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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 Integrated Pest Management from Croatia

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Delegations will find in annex comments from Croatia on articles 13-15.

**COMMENTS OF THE REPUBLIC OF CROATIA****on the Chapter IV of the Proposal for a REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL on the sustainable use of plant protection products  
and amending Regulation (EU) 2021/2115**

Please find below Croatian comments on Chapter IV on the Proposal on a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products and amending Regulation 2021/2115:

**Chapter IV****Integrated pest management****Article 13****Paragraph 1.**

We are of the opinion that for certain economically significant harmful organisms there are no available non-chemical methods that could be applied, especially on large areas, in terms that such methods don't exist, or are not available on the market. We suggest adding "if available or if non-chemical methods exist" after the word "harmful organisms".

**Paragraph 2.**

We believe that all the options may not be applicable for all crops and that farmer should decide which of the measures are the most appropriate. We propose to use words "appropriate options" instead "all of the following options". We also propose to delete the last sentence on record containing reasons why farmer didn't apply all the measures, as this is additional burden for farmer to explain every action he/she made or not made.

#### Paragraph 4

We propose to add a word “if available” at the end of the first sentence, as biological controls, physical and other non-chemical methods may not be available for the certain crop-harmful organism combination.

We propose to add following text “in case the non-chemical measures are not available or...” after words “harmful organism control” in the second sentence.

As regards subparagraph 4.b) on establishment a decision-support system, it is necessary to designate competent authority responsible for establishing of this system (for example agricultural extension service) and to ensure financing.

#### Paragraph 6

We would like to highlight that if we underdose a plant protection product, e.g. fungicide, so we use a dose lower than the recommended one, it could stimulate the development of resistance in the target organism.

#### Paragraph 7

This paragraph is in line with the principles of integrated pest management, but it is important to keep existing active substances on the market until satisfactory alternative control methods are found and tested. This especially applies to the insecticides, where it is very difficult to comply with good agricultural practice and use PPPs with different mechanisms of action.

## Article 14

Keeping record on IPM measures will be difficult and additional burden for farmers, considering they will be obliged to keep all record in electronic form. The question arises of the purpose of keeping records on IPM measures, because the inspection will not be able to check most of the IPM measures. If the purpose is to make better decisions with the help of advisors, then the register should only provide basic information about the measures taken, without all the reasoning, which is an additional burden to farmers.

### Paragraph 1, subparagraph a) and b)

We believe that the text “and the reason for that preventative measure or intervention” should be deleted, as this is additional burden to farmer. IPM is obligatory, therefore is no need to explain why farmer applied IPM measure. This could be farmer decision with his advisor.

### Paragraph 2

We believe that is not necessary to have records on every advice from the advisor, and that is additional burden for the farmer. It is enough to have the name of the advisor.

### Paragraph 4

We believe that the structure of entries for plant protection product use register (adoption of standard template) should not be prescribed by this Regulation, as the records for use of pesticides are prescribed by Article 67 of Regulation (EC) No 1107/2009. Regulation for sustainable use of pesticides should not be base for further delegated act for the obligation prescribed by other legislation.

## Article 15

### Paragraph 1

We propose this paragraph to be changed as written below:

Member States shall adopt agronomic requirements based on integrated pest management controls that must be adhered to when growing or storing a particular crop and are designed to ensure that chemical crop protection is used when needed and after all other non-chemical methods have been considered and when a threshold for intervention is reached ('crop-specific-guidelines'). The crop-specific guidelines shall implement the principles of integrated pest management, set out in Article 13, for the relevant crop

### Paragraph 2

We propose this paragraph to be changed as written below:

Each Member State shall designate a competent authority responsible for ensuring that the crop-specific guidelines are scientifically robust, consider diversity of local agronomic conditions, and comply with this Article.

### Paragraph 3

We propose this paragraph to be changed as written below:

By ... [OP: please insert the date = the first day in the month following 24 months after the date of entry into force of this Regulation] each Member State shall have in place effective and enforceable crop-specific guidelines, for crops covering an area that accounts for at least 90 % of its utilized agricultural area (excluding kitchen gardens). Member States shall determine the geographic scope of those rules taking account of relevant agronomic conditions, including, the type of soil and crops and the prevailing climatic conditions alongside the crop vulnerabilities and the organisms harmful to the crop that must be controlled.

#### Paragraph 4

Croatia and probably many MS have their national rules as regard public consultation. Therefore, we propose to delete words “At least 9 months” because there are different rules about public consultation and its duration. We are also against the subparagraph c) as this is additional burden to MS, and the comments and responses to comments of public consultation are in Croatia publicly available.

#### Paragraph 5.

We are in favour of deleting this paragraph, as crop specific rules are very specific for each MS and Commission cannot evaluate it properly without specific knowledge of the national experts of certain MS.

#### Paragraph 6.

The words “qualitative criteria or” in subparagraphs b), c), d) should be deleted because is not clear what was meant by this text.

For the subparagraphs 6 b) and c) we are of the opinion that authorized PPPs for biocontrol should be more available on the market to ensure IPM implementation.

In subparagraph 6. c) on the low-risk plant protection products or alternatives to chemical plant protection products which are effective against the harmful organisms, we are of the opinion that the effectiveness of the low-risk plant protection products or alternatives is not appropriately determined and there is not enough research data on the effectiveness of alternatives. It is necessary to conduct research of effectiveness of these products in agroecological conditions of the Republic of Croatia, to ensure financing and adequate time to gain research data.

We propose also to change subparagraph e) as follows:

(e) conditions under which chemical plant protection products may be used in accordance with the product label.

#### Paragraph 7.

We believe that this represents excessive administrative burden for Member States to be implemented in every year, we propose implementation of the review and updates in three years period.

#### Paragraph 8.

This paragraph should be deleted, as it is the same as paragraph 4, it is easier to put procedure for issuing first crop specific rules and the update crop specific rules in the same paragraph (as the procedure is the same).

#### Paragraph 9.

We are in favour of deleting this paragraph, as crop specific rules are very specific for each MS and Commission cannot evaluate it properly without specific knowledge of the national experts of certain MS.

#### Article 16.

##### Paragraph 1

A note that all provision from this paragraph are unnecessarily repeated from previous provisions.

We propose to change paragraph 1 as follows: 1. Each Member State shall designate a competent authority or competent authorities to establish and maintain an electronic integrated pest management and plant protection product use register based on a common platform or system developed by the European Commission. Member States shall ensure interoperability between the electronic integrated pest management and plant protection product use register and farm management systems as well as smart e-labels infrastructure with a view of reducing administrative burden for farmers in complying with these requirements.

Subparagraph a)

The text “and the reasons for that preventative measure or intervention entered” should be deleted as this is additional burden to farmer. IPM is obligatory, therefore is no need to explain why farmer applied IPM measure.

Subparagraph b)

The text “dates and content of advice” should be deleted as this is additional burden to farmer without a real benefit. Also, the question arises, whose responsibility would be, if some bad, unforeseen situation occurs? Is it the one who gave the advice or the farmer who applied it?

Paragraph 2.

We believe that IPM registers should also be accessible to advisers of professional users.

Paragraph 4

We are in favour to delete words “and analysis” as this is additional burden to competent authority.