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LIMITE

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WORKING PAPER

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Agricultural Questions (Pesticides/Plant Protection Products)
N° prev. doc.:	ST 8238/20 + ADD 1
Subject:	Council Conclusions on the REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL On the experience gained by Member States on the implementation of national targets established in their National Action Plans and on progress in the implementation of Directive 2009/128/EC on the sustainable use of pesticides - Examination on the draft Council Conclusions - FR comments (EN version)

Delegations will find attached FR comments (EN version) on the subject above.

NOTE FROM THE FRENCH AUTHORITIES
TO THE PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION

General Secretariat of the Council

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Re: Draft Council Conclusions on the Report from the Commission to the European Parliament and the Council on the experience gained by Member States on the implementation of national targets established in their National Action Plans and on progress in the implementation of Directive 2009/128/EC on the sustainable use of pesticides (WK 8636/20).

The French authorities would like to thank the Presidency for the draft conclusions circulated on 16 September and discussed by the working party on 18 September. We would note that because of the very limited time given for examining the text, we entered a scrutiny reservation during the meeting. We would also point out that our late contribution submitted on 16 September could not be reflected in the draft conclusions proposed by the Presidency. These written comments are thus aimed at incorporating in the draft document any concerns raised in the note from the French authorities dated 16 September which are not already reflected in them.

We would like the following paragraphs to be added or amended in the draft Council conclusions.

Firstly, we would point out that we are committed to having specific, shared and ambitious targets aimed not only at reducing the risks of pesticides but also at reducing their use by applying the principles of integrated pest management (IPM), and are therefore committed to revising EU legislation on the placing on the market of chemical, biocidal and plant protection products. We would like an objective of a 50 % reduction in the use of plant protection products by 2025 to be set within the framework of Directive 2009/128, on the basis of the harmonised European indicator resulting from the improved HRI 1 indicator. That should make it possible to meet the objectives of the Farm to Fork Strategy as regards reducing the use of pesticides and the risks associated with them [by 2030].

We therefore suggest:

- adding to paragraph 2: **‘and STRESSES that its implementation should be improved’**
- and adding the following wording to paragraph 1: **‘STRESSES that an ambitious objective of 50 % reduction in use of PPP until 20259 [...] should be incorporated into the SUD, in connection with the target set in the F2f Strategy, based on HRI1. The reference level of this objective should be specified, and progress already achieved by member states should be taken into account.’**

In addition, and in view of the conclusions of the European Court of Auditors’ report on the protection of wild pollinators in the European Union, we would like the Commission to consider incorporating in Directive 2009/128/EC ambitious measures to protect pollinators, in line with the objective set out in the Biodiversity Strategy of reversing their decline by 2030, designed ultimately to harmonise the Member States’ laws in this area. We therefore propose inserting the following paragraph after paragraph 5: **‘ENCOURAGES the Commission to propose ambitious measures related to the protection of pollinators to be integrated in the SUD, in order to recognise the vital role of pollinators for healthy ecosystems and food security and the necessity to reverse their decline. INVITES the Commission and the Members states to include ambitious actions**

to protect pollinators in the revised SUD, in line with the objectives laid out in the Biodiversity Strategy.'

Regarding integrated pest management, we would reiterate that we are very keen to see work carried out at EU level to harmonise arrangements aimed at monitoring IPM implementation, even though these fall within the competence of the Member States. We therefore suggest amending and expanding paragraph 7 as follows: 'AGREES that IPM **implementation and control**[...] pose[...] one of the biggest challenges of the SUD and that it needs more attention by the MS. **Strongly RECOMMENDS that control modalities should be harmonised at the European level.'**

Furthermore, it is not enough to stop at crop-specific guidelines insofar as aspects such as plot size, landscape and integrated management of certain pests are crucial, and we therefore propose expanding paragraph 8 as follows: 'Therefore, POINTS OUT that it may be challenging to harmonise IPM across all crops and all MS hence SUGGESTS to establish crop specific guidelines in each MS, **in addition to guidelines at a more comprehensive level (i.e. farm, landscape) so that all relevant levers could be documented.'**

Lastly, we believe that integrated pest management practices which would increase the economic burden should not be ruled out insofar as they may be very relevant from an agronomic point of view and it should be possible to mobilise tools such as the CAP to offset the costs. We therefore propose changing the wording as follows:

- in paragraph 10, take on board the wording proposed by the Netherlands during the meeting: '10. STRESSES that incorporating alternative methods and technologies on farm level also requires adaptation, adequate investment and demonstration that further changing practices **are economically feasible** [...].'
- in paragraph 11: '11. In addition, REAFFIRMS that the farmer's economic interests and the security of food production should be adequately taken into account in general. **To compensate possible extra charges due to implementation of IPM, different tools could be mobilized, including the incentives of the CAP.'**

Lastly, with regard to harmonised risk indicators, we – like the Commission and the European Court of Auditors – consider that work on improving them should be continued. We would stress that we are convinced that these should reflect not only the extent to which substances of particular concern are used, but more broadly the changes in the dependence of systems on the use of plant protection products. Thus, it should be ensured that the step of giving greater weight to the most dangerous substances, which are likely to be banned in the short term, does not overshadow the efforts made in national action plans to reduce the use of all substances apart from low-risk ones. Furthermore, we would like account to be taken of the most recent scientific information on the hazardous nature of these substances when assigning substances to categories, in addition to the information in the CLP Regulation, in view of the sometimes very long lead times needed to update that Regulation. To that end, France will make proposals to amend categories and/or weightings. We therefore propose changing the wording as follows:

Paragraph 15: '15. REAFFIRMS that the indicators must accurately reflect the risks arising from the use of PPPs by carrying greater weight of PPPs in the calculation that might have a considerable impact to health and the environment **without, however, hiding more comprehensive efforts**

carried out to reduce adverse substances as a whole and STRESSES that it should also reflect the use reduction. In addition, ASKS the Commission to rely on the most recent available scientific information – not only CLP - to assign a substance to a specific category of HRI.'

We also propose the following amendments:

Paragraph 3: 'SUPPORTS the concept of National Action Plans, which contributes to the implementation of the SUD, but STRESSES that it should be taken into account that Member States (MS) were not starting from the same position with regard to the structures in place and existing requirements, proving it [...] **will be a challenge** for some MS to achieve all objectives in the initial plan period.'

Paragraph 9: 'ACKNOWLEDGES the Commission's identification of low-risk PPPs, pest monitoring systems, financial supports, and non-chemical control methods as important areas in terms of improving implementation of the IPM principles and UNDERLINES that in practice farmers already reduce the risk from plant protection products through preventive, non-chemical, measures - in crop rotation, through choice of plot, tillage techniques, choice of plant variety etc. as part of normal farming practices, **which have to be generalised to succeed in the agro-ecological transition.**'
