Council of the European Union

Brussels, 21 February 2023
(OR. en)

6205/23
ADD 2

LIMITE

AGRI 47
PESTICIDE 8
SEMENCES 5
AGRILEG 20
ENV 111
PHYTOSAN 6
CODEC 146

Interinstitutional File: 2022/0196(COD)

WORKING DOCUMENT

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 - Follow up to the Working Party on Plants and Plant Health Questions (Pesticides/Plant Protection Products) on 6 and 7 February 2023 – comments from Slovakia on articles 20-28

Delegations will find in annex comments from Slovakia on articles 20-28.

Member State:	**Slovakia**

Commission proposal (SUR)	**Drafting Suggestions**	**Comments**
Article 20 **Aerial application of plant protection products**		
1. Aerial application is prohibited.		**General comment:** General question should by answered: Who is a professional user for aerial applications? To whom do the particular obligations apply? These are services ordered by the farmer? Or farmer alone? Both of them? Who is responsible for record keeping on use of PPPs? Who is responsible for any incidents?
2. By way of derogation from paragraph 1, a competent authority designated by a Member State may permit aerial application by a professional user in any of the following situations:		Slovakia has reservation to ➢ paragraph 2 b ii) - we do not see the significance of stating the requirement of the best available technology – it would

(a) there is no technically feasible alternative application method to the aerial application due to inaccessible terrain; (b) the aerial application has a less negative impact on human health and the environment than any alternative application method either because the aerial application equipment can be deployed on the relevant terrain in a faster timescale than land-based equipment and avoids a situation where the number of plant pests increases due to the longer time period required for land-based deployment or because it minimizes soil erosion when adverse weather conditions make the land unsuitable for land vehicles, and all of the following conditions are met: (i) the application equipment installed on the aircraft is registered in the electronic register of application equipment in professional use referred to in Article 33(1);		be difficult to apply in practice; it is important that the device is properly and regularly controlled. We need clarification on the "best available technology" requirement. ➢ paragraph 2 b iii) – we do not have the provisions on procedure for authorization of PPPs for aerial application in Reg.1107/2009, there are established provisions for authorization of PPPs as such, which could also be used for aerial application if the criteria for such application are met – the criteria for PPPs for aerial application should be set separately.

(ii) the aircraft is equipped with accessories that constitute the best available technology to accurately apply the plant protection products and to reduce spray drift; (iii) the plant protection product is authorised for use via aerial application under Regulation (EC) No 1107/2009.		
3. An application by a professional user for a permit for aerial application shall include the information necessary to demonstrate that the conditions set out in paragraph 2 are met.		In line with the general question above, it should be specified, who is the professional user responsible for submission of the application – for the legal clarity and clear responsibility for fulfilment of the particular obligations.
4. Where a permit for aerial application is granted, before the first possible date of aerial application, the competent authority referred to in paragraph 2 shall make public the following information: (a) the location and surface area of the aerial application indicated on a map; (b) the validity period of the permit for aerial		Slovakia does not agree with the present wording of para 4 b), limiting the permit to only 60 days has no practical justification. The provision of para 5 should be sufficient for the purpose of protecting human health and the environment. There is no clear reason for the difference in the notification obligation periods in Art. 4 ("before the first possible day") and in

application, which shall be for a limited period with a precisely defined start and end date that is the shortest possible and shall not exceed 60 days; (c) the relevant weather conditions allowing a safe application; (d) the name of the plant protection product or products; (e) the application equipment to be used and the risk mitigation measures to be taken.		Art. 5 ("at least two days before"). Para 4 c) – this should not be the subject of publication within the exception notice. The weather conditions enabling safe application do not have to be directly stated in the permit or in the notification They should be established by the relevant national legislation, because they are general requirements for the meteorological conditions, which are not specific for individual permissions on aerial application.
5. A professional user that has been granted a permit for aerial application shall at least 2 days before the date of each specific aerial application display notices to that effect on the perimeter of the area to be treated.		Para 5 – how to mark the area if it is an inaccessible terrain? It makes no sense. In addition, even in the case of other (ground) applications, the surrounding area is not marked, what is the significance of doing this in the case of an aerial application?
Article 21 **Use of plant protection products in aerial application by certain categories of unmanned aircraft**		

1. Where certain categories of unmanned aircraft fulfil the criteria set out in paragraph 2, a Member State may exempt aerial application by such unmanned aircraft from the prohibition laid down in Article 20(1) prior to any aerial application of plant protection products.		Para 1 and 2 are identical, they should be merged and simplified or para 1 should be deleted.
2. An aerial application by an unmanned aircraft may be exempted by the Member State from the prohibition laid down in Article 20(1) where factors related to the use of the unmanned aircraft demonstrate that the risks from its use are lower than the risks arising from other aerial equipment and land-based application equipment. These factors shall include criteria relating to: (a) the technical specifications of the unmanned aircraft, including in relation to spray drift, number and size of rotors, payload, boom width and overall weight, operating height and speed; (b) the weather conditions, including wind	**We propose this wording:** "2. An aerial application by an unmanned aircraft may be exempted by the Member State from the prohibition laid down in Article 20(1) ~~where factors related to~~ **if** the use of the unmanned aircraft ~~demonstrate that the risks from its use are~~ **poses the same or** lower **risks** than the risks arising from other aerial equipment and land-based application equipment ~~These factors shall include criteria relating to:~~ **and following conditions are met:"** Subpar. a) – g) are replaced by following: **"** **a) compliance with the required technical specification of the**	First of all we should specify what kind of risks are here relevant? Risk on human health and environment or risks for erosion maybe? From the point of legal certainty it should be clear. In addition, it is not clear, why the risks must be "lower", why not "**the same or** lower"? Explanation of the proposed wording: Par. 2a) – the last part of the sentence "including in relation to spray drift, number and size of rotors, payload, boom width and overall weight, operating height and speed;" should be in the implementation act and specified in details, there is no reason to set it here partially. Para 2b) is not relevant (see comments under

speed; (c) the area to be sprayed, including its topography; (d) the availability of plant protection products authorized for use as ultra-low volume formulations in the relevant Member State; (e) potential use of unmanned aircraft in conjunction with real time kinematic precision farming in certain cases; (f) the level of training required for pilots operating an unmanned aircraft; (g) potential concurrent use of multiple unmanned aircraft in the same area.	**unmanned aircraft including its application machinery** **b) used plant protection products are assessed and authorised for application by unmanned aircraft** **c) the professional user of the unmanned craft is holder of a training certificate specific for this kind of plant protection products application"**	art. 20, par. 4 c) Para 2d) – we propose to delete "availability" and to replace it by "assessment and authorisation of PPPs".
3. The Commission is empowered to adopt delegated acts in accordance with Article 40 supplementing this Regulation to specify precise criteria in relation to the factors set out in paragraph 2 once technical progress and scientific developments allow for the development of such precise criteria.	"criteria in relation to the **requirements on conditions** ~~factors~~ set out in"	

Article 22 **Storage, disposal and handling**		
1. By … *[OP: please insert the date of application of this Regulation*], Member States shall have in place effective measures and establish the necessary structures to facilitate in a manner that does not endanger human health or the environment, the safe disposal of any unused plant protection products, any dilute solutions containing plant protection products and any packaging.		It is necessary to distinguish between the disposal of unused plant protection products and their residues, which are disposed of as hazardous waste, and the disposal of packaging from plant protection products, which can be recovered after proper rinsing. Paragraph 1 has no added value and is redundant. **General comment:** we recommend a link to the relevant legislation on waste.
2. As regards professional users, the measures referred to in paragraph 1 shall include detailed requirements on: (a) safe storage and handling of plant protection products, and their dilution and mixing before application; (b) handling of packaging and remnants of plant protection products; (c) cleaning of the equipment used after	"2. As regards professional users, the measures ~~referred to in paragraph 1~~ **for safe use of plant protection** shall include detailed requirements on:"	

application; (d) disposal of obsolete plant protection products and remnants and their packaging.		
3. Member States shall take all necessary measures regarding plant protection products authorised for non-professional users to prevent and, where prevention is not possible, to limit dangerous handling operations. Those measures may include measures relating to size limits for packaging or containers. Those measures may provide that non-professional users may only use low-risk plant protection products and other plant protection products that are in the form of ready to use formulations and measures for the use of safe closure or a locking device for packaging or containers.	"Those measures may provide that non-professional users may only use low**er**-risk plant protection products ~~and other plant protection products~~"	There are only few low risk active substances and low risk PPPs, in addition it is not clear what does it mean "other plant protection products".
4. Manufacturers, distributors and professional users shall ensure that plant protection products are stored in specific storage facilities for plant protection products that are constructed in such a way as to prevent unwanted releases.		Para 4 should be simplified, there are multiple repetitions of the text. For consideration is the development of a general standard for construction and equipping the storage facility. The proposed provisions are general and have

Manufacturers, distributors and professional users shall ensure that location, size, ventilation and construction materials of the storage facility are suitable to prevent unwanted releases and to protect human health and the environment.		no added value, there is no possibility for law enforcement, when the clear requirements are missing.
Article 23 **Advice on the use of plant protection products**		**General comment:** We propose to delete this article and to set the requirements for advisor in the relevant article 26.
Advice on the use of a plant protection product to a professional user may only be given by an advisor for whom a training certificate has been issued for following courses for advisors in accordance with Article 25 or who has a proof of entry in a central electronic register for following such courses in accordance with Article 25(5).	~~Advice on the use of a plant protection product to a professional user may only be given by an advisor for whom a training certificate has been issued for following courses for advisors in accordance with Article 25 or who has a proof of entry in a central electronic register for following such courses in accordance with Article 25(5).~~	The requirements for the education and experience of a professional advisor are absent. By issuing a training certificate are covered only the basic knowledge in area of plant protection products, which is not sufficient for the performance of consulting services. This article as such has no justification, as related provisions are already contained in other chapters (e.g. Article 26, para 3) We propose to merge it with Article 26 (in wording modification)

CHAPTER VI **SALE OF PLANT PROTECTION PRODUCTS**		
Article 24 **Requirements for the sale of plant protection products**		General comment on sale of PPPs Internet sales are not treated in the OCR moreover it is a specific sale that is difficult to control. The specific requirement for this special kind of sale should be specified here and we should have a broader harmonized approach.
1. A distributor shall only sell a plant protection product authorised for professional use to a purchaser or his or her representative when that distributor has checked, at the time of purchase, that the purchaser or representative is a professional user and holds a training certificate for following courses for professional users issued in accordance with Article 25 or has a proof of entry in a central electronic register for following such courses in accordance with Article 25(5).	A distributor shall only sell a plant protection product authorised for professional use to a purchaser or his or her representative when that distributor has checked, at the time of purchase, that the purchaser or representative is a professional user and holds a training certificate for following courses for professional users issued in accordance with Article 25. ~~or has a proof of entry in a central electronic register for following such courses in accordance with Article 25(5).~~	In line with SK comment that all professional users must be holders of training certificate obtained after successful passing through test (even it is not necessary to pass through the training as such if the sufficient level of knowledge has been obtained by practice or by other way), we propose to re-draft this paragraph.

2. Where a purchaser is a legal person, a distributor may sell a plant protection product authorised for professional use to a representative of the purchaser of the plant protection product when that distributor has checked, at the time of purchase, that the representative is the holder of a training certificate for following courses for professional users issued in accordance with Article 25 or has a proof of entry in a central electronic register for following such courses in accordance with Article 25(5).	~~. Where a purchaser is a legal person, a distributor may sell a plant protection product authorised for professional use to a representative of the purchaser of the plant protection product when that distributor has checked, at the time of purchase, that the representative is the holder of a training certificate for following courses for professional users issued in accordance with Article 25 or has a proof of entry in a central electronic register for following such courses in accordance with Article 25(5).~~	There is the duplicity with paragraph 1, the wording of par. 1 “that the purchaser or representative” includes the situation under paragraph 2 too. We propose to delete this paragraph.
3. A distributor shall direct a purchaser of a plant protection product to read its label prior to use and to use the product in accordance with the instructions on the label and shall inform the purchaser of the website referred to in Article 27.	~~A distributor shall direct a purchaser of a plant protection product to read its label prior to use and to use the product in accordance with the instructions on the label and shall inform the purchaser of the website referred to in Article 27.~~	Slovakia does not agree with para 3, as the obligation to read and follow the instructions on the label should be in the general duties of the professional user and not the responsibility of the distributor. A professional user should have an independent advisor and not a distributor to inform them of less dangerous techniques. There is a discrepancy in the competences and obligations of the distributor and the consultant.

		This provision is uncontrollable in practice and we don´t see the added value of such obligation. It has no legal logic (the distributor orders the buyer to read the label?).
4. A distributor shall provide general information to non-professional users on the risks to human health and the environment of the use of plant protection products, including the information on hazards, exposure, proper storage, handling, application and safe disposal in accordance with Directive 2008/98/EC of the European Parliament and of the Council52, and shall recommend alternative low-risk plant protection products and ways in which risks can be mitigated when using plant protection products.	4. A distributor shall provide general information to non-professional users on the risks to human health and the environment of the use of plant protection products, including the information on hazards, exposure, proper storage, handling, application and safe disposal in accordance with Directive 2008/98/EC of the European Parliament and of the Council52, and shall recommend alternative ~~low-risk plant protection products~~ **means or methods of plant protection means** and ways in which risks can be mitigated when using plant protection products.	We are considering whether it should be a distributor or a seller. It is not only low risk PPP which could be the alternative, but e.g. basic substances, non chemical (physical) methods etc… there is no reason to limit it to alternative low risk PPPs only.
5. Each distributor shall ensure that it has sufficient staff that hold a training certificate for following courses for distributors issued in accordance with Article 25 or has a proof of	5. Each distributor shall ensure that it has sufficient staff that hold a training certificate for following courses for distributors issued in accordance with Article 25 ~~or has a proof of~~	We are of the opinion that there is no needed the provision "to provide adequate responses to purchasers of plant protection products at the moment of sale on their use, related health and

entry in a central electronic register for following such courses in accordance with Article 25(5) available at the time of sale to provide adequate responses to purchasers of plant protection products at the moment of sale on their use, related health and environmental risks and the appropriate safety instructions to manage those risks.	~~entry in a central electronic register for following such courses in accordance with Article 25(5)~~ available at the time of sale ~~to provide adequate responses to purchasers of plant protection products at the moment of sale on their use, related health and environmental risks and the appropriate safety instructions to manage those risks.~~	environmental risks and the appropriate safety instructions to manage those risks", because it is partial duplicity with par. 4.
6. The distributor referred to in paragraph 5 shall inform the purchaser of a plant protection product about less hazardous control techniques before the purchaser buys a plant protection product with a higher risk for human health and the environment.	~~The distributor referred to in paragraph 5 shall inform the purchaser of a plant protection product about less hazardous control techniques before the purchaser buys a plant protection product with a higher risk for human health and the environment.~~	Deciding what is more or less risky is difficult for the distributor. Paragraph 6 is therefore difficult to implement in praxis, and such obligations is relevant for advisor more then for distributor.
CHAPTER VII **TRAINING, INFORMATION AND AWARENESS RAISING**		
Article 25 **Training and Certification**		

1. A competent authority designated in accordance with paragraph 2 shall appoint one or more bodies to provide the following training: (a) initial and follow up training to professional users and distributors on the subjects listed in Annex III; (b) practical training for professional users on the use of application equipment in professional use; (c) extensive training for advisors on the subjects listed in Annex III with particular emphasis on the application of integrated pest management.	1. A competent authority designated in accordance with paragraph 2 shall appoint one or more bodies to provide the ~~following~~ training~~:~~ **for professional users, distributors and advisors on the subjects listed in Annex III;** ~~(a) initial and follow up training to professional users and distributors on the subjects listed in Annex III;~~ ~~(b) practical training for professional users on the use of application equipment in professional use;~~ ~~(c) extensive training for advisors on the subjects listed in Annex III with particular emphasis on the application of integrated pest management.~~	General comment: Provisions on training have already been enshrined in the SUD, but there are differences in its application at the national level. We don´t want to take a step back by changing or harmonizing these rules, even if it would be possible to go beyond the provisions. We do not agree with the wording of para 1, as the breakdown of Annex III does not correspond to the requirements under letter (a) – (c); there are no information on initial and extensive training in Annex III, in addition, there are some duplicate requirements with Annex III.
2. Each Member State shall designate a competent authority or authorities responsible for the implementation of the system for the training and certification of all training referred	2. Each Member State shall designate a competent authority or authorities responsible for the implementation of the system for the training and certification of all training referred	In paragraph 2, the meaning of the requirement "providing proof of entry in the central electronic register " is not clear to us. We don´t see the reason of the last part of the

to in paragraph 1 and for issuing and renewing training certificates, updating the central electronic register, providing proof of entry in the central electronic register and overseeing that the tasks referred to in paragraph 1 are carried out by the body that provided the training.	to in paragraph 1 and for issuing and renewing training certificates, updating the central electronic register, providing proof of entry in the central electronic register ~~and overseeing that the tasks referred to in paragraph 1 are carried out by the body that provided the training.~~	paragraph.
3. The training referred to in paragraph 1 could form part of the training interventions set up by Member States according to Article 78 of Regulation (EU) No 2021/2115.		
4. A training certificate or an entry in a central electronic register shall contain the following information: (a) the name of the professional user, distributor or advisor to whom the training was provided; (b) the employer of the professional user, distributor or advisor to whom the training was provided, where that employer is a legal person or a natural person in its professional capacity;	4. A training certificate or an entry in a central electronic register shall contain the following information: (a) the name of the professional user, distributor or advisor to whom the training was provided; ~~(b) the employer of the professional user, distributor or advisor to whom the training was provided, where that employer is a legal person~~	We are of the opinion that the number of hours of training under subparagr. f) should be established by national legislation so there is no need to mentioned it in the training certificate or in an entry in central electronic register.

(c) the type of training provided, where a Member State provides different types of training to different categories of professional users, distributors or advisors; (d) the date on which sufficient knowledge of the relevant subjects listed in Annex III was demonstrated; (e) the name of the body that provided the training; (f) the number of hours of training; (g) the validity period of the training certificate or entry in the central electronic register.	~~or a natural person in its professional capacity;~~ (c) the type of training provided, where a Member State provides different types of training to different categories of professional users, distributors or advisors; (d) the date on which sufficient knowledge of the relevant subjects listed in Annex III was demonstrated; (e) the name of the body that provided the training; ~~(f) the number of hours of training~~; (g) the validity period of the training certificate ~~or~~ **and** entry in the central electronic register.	
5. A competent authority designated in accordance with paragraph 2 shall provide electronic proof of entry in a central electronic register to a professional user, distributor or advisor at the time the entry is made. Such electronic proof shall include a record of the period of validity of the entry in the central		What is the meaning of para 5? Is it justified?

electronic register.		
6. A training certificate or an entry in a central electronic register shall be valid for 10 years in the case of a distributor or professional user and for 5 years in the case of an advisor.	6. A training certificate ~~or~~ **and** an entry in a central electronic register shall be valid for ~~10~~ **5** years in the case of a distributor, professional user and advisor.	The validity period of the certificate for distributors and professional users should be shorter, due to intensive progress in plant protection, changes in valid and related legislation, etc. We would prefer 5 years.
7. Subject to paragraph 6, a training certificate or an entry in a central electronic register shall only be made or renewed if the holder of the certificate or the person whose name has been entered in the central electronic register demonstrates satisfactory completion of an initial and follow up training or extensive training referred to in paragraph 1, point (a) or (c).	~~7. Subject to paragraph 6, a training certificate or an entry in a central electronic register shall only be made or renewed if the holder of the certificate or the person whose name has been entered in the central electronic register demonstrates satisfactory completion of an initial and follow up training or extensive training referred to in paragraph 1, point (a) or (c).~~ **The training certificate is issued or renewed on the basis of successful completion of a professional test, organized by an appointed body pursuant to paragraph 1.**	
8. Notwithstanding paragraph 6, a training	~~8. Notwithstanding paragraph 6, a training~~	Para 8 has no legal certainty. How will this

certificate may be issued to a person who can demonstrate prior training through formal qualifications that demonstrate a more extensive knowledge of the subjects listed in Annex III than would be received in the training referred to in paragraph 1.	~~certificate may be issued to a person who can demonstrate prior training through formal qualifications that demonstrate a more extensive knowledge of the subjects listed in Annex III than would be received in the training referred to in paragraph 1.~~	knowledge be verified? The condition for obtaining a certificate of professional competence should in any case be the successful completion of an professional exam (test).
9. A competent authority designated in accordance with paragraph 2 or an appointed body referred to in paragraph 1 shall withdraw a training certificate if it was incorrectly issued or renewed or shall correct an entry in the central electronic register if it was incorrectly introduced.	~~9. A competent authority designated in accordance with paragraph 2 or an appointed body referred to in paragraph 1 shall withdraw a training certificate if it was incorrectly issued or renewed or shall correct an entry in the central electronic register if it was incorrectly introduced.~~	The provisions of para 9 should be the general remedies provided for in national administrative law. There is a difference when there is a violation of the regulations, there should be provisions under which conditions the validity can be suspended or interrupted.
10. The Commission is empowered to adopt delegated acts in accordance with Article 40 amending Annex III in order to take into account technical progress and scientific developments.		
Article 26 **Independent advisory system**		

1. Each Member State shall designate a competent authority to establish, oversee and monitor the operation of a system of independent advisors for professional users. That system may make use of the impartial farm advisors referred to in Article 15 of Regulation (EU) No 2021/2115, who must be regularly trained and can be funded under Article 78 of the same regulation.	1. Each Member State shall designate a competent authority to establish, oversee and monitor the operation of a system of independent advisors for professional users. That system may make use of the impartial farm advisors referred to in Article 15 of Regulation (EU) No 2021/2115, **who can be funded under Article 78 of the same regulation and** who must be regularly trained **pursuant to art. 25** ~~and can be funded under Article 78 of the same regulation.~~	
2. The competent authority referred to in paragraph 1 shall ensure that any advisor registered in the system referred to in that paragraph ('independent advisor') is free from any conflict of interest and, in particular, is not in a situation which, directly or indirectly, could affect their ability to carry out their professional duties in an impartial manner.		
3. Each professional user shall consult an independent advisor at least once a year for the	~~3. Each professional user shall consult an independent advisor at least once a year for the~~	The advice must have the additional value for professional user and it is not in the case if

purposes of receiving the strategic advice referred to in paragraph 4.	~~purposes of receiving the strategic advice referred to in paragraph 4.~~	professional user has a deep knowledge and experience in praxis. We do not support the obligation of regular consultations, as this can lead to formal consultations and unnecessary spending of financial resources.
4. An advisor referred to in paragraph 3 shall provide strategic advice on the following subjects: (a) application of relevant control techniques to prevent harmful organisms; (b) implementation of integrated pest management; (c) precision farming techniques, including use measures to effectively minimise risks to human health and the environment, in particular to biodiversity, including pollinators, from such use, including risk mitigation measures and techniques of space data and services; (d) use of non-chemical methods; (e) where chemical plant protection products are	4. An advisor referred to in paragraph ~~3~~ **1** shall provide strategic advice on the ~~following subjects:~~ **implementation of integrated pest management and precision farming techniques, including use of space data and services;**	Topics of the advisory system should not be in the basic regulation, moreover not all areas of strategic advise could be covered by subpar. a) – e). Integrated pest management includes application of relevant control techniques to prevent harmful organisms, use of non-chemical methods, measures to effectively minimise risks to human health and the environment, in particular to biodiversity, including pollinators, from such use, including risk mitigation measures and techniques. We are of the opinion that reference on IPM covers the provisions under subpar. a), b, d), e).

necessary, measures to effectively minimise risks to human health and the environment, in particular to biodiversity, including pollinators, from such use, including risk mitigation measures and techniques.		
Article 27 **Information and awareness raising**		
1. Each Member State shall designate a competent authority to provide information to the public, in particular through awareness-raising programmes, in relation to the risks associated with the use of plant protection products.	1. Each Member State shall designate a competent authority to provide information to the public, ~~in particular through awareness-raising programmes~~, in relation to the risks	The meaning of the provision " in particular through awareness-raising programmes " is not clear. We are of the opinion that the awareness-raising programmes are not necessary and they are above and beyond the required obligations.
2. The competent authority referred to in paragraph 1 shall establish a website or websites dedicated to providing information on risks associated with the use of plant protection products. That information may be provided directly or by providing links to relevant websites of other national or international		

bodies.		
3. Websites established in accordance with paragraph 2 shall include information on the following subjects: (a) the potential risks to human health and the environment through acute or chronic effects relating to the use of plant protection products; (b) the manner in which the potential risks referred to in point (a) can be mitigated; (c) alternatives to chemical plant protection products; (d) the procedure for approval of active substances and authorisation of plant protection products; (e) permits granted under Article 18 or Article 20; (f) a link to the website referred to in Article 7; (g) the rights of third parties to request access to information on the use of plant protection	~~Websites established in accordance with paragraph 2 shall include information on the following subjects:~~ ~~(a) the potential risks to human health and the environment through acute or chronic effects relating to the use of plant protection products;~~ ~~(b) the manner in which the potential risks referred to in point (a) can be mitigated;~~ ~~(c) alternatives to chemical plant protection products;~~ ~~(d) the procedure for approval of active substances and authorisation of plant protection products;~~ ~~(e) permits granted under Article 18 or Article 20;~~ ~~(f) a link to the website referred to in Article 7;~~ ~~(g) the rights of third parties to request access to information on the use of plant protection~~	Information in para 3 are included in the material safety data sheet (letter a) and labels (letter b). Alternatives to chemical PPPs are possible only in some specific cases and are nevertheless included in crop-specific manuals, the procedure for approving active substances and authorizing plant protection products is in the relevant legislation - the meaning of this paragraph in the presented wording is questionable. Provision under subpar. g) is also the subject of relevant legislation, the duplication of the text is confusing.

products by addressing the relevant competent authority in accordance with Article 67(1) of Regulation (EC) No 1107/2009.	~~products by addressing the relevant competent authority in accordance with Article 67(1) of Regulation (EC) No 1107/2009.~~	
Article 28 **Information on acute and chronic poisoning**		
1. Each Member State shall designate a competent authority to maintain or put in place systems for gathering and keeping the following information on acute and chronic poisoning incidents arising from exposure of persons to plant protection products: (a) the name and authorisation number of the plant protection product and the active substances involved in the acute or chronic poisoning incident; (b) the number of individuals poisoned; (c) the symptoms of poisoning; (d) the duration and severity of the symptoms; (e) whether a confirmed acute or chronic	Each Member State shall designate a competent authority to maintain or put in place systems for gathering and keeping the following information on acute and chronic poisoning incidents arising from exposure of persons to plant protection products: (a) the name ~~and authorisation number~~ of the plant protection product and the active substances involved in the acute or chronic poisoning incident; (b) the number of individuals poisoned; (c) the symptoms of poisoning; (d) the duration and severity of the symptoms;	The PPPs are not only authorized, but they could be permitted for parallel trade etc… so we propose to delete "authorisation number", we propose re-wording cases under subpar. i), ii) iii), iv) in line with possible uses of PPPs .

poisoning incident resulted from: (i) correct use of a plant protection product; (ii) misuse of a plant protection product; (iii) use of a plant protection product that has not been authorised; or (iv) deliberate ingestion or exposure.	(e) whether a confirmed acute or chronic poisoning incident resulted from: (i) ~~correct~~ use of a plant protection product **in line with the approved label** ; (ii) ~~misuse~~ **illegal use** of a plant protection product; (iii) use of a**n illegal** plant protection product ~~that has not been authorised; or~~ (iv) ~~deliberate ingestion or exposure~~ **suicidal intent**.	
2. By 31 August every year, each Member State shall submit to the Commission a report containing the following information: (a) the number of acute and chronic poisoning incidents arising from exposure of persons to plant protection products during the preceding calendar year; (b) the information referred to in paragraph 1 as regards each poisoning incident.		

3. The Commission shall adopt implementing acts to establish the format for the submission of the information and data referred to in paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 41(2).		
Article 3 **Definitions**		
Relevant definitions *Please comment on definitions linked to Article 20-28* *Please insert rows below for the relevant definitions you want to comment on, and indicate clearly in this column which definition you are commenting on*		
ANNEX III **TRAINING SUBJECTS REFERRED TO IN**		

ARTICLE 25		
1. All relevant legislation regarding plant protection products and their use and risk and in particular this Regulation. While not exclusive, the following legislation is relevant: Regulation (EC) No 1107/2009 of the European Parliament and of the Council Regulation (EC) No 396/2005 of the European Parliament and of the Council Regulation (EU) No 528/2012 of the European Parliament and of the Council Regulation (EC) No 1185/2009 of the European Parliament and of the Council Regulation EC No 1272/2008 of the European Parliament and of the Council Regulation (EU) 2017/625 of the European Parliament and of the Council Regulation (EU) 2021/2115 of the European Parliament and of the Council	1. All relevant legislation regarding plant protection products and their use and risk and in particular this Regulation. While not exclusive, the following legislation is relevant: Regulation (EC) No 1107/2009 of the European Parliament and of the Council Regulation (EC) No 396/2005 of the European Parliament and of the Council ~~Regulation (EU) No 528/2012 of the European Parliament and of the Council~~ ~~Regulation (EC) No 1185/2009 of the European Parliament and of the Council~~ (replace by SAIO?) Regulation EC No 1272/2008 of t ~~Regulation (EU) 2017/625 of the European Parliament and of the Council~~ ~~Regulation (EU) 2021/2115 of the European~~	General comment: We propose a logical simplification of the text, there are many repetitive requirements, the logical sequence is missing. It is not necessary to list the selection of PPPs, e.g. in paragraphs 13 and 14, a general reference to the selection of preparations with regard to the subject matter of protection is sufficient and less complicated. Annex III lacks a basic requirement - the basis is to read the label correctly, in many cases professional users are not able to do it without adequate training (this information was provided by some MS during expert SUD meetings). Some details and principles should be in IPM manuals. We propose to delete legislation which is not relevant for the training.

Directive 2006/42/EC of the European Parliament and of the Council Directive 2009/127/EC of the European Parliament and of the Council Directive 2000/60/EC of the European Parliament and of the Council. Council Directive 89/391/EEC Council Directive 89/656/EEC Council Directive 98/24/EC Directive 2004/37/EC of the European Parliament and of the Council Directive 2009/104/EC of the European Parliament and of the Council Regulation (EC) No 1907/2006 of the European Parliament and of the Council Directive 2008/68/EC of the European Parliament and of the Council	~~Parliament and of the Council~~ ~~Directive 2006/42/EC of the European Parliament and of the Council~~ ~~Directive 2009/127/EC of the European Parliament and of the Council~~ Directive 2000/60/EC of the European Parliament and of the Council. Council Directive 89/391/EEC Council Directive 89/656/EEC Council Directive 98/24/EC	
2. The existence and risks of illegal and		

counterfeit plant protection products, the methods to identify such products, and the penalties associated with sale or use of illegal plant protection products.		
3. The hazards of and risks associated with plant protection products, and how to identify and control them, including the following subjects: (a) risks to human health; (b) symptoms of plant protection product poisoning and appropriate first aid measures in case of such poisoning; (c) risks to non-target plants and insects, wildlife, biodiversity and the environment in general.	3. The hazards of and risks associated with plant protection products, and how to identify and control them, including the following subjects: (a) risks to human health; **protection of the health and safety of workers from the risks related to PPPs** (b) symptoms of plant protection product poisoning and appropriate first aid measures in case of such poisoning; (c) risks to non-target plants and insects, wildlife, biodiversity and the environment in general.	
4. Integrated pest management strategies and techniques, integrated crop management strategies and techniques, organic farming principles, biological pest control methods,		What is the difference between the “Integrated pest management strategies and techniques” and “integrated crop management”. We are of the opinion that it is the same in different

harmful organism control methods, the obligation to apply integrated pest management as set out in Articles 12 and 13 of this Regulation, and the obligation to enter records in the electronic integrated pest management and plant protection product use register, as set out in Article 14 of this Regulation.		wording…
5. When plant protection products are needed, how to choose the plant protection products with the least side effects on human health, non-target organisms and the environment among all authorised products for a given pest problem, in a given situation.		
6. Measures to minimise risks to humans, non-target organisms and the environment, including: (a) safe working practices for storing, handling and mixing plant protection products; (b) safe working practices for disposing of empty packaging, other contaminated materials		

and surplus plant protection products (including tank mixes), whether in concentrate or dilute form; (c) the recommended way to control operator exposure (including personal protection equipment); (d) information on the correct and safe disposal of plant protection products that are no longer authorised and where any grace period for their use under Article 20(2) or 46 of Regulation 1107/2009 has expired		
7. Procedures for preparing application equipment for operation, including its calibration, with minimum risks to the user, other persons, non-target animal and plant species, biodiversity and the environment, including water resources.		Paragraphs 7 and 8 should be merged and placed separately under title "practical training".
8. Practical training on the use of application equipment and its maintenance, and on risk mitigation measures including specific spraying		

techniques, use of new technology including precision farming techniques, as well as the technical check of sprayers in use and ways to improve spray quality. In this subject special attention shall be paid to the drift-reduction nozzles and the recommendations made by the manufacturers concerning optimal conditions of their use. Specific risks linked to use of handheld application equipment or knapsack sprayers and the relevant risk management measures. Practical training shall also cover the specific risks linked to the sowing of seeds treated with plant protection products.		
9. Emergency action to protect human health and the environment, including water resources in case of accidental spillage and contamination and extreme weather events that would result in plant protection products leaching risks.	~~Emergency~~ **Relevant** action to protect human health and the environment, including water resources in case of accidental spillage and contamination and extreme weather events that would result in plant protection products leaching risks.	.
10. Special care in sensitive areas as defined in Article 2(15) of this Regulation and protection		

areas established under Articles 6 and 7 of Directive 2000/60/EC and an awareness of contamination caused by particular plant protection products in their respective region.		
11. Facilities providing health monitoring and access to health care to which information on acute and chronic poisoning incidents can be reported.		
12. Record keeping of the sale, purchase and use of plant protection products, in accordance with the relevant legislation.		
13. How to minimise or eliminate applications of certain plant protection products 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” pursuant to Regulation (EC) 1272/2008 on or along roads, railway lines, very permeable surfaces or other infrastructure close to surface water or		

groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems.		
14. The protection of the aquatic environment and drinking water supplies from the impact of plant protection products, including in relation to the following subjects: (a) the use of plant protection products in accordance with the restrictions indicated on the label in accordance with Article 31, point (4)(a) of Regulation (EC) No 1107/2009, while giving preference to plant protection products that are not classified as "(very) persistent", "(very) bioaccumulative", "very toxic to aquatic life with long lasting effects", "toxic to aquatic life with long lasting effects" or "harmful to aquatic life with long lasting effects" pursuant to Regulation (EC) No 1272/200820 or containing priority substances included in the list adopted by the Commission in accordance with Article 16 of Directive 2000/60/EC implemented via		

Directives 2008/105/EC and 2013/39/EU, or pesticides having been identified as river basin specific pollutants under Annex V, point 1.2.6 of Directive 2000/60/EC, in particular those affecting water used for the abstraction of drinking water in accordance with Article 7 of Directive 2000/60/EC and Directive (EU) 2020/2184; (b) potential hazards of and risks for human health and the environment from the use of plant protection products, as well as methods to minimise emissions to the environment and occupational exposure to more hazardous plant protection products; (c) use of drift reducing technology in all field crops; (d) use of other mitigation measures which minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off, including in particular mandatory buffer zones adjacent to surface waters courses and groundwater and		

aquifers; (e) how to comply with restrictions set out in Regulation (EC) 1107/2009 for minimising or substituting uses of the plant protection products 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” pursuant to Regulation (EC) No 1272/2008, on or along roads, railway lines, very permeable surfaces or other infrastructure close to surface water or groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems.		