and the precautionary principle, in particular by applying the "No, unless...." principle.

### ***Article 5: Competent authority***

Member States shall establish or designate the competent authority or authorities responsible for carrying out the tasks required to implement this Directive and shall inform the Commission thereof.

### ***Article 6: Mandatory pesticide use reduction target***

1. In order to comply with the objectives of this Directive, Member States shall take the necessary measures to ensure that the following targets are attained:
  - 25% reduction in frequency of applications of pesticides at national level within 5 years of the date set forth in Article 19;
  - 50% reduction in frequency of applications of pesticides at national level within 10 years of the Article 19 date.
2. The baseline year from which to measure pesticide reduction shall be the first calendar year (January through December) after the date set forth in Article 19.
3. The Commission in cooperation with the Member States shall develop indicators of risk to human health and the environment from pesticide use, as a further tool for determining if the measures in this Directive accomplish the intended objective of achieving a high level of protection.

### ***Article 7: National Pesticide Use Reduction Programmes***

1. Within 1 year of the date set forth in Article 19, the competent authorities identified in Article 5 shall prepare a national study to determine, on the basis of current pesticide use patterns, the levels of reductions in pesticide use (including treatment frequency) that can be practicably achieved for all major crops and other uses of pesticides. The national study shall contain, at a minimum, the elements set forth in Annex I, Part A.
2. The competent authorities shall undertake a process of stakeholder consultation, including balanced representation of environmental and consumer interests, to follow the findings of the scientific study and to consider possible measures to take to achieve the mandatory targets set forth in Article 6.
3. On the basis of the national study identified in Article 7(1), and the stakeholder consultations of Article 7(2), the competent authorities shall draw up national pesticide use reduction programmes within 2 years of the date set forth in Article 19. Such programmes shall cover, in particular:
  - Qualitative and quantitative goals to achieve reductions in specific uses of pesticides, e.g., on specific crops, in public spaces, and in areas under control of public authorities,
  - Specific measures to achieve the goals established, including research, extension and training, and financial instruments,
  - The financial capacity to implement the specific measures selected;
  - Designated pesticide vulnerable zones where use of pesticides is banned or severely restricted due to ecological and human health vulnerability, according to the criteria referred to in Article 7(6).

The national pesticide use reduction programme shall include, at a minimum, the elements set forth in Annex II, and shall be subject to review via a process of stakeholder consultation.

4. Within 7 years of the date set forth in Article 19 and every 3 years thereafter, Member States shall prepare a national study to review the effectiveness of the pesticide use reduction programmes. The national studies shall contain, at a minimum, the elements set forth in Annex I, Part B.
5. Within 8 years of the date set forth in Article 19 and every 3 years thereafter, Member States shall improve the pesticide use reduction programme, as needed to achieve the progress targets set in Article 6. The improved pesticide use reduction programme shall include as a minimum the elements set forth in Annex II.
6. On the basis of the procedure set forth in Article 18 and no later than 1 year after the date in Article 19, the Commission shall propose objective criteria for determining those zones where use of pesticides are to be restricted due to ecological and human health vulnerability, including areas of zero pesticide use.
7. Member States shall submit the national programmes referred to above to the Commission, for review. The Commission shall share the national programmes with the other Member States.

***Article 8: Mandatory requirements for use of pesticides***

1. Member States shall take the necessary measures to ensure that the following targets are attained:
  - within two years of the date set forth in Article 19, ICM standards set in place for every crop or crop rotation system within the whole of their territory, and IPM standards for every significant non-agricultural pest control situation.
  - within four years, mandatory application of ICM on all cultivated land in non-organic agriculture.
  - within four years, mandatory application of IPM on all significant non-agricultural pest control situations;
  - within seven years and every five years thereafter, revision of national ICM and IPM standards as required to adapt to scientific and technical progress in pesticide use reduction.

Towards this end, Member States shall allocate funds for the promotion and enforcement of the application of ICM and IPM by all pesticide operators.

2. Member States shall establish independent expert bodies to define ICM and IPM standards to promote minimum use of pesticides. Such measures shall include but not be limited to detailed schemes of integrated crop management for each crop and crop rotation system, based on the elements of ICM set forth in Annex III, Part A, and for each non-agricultural pest control situation listed in Annex III, Part B.
3. Member States shall report their ICM and IPM standards to the Commission. If national ICM and IPM standards vary widely among Member States, the Commission shall propose Community ICM and IPM standards, using the procedure set forth in Article 18.

4. Member States shall establish systems for the supervision of the application of ICM and IPM, including sanctions for violations of ICM and IPM standards. Towards this end, Member States may either use the competent bodies referred to in Article 5 or designate or set up any other body with appropriate status.
5. The Commission shall be responsible for promoting research on ICM and IPM at Community level. It shall in particular designate a Community agency to coordinate national and Community-level research on IPM and on ICM for crops of Community importance, facilitate sharing of information on national ICM and IPM standards with a view towards ensuring coherence and consistency in the implementation of this Directive, and promote reduction of use of pesticides.

#### ***Article 9: Promotion of organic farming***

1. In order to attain the objectives of this Directive, Member States shall take the necessary measures to promote organic farming to attain the following targets covering the whole of their territory:
  - 15% of all cultivated land in organic farming within 5 years of the date set forth in Article 19;
  - 30% of all cultivated land in organic farming within 10 years of the date set forth in Article 19.
2. Member States shall promote participation in organic farming by providing adequate financial support for the following:
  - Comprehensive research programmes to develop further methods of organic farming for all major crops cultivated within their territories.
  - Facilitation of access to information on organic farming methods via extension programmes accessible to all farmers.
  - Expansion of schemes for organic farmers, especially during conversion.
3. The Commission shall promote research on and facilitate exchange of information about methods of organic farming.

***Article 10: Measures to eliminate unsafe pesticide practices***

1. Member States shall take the necessary measures to ensure that:
  - (a) as of the date set forth in Article 19:
    - all aerial applications of pesticides are prohibited;
  - (b) within two years of the date set forth in Article 19:
    - systems of periodic inspections of pesticide dealers and pesticide operators with respect to the elements set forth in Annex IV, and in accordance with the requirements of this article and of Article 13, are established;
    - all pesticide application equipment is inspected annually and, if necessary, recalibrated; and
    - pesticide producers set up systems approved by the competent authority for the safe collection and disposal of used pesticide packaging and obsolete pesticides.
2. The Commission shall promote the preparation of European standards relating to:
  - minimum technical standards for pesticide application equipment
  - minimum requirements for storage of pesticides and pesticide application equipment
  - minimum requirements for pre-application preparations and for post-application cleaning of equipment.
3. In cooperation with the Member States, the agency referred to in Article 8(5) shall carry out research programmes to develop less hazardous techniques for pesticide handling and application.

***Article 11: Minimum requirements for pesticide dealers and pesticide operators***

1. Within two years of the date set forth in Article 19,
  - (a) All pesticide dealers must receive accreditation verifying that they have had minimum training on the items set forth in Annex V, Part A, as a condition for carrying out their activities;
  - (b) All crop protection advisors and agricultural extension officers must receive accreditation verifying that they have had minimum training on the items set forth in Annex V, Part B.
2. Within three years of the date set forth in Article 19, all pesticide operators must obtain a license on the basis of a minimum training on the items set forth in Annex V, Part C, as a condition for being able to purchase pesticides not permitted for sale to the general public. The license shall be valid for a maximum of 3 years and shall not be transferable.

Pesticide operator licenses shall not be renewed unless the operator has completed 8 credit hours of continuing education instruction within the maximum 3-year period.

3. Within two years of the date set forth in Article 19 and on the basis of the procedure in Article 18, the Commission shall propose guidelines for best practices in training of pesticide dealers, crop protection advisors, agricultural extension officers, and pesticide operators.

***Article 12: Reporting on the production, import, export, sales, distribution and use of pesticides***

1. Within two years of the date set forth in Article 19, the Commission, in consultation with EUROSTAT and using the procedure referred to in Article 18 shall:
  - establish a system to collect, evaluate, summarize, retain and report information on the production, import, export, sales, distribution and use of pesticides. The development of this system shall include a central pesticide label database based on unique EU registration numbers and EU barcodes for each individual pesticide product, and including the information listed in Annex VI.
  - appoint a pesticide stakeholder working group to advise EUROSTAT as the responsible agency in developing the system for reporting information on the production, import, export, sales, distribution and use of pesticides. The working group shall give recommendations to EUROSTAT on a uniform code system for pesticides, sites, locations, crops and commodities, and foodstuffs.

The membership of the working group shall include a balanced representation. All results of the meetings of the working group shall be open to the public.

2. Within three years of the date set forth in Article 19, Member States shall set in place the necessary measures to ensure that:
  - each pesticide producer place on the label of each product the unique EU registration number and EU barcode assigned by the central database,
  - all pesticide producers, pesticide dealers and pesticide operators supply the competent authority annually with the information on their production, import, export, sales, distribution and use of pesticides set forth in Annex VII.

The competent authority shall submit the information to the Commission annually.

3. Within five years of the date set forth in Article 19, the Commission shall publish an annual report summarising the pesticide data referred to in Article 12 (2). This report shall include information on the amounts and kinds of pesticide active ingredients per crop and non-agricultural use and by geographical area, without revealing the identity of the owner or lessee of the property where a pesticide has been applied.
4. Member States shall develop mechanisms to ensure the accuracy, reliability and validity of the database by providing for an independent review of the pesticide use data and collection procedures, including cross checking against data on production, imports, exports, and sales of pesticides.

4. The pesticide information gathered by the Member States shall be forwarded to the Commission two years after the date set forth in Article 19, and annually thereafter. The Commission shall compile the information received into the community wide data reporting system described in Article 12(3).

### ***Article 13: Recordkeeping***

1. Pesticide dealers shall maintain records showing the receipt, sale, delivery or other disposition of all pesticides or pesticide application equipment for a period of 2 years.
2. All pesticide operators shall keep journals recording all applications of pesticides, when the applications were made, and any observations on the environmental impacts of those applications. These journals shall be open for inspection by the competent authority on demand.

### ***Article 14: Monitoring and collection of data on impacts from pesticide use; long-term research programmes***

1. Member States shall set in place systems for gathering information on pesticide poisoning incidents, especially among pesticide operators, farm laborers and any other group that may be exposed to pesticides regularly. The information gathering systems shall include mandatory monitoring and surveillance of pesticide poisoning and pollution incidence reporting and non-agriculture, including tracing to source wherever possible.
2. Member States shall regularly monitor and collect information on species exposed to pesticides and on pesticides in the environment, such as in fresh and marine waters, soils and air, and residues on foodstuffs, report on this information regularly to the Commission, and carry out systematic analyses of information to determine the presence and impact of pesticides.
3. The Commission shall gather the information reported by the Member States into an annual report on the presence of pesticides in foodstuffs, in humans including sensitive populations, and in the environment, and their impacts.
4. The Commission shall support the use of health and environmental risk indicators in efforts to monitor the impacts of the measures required under this Directive.
5. To enhance comparability of information, the Commission, in cooperation with the Member States, shall develop within 3 years of the date set forth in Article 19, a strategic guidance document on monitoring and surveying of impacts on human health and the environment from use of pesticides and on monitoring of residues on foodstuffs.
6. Member States shall carry out long-term research programmes into specific situations where pesticides have been linked to impacts on human health and environment, including studies on high-risk groups, biological diversity and combination effects.



***Article 15: Access to information; public participation***

1. Member States and the Commission shall ensure that requests for the types of information listed in Annex VIII and held by public authorities that are necessary to properly implement use reduction programmes and to determine the health and environmental impacts of pesticides are not refused.
2. Without prejudice to the preceding provision, Member States and the Commission shall ensure that all requests for restriction of information regarding pesticides on the basis of commercial confidentiality are granted only for that information which can be demonstrated to be prejudicial to the financial or competitive interests of the persons to whom it belongs.
2. Member States and the Commission shall take measures to ensure that public interest groups have access as observers to all meetings of regulatory committees and advisory bodies taking decisions related to pesticides and their use, including access to all documentation related to these meetings, and to provide clear procedures for the inclusion of their comments in documents issued by such bodies.

***Article 16: Reporting obligation***

1. No later than 7 years after the date referred to in Article 19, and every 3 years thereafter, Member States shall report to the Commission on the experience gained in the application of this Directive.
2. Every 3 years, in the light of experience, the Commission shall make a report to the European Parliament and the Council together with any proposal for revision which it may consider appropriate to achieve further reductions in the use of pesticides.

***Article 17: Adaptation to scientific and technical progress***

The Commission, assisted by the committee established in Article 18, and according to the procedure laid down therein, shall:

- (a) adopt the amendments necessary for adapting the Annexes to this Directive to scientific and technical progress;
- (b) adopt the objective criteria for determining the zones of pesticide vulnerability referred to in Article 7(6);
- (c) adopt the formats relating to the database system referred to in Article 12.

***Article 18: Regulatory committee***

1. The Commission shall be assisted by a committee (hereinafter referred to as ‘the Committee’).
2. Where reference is made to this Article, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

***Article 19: Implementation***

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [date]. They shall immediately inform the Commission thereof. When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. Member States shall determine how such reference is to be made.
2. Member States shall communicate to the Commission all existing laws, regulations and administrative provisions adopted within the scope of this Directive.

***Article 20: Entry into force***

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Communities*.

***Article 21: Addresses***

This Directive is addressed to the Member States.

Done in Brussels,

## Annex I

### Elements of national pesticide use reduction studies

#### Part A: Elements to be included in initial national pesticide use reduction studies

##### *Description of current conditions*

- Known information on production, import, export, sales and distribution of pesticides
- Current pesticide consumption patterns (overall amounts of active ingredients used; specific amounts of pesticides used in specific applications on all major crops and in non-agricultural uses, particularly in public spaces; calculation of frequency of application as defined in Article 3(9).
- Description of the impacts on the environment, the food chain and human health of current patterns of pesticide use, based on data gathered via existing monitoring programmes
- Overview of current legislation and policy instruments and their effectiveness.
- Evaluation of the need of pesticides
- Gaps identified in any of the information above

##### *Scenarios for pesticide reductions*

- 25%, 50%, 80% reductions in frequency of applications, and increased land in organic production

##### *Assessment of consequences of implementing the various scenarios*

- Effects on the environment (including energy consumption, greenhouse gases)
- Effects on public health (workers, residues on food)
- Effects on agricultural production
- Economic costs and benefits (including reduction in hidden costs) of the various scenarios

##### *Identification and assessment of elements needed to achieve scenarios*

- Impact of the elements specified in the Directive in achieving reductions in use
- Additional scientific data needed & how to gather it, e.g., additional monitoring capacity, research facilities
- Additional capacity necessary for implementing PUR, e.g., agricultural extension services, inspectors for control of use
- Possible sources of funding, including levies, for implementation of the various scenarios

##### *Conclusions*

- Achievable pesticide use reduction targets for specific crops and non-agricultural pest control situations as well as nationally, which at a minimum meet the mandatory reduction goals set in Article 6 and which aim to achieve further use reductions over time.

#### Part B: Elements to be included in subsequent national pesticide use reduction studies

- Evaluation of the experiences of the previous three years concerning the implementation of the pesticide reduction programme.
- Other elements as above.
- Setting of new targets for the next period.

## Annex II

### National pesticide use reduction programmes

***Qualitative and quantitative goals to achieve, at a minimum, the mandatory target for reduction in treatment frequency. Possibilities include:***

- Interim goals for reduction in treatment frequency (& volume used)
- Goals for specific target groups or uses, e.g., public authorities, farmers, transportation right-of-ways
- Goals for reduction of usage in pesticide vulnerable zones
- Goals for progressive elimination of pesticides and their residues from groundwater and other environmental media

***Controls over uses:***

- Measures for ensuring implementation of ICM practices in all agricultural production
- Measures for ensuring implementation of IPM in all non-agricultural pest control measures
- Controls such as bans on applications of pesticides near drinking water well heads or in pesticide vulnerable zones, such as nature sites and in buffer zones
- Controls including bans on applications of pesticides in areas where high risk of exposure to persons, e.g., schools, parks and other public spaces, roadsides, etc.

***Research and extension:***

- Research into non-chemical alternatives to pesticides
- Demonstration programmes on how to reduce frequency of application by use of non-chemical pest control methods and systems
- Training of agricultural advisors in non-chemical pest control methods and systems

***Information, education & training:***

- Education of all pesticide operators on health hazards posed by pesticides as well as on non-chemical pest control methods and systems
- Guidance for pesticide operators on e.g. storage & handling of pesticides

***Financial instruments:***

- Financial support for implementation of IPM and ICM practices
- Financial support for other measures to reduce pesticide use, including additional support for conversion to biological agriculture especially during the phase of conversion.
- Greater application of cross-compliance mechanisms.

## **Annex III**

### **Mandatory Requirements for Use of Pesticides**

#### **Part A: Integrated Crop Management System Requirements**

In developing the detailed ICM schemes for individual crops, the following ten key elements are to be taken into account:

1. Methods for building a soil structure to serve as an adequate buffering system for agriculture, e.g., stimulating percentage of organic matter, limiting depth of ploughing, prevention of erosion, crop sequence, etc.
2. Crop rotation frequency aimed at enhancing a balanced population of soil organisms and maintenance of a healthy soil, in order to prevent outbreak of soil-bound pests and to eliminate use of soil fumigants and other soil chemicals.
3. Use of the best available pest-resistant crop varieties. For every crop, the crop-pest combination that gives rise to the highest use of pesticides is to be determined, and the best resistant variety selected for that crop-pest combination.
4. Use of optimal plant distance for each crop and other crop management techniques to prevent growth of fungi and other pests; for the monitoring of fungal diseases, all available systems including weather forecasting and leaf-disease detection equipment.
5. Provision of adequate refugia for natural enemies of pests, e.g., a minimum percentage of total field area set aside for non-crop plant growing, including plants to attract natural enemies of pests. As a transitional measure, biological control by use of (industrially grown) natural enemies of pests, in particular for control of pests in glass houses.
6. Optimal nutrient management to reduce susceptibility to pests and diseases, based on information concerning nutrients already present in the soil and the soil structure.
7. In principle, only mechanical weeding or other non-chemical methods such as use of heat, with exceptions allowed only in case of bad weather conditions during a prolonged period of time, when a herbicide might be applied.
8. In case pest management problems still exist after applying elements 1 to 7, use of environmentally less harmful pesticides like plant and tree extracts as well as other pest-preventing substances, such as mineral substances for prevention of fungal growth.
9. Application of pesticides
  - (a) only if use of elements 1 to 8 does not create a situation where the crop is reasonably protected,
  - (b) only on the basis of information on the presence of pests (scouting, sensors, on-line services) proving the need for applying pesticides, and
  - (c) only using selective (not harming beneficial organisms) pesticides for a limited period of time.

10. Minimal input of other material resources, e.g., use of fossil energy kept to a minimum and no use of materials like peat, wild flowers and bulbs.
11. The ICM system shall be implemented according to the requirements below:
  - farm-level ICM management plan aimed at reducing use of pesticides
  - compliance with all existing EU-level and national regulations relating to the use of pesticides
  - farm-level register of all pesticide uses, by field
  - farm-level register of all measures taken to prevent and to reduce losses of pesticides to the environment.

**Part B: Non-Agricultural Pest Control Situations where IPM is Mandatory**

- schools and school grounds
- public areas, such as parks, playgrounds, sports arenas, and golf courses
- roadsides and transportation right-of-ways
- military bases and reserves

## **Annex IV**

### **Elements for a system of periodic inspections to eliminate unsafe pesticide practices**

For both pesticide dealers and pesticide operators:

- whether certification and licensing is up to date
- compliance with recordkeeping requirements
- measures in place to reduce losses of pesticides to the environment
- storage practices (for both dealers and operators)
- handling of packaging for collection by the pesticide producer

For pesticide operators:

- compliance with applicable ICM standards for crops in cultivation and with applicable IPM standards for all non-agricultural pest control situations
- inspection of journals recording all applications of pesticides
- control of application equipment, including calibration
- methods of pre-application preparation
- post-application cleaning of equipment and disposal of rinsate

## Annex V

### Minimum requirements for pesticide dealers and pesticide operators

#### Part A: Minimum knowledge requirements for pesticide dealers

The examinations to determine whether a natural person is qualified to be licensed as a pesticide dealer shall test that person's core knowledge and understanding of the following areas:

- a. Pesticide labels and labelling;
- b. Pesticide terminology;
- c. Pesticide safety, toxicity and eco-toxicity;
- d. Environmental and health impacts of pesticides
- e. Waste disposal practices, including packaging and rinsing;
- f. Common causes of accidents;
- g. Need of protective equipment and clothing;
- h. Poisoning symptoms and first aid

#### Part B: Minimum knowledge requirements for crop protection advisors and agricultural extension officials

The examinations to determine whether a natural person is qualified to be accredited as a crop protection advisor and agricultural extension official shall *inter alia* test that person's core knowledge and understanding of the following areas:

- a. All of the elements in Part A and, in addition:
- b. Alternative pest control methods, including ICM and IPM principles and elements
- c. Hidden costs of using pesticides, and benefits of reducing impacts from pesticides
- d. Post-application clean-up and disposal of rinsate
- e. Poisoning symptoms;
- f. Practicable first aid; and
- g. Legislation and regulations relating to the application and use of pesticides.

#### Part C: Minimum knowledge requirements for pesticide operators

The examinations to determine whether a natural person is qualified to be licensed as a pesticide operator shall test that person's core knowledge and understanding of all of the elements in Parts A and B.

The specific categories in which a pesticide operator can be licensed may include:

- a. Agricultural pest control.
- b. Forest pest control.
- c. Seed treatment.
- d. Aquatic pest control.
- e. Right-of-way pest control.
- f. Public health pest control.
- g. Rodent regulatory pest control.



## **Annex VI**

### **Pesticide Label Database**

Elements for a central pesticide label database:

1. Data to be submitted to the central database for each individual pesticide product by the pesticide producer, preferably in electronic form:
  - (a) Name of the pesticide product;
  - (b) Name of the Member State where the product is approved;
  - (c) Name and CAS number of the active ingredients;
  - (d) Amounts, volume and percentage of the active ingredients;
  - (e) Name and CAS number of the inert ingredients;
  - (f) Amounts Chemical class, volume and percentage of the inert ingredients;
  - (g) Chemical class of the active ingredient;
  - (h) of the inert ingredients;
  - (i) Number and Volume of different packages for the same product;
  - (j) Formulation of the product;
  - (k) Density of the product;
  - (l) Specific gravity of the product;
  - (m) Recommended dose and application rate;
  - (n) Use type;
  - (o) Target organism;
  - (p) Symbols, Risk and Safety Phrases according to Council Directive 67/548/EEC;
  
2. Encoded information to be included in the unique EU registration number and the unique EU barcode provided by the central label database for each pesticide product.
  - (a) The use type of the product;
  - (b) The percentage active ingredient(s);
  - (c) The Member State of approval;
  - (d) The hazardous properties as classified according to Council Directive 67/548/EEC; and
  - (e) The serial number in the EU.

## **Annex VII**

### **Pesticide Use Reporting**

The information to be reported by each pesticide operator shall include the following:

1. The county, postal code or other identification of the location as recommended by the work group established in Article 11 of this Directive for the location of use;
2. The name and EU registration number for the pesticide product used as recommended by the Council Regulation established in Article 13 of this Directive;
3. The quantity of pesticide product applied;
4. The purpose of and type of site of the application;
5. The date of the application;
6. If an agricultural application, the size of the field treated, the planted and treated acreage and the crop;
7. Other data considered necessary to achieve the purposes of this Directive.

## **Annex VIII**

### **Types of environmental information on pesticides held by public authorities for which requests for information cannot be refused**

- data on exposure and impact on human health and environment, including objectives, methodology, results or significance of any test or experiment performed on or with an authorised or previously authorised pesticide or its separate ingredients, impurities or degradation products;
- data on persistence, translocation and fate in the environment;
- data on risk assessments;
- notices of objections to authorisations and related disposition of the objections;
- data on cancellation or suspension of authorisations, and the reasons for such actions;
- data on sales and uses;
- data on inert ingredients, formulants, contaminants, and by-products;
- data on export and import;
- agendas and proceedings of all meetings of regulatory committees and advisory bodies.

## Signatories

- Pesticides Action Network Europe (PAN Europe), PAN E Board
- PAN Germany
- PAN UK
- European Environmental Bureau (EEB)
- Friend of the Earth Europe (FoEE)
- International Friends of Nature (FNI)
- European Public Health Alliance, Health and Environment working group (EPHA)
- Armenian Women for Health and Healthy Environment (AWHHE)
- Ärztinnen und Ärzte für eine gesunde Umwelt (ISDE), Austria
- Bond Beter Leefmilieu (BBL), Belgium
- Brusselse Raad voor het Leefmilieu (BRAL), Belgium
- Centre for Environmental Studies, Hungary
- Coordination gegen Bayer (CBG), Germany
- Danish Association for the Conservation of Nature (DN)
- Ecological Council, Denmark
- Ecotopia, Greece
- For Mother Earth, Romania
- Friends of the Earth, Bulgaria
- General Workers Union (SID), Denmark

# PAN Europe

Pesticides Action Network Europe



THE ECOLOGICAL COUNCIL



**BRAL**



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STICHTING NATUUR EN MILIEU



- Green Doctors, Ukraine
- Inter-Environnement Wallonie (IEW), Belgium
- Inter-Environnement Bruxelles (IEB), Belgium
- Legambiente, Italy
- Leefmilieu, Netherlands
- Mouvement pour les Droits et le Respect des Generations Futures (MDRGF), France
- Rural, Agricultural and Allied Workers (TGWU), UK
- Soil Association, UK
- Stichting Natuur en Milieu, Netherlands
- Women's Environmental Network, UK

- Greenpeace European Unit, Brussels Belgium
- European Farmers Coordination CPE, European Bureau, Brussels Belgium
- Comité de liaison des associations Pour l'Environnement en Languedoc-Roussillon (CLAPE- LR), France
- France Nature Environnement, France
- Société pour l'Etude, la Protection et l'Aménagement de la Nature dans le Sud-Ouest (SEPANSO), France
- Women in Europe for a Common Future (WECF), Germany and the Netherlands
- VOICE (Voice of Irish Concern for the Environment), Ireland
- Friend of the Earth Germany (BUND), Germany
- The Food Commission, UK
- Instituto Sindical de Trabajo, Ambiente y Salud Investigador de (ISTAS), Spain
- GLOBAL 2000 –FoE, Austria
- Welch Food Alliance, UK

**GREENPEACE**

**CPE**



## **How you can help to bring about pesticide use reduction in Europe (PURE)**

PAN Europe, a network of non-governmental organisations (NGOs) comprising over 100 groups across Europe, including consumer and environmental organizations, unions, developmental and sustainable farming groups, is campaigning to achieve pesticide use reduction throughout Europe.

Pesticide use reduction programmes are already in place in Denmark, Sweden, the Netherlands, Finland and Norway. These countries have demonstrated that pesticide use reduction can be achieved without reducing agricultural productivity.

We call upon all stakeholders to work to adopt new European legislation for pesticide use reduction in Europe (PURE) and to support the PURE campaign. Below are some suggestions for how you can help:

### **Parliamentarians, government officials and local authorities**

- Participate in the effort to enact a legally binding instrument on EU level for the reduction of pesticide use in Europe (PURE).
- Implement pesticide use reduction programmes at national and local levels.

### **Concerned citizens and NGOs**

- Lobby your national governments (e.g., ministries of environment, agriculture and public health), national parliamentarians, and members of the European Parliament to support the adoption of EU-level pesticide use reduction legislation and to establish pesticide use reduction policies and programmes at national level.
- Inform other NGOs and the press about your growing concern over impacts from pesticide use and the need for pesticide use reduction in Europe and at national level.
- Work with your local public authorities and schools to reduce their use of pesticides.
- Buy organically grown foodstuffs, and eliminate your own use of pesticides in the home and garden.
- Support NGOs that work on this issue and join the PAN Europe network (see below).

### **Pesticide operators**

- Apply the ‘No, unless...’ principle to reduce dependency on and, wherever possible, to eliminate the use of pesticides.
- For farmers, apply ICM principles and methods, and take measures to convert to organic farming.
- For non-agricultural pest control situations, apply IPM standards at all times and eliminate pesticide use in public areas where high risk of exposure to children.

For more information, contact:

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PAN Europe  
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