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From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION ON THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115 - comments on "sensitive areas" from Cyprus, Denmark, Estonia, Luxembourg and Poland

With a view to the Working Party on Plant and Plant Health Questions on 3 November 2022, delegations will find in annex comments from Cyprus, Denmark, Estonia, Luxembourg and Poland on the above subject.

Comments from Cyprus**1. Definition of sensitive areas and limitations**

Regarding the definitions of sensitive areas, we have strong reservations on the inclusion of all human settlements of the CORINE system. For Cyprus it is practically non-applicable to include the discontinuous urban fabric under this definition due to the structure of housing developments and the high percentage of discontinuous urban fabric that includes individual houses overlapping with agricultural land and does not correspond to true, compact settlements. The presence of individual houses and scattered buildings in agricultural areas cannot be a factor to exclude the use of all PPPs. This would make it practically impossible to practice agriculture in these areas and would lead to the abandonment of agricultural cultivations. We propose that for the level 1 land cover category (artificial surfaces) to include only the subcategory of the continuous urban fabric, not also the discontinuous urban fabric subcategory.

In relation to ecologically sensitive areas, we propose to include them as a separate definition which would enable different levels of restrictions under environmental protection areas compared to urban areas. "Sensitive urban areas" could have stricter restrictions to protect human health than ecologically sensitive ones where the assessment should be made based on the protection and conservation objectives of the sites, not horizontally, as there is a significant overlap with agricultural activities in such areas.

We consider that the horizontal ban on the use of all PPPs in the areas of the NATURA 2000 Network is disproportionate and lacks scientific basis and evaluation. According to the European Environment Agency, the main threats and pressures on EU habitats and species include agriculture, urbanization and leisure activities and unsustainable forestry practices. For agriculture this concerns both unsustainable agricultural practices of using fertilizers and pesticides that lead to air, soil and water pollution, as well as abandonment. In assessing the effects of projects, plans and activities carried out under article 6 of the Habitats Directive, in SAC/SCI and SPA sites of the NATURA 2000 Network, no activity is pre-excluded horizontally but is appropriately assessed at national level taking into account the conservation objectives, species and habitats under protection, and the possible effects of any such project. We consider it disproportionate to horizontally ban the use of PPPs, chemical and non-chemical, considering that the active substances of these PPPs have been approved with strict criteria taking into account the effects on non-target organisms and the environment in general.

A total of 28.8% of the area of Cyprus is included in the NATURA 2000 Network, which covers mainly forest areas but also agricultural areas in 6-7%, with the cereals, vines and tree crops as main cultivations. Enforcing such strict rules, even under derogations that have a huge administrative burden, will lead to abandonment with negative effects on a large number of species that depend on agriculture.

We believe that a more ambitious than the present framework is needed to protect the environment and non-target organisms from unnecessary and excessive use of pesticides and that the framework for sensitive areas should be significantly strengthened. Our opinion is that for "ecologically sensitive areas" provisions must require MS to assess at national level the ecological elements, the needs and the conservation objectives of each site of the NATURA Network and to define proportional and not horizontal restrictions, following an impact assessment, in accordance with the Habitats Directive and the relevant EU Commission guidelines.

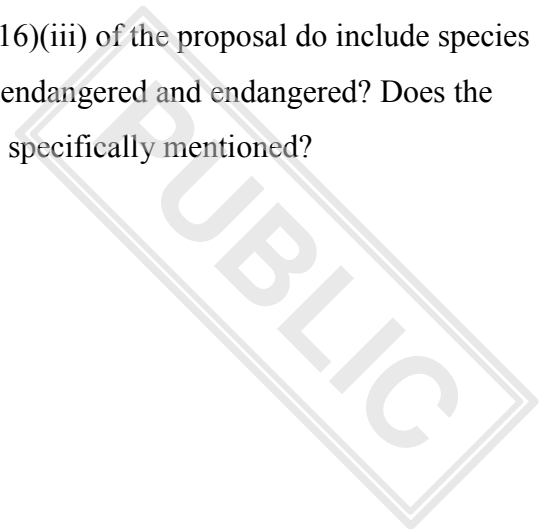
Since this legislation will be a Regulation, it is important to clarify obligations concerning individuals and private companies. Especially for areas that fall under the definition of human settlements, it must be clearly defined whether the bans on the use of all PPPs only apply to public green spaces managed by public bodies, or whether they also apply to a) private properties that have spaces used by the public such as hotel gardens, golf courses and plant nurseries and b) private homes with gardens and lawns.

Comments from Estonia**Article 18 of the Proposal.**

For the first time for EU level, the proposal introduces a ban on the use of all plant protection products, including biological plant protection products, in sensitive areas - but the definition of sensitive areas is broad. Under the derogations provided for in the proposal the use of plant protection products in sensitive areas will only be allowed in the case of the presence of quarantine pests and invasive species. These derogations do not provide solutions for cereals and oilseed crops and are therefore not applicable. We are strongly in favour of a ban on the use of chemical plant protection products in sensitive areas such as parks, gardens, recreational areas and areas used by sensitive population groups (pregnant women, children, etc.). However, we consider that the current definition of sensitive areas in the proposal is problematic, as it includes, inter alia, nitrate sensitive areas. Approximately 26% of Estonia's agricultural land is located in nitrate-sensitive areas, where a total ban on the use of plant protection products is likely to lead to the cessation of agricultural crop production. We do not agree with such a restriction as there is no relevant scientific justification for it. We also do not see the need to ban the use of plant protection products in nitrate sensitive areas, as we believe that there is currently no scientific understanding, either in Estonia or at EU level, as to whether a restriction on this scale is necessary. We are opposed to the proposed regulation on the control of invasive species, which should be a more general, separate regulation for invasive alien species that does not require a permit for each colony and for which the permitted duration of control is significantly longer than 60 days, e.g. 5 months in the case of Estonia.

We ask the Commission to clarify the justification for these restrictions, as well as which areas are actually covered by the concept of sensitive areas. By proposing this restriction, the Commission should have information on how large an area in hectares in each Member State falls under sensitive areas. Since this information is not to be found in the impact assessment, we would like to know this, and even more so, how much of this area is arable land, how much is grassland, etc.? In this context, we would like the Commission to tell us how much the non-use of plant protection products in these areas will affect yields. If the Commission does not have information on sensitive areas and yields, then the question arises as to how conclusions such as those on page 69 of the impact assessment (Banning the use of chemical pesticides in sensitive areas may result in lower crop yields from those areas) were reached.

We also seek clarification as to whether the pollinator species which the European Red Lists classify as being threatened with extinction in Article 3(16)(iii) of the proposal do include species classified in the IUCN Red Data Book as both critically endangered and endangered? Does the article include any other categories of endangerment not specifically mentioned?



Comments from Denmark

Initial written remarks on sensitive areas from the Danish delegation
Working Party on plants and plant health questions

SUR - COM(2022) 305 final

October 25. 2022

Rent drikkevand og
sikker kemi

J.nr. 2022-3430

Ref. MISEJ

Den 25. oktober 2022

Election disclaimer: There has been a call for general election in Denmark to be held on 1 November. Consequently, the Danish contributions to the SUR negotiations might be subject to possible adjustments upon the formation of a new Danish government.

Disclaimer of additional future comments: DK may decide to send further written remarks upon receiving the Presidency's table for commenting on the sensitive areas and addressing the Commission's specific questions on this important issue.

Initial comments from the Danish delegation on the definition of the sensitive areas

We highlight that a potential ban on PPPs (plant protection products) in certain areas must be proportional to the need for protection for the environment and health. Therefore, a potential ban on PPPs in certain areas must address risks where there are good reasons to believe that the general protection from the authorization system of PPPs in Regulation 1107/2009 is insufficient.

We believe that a potential ban on PPPs in areas sensitive to nitrate and other areas protected under Annex IV of the Water Framework Directive would not be proportional to the need for protection for the environment and health. For these areas, there is no known sensitivity to PPPs. Therefore, there are good reasons to believe that the authorization system of PPPs in Regulation 1107/2009 should offer sufficient protection for the environment and health.

In the short time available to comment, we have identified two areas where the general protection under the authorization system of PPPs in Regulation 1107/2009 could feasibly be insufficient:

1. Due to the risk of exposure of people, the areas under the Sustainable Use Directive's art. 12.a: "areas used by the general public or by vulnerable groups as defined in Article 3 of Regulation (EC) No 1107/2009, such as public parks and gardens, sports and recreation grounds, school grounds and children's playgrounds and in the close vicinity of healthcare facilities;". We believe that only Low risk Plant Protection Products should be allowed in these areas.
2. Well vicinity zones. We find that there is evidence showing that substances from PPPs will leach at a faster rate and the distance to the abstraction point is shorter. Therefore, the general protection from the authorization system of PPPs in Regulation 1107/2009 could feasibly offer insufficient protection for well vicinity zones specifically. Although, the approval of specific PPPs at the member state level may carry special provisions to mitigate this risk arising from use near wells.

We reiterate that it may become necessary to change abovementioned points later and potentially add more areas to the list.

Comments from Luxembourg

In general, we do not support a general ban of plant protection product use in sensitive areas, as the proposed definition of sensitive areas covers a large amount of arable land in Luxembourg, and as the environmental legislation (WFD, 92/43, 2009/147) already provides the legal basis for targeted and scientifically sound restrictions and bans of PPP in “sensitive areas”.

Regarding the definition of “sensitive area” (Art. 3 (16))

- point b) referring to Article 3(14) of Regulation (EC) No 1107/ 2009 is not clear enough to be enforceable
- point d) is not clear enough to be enforceable. Would this e.g. include a temporary water feature appearing after heavy rain falls?
- point e) should exclusively be managed under the legal framework it refers to
- point f) should exclusively be managed under the legal framework it refers to. National bans of plant protection use in these areas are already possible

The derogations foreseen under Article 18 (3) should also include derogations in case of human or animal health issues, or to prevent damage to important infrastructure (e.g. rail roads, dams, bridges).

Comments from Poland

Poland cannot accept proposed definition of sensitive areas as well as the total ban on the use of PPPs related to this definition.

It should be noted that the Commission, as the author of the proposal, should explain the presented provisions in such a way as to eliminate any doubts. Unfortunately, the full scope of the sensitive area definition is still not clear.

It should be also highlighted that the ban of the PPPs use in sensitive areas hasn't been scientifically justified and the consequences of adoptions of such measure haven't been evaluated in impact assessment by the Commission.

It is obvious, that proposed ban would exclude agricultural areas from plant production, due to lack of effective alternative plant protection techniques, what cannot be accepted. The number and acreage of farms that would be obliged to terminate production were not presented in the impact assessment. **References to directives 91/676/EEC and 91/271/EEC make the ban of agricultural production compulsory on the whole Polish territory.**

The use of protected areas designated based on other legal acts (due to a risk other than that posed by PPPs) for the purposes of the proposed regulation is an inappropriate solution. Any change to such legislation, justified by the changes of risk caused by factors other than PPPs, would have an impact on the use of PPPs and agriculture.

Nevertheless, the total ban of the use of PPPs cannot be supported in any area. We should be able to respond to new threats, that may occur. It should be noted that some pests can be dangerous not only to plants, but also to humans, as it is explained below.

The proposal weakens the phytosanitary regime, having a fundamental role in preventing the spread of new pests.

Detailed comments on the definition of a sensitive area, as well as justification of the objections to proposed ban of PPPs use, are presented below:

‘sensitive area’ means any of the following:

a) an area used by the general public, such as a public park or garden, recreation or sports grounds, or a public path;

1. Definition is “open” (because words “such as” the scope of definition is unclear), leading to a high level of legal uncertainty. PPPs user will not be able to assess whether it is possible or not to use PPPs in particular area.
2. The total ban of the use of PPPs cannot be accepted as we cannot anticipate every situation where the use of PPPs would be necessary. In this context it should be mentioned that some pests are dangerous to humans, especially children. As an example:
 - hair of *Thaumetopoea processionea* caterpillar can cause allergies (even anaphylactic shock) and irritation of the skin and mucous membranes (this year, we observed the development of a large populations of this pest in some regions of Poland,),
 - *Heracleum* plants can cause chemical burns, even death (currently classified as IAS),
 - pollen of *Ambrosia* is strong allergen.

Some of such pests are not mentioned on the list of IAS or quarantine pests. We cannot predict which pests will appear in EU in future.

3. A ban on the use of PPPs is not justified in areas that can be closed in such a way that there is no risk of unintended contact with PPPs or where the application methods exclude this risk (eg injection).
4. It should be possible to use PPPs for the protection of plants or groups of plants of high ecological, historical or landscape value.

b) an area used predominantly by a vulnerable group as defined in Article 3(14) of Regulation (EC) No 1107/ 2009;

1. The definition is unclear - how the PPPs user can judge if a given area is mainly used by vulnerable groups. What does the phrase "mostly use" mean? How many hours per day or days per year?
2. The list of vulnerable groups includes "workers and residents exposed to high long-term pesticide exposure" - are they farmers?

c) human settlements (community in which people live and work), defined as the most up to date CORINE (Coordination of information on the Environment) system maintained by the EEA Land Cover Level 1 classification (Artificial Surfaces) (excluding Level 2 – 1.2: Industrial, commercial and transport units and Level 2 – 1.3: Mine, dump and construction sites);

The definition of Level 1.1.2 Discontinuous urban fabric is “The discontinuous urban fabric class is assigned when urban structures and transport networks associated with vegetated areas and bare surfaces are present and occupy significant surfaces in a discontinuous spatial pattern. The impermeable features like buildings, roads and artificially surfaced areas range from 30 to 80 % land coverage.”

“The density of houses is the main criterion to attribute a land cover class to the built-up areas or to any other class. For example in case of patchwork of small agricultural parcels and scattered houses (with distance between them less than 300 m), the threshold to be applied for separation between class [112](#) (discontinuous urban fabric) and class [242](#) (complex cultivation patterns) is 30 % of urban fabric within the patchwork area. Above that threshold the area should be assigned to class [112](#), below the threshold to class [242](#).”

It means that Level 1 can cover significant number of parcels used for agricultural purposes. Such parcels will be excluded from agricultural production. The Commission should assess and present the number and area of such parcels in the impact assessment. Without such information proposed provisions cannot be accepted.

d) an urban area covered by a watercourse or water feature;

e) non-productive areas as defined under the EU standards on good agricultural and environmental condition of land (GAEC), GAEC standard 8 listed in Annex III to Regulation (EU) 2021/2115.

Why is it not enough to comply with GAEC 8 rules? Why is an additional ban necessary? It should be explained by the Commission.

(f) an ecologically sensitive area, which means any of the following:

(i) any protected area under Directive 2000/60/EC, including possible safeguard zones as well as modifications of those areas following the risk assessment results for drinking water abstraction points under Directive (EU) 2020/2184 of the European Parliament and of the Council;

The scope of the definition is unclear, as it refers to Directive 2000/60/EC, which refers to other directives. Moreover, it should be stressed, that there is no justification to ban the use of PPPs in areas recognised due to risk posed by other than PPPs factors, as nitrates or sewage.

Nevertheless, according to the EC explanation, the consequence of reference to the Directive 91/676/EEC will be a total ban of the use of PPPs on the whole territory of Poland.

Similarly, the entire territory of Poland is a sensitive area in the meaning of Directive 91/271/EEC.

It should be underlined, that there are no available technologies of plant production without the use of PPPs. About 1.3 million farms would be left without income and few million people would be left without livelihood. The economic and social consequences of that ban would be devastating. Such consequences were not presented by the Commission in the impact assessment.

(ii) sites of Community importance in the list referred to in Article 4(2) of Directive 92/43/EEC and the special areas of conservation designated in accordance with Article 4(4) of that Directive, and special protection areas classified pursuant to Article 4 of Directive 2009/147/EC, and any other national, regional, or local protected area reported by the Member States to the Nationally designated protected areas inventory (CDDA);

Total ban of the PPPs use in NATURA 2000 areas cannot be accepted, as it is equal to the total ban on farming over a vast territory.

There are over 230 000 farms in the NATURA 2000 areas in Poland. The total area of agricultural land of such farms is 1 504 114,26 ha, and of arable land is 751 344,4 ha. Orchard production is carried out by over 13 000 farms with a total area of 10 029,73 ha. Sugar beet is produced on area of 6 297,16 ha, berries – 1 397,4 ha, buckwheat – 14 236,26 ha, pea – 8 215,4 ha, apple – 1 598,5, barley – 37 913 ha, maize – 104 615,54 ha, oat – 33 571,26 ha, currant – 1 409,49 ha, wheat – 123 789,49 ha, triticale – 77 674,7 ha, rapeseed – 55 892,35 ha, sunflower – 5 230,17 ha, soybean – 2 222,23 ha, rye – 63 146 ha, etc. According to the proposal agricultural production on such farms should be terminated.

The proposed regulation would also make it impossible to protect forests. According to 2021 data, NATURA 2000 areas account for as much as 38% of the State Treasury land under the management of the State Forests National Forest Holding (over 2 888 875 ha).

The restrictions resulting from the proposed regulation may lead to serious natural imbalances in huge forest areas and, in an extreme situation, even to the extinction of forest stands. Often, the timely treatment with a plant protection product, even over a small area, can protect from damage valuable forest ecosystems over a large territory.

Sensitive areas also include, inter alia, public roads - that is, even municipal roads. Often these are roads visible only on geodetic maps. In reality they are very often indistinguishable from the adjacent land (meadows, forests).

(iii) any area for which the monitoring of pollinator species carried out in accordance with Article 17(1), point (f), of Regulation xxx/xxx [reference to adopted act to be inserted] establishes that it sustains one or more pollinator species which the European Red Lists classify as being threatened with extinction.

The total ban of the use of PPPs in the areas that hasn't been defined yet cannot be accepted. It is not possible to assess consequences of such ban for the agriculture and forestry.

It should be noted that proposed definition will make it impossible to use of PPPs along more than 50% of railway tracks. It would pose risk for transport of people.

Proposed provisions may make it not possible to fulfil import requirements of third countries (like fumigation of goods, not only of agricultural origin).

Provisions of art. 18 are incoherent with the provisions of Regulation (EU) 2016/2031 of The European Parliament of the Council of 26 October 2016 on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 of the European Parliament and of the Council and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC.

1. Derogation should also cover vectors of quarantine pests. Proposal makes it impossible to comply with EU phytosanitary law regulations. (*vide* art. 8 of the Commission Implementing Regulation (EU) 2020/1201 of 14 August 2020 as regards measures to prevent the introduction into and the spread within the Union of *Xylella fastidiosa* (Wells et al.); annex I point 8 paragraph 2 of Commission Implementing Decision 2012/535/EU of 26 September 2012 on emergency measures to prevent the spread within the Union of *Bursaphelenchus xylophilus* (Steiner et Buhner) Nickle et al. (the pine wood nematode)).

2. Derogation should also cover pest referred to in art. 29 and 30 of the regulation 2016/2031.

According to art. 29 paragraph 1 of the regulation 2016/2031:

“1. Where the presence of a pest that is not included in the list of Union quarantine pests is officially confirmed in the territory of a Member State, and the Member State considers that that pest may fulfil the conditions for inclusion in the list of Union quarantine pests, it shall immediately assess whether the pest fulfils the criteria set out in Subsection 1 of Section 3 of Annex I. If it concludes that those criteria are fulfilled, **it shall immediately take eradication measures in accordance with Annex II**. Articles 17 to 20 shall apply. “

According to art. 30 paragraph 1 and 2 of the regulation 2016/2031:

“Where the Commission receives a notification as referred to in the first subparagraph of Article 29(3), or has other evidence concerning the presence in, or imminent danger of entry into, or spread within, the Union territory of a pest which is not included in the list of Union quarantine pests and it considers that that pest may fulfil the conditions for inclusion in that list, it shall immediately assess whether, as regards the Union territory, that pest fulfils the criteria set out in Subsection 2 of Section 3 of Annex I. Where the Commission concludes that those criteria are fulfilled, it shall immediately, by means of implementing acts, **adopt measures for a limited time as regards the risks posed by that pest**. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 107(2).

Those measures shall, where appropriate, implement, specifically for each of the pests concerned, one or more of the provisions referred to in points (a) to (g) of the first subparagraph of Article 28(1).

2. After adopting the measures referred to in paragraph 1, the Commission shall assess whether the pest concerned fulfils, as regards the Union territory, the criteria for quarantine pests set out in Section 1 of Annex I.”.

The abovementioned eradication measures may also include the obligation to use PPPs.

3. According to the art. 14 paragraph 4-5 of the regulation 2016/2031:

“3. Where a professional operator receives an official confirmation concerning the presence of a Union quarantine pest in plants, plant products or other objects which are under that operator's control, it shall consult the competent authority regarding the action to be taken and shall proceed, as applicable, with the actions referred to in paragraphs 4 to 7.

4. The professional operator shall immediately take the necessary measures to prevent the spread of that pest. Where the competent authority has provided instructions concerning those measures, the professional operator shall act in accordance with those instructions.

5. Where so instructed by the competent authority, the professional operator shall take the necessary measures to eliminate the pest from the plants, plant products or other objects concerned and from that operator's premises, land, soil, water or other infested elements which are under its control.”

According to art. 15 of the regulation 2016/2031:

“1. Where any person other than a professional operator becomes aware of the presence of a Union quarantine pest or has reason to suspect such a presence, that person shall immediately notify the competent authority. Where that notification is not made in writing, the competent authority shall officially record it. If so requested by the competent authority, that person shall provide that authority with the information which is in its possession concerning that presence.

2. The competent authority may decide that the notification referred to in paragraph 1 is not required where a specific pest is known to be present in an area.

3. The person who made the notification referred to in paragraph 1 shall consult the competent authority on the action to be taken and shall, in accordance with the instructions of the competent authority, take the measures necessary to prevent the spread of that pest and to eliminate it from the plants, plant products or other objects concerned and, where applicable, from that person's premises.”.

Taking it into account, in case of occurrence of quarantine pest or pest referred to in art. 29 or 30 operator is obliged to take measures imposed by the competent authority. If it is necessary to use PPPs competent authority should prescribe which PPPs should be used, when application should be carried out and on which area. Use of PPPs in such case is not intention but obligation of operator (professional or nonprofessional user). In this procedure there is no place for asking competent authority for permission to use PPPs.

Eradication of pests mentioned above is connected with additional costs for operators. For this reason, in practice, sometimes there are problems with the enforcement of the above-mentioned legal obligations. It happens that the operators do not want to take appropriate eradication measures.

According to the Commission's proposal if operator doesn't want to take measures against quarantine pests it would be enough to submit application for permission to use PPPs with gaps. In such a situation the competent authority will be obliged to refuse the application but the quarantine pest will spread.

Derogation cannot be time limited. Measures should be taken for as long period of time as it is necessary to eradicate the pest.

During work on the regulation 2031/2016 there was an agreement between Council, Commission and European Parliament, that EU phytosanitary regime should be strengthen, to reduce the risk of introduction and spread of new pests.

Any weakening of phytosanitary regime will lead to spread of new pests across UE and as consequence will lead to increase of the use of PPPs.

The proposal of total ban of PPPs use in sensitive areas is inconsistent with Regulation 1107/2009, as it is proposed to ban the use of PPP in large areas, e.g. in urban areas. Without amendment of 1107/2009 it would be possible to authorise PPPs for use in areas defined as sensitive areas in accordance to draft regulation.

Taking into account the proposed ban on the use of PPPs in urban areas, in practice it will be not possible to use PPPs authorised for nonprofessional users. Such category of PPPs will be not justified.

Any restrictions connected with the use of PPPs in specific areas should be clear and justified. For example according to the current Polish law it is forbidden to use PPPs that have been classified according to the provisions of Regulation 1272/2008 as posing a threat to human health in playgrounds, nurseries, kindergartens, primary schools, hospitals, protection zones set out in the health resorts (it is possible for the competent authority to grant derogations in certain situations). It is forbidden to use PPPs in national parks and nature reserves.

It is forbidden to use plant protection products with ground application equipment at a distance of less than 20 m from the apiaries.

There are also special additional rules for aerial spraying.

Finally, it should be emphasized that banning PPPs use in sensitive areas without scientifically justified reasons and impact assessment clearly violates the better law-making agreement which states that “One of the main aims of the better law-making agreement, also known as 'better regulation' or 'smart regulation', is to ensure that EU policies and laws achieve their objectives **at minimum cost and administrative burden**. It is a way of working to ensure that political decisions are prepared in an **open, transparent manner, informed by the best available evidence** and backed by the comprehensive involvement of stakeholders.”.

In the recitals of its proposal the Commission mentioned citizens who urged the Commission for ambitious reduction targets. The Commission responded to this call in the form of the proposal.

The big group of stakeholders represented by the Copa and Cogeca responds to the Commissions proposal in such words: “It is irresponsible to compromise the sources of nutrition of more than 450 million people on the basis of an insufficient impact assessment.”. Millions of European farmers wanted to be heard and are calling on the Commission to provide a proper impact assessment as this guarantees the better law-making agreement. We should take into account the voice of farmers.

Poland supports European citizens, among them farmers, and to make sure the proposal properly looks after their interests, Poland is asking to analyse whether the impact assessment attached to the proposal takes into consideration the fact that Polish farmers and probably farmers in many other Member States would be deprived of the possibility to properly protect their crops, and the citizens might be deprived of the possibility to buy European food.

If the Commission wants to ban PPPs in certain production areas, the Commission at first should present non-chemical methods that ensure the same level of profitability for farms operating in those areas and the same level of food security for the European citizens. The obligation to find alternatives cannot be imposed on the Member States or farmers as this is the obligation of the legislator to asses and deal with the consequences of its proposal.
