



Jerzy Bogdan Plewa
Director General of Directorate General for Agriculture and Rural Development
European Commission
B-1049 Brussels

Brussels, 13 March 2019

Regarding: Requesting supplementary access to documents on FAS and GAEC aspects of relevance to pesticides, No Gestdem 2019/706 + expanding to Greening

Dear Mr. Plewa,

First and most important, thanks for having accepted to give PAN Europe access to some of the documents required as mentioned in Ares(2019)1135443 of 25 February 2019.

In your reply, you mention that there is no correspondence **in 2018** relating to:

- All correspondence with other Directorates General of the European Commission on the subject of Integrated Pest Management (IPM) as defined by Article 14 of the Directive 2009/128/EC.

We kindly ask you to notice, that in our letter, we did not mention that we were only asking access for exchanges done in 2018. We therefore kindly ask you to expand your search to also look for exchanges in earlier years.

In your reply, you do not provide any information about these requests:

- Exchange of between different DGs, and between DG AGRI and Member States relating to GAEC 1 especially nominating pesticides.
- All correspondence between DG AGRI and the FAS on the subject of Integrated Pest Management (IPM) as defined by Article 14 of the Directive 2009/128/EC.

We kindly ask you to confirm that there in earlier years have been absolutely no exchanges and correspondence relating to request four and five.

Finally, we would like to add another request for access to document, in order to obtain a full overview of how Member States are allowed to use pesticides while obtaining first pillar payment relating to:

- Which supplementary greening measures Member States have introduced to reflect the ban on pesticide use of productive and potentially productive areas of the Ecological Focus Areas to be applied from 2018 as defined in article 10b of Delegated Regulation (EU) No 639/2014 amended by Commission Delegated Regulation (EU) 2017/1155 of 15 February 2017.

We request you to send us the above-mentioned documents in an electronic format to the address henriette@pan-europe.info.

This application for access to documents is made under Regulation (EC) 1049/2001 of the European Parliament and of the Council of 30 May 2001 on public access to EU institution documents and Regulation (EC) 1367/2006 of the European Parliament and the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies.

We specifically refer to the article in Regulation (EC) 1367/2006 on “environmental information”, art. 2.1.d:

(d) ‘environmental information’ means any information in written, visual, aural, electronic or any other material form on:

(i) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;

(ii) factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in point (i);

(iii) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in points (i) and (ii) as well as measures or activities designed to protect those elements;

(iv) reports on the implementation of environmental legislation;

(v) cost-benefit and other economic analyses and assumptions used within the framework of the measures and activities referred to in point (iii);

(vi) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures in as much as they are or may be affected by the state of the elements of the environment referred to in point (i) or, through those elements, by any of the matters referred to in points (ii) and (iii);

With this application, we respectfully request DG AGRI to grant access to the requested documents within the deadline foreseen by Article 7(1) of Regulation (EC) 1049/2001.

Sincerely your



Francois Veillerette
PAN Europe President