

PAN Europe's Position Paper on the EU proposal for a Regulation on Sustainable Use of Plant Protection Products

On 22 June 2022, the European Commission published its proposal for a Regulation on Sustainable Use of Plant Protection Products (SUR¹) and repeal the current EU Directive (128/2009/EC) on the Sustainable Use of Pesticides (SUD²).

PAN Europe's main demands:

1. The name of the SUR needs to be updated to the "Regulation for the reduction of the use of chemical pesticides".
2. The subject and the scope of the SUR must at least be in line with, and improve upon, the SUD. The precautionary principle must remain key and the aim should be to establish a long-term vision - also beyond 2030 - with clear pathways on how to get there, banning synthetic chemical pesticides in the EU by 2035.
3. The EU objective must be increased in ambition to a reduction of 80% of synthetic chemical pesticides used in the EU by 2030, and this percentage must stay applicable to each member state, by removing the idea of intensity and historical reference.
4. To start with, 100% of the more toxic pesticides should be completely phased out by 2030, not just 50%. Pesticides from the so-called "Candidates for Substitution list" should have already been phased out since 2015, from when Member States were required to substitute them. Alternatives already exist and Member States have not implemented the rules since 2015.
5. The main purpose of each of the member states' National Action Plans (NAPs) must be to define reduction targets, timelines and measures to reduce dependency, not only for the five most used pesticides, but for all chemical pesticides. The NAPs need to give a clear overview of the current situation in Member States and how they aim at moving towards a pesticide-free agricultural model with clear milestones.
6. Quantifying pesticide applications: decade-old measuring and record-keeping obligations must be properly implemented, ensuring effective and easy-to-use digitised recording and transfer of pesticide use and IPM data from the farm to the member state to the commission, in line with SAIO regulation
7. Agroecological practices, including organic farming practices, need to be put at the heart of IPM rather than precision farming adapted to pesticide use, as is promoted by the chemical industry, but which can shift but maintain farmer input dependency. For this to happen there is a need to define and classify what these agroecological practices are, while at the same time better define the agronomic practices being defined as Integrated Pest Management (IPM). It is also time to define what is not IPM, and update the crop-specific guidelines accordingly.

¹ https://food.ec.europa.eu/system/files/2022-06/pesticides_sud_eval_2022_reg_2022-305_en.pdf

² <https://eur-lex.europa.eu/eli/dir/2009/128/2009-11-25>

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Finally, it is crucial that farmers apply all appropriate monitoring before deciding to intervene, including with the help from independent farm advisers.

8. Ban chemical pesticides in all sensitive areas (including railways and roads) as well as for private uses.
9. Introduce an EU-wide pesticide tax to start applying the polluter pays principle.
10. Integrate pesticide reductions and IPM into the CAP, in objectives and indicators, and use mutual funds to cover risk while using pesticide-reducing techniques as a tool to reduce input dependency.
11. Encourage front-running political actions towards a pesticide-free future.

Why is PAN Europe supporting a significant improvement of the SUR proposal?

More and more publications point at the fact that feeding the EU without pesticides is within reach. Farming without pesticides does not need to compromise yield of EU farms³ as agronomic practices do deliver⁴ and agroecology can sustainably feed the world in the long run⁵. At the same time it is widely agreed upon that pesticide-intensive farming cannot ensure food security in the long run, for it depletes soils, pollutes water, destroys biodiversity, harms our health and makes farmers dependent on costly external inputs. A recent study⁶ highlights the considerable and unacceptable costs of pesticide use, both for the communities as well as for farmers themselves.

The important development of organic farming as well as the numerous examples of farmers implementing real IPM and considerably reducing their use of pesticides, showcase that today one can no longer question the possibility of a transition towards pesticide-free agriculture. Some sectors are very advanced in many regions, e.g. the wine sector abandoning 100% of insecticides in Luxembourg, while Sweden decided already in the 80s to work without any soil fumigant. The transition is mainly a matter of political will.

Furthermore, already 2 European Citizens' Initiatives (ECIs) addressing pesticides issues have succeeded in collecting over 1 million signatures each. From the 7 successful ECIs⁷, out of a total of 111 citizens' initiatives launched, 2 of them ask for a phasing out of pesticides. This major democratic signal cannot remain unheard. In addition, EU Barometers regularly highlight that the foremost concerns of EU citizens regarding the quality of their food refer to contamination with pesticides, while a strong reduction in pesticide use was defined as an environmental priority in the Citizens' Panel of the Conference for the Future of Europe⁸.

³ <https://www.science.org/doi/10.1126/sciadv.aba1715>

⁴ <https://www.sciencedirect.com/science/article/pii/S0921800922001276>

⁵ The economic potential of agroecology: Empirical evidence from Europe, Vanderploeg et al., 2019 & An agroecological Europe in 2050: multifunctional agriculture for healthy eating, IDDR1, 2018

⁶ Pesticides: a Model that's costing us dearly, Basic, 2018

⁷ *The Save Bees and Farmers* ECI is currently in the process of validation but as it collected 1.18 million signatures, mostly online, the organisers consider it will succeed in having more than 1 million validated signatures

⁸ https://futureu.europa.eu/rails/active_storage/blobs/eyJfcmFpbHMiOnsibWVzc2FnZSI6IkJBaHBBcFdyliwiZXhwIjpdWxsLCJwdXliOiJiOG9iX2lkIn19--a45418e437059870ee63d47dcb4b8565a8ea35a9/Panel%20%20session%20%20Report_v2022.01.12_final.pdf

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1. The name of the new Regulation needs to be improved

The name “Sustainable Use of Plant Protection Products” is double greenwashing. Use of pesticides is not sustainable, and the false name “plant protection product” is a term coined by pesticide producers. Instead, the name should be “Regulation for the reduction of the use of chemical pesticides” or “Pesticide Reduction Regulation”.

Chemical pesticides are made to kill living organisms, so calling them plant protection products is misleading. For instance, herbicides kill plants, so they cannot be called “plant protection products”. Using the word “sustainable” when talking about chemical pesticides is incoherent. It is broadly acknowledged that chemical pesticides present a risk to people's health and to biodiversity. Therefore, the use of chemical pesticides in EU agriculture cannot be considered “sustainable” as it gives an impression that the environmental risk and hazard posed by pesticides are negligible and manageable while evidence shows they are not. There are other products present on the market that protect plants, such as growth promoters or fungal symbionts but are not pesticides, therefore, this category is too wide to be used for the products that are specifically designed with purpose to kill living organisms.

2. The subject and scope of the SUR needs to be in line with the scope of the SUD

The EU agreed on the SUD in 2009, but it has been poorly implemented as already highlighted in several reports by the European Commission, the Court of Auditors and by PAN Europe⁹. Pesticides are dangerous not only for humans but also for the environment, biodiversity, water and soil life. Citizens regularly ask for reducing pesticides¹⁰. Agroecological practices can deliver and must be a core of the needed transition.

The subject matter of the SUR (article 1) needs to be updated, by adding specific references from the current SUD :

- The aim of reducing pesticide dependency, as already included in articles 4 and 15 of the current SUD.
- The aim to apply the precautionary principle as already included in article 2 of the SUD.
- The specific reference to ensure “human health and the environment and promoting the use of integrated pest management and of alternative approaches or techniques such as non-chemical alternatives to pesticides”, as already included in article 1 of the SUD.

Article 1 of the SUR needs to be expanded to also include:

- A specific recognition that pesticides impact biodiversity and full recognition of the fact that EU Citizens' are demanding such a change.
- Highlighting that the purpose is to reduce farmers' and other operators' dependencies through the implementation of agroecological practices. PAN Europe insists that the chemical industry's fake solutions such as precision-spraying of pesticides and other technologies are

⁹ <https://www.pan-europe.info/sites/pan-europe.info/files/public/resources/reports/pane-2013-reducing-pesticide-use-across-the-eu.pdf>
https://www.pan-europe.info/sites/pan-europe.info/files/Report_MonitoringSUDcompliance_in6MS.pdf

¹⁰ Two European Citizens Initiatives have successfully collected over 1 million signatures (“[Stop Glyphosate](#)” and “[Save Bees and Farmers](#)”, both asking for a phase out of pesticides), citizens also asked for a dramatic reduction in pesticide use in the frame of the [Conference for the Future of Europe](#)).

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not appropriate, as they maintain farmers in a lock-in dependency status. Agroecological practices and organic agriculture can ensure that pesticides need to be applied as a last resort and that the way forward is a change in paradigm.

- Fix a date and a year for the final phasing-out of chemical pesticides in agriculture in the EU.

Finally, article 2 on scope of the SUR needs to include a specific reference to the importance of independent stakeholders being key in ensuring the implementation of the SUR: independent advisers and independent scientists are needed to develop IPM crop-specific rules.

Throughout the SUR proposal, improvements need to be made to give room for these objectives, including in article 3 on definitions.

3. Reduction targets and indicators

PAN Europe considers that the European Commission should have aligned article 5 of the SUR to the demands of the *Save Bees and Farmers* ECI, which calls for an 80% reduction of chemical pesticides by 2030, a ban of all Candidates for substitution by 2030, and a full ban of chemical pesticides by 2035.

PAN Europe does not agree with the idea of correcting the targets with intensity and historical reference as proposed in article 5. Instead, we consider that a mandatory 80% reduction target should be set for each Member State, taking as a baseline the average uses over the 3 years preceding the implementation of the new legislation. No derogation should be given to derive from such a target. Indeed, a few Member States are more advanced in terms of IPM or organic agriculture than others, while some Member States authorise less of the more toxic pesticides, and others more. However, the variation between efforts already made between the best and worst performing Member states is negligible, as each Member State - including both the most advanced and lower intensity - still face its own serious problems caused by pesticides, and each member state should therefore be accountable against its own baseline, and start seriously reflecting on how to move toward a pesticide-free Europe by 2035.

Member States arguing that historically they have used less pesticides, and therefore claim they should be exempted from efforts and targets, are using a “right/credits to poison” approach that doesn’t work in the natural world. They often have a richer biodiversity and natural heritage as a result of their history, but rates of pesticide use increase and associated biodiversity impacts are just as, if not more, severe as in other MS. Therefore similar rates of reduction should apply to all MS equally.

The methodology for calculating the progress towards the pesticide reduction targets described in Annex I of the SUR is based on the methodology of Harmonised Risk Indicator 1 (HRI)1 and thus shares its fundamental flaws. Both Annex I and the HRI 1 must therefore be thoroughly revised.

The two major problems with the methodology currently proposed are:

1. It gives a lot of weight to the used quantities but it fails to link it to the hectare application rate - and thus the **treated area** - resulting from the different toxicity against the target (and non-target)

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organisms of different active substances. Consequently, it grotesquely underestimates the risk, for example, of particularly toxic pyrethroid- or organophosphate-insecticides (but also many fungicides), while massively overestimating the risk of harmless naturally occurring active substances such as baking soda or quartz sand. As a result, this indicator misleadingly simulates a reduction in pesticide use and risk - by orders of magnitude (!) - when low-risk pesticides are replaced by the most hazardous ones as the latter use lower volumes.

2. Moreover, the currently proposed methodology of the HRI 1 simulates a reduction in pesticide use and risk already by a decrease in sales of pesticides after they have lost their authorisation. Indeed, a special higher weighting factor of 64 is given for banned active substances, *a posteriori* giving the impression that the use and risk has strongly decreased, just because the substance's weighting factor has increased through the change in category.

The currently proposed methodology for calculating the progress towards the pesticide reduction targets must therefore be replaced by a robust indicator that reflects the area treated and indicates a reduction of the use and risk of pesticides only when in fact the use and/or the risk is clearly reduced, either by reducing the treatment frequency (reducing use) or by substituting the most hazardous pesticides (candidates for substitution) and enforcing low-risk pesticides, microorganisms and pheromones (reducing risk).

In addition to the methodology for measuring pesticide reduction (Annex I of the SUR), we recommend that the legislation programmes the development of new complementary, science-based risk indicators to monitor specific risks associated with the use of pesticides, e.g. for pollinators, surface waters, soil health, etc.


PAN Europe supports a systematic review (e.g. every 3 years) of pesticide indicators in order to assess their effectiveness, and in order to eventually update them.

4. Banning the most toxic substances

The most toxic substances should normally be dealt with by the pesticides regulation 1107/2009/EC. Indeed, article 50 of this regulation gives Member States the obligation to not re-authorise substances that are approved as Candidate for Substitution, when alternatives exist.

Therefore, PAN Europe calls for article 4.1 of SUR to being upgraded with:

- The objective to ban 50% of the most toxic pesticides, to become a full phase out by 2030. This should be accompanied by an obligation for Member States to finalise by 2030 a revision of the national authorisations for such products and ban them, finding the alternative and applying the IPM that reduces, or even eliminates, pest occurrence whenever an alternative exists.



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5. National Action Plans

Until today the National Action Plans (NAPs) have been lacking engagement as already mentioned above. It is a good step in the right direction that details on what the NAPs need to include are being specified in the SUR.

However, again here, a number of aspects from the SUD need to be included back in article 8 of the SUR, including:

- A clear reference to the fact that reducing pesticide dependency remains the major objective of the NAP.
- A clear overview of reduction targets, timelines and measures to accompany the transition, showing clear pathways and milestones on how to replace chemical pesticides through the uptake of agroecological methods, including reference to fully phase out.

Contrary to the proposal that each NAP zooms in on 'the 5 active substances that most strongly influenced the trend in the reduction of use and risk of pesticides' (article 5), PAN Europe calls on this reflection to be applied for all active substances.

Also, article 8 of the SUR needs to be expanded to make sure that NAPs identify:

- The main reasons leading to citizens' and environmental exposure leading to surface and groundwater contamination, as well as air and soil pollution.
- What national IPM principles have been defined at national level since IPM is mandatory since 2014 (SUD), and how some these principles have been included in the CAP measures
- NAPs must contain a description of how policy tools will incentivise the uptake of IPM (e.g. financial incentives, early warning systems, independent advisory services, etc.) in order to solve the problems linked to pesticides..
- Links to other EU laws relating to water, nature restoration, biodiversity and food consumption at large, and
- Control and monitoring mechanisms in place to ensure compliance with SUR, and infringements as foreseen in article 38 of the SUR.

PAN Europe considers that NAPs must be evaluated and approved by the European Commission as for the National CAP Strategic Plans. This is missing in the current proposal. PAN Europe considers that a committee of independent experts should assess the Commission in this evaluation.

6. Integrated pest management

PAN Europe and its members welcome that it is now specified in the SUR that IPM means applying pesticides only as a last resort. Following the current definition of pesticides, we recommend to specify "chemical pesticides", in order not to include biocontrol. Biocontrol plays indeed an important role in the reduction of chemical pesticide uses in Europe.

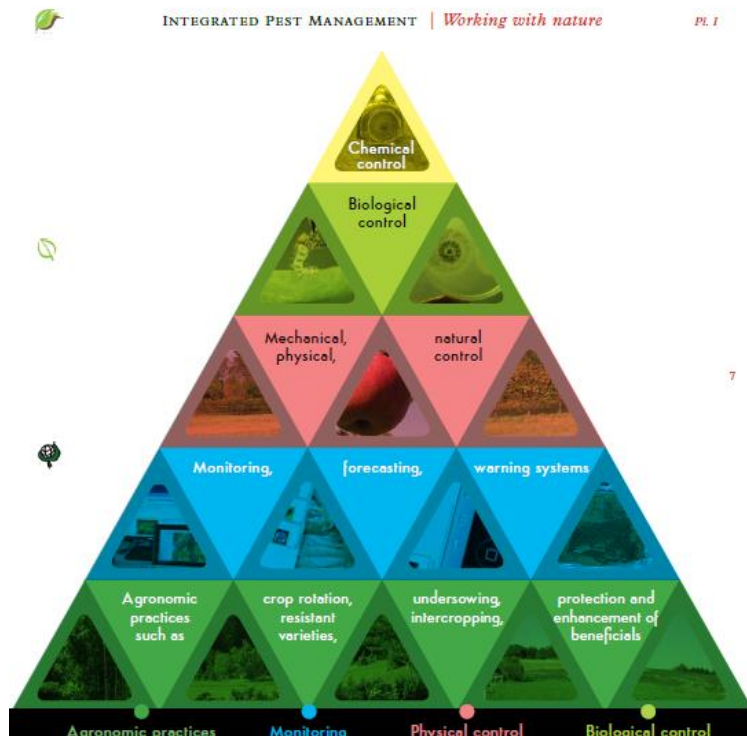
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We disagree with the proposal to establish precision farming¹¹ as the main tool to reduce pesticide dependency, without limiting it to non-chemical precision-farming (e.g. mechanical weeding).

PAN Europe stresses that precision farming as standing alone will neither be able to fulfil the requirements of the EU Directive on Sustainable Use of Pesticides nor be able to encourage the transition towards a more ecological model of farming. Precision farming implemented to pesticide spraying will only marginally be able to help farmers reducing the sprayed quantities, i.e. the overuse¹², and is therefore not the core of IPM nor remove dependency on chemical pesticides.

PAN Europe calls for a specific reference to agro-ecological practices. While article 13 of the SUR does recall the eight principles of IPM defined, it fails to rank these practices and does not clearly identify that some are more important than others¹³. However, when shifting practices from chemical intensive towards knowledge based agro-ecological practices, it is crucial to apply a preventative approach rather than cure, in line with the IOBC, IBMA & PAN Europe triangle on IPM.



PAN Europe calls on the IPM definition to be updated in article 3 of the proposal, in order to clearly highlight the order of interventions:

Integrated Pest Management is an iterative process that places preventative agronomic measures at the heart of agricultural plant production's pest control. When necessary, cultural practices and physical pest treatment is favoured, before using biocontrol and, as a last resort, chemical pesticides can be used.

PAN Europe calls on adding a definition of agro-ecological practices into the SUR:

Agroecology is one approach that, by designing agroecosystems that rely on ecological processes for the prevention and control of pests, weeds and diseases outbreaks, shares the same aims of IPM and organic farming. Agroecology also includes societal and economic aspects that support and connect producers and consumers.

¹¹ https://www.pan-europe.info/sites/pan-europe.info/files/PAN%20Europe%20position%20on%20SUD%20EU%20laws_FINAL.pdf

¹² <https://www.pan-europe.info/sites/pan-europe.info/files/public/resources/press-releases/PR%20with%20LIFE%20logo/PAN%20Europe%20position%20on%20precision%20farming.pdf>

¹³ <https://link.springer.com/article/10.1007/s13593-021-00689-w#Sec15>

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Regarding the eight principles of IPM, PAN Europe welcomes the word 'intercropping' and the phrase: 'pest exclusion by use of protected structures, nets and other physical barriers' that have been added.

However, PAN Europe believes the SUR needs to upgrade the eight principles of IPM as defined in article 13.2 to become aligned with the EU Farm to Fork and Biodiversity Strategies, the Nature Restoration Law, the current CAP discussions as well as the EU soil strategy. It also needs to embrace the concept of functional biodiversity, within the framework of working with - not against - nature. As part of that, the SUR should :

- Define minimum 'crop rotation' to apply being at least a five years crop rotation or a four years crop rotation with a leguminous component;
- In the SUR text proposal, "protection and enhancement of important beneficial organisms, including beneficial plant protection measures or the utilisation of ecological infrastructures inside and outside production" should be replaced by "protection and enhancement of important beneficial organisms, including beneficial plant protection measures **as well as** the utilisation of ecological infrastructures inside and outside production". Furthermore, ecological infrastructures should cover at least 10% of the UAA. The sentence 'use of modern cultivation techniques, including stale seedbed technique, sowing dates and densities, under-sowing, intercropping, conservation tillage, pruning and direct sowing', should be completed by adding "**with preference being given to appropriate herbicide-free methods where available**".


To recover some of the lost time in the implementation of IPM, article 13 should be updated: a specific reference to practices which are not IPM should be added. In particular, prophylactic uses of pesticides should be banned in the EU, including:

- a. Treating seeds with chemical pesticides, as well as chemical pesticide granules when sowing the seeds.
- b. Use of soil fumigant and other soil treatments.
- c. Calendar-based pesticide spraying.
- d. Aerial spraying of chemical pesticides, including the use of drones (no derogations allowed).
- e. Use of chemical pesticides on grassland.
- f. Use of GMOs and so-called New Breeding Techniques.
- g. Whole field or whole landscape applications

PAN Europe and its members welcome the idea being proposed in article 15, that Member States need to develop sector-specific IPM guidelines. Also, we welcome that these guidelines must be publicly discussed and need approval by the European Commission.

However, the following improvements should be added to article 15:

- IPM crop-specific guidelines must be developed for all crops, not only major crops
- Approval of these guidelines must be conditional on each guideline identifying milestones on how to reach the pesticide reductions, with an estimated date for a full phase out.
- Approval of IPM crop-specific guidelines must be conditional on that these guidelines have been developed independently, without influence from the pesticide industry.



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PAN Europe believes that it is crucial that the SUR is clarified regarding the farmers' roles in applying IPM. We, therefore, call for article 13 to be improved by:

- Clarifying that farmers need to apply a combination of IPM measures, without derogations possible, as proposed in article 13.1.
- Article 13.3 should be upgraded by confirming that farmers need to apply all tools to monitor pests and therefore should not only apply one of the following methods: observations in the field, use of early warning systems and forwards or use of advisory services.

Finally, PAN Europe calls for adding a specific paragraph recalling the Member States role in offering technical IPM support to farmers including establishment of early warning systems, forecasts and advisory services, as these are commitments already made in the SUD.

It is also worth reminding that the CAP makes it mandatory for Member States to have Farm Advisory Services¹⁴. Since 2015, they need to be able to advise farmers about IPM¹⁵. The way forward is ensuring these Farm Advisory Services mentioned in the SUR become independent of chemical industry influence.

7. Recording keeping by farmers

The SUR is proposing to collect records of any preventative measure or intervention and the reasons for action, on top of the name, date and contents of the advice. It also proposes to keep an electronic record of each application of a plant protection product under Article 67 of Regulation (EC) No 1107/2009 and a report on any aerial application. Unfortunately, it does not provide detail on what this means.

As part of the Common Agricultural Policy, Member States will need to gather information on farming practices to provide input into the Annual Performance Report of the CAP¹⁶. Furthermore, a few member states like the Netherlands and Ireland already have made it mandatory for farmers to report about their IPM practices, like crop rotation.

PAN Europe calls on to upgrade articles 14 and 16 (on records) as following:

- Member States shall collect data on the kind of agronomic practices farmers are applying: e.g. crops grown over time, what kind of intercropping, which ecological infrastructures etc. and to what extent a combination of measures are applied.
- Professional users shall enter into the electronic record the reason for action, no later than 24 hours after the application, along with the information regarding the preventative measures used as alternative/s to chemical pesticides.
- Record keeping to be expanded to non-agricultural areas such as pesticide use in forestry and public areas.
- To ensure the uniformity of data collected in Article 16 paragraph 1, the European Commission shall adopt a standard template for entering data and further analysis and

¹⁴ https://agriculture.ec.europa.eu/farming/fas_en

¹⁵ <https://www.pan-europe.info/resources/briefings/2019/07/how-eu-common-agricultural-policy-impacts-knowledge-exchange-and>

¹⁶ https://agriculture.ec.europa.eu/news/commission-sets-clear-and-common-rules-monitoring-and-evaluating-implementation-cap-strategic-plans-2022-09-12_en

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processing the data, in line with what was agreed in the SAIO regulation. This would decrease the administrative burden for Member States, and would allow a uniform data collection and data processing and comparison between member states and regions.

- The register(s) referred to in Article 16 paragraph 1 shall be made accessible to the public, (data confidentiality is overridden by public interest, due to the emission into the environment), being matched with corresponding environmental statistics.

8. Banning pesticides in sensitive areas

PAN Europe welcomes the approach of banning pesticides in all sensitive areas hence leaving more space to nature while protecting people's health, and in particular, that of the most vulnerable.

PAN Europe especially welcomes the proposal of banning pesticides for use in Natura 2000 areas. The meaning of the Natura 2000 directive makes no sense when allowing pesticides in the network, whose goal is the long-term sustainability of the habitats and endangered species. Alien invasive species must be managed using alternative techniques.


PAN Europe calls for the ban to be expanded in order to include :

- Railways, roads, airports and ports, and industrial or commercial units
- Mine, dump and construction sites
- A general ban on the use of (chemical) pesticides for non-professional users,
- Pesticides classified as “harmful to aquatic life with long-lasting effects”, “very toxic to aquatic life with long-lasting effects” or “toxic to aquatic life with long-lasting effects” should be prohibited for use in sensitive areas.

A protective zone of 50m wide shall be mandatory for sensitive areas, and areas bordering sensitive areas should be oriented towards pesticide-free production, including land with organic production. Less than a 50m buffer strip would be in conflict with the Habitat Directive. The Habitat Directive (art. 6(3)) only allows for projects that do not adversely affect a Natura 2000 area, except for the very strict exemptions in art. 6(4).

Member States should not be allowed to grant emergency use of chemical pesticides in sensitive areas, even in the case of pest occurrence or invasive species spread. A clear procedure and methods for solving the problem of pest occurrence in sensitive areas should be defined, with available alternative non-chemical solutions, starting with prevention, monitoring, physical and mechanical methods and biocontrol.

A number of member states have long experience in banning pesticides for use in sensitive areas, but no EU funding framework is in place allowing member states, regions and towns to exchange these experiences. PAN Europe encourages the European Commission to establish a legal framework, and set aside sufficient resources in the EU budget, allowing Member States, regions and towns to exchange these practices.



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9. Timetables considering training and certification

Being a dynamic system, agricultural production shall be monitored to track the progress toward achieving the F2F goals; to have at least 25% of the EU's agricultural land under organic farming by 2030, to reduce the use of fertilisers by at least 20% by 2030 and to reduce the use of pesticide by 50% by 2030.

Certain adaptations in the process might be needed to update to the most recent science and agronomy, therefore the validity period of a training certificate should be shortened to 5 years for distributors and professionals and 3 years for advisors. Each Member State shall designate a competent authority or authorities, composed of independent experts, free of any ties to agro-chemical industry, responsible for the implementation of the system for the training and certification.

The scope of work and content covered by independent advisory systems should be defined in more detail, particularly in terms of the institutions that provide the education and training for the independent advisors.

10. Ensure a proper compliance of the SUR to the benefit of citizens and the environment

The European Commission has a right to take Member States to court for non-compliance of EU law. However, to our knowledge the European Commission has to date not initiated any infringement procedures against any member states in the frame of the SUD, but only threatened to do so. As the Commission acknowledged, SUD was a failure because Member States did not implement it. To be credible, the Commission needs to put in place much more regular monitoring and audits to follow the implementation of pesticide policies at national level, and launch infringement procedures when needed, in order to ensure citizens' and environment safety.

Furthermore, it is also important to assess whether the SUR delivers, in terms of reduction of exposure to pesticides. As an example, pesticide contamination in soil is currently monitored by the LUCAS Survey from the JRC. Securing funding for projects such as LUCAS, would help EU institutions monitoring the outcome of the SUR.¹⁷

Such a system should be repeated regarding surface and groundwater residue monitoring. Citizens' exposure (through hair testing, or testing residues of pesticides in household dust) would also be appropriate to monitor the effectiveness of the SUR.

¹⁷ https://esdac.jrc.ec.europa.eu/public_path/u891/Proposal_paper_for_LUCAS2022_Soil-Final_xPUBSY.pdf



11. Incentivising the change

Recital 16 of the SUR mentions *'that economic instruments, including those under the CAP that provide support to farmers, can play a crucial role in the achievement of objectives relating to the sustainable use of plant protection products and, in particular, reducing the use of chemical plant protection products'*.

PAN Europe would like to highlight that there are a number of policy tools that can be used to influence the farmer to change behaviour, including economic tools, already highlighted in the SUD.


EU's Common Agricultural Policy

PAN Europe welcomes that recital 15 of the proposal stresses that the SUR should be consistent with the national CAP strategic plans. The EU dedicates every year around 60 billion euros to its Common Agricultural Policy (CAP) with the vast majority of this funding being paid to farmers according to how member states have defined their strategic plans, a process supervised and mediated by the European Commission. Unfortunately, most Farm-to-Fork objectives, or means to achieve them, have not been introduced in the current CAP legislation and Member States have taken little opportunities in their national CAP strategic plans to offer their farmers payments for reducing their pesticide use.

Moreover, PAN Europe notes that recital (16) of the Strategic Plans Regulation (SPR), the main CAP legislation (strategic plans regulation) states that *'Member States have to show in their national CAP Strategic Plans that their implementation of the CAP contributes to and supports other relevant Union legislation and their objectives, including objectives under this Regulation'*. Links to the new SUR would have to be updated in annex XI SPR, annex III SPR on conditionality, plus corresponding articles on eco schemes (art.28 SPR) and indicators (annex I SPR).

Instead, PAN Europe calls for a specific article to be added to the SUR, calling for pesticide use reductions and full integration of IPM to become a specific objective of the post-2027 CAP. CAP payments should be linked to evidence on the implementation of IPM and a significant reduction in the use of pesticides.. National CAP strategic plans can be regularly updated to adapt to more ambitious targets or specificities outlined in the SUR for example, so that the fact that the new CAP programming period already begins in 2023 need not hinder pesticide reduction ambition.

In CAP terms, as the current annual result indicators are linked to measures proposed: Member States should define specific CAP support measures with specific pesticide use reduction targets (ex. 50% and 100% reduction and organic farming) that can then be measured in the annual IPM result indicator, e.g. counting the number of hectares where farmers have reduced pesticide use by 50% or 100% in a specific period (e. three years).



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Mutual funds to back up possible yield losses linked to changing agronomic practices

PAN Europe recalls the importance of expanding recital 16 of the SUR proposal to explicitly mention the potential of mutual funds to manage agricultural risks arising from natural disasters, like for instance Fondo Risemina Mais.

FRM has managed to reduce pesticide use by 86% over less than a decade, engaging maize growers into a voluntary deal, where the fund offers technical IPM support specially linked to financial certainty against natural disasters - in this case yield loss.

It is crucial to keep on calling for investigating how better to include these kinds of funds into the pesticide debate, especially in relation to the post-2027 CAP debate¹⁸.

Introduction of a pesticide tax

PAN Europe supports the introduction of a pesticide tax in the EU as a logical way to reducing pesticide dependency and to start implementing the polluter pays principle.

The 2006 EU thematic strategy on the sustainable use of pesticides¹⁹ mentions this fiscal tool, indicating that "taxation should be investigated further in order to establish a 'banded' taxation system as a proxy for true externalities in the future". A few Member States such as Denmark have introduced a pesticide tax on hazardous pesticides, encouraging farmers to modify their practices towards less hazardous pesticides or non-chemical methods, hence reducing their pesticide dependency.

So as proposed in a recent study by the Helmholtz Centre for Environmental Research (UFZ)²⁰, the EU could either "*introduce its own tax, which would flow into the EU budget, which currently marshals the billions in agricultural subsidies of the Common Agricultural Policy*", or *legally stipulate that a tax or non-tax levy be imposed on plant protection products in all Member States, and also prescribe a specific taxation concept there*". Such a tax could be added as a third pillar of EU's Common Agricultural Policy²¹.

12. Rewarding and supporting pesticide-free front-running communities

Actions related to pesticides are regularly organised by citizens throughout the EU while pesticides are a source of tension between the farming community and citizens, beekeepers or conservation groups. But when a local, regional or national public body tries to regulate pesticide use to protect citizens' health and or the environment, in the name of the precautionary principle, they are very often taken to administrative or civil courts by chemical companies and farmers associations. The legal uncertainty prevents public authorities from taking such actions.

¹⁸ <https://www.pan-europe.info/sites/pan-europe.info/files/public/resources/briefings/pan-e-risk-management-tool.pdf>

¹⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3AI28178>

²⁰ <https://www.gls.de/privatkunden/gls-bank/politische-forderungen/study-pesticide-tax-in-the-eu/>

²¹ <https://www.nature.com/articles/543315a>

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It is therefore crucial to reintroduce article 2.3 of the current SUD which says:

The provisions of this Directive shall not prevent Member States from applying the precautionary principle in restricting or prohibiting the use of pesticides in specific circumstances or areas.

Furthermore, "Member States" should be replaced by "public authorities", in order to allow, for instance, mayors to take precautionary measures, as it is the case in Italy, backed by Italy's case law.

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Position Paper



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