

## New European pesticide policy: a chance to reduce impacts?

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## New EU pesticide policy

- 1) Thematic Strategy on the sustainable use of pesticides
  - Commission Communication (including possible measures for future)
  - Modifications of existing legislations (91/414/EEC, WFD)
  - Framework Directive to achieve a sustainable use of pesticides
- 2) Revision of the PPP authorisation Directive (91/414/EEC)
- 3) Regulation on the collection and reporting data on the sales and use of pesticides

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## Thematic Strategy: historical background PAN Europe actions (1)

- \* 5th Environmental Action Programme "to achieve a substantial reduction of pesticide use per unit of land under production". No action was taken but there were 7 studies made during the 1990's to prepare a Directive. One stakeholders consultation meeting in 1998 **with PAN Europe participation**;
- \* 6th EAP (2001-2010) "reduce the impact of pesticides on human health and the environment... As well as a significant overhaul reduction in risks and of the use of pesticides" and decision about measures for a TS on pesticides (**PAN E lobby work**)
- \* **May 2002: PAN Europe's "Suggested text for a Directive on Pesticides Use Reduction in Europe (PURE)". The PURE campaign is supported by 92 organisations and European federations of organisations in 30 European countries**
- \* Thematic Strategy on the sustainable use of pesticides being prepared by DG Environment in coordination with the revision of Directive 91/414/EEC by DG Health and Consumer Protection;
- \* As a first step: Commission Communication on the sustainable use of pesticides - 4 July 2002;

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## Thematic Strategy: historical background PAN Europe actions (2)

- \* **PAN E participation at Commission Stakeholders meeting concerning this Commission Communication + position paper: 4 November 2002;**
- \* Environment Council Conclusions: 9 December 2002 **with PAN E lobby input**;
- \* European Parliament Resolution: 27 March 2003 (very critical) **with PAN E lobby input**;
- \* **PAN E conference "Reducing pesticide dependency in Europe to protect health, environment and biodiversity" addressed mainly MS civil servants of ad hoc ministries: 20 November 2003**
- \* Several technical meetings during 2003 and 2004 (**on compliance, aerial spraying, sprayers**, indicators and collection of empty packaging):  
Extended Impact Assessment finalised in October 2004 **with PAN E input to consultants during its elaboration and writing of severe critique when published**
- \* **PAN E participation in interactive Policy Making internet consultation from March-12 May 2005.**
- \* **PAN E face to face lobby meetings at Commission and EP levels: 2003-2004-2005**

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## Directive 91/414/EEC review: historical background - PAN Europe actions

- April 2001: **PAN E position on EU pesticides authorisation Directive**
- 25 July 2001: Commission report « Evaluation of the a.s. of PPP »
- 12 December 2001: Council Conclusions on this report: **some PAN E lobby**
- 25 April 2002: EP Resolution on this report : **PAN E lobby**
- 10-12 July 2002 : stakeholders meeting in Corfou: **PAN E active participation**
- January 2004: **Publication PAN E position paper on transparency and participation in pesticide authorisation**
- 30 January 2004: stakeholders meeting: **PAN E active participation**
- April 2004: **PAN E position on EU pesticides authorisation Directive**
- 6 April 2005: consultation on the draft working proposal for Regulation on PPP and EIA: **numerous amendments by PAN E + letter to DG Sanco and boycott of Interactive Policy Making (IPM) consultation**

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## Pesticide use reporting (PUR): historical background - PAN Europe actions

- **Requirements for PUR in PAN Europe's "Suggested text for a Directive on Pesticides Use Reduction in Europe (PURE)" (art 12)**
- **Publication by PAN Germany:**
  - **Pesticide use reporting – Legal Framework , Data Processing and Utilisation – Full Reporting Systems in California and Oregon**
  - **Pesticide Use Reporting – Options and Possibilities for Europe**  
See: <http://www.pan-germany.org/english.htm>
- **During 2004, Commission (under Eurostat leadership) to prepare a separate Regulation on the collection and reporting data on the sales and use of pesticides - PAN E Direct lobby**
- **September 2005: sending by PAN E of PAN Germany reports and basic requests to national members of Eurostat specific WG involved in the preparation of this Regulation**

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## More informations about historical background and PAN Europe actions

- 1) <http://www.pan-europe.info>
- 2) <http://europa.eu.int/comm/environment/ppps/home.htm>
- 3) [http://europa.eu.int/comm/food/plant/index\\_en.htm](http://europa.eu.int/comm/food/plant/index_en.htm)  
[http://europa.eu.int/comm/food/plant/protection/evaluation/legal\\_en.htm](http://europa.eu.int/comm/food/plant/protection/evaluation/legal_en.htm)
- 4) <http://europa.eu.int/comm/eurstat>

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## Agenda

- 1) TS: October 2005: interservice consultation
- 2) 91/414/EEC revision:
  - January: EIA report + stakeholders meeting
  - February : final EIA (Extended Impact Assessment)
  - April 2006: interservice consultation
- 3) May 2006: package (TS , Authorisation, pesticide statistics) to be published by Commission
- 4) From August 2006: Discussions /positions European Parliament (1st reading, 2nd reading) and Council (under Finnish presidency)
- 5) During 2007: Conciliation procedure (Comm + EP + Council) and final adoption

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**Opportunities for lobby work and amendments by NGOs at the Commission, EP and Council levels**

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## Political context

- Better Regulation process and impact assessment to serve the objectives of the Lisbon process: risk of economic considerations to dominate
- desire of countries including France , Spain, Portugal, Italy, Greece, Poland to further water down the FD on sustainable use of pesticides.
- Huge lobby from ECPA, Crop Life International and aggressive campaigns towards the public.

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## Likely content of the Framework Directive on the sustainable use of pesticides (TS) (1)

National pesticide reduction plans, to be adopted in 2 years, to address, as a minimum, the following elements:

- 1) *Public participation in a Steering group to develop, implement, monitor and review action plan*
- 2) *Within 2 years: mandatory training requirements for distributors, advisors, users + certification*
- 3) *Awareness raising campaigns for non professional users*
- 4) *Set up of a structure for independant advice for professionals and amateurs + pest forecasting systems*  
*Within 2 years: mandatory system for certification and monitoring of spraying equipment. Periodical monitoring*
- 6) *Within 2 years: mandatory specific measures for aerial spraying with EU level minimal requirements*

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## Likely content of the Framework Directive on the sustainable use of pesticides (TS) (2)

- 7) Measures for protection of the aquatic environment
- 8) Designation of areas where use of pesticides has to be reduced
- 9) System for collection of packaging and obsolete pesticides
- 10) Measures for safe handling of preparations including ready-to-use products for amateurs
- 11) monitoring and reporting of poisoning incidents
- 12) Promotion of organic farming , IPM/ICM (Regulation on support to Rural development, EU action plan on organic farming)
- 13) Promotion of research to reduce pesticide use (7th Research FP)
- 14) Reporting *within 3 years* and publication
- 15) Setting targets measured by risk indicators, possibly at crop and a.s. levels; and, eventually, quantitative reduction targets

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## Likely content of the Framework Directive on the sustainable use of pesticides (3)

### B) Steering group on the Thematic Strategy

Composed of various stakeholders including NGOs, academics and experts

To be set to assist Commission to:

- facilitate exchange of information between MS
- to prepare guidelines towards more harmonisation
- to revise the TS

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## (2) Training requirements (FD TS)

Minimal requirements such as :

- Relevant legislations
- hazards and risks
- IPM/ICM and organic farming principles
- safe practices for storing, handling, mixing, disposal, use of protective equipment, use of application equipment
- use record keeping
- action in case of accidental contamination

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## (6) Aerial spraying (FD TS)

Possible, with helicopters but also with planes, where no viable alternatives or where health and environmental advantages over ground spraying

Minimal requirements for MS: certification of pilots and equipment + equipment control; list of crops where advantageous; specific list of authorised pesticides; advance notification; reporting after treatment; exploration of the possibility for authorisation for each application and record keeping;

All measures to be reported to the Commission which will be able to compare situation in various MS and eventually propose later more harmonised restriction measures

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## (7) Measures to protect the aquatic environment (FD TS)

List of specific risk reduction measures for agricultural as for non-agricultural use to include - *where appropriate* - in the river basin management (Water Framework Directive) such as:

- use of non-chemical alternatives
- use of products not dangerous for the aquatic environment
- adaptation of dose, number and timing of applications
- buffer zones
- hedge rows
- Drainage systems...

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## (8) Pesticide reduction in particularly sensitive areas (FD TS)

- 1) MS *to prohibit or severely restrict* use of pesticides in areas where risks of exposure of general public and in particular children and where high risk of run-off or leaching into surface or groundwater
- 2) MS *to pay attention* to special areas for conservation (Habitats and Birds Directives and safeguard zones for drinking water abstraction)

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## Key missing points in FD (TS):

ICM definition aiming at dependency / use reduction  
Promotion of ICM and organic farming

Aim of DG SANCO and even DG ENVI to protect conventional agriculture and therefore:

- to limit cross compliance requirements under CAP and to keep a weak definition of IPM in the new PPP authorisation Regulation and consequently to favour voluntary approach by MS to go beyond general IPM requirements (agri-environmental measures)
- to leave to future revisions of pesticide authorisation regulation, crop specific minimum ICM requirements, pending on scientific progress and comparison of crop specific use data from various MS

As a consequence: no concrete steps towards pesticide dependency Reduction. Rather risk reduction from use reduction of « unwanted » pesticides (pesticide « optimisation » according to industry ICM definition) than from pesticide dependency / use reduction (no mention of TF Index)

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## Key missing point in FD (TS): a taxation system

A pesticide tax is crucial to finance national reduction measures, including independent training and advice on IPM aimed at pesticide dependency reduction

**BUT**

**Commission**

- does not want EU level tax as « impossible to reflect the true externalities »
- will just list tax schemes already in place at national level
- will only recommend MS to « experiment » tax rates based on intrinsic properties but not those based on volume or price of pesticide product

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## Key missing point in FD (TS): targets and timetables

No targets and timetables fixed at EU level

MS would only be asked to consider setting targets measured by risk indicators.

No mention of dependency reduction indicator like TF Index.

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## The pesticide authorisation Directive (91/414/EEC): PAN E demands (1)

exclusion criteria for active substances based on intrinsic properties, as a precautionary measure

Better evaluation of risk assessment

- need to include additional tests (specific tests for EDCs, systematic tests for immunotoxicity and neurotoxicity, more specific tests for developmental neurotoxicity / immunotoxicity / endocrine disruption / reproductive toxicity)
- need for systematic review of the scientific literature
- need to consider possible combined effects, inert ingredients and formulated products (eco)toxicities
- need to better evaluate exposure, including aggregate exposure

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## The pesticide authorisation Directive (91/414/EEC): PAN E demands (2)

Substitution towards least toxic products and alternative pest control systems

clearer definition of IPM/ICM

« Proper use » concept to include IPM/ICM as a minimum

Reinforcement of provisions for public participation / access to information and definition of « commercial interest »

Improved controls on implementation

Reservations about zonal registration of products

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## Likely content of the new pesticide authorisation Regulation

In May 05 draft for stakeholders consultation:

- positive list for safeners and synergists and negative list for co-formulants, but still very few tests on the formulated product
- Very weak exclusion criteria for a.s. acceptance at EU level
- Very weak criteria for definition of active substances of concern, candidate for substitution
- No information on possible new testing requirements  
Extensive review of scientific literature still not required
- No clear IPM / ICM definition  
Definition of « proper use » remains unclear, ICM not condition

Now:

Total rewriting of the proposal and of the EIA, following stakeholders critics and in particular critics of pesticide industry.  
? Substitution vs non chemical alternatives, enlarged list of a.s. candidate for substitution, provisions public participation, « commercial interest » definition

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## Pesticide use data Regulation PAN E worries

- MS will have to report use data to Eurostat but no requirements for MS on how to sample (records on PPP and Biocides use for farmers will become mandatory from 1st January 2006, according to food hygiene Regulation EC N° 852/2004)

- Eurostat to publish a report within 5 years on the indicators calculated (possibly for each MS top 10 crops in pesticides consumption) and on quality of data given by MS

*but worries related to :*

- the degree of aggregation of data and frequency of reporting
- the way these data could be used to refine ICM definitions to be included in the authorisation Regulation
- the absence of public access to geographical mapping of (specific) pesticide use

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## Conclusions

1) Much lobby needed from NGOs and allied stakeholders

*Now*, at Commission level (DGs Env't, Eurostat, SANCO, Agriculture)

*After publication by the Commission of proposed pesticide policy package*, at EP, MS ( Council) and Commission levels

2) Now and in the future

- need for active NGOs participation in steering groups on the Thematic Strategy at national as well as at Commission levels

- need to participate, for individual pesticides, in the risk assessment process at EFSA level and in the risk management process at Commission level

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