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

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

PUBLIC

Member State:	ITALY
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Commission proposal (SUR)	Drafting Suggestions	Comments
<i>Article 20</i> Aerial application of plant protection products		
1. Aerial application is prohibited.		
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: (a) there is no technically feasible alternative application method to the aerial application due to inaccessible terrain;		

<p>(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:</p> <p>(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);</p> <p>(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;</p>	<p>b) the aerial application has a less negative impact l'applicazione aerea ha un impatto meno negativo has clear advantages in terms of 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:</p> <p>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);</p> <p>ii) the aircraft is equipped with accessories that</p>	<p>With regard to point ii), a Regulation cannot refer to the "best available technology".</p> <p>Deletion is proposed or requirements for benchmarking need to be detailed.</p>
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<p>(iii) the plant protection product is authorised for use via aerial application under Regulation (EC) No 1107/2009.</p>	<p>constitute the best available technology to accurately apply the plant protection products and to reduce spray drift;</p> <p>iii) the plant protection product is authorised for use via aerial application under Regulation (EC) No 1107/2009, following a specific analysis of the risks it entails;</p> <p>iv) the operator carrying out the aerial spraying must be in possession of the certificate or registration in the register obtained following the training and passing the exam</p> <p>(v) the business responsible for aerial spray applications is certified by a competent authority for the purpose of authorizing plant protection products, aerial application equipment and aircraft;</p> <p>vi) Aerial spraying is in any case prohibited</p>	
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	<p>in the presence of safeguard areas for water intended for human consumption and in Natura 2000 sites and protected natural areas; in addition, other sensitive areas must be protected, such as houses, livestock, bee, fish and shellfish farms, agricultural land where organic or biodynamic agriculture is practiced, watercourses and roads open to traffic.</p> <p>If the area to be sprayed is located in the vicinity of these areas, specific risk management measures are included in the permit. The area to be sprayed must not be in the vicinity of residential areas and areas frequented by the population and vulnerable groups.</p> <p>The MS establish the minimum distance of the area to be treated by aerial spraying with the areas to be protected indicated above for the protection of health and the environment</p>	
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	on the basis of the application plan referred to in point 3 below including drift data.	
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.	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 an application plan which specifies the conditions referred to in the previous paragraphs.	
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	4. Where a permit for aerial application is granted, before the first at least 30 days before the possible date of aerial application, the competent authority referred to in paragraph 2 inform the competent municipal authorities shall make public the following information: (a) the location and surface area of the aerial application indicated on a map;	

<p>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;</p> <p>(c) the relevant weather conditions allowing a safe application;</p> <p>(d) the name of the plant protection product or products;</p> <p>(e) the application equipment to be used and the risk mitigation measures to be taken.</p>	<p>(b) the validity period of the permit for aerial 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;</p> <p>(c) the relevant weather conditions allowing a safe application;</p> <p>(d) the name of the plant protection product or products;</p> <p>e) (e) the application equipment to be used and the risk mitigation measures, for human health and environment, to be taken.</p>	
<p>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.</p>	<p>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 bearing the information referred to in points a), b), and d) of paragraph 4.</p>	
<i>Article 21</i>		

<p>Use of plant protection products in aerial application by certain categories of unmanned aircraft</p>		
<p>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.</p>	<p>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.</p> <p>A Member State may exempt aerial application by unmanned aircraft from the prohibition set out in Article 20(1) before any aerial application of plant protection products for certain categories of unmanned aircraft meeting the criteria set out in paragraph 2 , where the MS has identified one or more suitable PPPs (formulation, culture/doses, etc.) and defined specific requirements for these categories of aircraft and the spraying execution methods following a risk assessment compliant with the requirements of reg 1107/ 2009, pursuant to</p>	<p>It is not clear what is meant by "exempt": it seems that it is not a case-by-case derogation, as for conventional aircraft, but that the prohibition pursuant to Article 20(1), does not apply to drones at all, this appears to contradict the concluding statement "before any aerial application of plant protection products".</p> <p>With the aim to promote the development of this new technology, it is believed that the application by drones can be exempt from the case-by-case derogation envisaged for the aerial vehicle pursuant to article 20 where the requirements referred to in the following paragraph 2 (as modified) are satisfied: i) the MS has identified one or more suitable PPPs (formulation, crop/doses, etc.) and defined specific requirements of the drone and the</p>

	<p>paragraph 2 below (as amended)</p>	<p>spraying execution methods (which could be contained in a regulatory document adopted by the MS and notified to the EU Com. or in the PPP label) following a risk assessment compliant with the requirements of reg 1107/2009.</p> <p>We do not agree with the Commission's approach which leaves the regulation of the sector to the MS initiative, thus not ensuring the same level of health and environmental protection throughout the Community and generating a further element of inequality between farmers of different MS and distortion of the Community market (it would add to the anomalies generated by the application of Article 53)</p>
<p>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</p>	<p>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</p>	

<p>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:</p> <p>(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;</p> <p>(b) the weather conditions, including wind speed;</p> <p>(c) the area to be sprayed, including its topography;</p> <p>(d) the availability of plant protection products authorized for use as ultra-low volume formulations in the relevant Member State;</p> <p>(e) potential use of unmanned aircraft in conjunction with real time kinematic precision farming in certain cases;</p> <p>(f) the level of training required for pilots</p>	<p>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:</p> <p>where plant protection products authorized for this type of application pursuant to Regulation (EC) No. 1107/2009 are available or plant protection products authorized for use as very low volume formulations but not expressly evaluated for use by unmanned aircraft are available only if, on the basis of the data referred to in points a) to c) below, it is demonstrated that the risks to health, including that of the consumer exposed through residues, the environment and non-target organisms deriving from this type of product application are lower than those deriving from spraying using equipment for terrestrial applications and in any case acceptable pursuant to the regulation (EU)</p>	<p>d) Clarify what is meant by "availability of PPPs authorized for use as ultra-low volume formulations". And, above all, clarify whether it is necessary to provide for a specific use authorization for this type of spraying</p>
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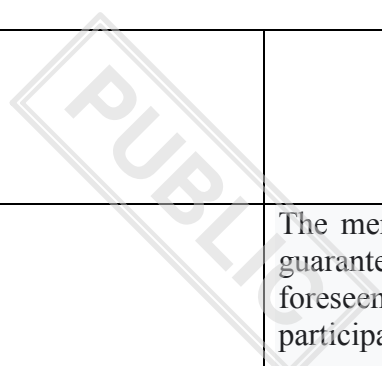
<p>operating an unmanned aircraft;</p> <p>(g) potential concurrent use of multiple unmanned aircraft in the same area.</p>	<p>2018/676 and regulation (EC) 396/2005, and it is also demonstrated that the treatment is effective:</p> <p>(a) the technical specifications of the unmanned aircraft, including in relation to spray drift, number and size of rotors, payload, (number and duration of drone mixing/tank loading activities (per day), operator distance from drone during application, tank cleaning activities), boom width and overall weight, operating height and speed the characteristics of the spray (particle diameter);;</p> <p>(b) the weather conditions, including wind speed;</p> <p>(c) the crop and the area to be sprayed, including its topography (geolocation);</p> <p>(d) the availability of plant protection products authorized for use as ultra low volume formulations in the relevant Member State;</p> <p>(e) potential use of unmanned aircraft in</p>	
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	<p>conjunction with real time kinematic precision farming in certain cases;</p> <p>(f) the level of training required for pilots operating an unmanned aircraft;</p> <p>(g) potential concurrent use of multiple unmanned aircraft in the same area.</p> <p>The assessment may take into account the potential use of unmanned aircraft in combination with real-time kinematic precision agriculture in some cases or the potential simultaneous use of multiple unmanned aircraft in the same area.</p> <p>The operator who applies the plant protection product using this type of aircraft must meet the requirements for the professional user and also be in possession of the qualifications required by current legislation for the use and piloting of "Remotely Piloted Aircraft". In addition, the operator must be in possession of the UAS</p>	
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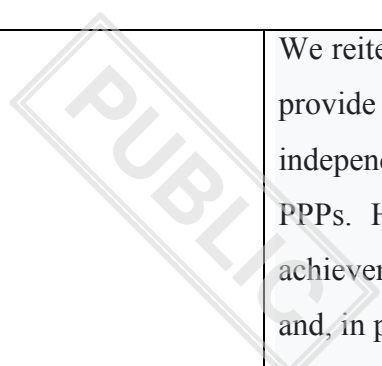
	«Specific» category certified qualification for the transport of "dangerous goods" pursuant to Regulation 2019/947, if the classification of the products to be used makes them fall into this category.	
3. The Commission is empowered to adopt delegated acts in accordance with Article 40 supplementing 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.		
Article 22 Storage, disposal and handling		
1. By ... <i>[OP: please insert the date of application of this Regulation]</i> , 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	1. By ... <i>[OP: please insert the date of application of this Regulation]</i> , 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	It should be noted that in Italy the safe disposal of all unused plant protection products, all diluted solutions containing plant protection products, takes place through their transfer to specialized companies authorized for the relative treatment, as the Italian legislation classifies them as hazardous waste. And as such they cannot be kept on the farm. However, we know that various types of "farm"

unused plant protection products, any dilute solutions containing plant protection products and any packaging.	unused plant protection products, any dilute solutions containing plant protection products and any packaging. Farm systems such as biobeds may be authorized for this purpose.	systems (the so-called BIOBED) are available on the market which concentrate the materials dispersed in the solution with chemical, physical or mechanical methods, drastically reducing the amount of waste to be delivered. We know that in other MS such systems are authorised. It is suggested that the Commission refer to these systems to facilitate their authorization and possible financing through CAP instruments. Enormous advantages would be obtained from the point of view of pollution of the environment and in particular of the aquatic environment
<p>2. As regards professional users, the measures referred to in paragraph 1 shall include detailed requirements on:</p> <p>(a) safe storage and handling of plant protection products, and their dilution and mixing before application;</p> <p>(b) handling of packaging and remnants of plant protection products;</p> <p>(c) cleaning of the equipment used after application;</p> <p>(d) disposal of obsolete plant protection</p>		<p><i>(a) safe storage and handling of plant protection products, and their dilution and mixing before application;</i> these aspects are part of the risk assessment for the operator. The measures to be adopted by the MS may concern general aspects for the execution of these operations without risk of dangerous exposure of the operator himself and of third parties (bystanders and residents) and of the environment, without prejudice to any more restrictive measures provided on the label</p>

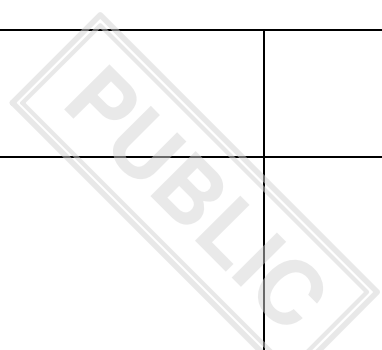
products and remnants and their packaging.		
3. Member States shall take all necessary measures regarding plant protection products authorised for non-professional users to prevent and, where prevention is not possible, to limit dangerous handling operations. Those measures may include measures relating 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.		<p>In Italy we have adopted a provision to regulate PF for non-professional use, identifying the substances, the maximum quantity per package and the distinction between PFNPE (PPPs for non professional users edible crops) and PFNPO (PPPs for non professional users ornamental crops). In this case we have also distinguished the subject who can sell them....</p> <p>We suggest that the commission envisage the adoption of a subsequent act regulating the sale and use of PPPs for non-professional use. This would be very useful for clarifying other points of the SUR as well</p>
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.		
Manufacturers, distributors and professional users shall ensure that location, size, ventilation		



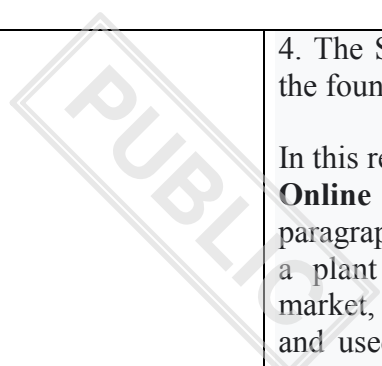
and construction materials of the storage facility are suitable to prevent unwanted releases and to protect human health and the environment.		
Article 23 Advice on the use of plant protection products		<p>The mere participation in the courses does not guarantee the successful training. It should be foreseen that, during the first release, the participants in the training courses take a final exam with a positive outcome. This also applies to professional users and distributors.</p> <p>General considerations on the figure of the consultant-</p> <p>It is believed that there should be only one advisor figure. Anyone who acts as a consultant and supports the professional user in the sustainable use of PPPs must be independent, impartial and free from conflicts of interest.</p> <p>The reduction in the use of plant protection products, the possibility of resorting to all non-chemical solutions before using PPPs cannot be achieved if they can express opinions and provide technical assistance to professional users in situations of conflict of interest.</p>



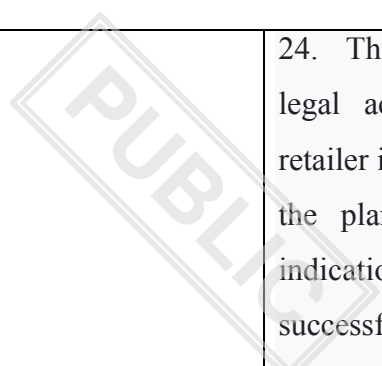
		<p>We reiterate the need that the Regulation should provide for the use of only the figure of the independent advisor for the sustainable use of PPPs. He must guide the farms towards the achievement of the objectives of the regulation and, in particular, the rational reduction of PPPs</p> <p>If the current definition of the figure of the advisor were to be maintained, it would be necessary to be more clear and explicit. In this sense, in article 3, the figure of the independent advisor should also be defined.</p>
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).		
CHAPTER VI		



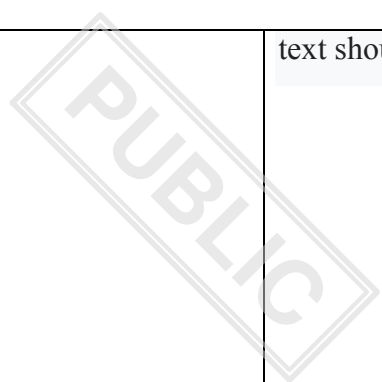
SALE OF PLANT PROTECTION PRODUCTS		
Article 24 Requirements for the sale of plant protection products		
1. A distributor shall only sell a plant protection product authorised for professional use to a purchaser or his or her representative when that distributor has checked, at the time of purchase, that 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).		<p>1. Please specify whether even distributors who do not carry out retail sales (wholesale sellers) are obliged to acquire the training certificate. It is believed that a training certificate should not be necessary for these operators, given that the sale of PPPs takes the form of a mere transfer of large quantities between commercial operators</p> <p>2. It is proposed not to make the training certificate mandatory for distributors who exclusively sell PPPs for non-professional use intended for the treatment of ornamental plants</p> <p>3. It is proposed to require the distributor to fill in a register of loading and unloading of purchased and sold PPPs, in addition to what is reported in article 67 of regulation 1107. This would make it possible to make controls more effective also with reference to the illegal trade of PPPs.</p>



		<p>4. The SUR should also regulate or at least lay the foundations for a regulation of online sales.</p> <p>In this regard, the following text is proposed: Online sales - In accordance with Article 28, paragraph 1 of Regulation (EC) No. 1107/2009, a plant protection product is placed on the market, including the on-line market, purchased and used only if it has been authorized in the Member State concerned pursuant to the aforementioned regulation.</p> <p>Online sales are permitted only to the end user. The online sale of phytosanitary products for professional use is permitted only to the reseller already authorized for retail sale in a physical store.</p> <p>The online sale and purchase of a plant protection product must meet the requirements set out in Article 24 of this regulation. Member States establish appropriate procedures aimed at ensuring, by the online retailer at the time of sale, the identification and registration of the personal data and qualification of the professional user purchaser as well as for the purposes of the retailer's obligations set forth in paragraphs 3 ,4 and 6 of the aforementioned art.</p>
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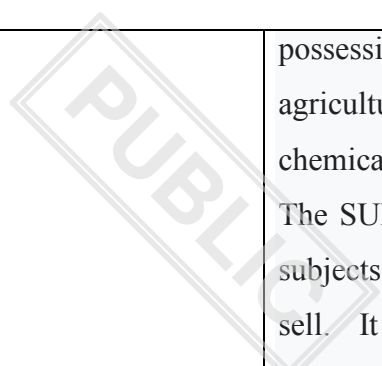


		<p>24. These procedures are adopted by binding legal act notified to the Commission. The retailer is required to register the discharge of all the plant protection products sold with an indication of the online or direct method of the successful sale and to transmit the product sales data to the competent authority identified by each Member State.</p> <p>Each Member State designates one or more competent authorities for the purpose of authorizing the online sales of resellers who meet the above requirements, as well as the requirements concerning the storage of plant protection products, the establishment and online publication of a single official list of authorized resellers in the Member State to electronic commerce in plant protection products for professional and/or non-professional use.</p>
2. Where a purchaser is a legal person, a		<p>Paragraph 2 is very similar to paragraph 1. The</p>



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).		text should be simplified
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.	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.	To be eliminated, the one reported in paragraph 4 is sufficient It should be noted that the label is binding and the user has the obligation to read it carefully in all its parts and to comply with the instructions and precautionary measures contained therein.
4. A distributor shall provide general information to non-professional users on the risks to human health and the environment of	As in Directive 128, a measure already implemented in Italy. It is reiterated that it is necessary to harmonize the sector, both from the	It is necessary to harmonize the sector at European level, also in order not to create problems for the manufacturing companies.

<p>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.</p>	<p>point of view of the PPPs requirements (classification, formulation, packaging, etc.) and risk assessment. See previous comment on the non-professional PPPs topic</p>	<p>Therefore, the Commission is asked to envisage in the SUR the subsequent issuing of a European standard governing the sector of PPPs for non-professional use. In Italy we have adopted a law which unequivocally identifies plant protection products for non-professional use and their characteristics in terms of active substances, formulation, packaging, maximum surface area to be treated, etc....</p> <p>Furthermore, the products were divided into two categories: products for non-professional use for edible plants (PFnPE) and products for non-professional use for ornamental plants (PFnPO). The latter can also be sold in shops other than the authorized dealer under the SUD directive</p>
<p>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 entry in a central electronic register for following such courses in accordance with</p>		<p>It is proposed to include the subjective requirements of those who access training for retailers. For example, identify relevant education level and qualifications. In Legislative Decree n. 150 (transposing the SUD into the national legislation) it is written: people in</p>

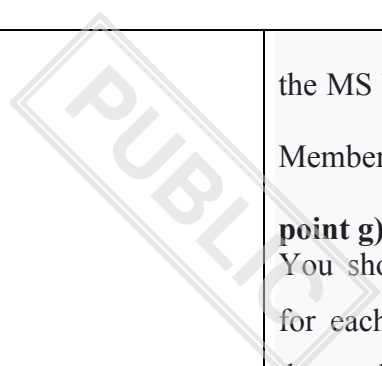


Article 25(5) available at the time of sale to provide adequate responses to purchasers of plant protection products at the moment of sale on their use, related health and environmental risks and the appropriate safety instructions to manage those risks.		possession of diplomas or degrees in agricultural, forestry, biological, environmental, chemical, medical and veterinary, The SUR does not identify the requirements of subjects who intend to acquire authorization to sell. It is believed that the requirements established by Legislative Decree 150/2012 must be met. Also for this aspect, full harmonization is necessary (if the bar in Italy is not raised with the SUR, we could face a deregulation of the system with the decline of the same) both for the purpose of guaranteeing an equal level of protection for the resellers themselves, who manipulate/store dangerous chemicals, the same level of skills and allow their free circulation in the MS A minimum number of hours must be set
6. The distributor referred to in paragraph 5 shall inform the purchaser of a plant protection product about less hazardous control techniques	6. The distributor referred to in paragraph 5 shall inform the purchaser of a plant protection product about less hazardous control techniques	Elimination is proposed as the distributor cannot perform the role of consultant. He can have information obligations only towards the non-

before the purchaser buys a plant protection product with a higher risk for human health and the environment.	before the purchaser buys a plant protection product with a higher risk for human health and the environment.	professional buyer, as per directive 128.
CHAPTER VII TRAINING, INFORMATION AND AWARENESS RAISING		
<i>Article 25</i> Training and Certification		
<p>1. A competent authority designated in accordance with paragraph 2 shall appoint one or more bodies to provide the following training:</p> <p>(a) initial and follow up training to professional users and distributors on the subjects listed in Annex III;</p> <p>(b) practical training for professional users on the use of application equipment in professional use;</p> <p>(c) extensive training for advisors on the</p>	<p>1. A competent authority designated in accordance with paragraph 2 shall appoint one or more bodies to provide the following training:</p> <p>(a) initial and follow up training to professional users and distributors on the subjects listed in Annex III;</p> <p>(b) practical training for professional users on the use of application equipment in professional use;</p> <p>(c) extensive, initial and follow up, training for</p>	<p>a) It is suggested to insert point b) in point a) EXAMPLE, INCLUDING specific PRACTICAL TRAINING ON THE USE of sprayers</p> <p>c) insert “initial and follow up training...”</p> <p>What does “in-depth training” mean. Does it translate into more training hours?</p> <p>Furthermore, it is proposed to identify the subjective requirements (educational qualifications) to access training courses for independent consultants.</p> <p>Specify the methods for providing follow-up training (courses, training credits)</p> <p>Annex III should identify the specific training</p>

subjects listed in Annex III with particular emphasis on the application of integrated pest management.	advisors on the subjects listed in Annex III with particular emphasis on the application of integrated pest management.	areas aimed at the consultant, the professional user and the distributor.
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 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.		
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		

<p>electronic register shall contain the following information:</p> <p>(a) the name of the professional user, distributor or advisor to whom the training was provided;</p> <p>(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;</p> <p>(c) the type of training provided, where a Member State provides different types of training to different categories of professional users, distributors or advisors;</p> <p>(d) the date on which sufficient knowledge of the relevant subjects listed in Annex III was demonstrated;</p> <p>(e) the name of the body that provided the training;</p> <p>(f) the number of hours of training;</p> <p>(g) the validity period of the training certificate</p>	<p>(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;</p>	<p>a) It is considered that the entry of the employer is not appropriate. This would mean that training can only be provided to those who prove they have an employer. What if you change employer? Cancellation is proposed. One can only think that at the time of admission to the course the subject demonstrates that he/she has an employment relationship or a qualification which may require the use of PPPs</p> <p>d) are we referring to training courses or any other way of assessing knowledge? And is the demonstration linked to a final exam? - the demonstration may not take place through an exam but also simply through the exhibition of certificates/titles acquired over time</p> <p>f) the number of hours is not indispensable in</p>
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or entry in the central electronic register.		<p>the MS but only for mutual recognition between Member States.</p> <p>point g) better the expiry date You should find the number of training hours for each subject (user, distributor, consultant), the methods of delivery and a final exam (for the first release) with a positive outcome. This for the purposes of mutual recognition and/or free circulation between Member States of resellers, users, certified consultants</p>
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	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	

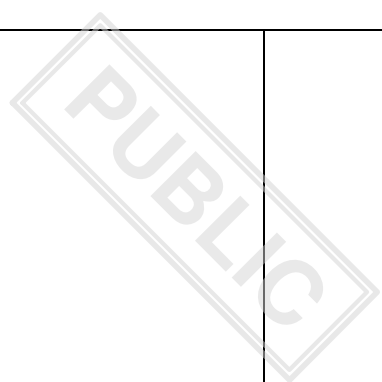
period of validity of the entry in the central electronic register.	period of validity expiry date of the entry in the central electronic register.	
6. A training certificate or an entry in a central electronic register shall be valid for 10 years in the case of a distributor or professional user and for 5 years in the case of an advisor.	6. A training certificate or an entry in a central electronic register shall be valid for 10 5 years in the case of a for distributor, or professional user and for 5 years in the case of an and advisor.	
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).		Clarify that “ satisfactory completion ” means to pass a final exam successfully. The expression "satisfactory completion" is ambiguous. It is also necessary that the contents, methods and other requirements of the follow up are clarified.
8. Notwithstanding paragraph 6, a training certificate may be issued to a person who can		Does demonstrate “prior training” mean taking an exam?

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.		see previous comments
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.		<p>The withdrawal must be consequent to the ascertainment of incorrect conduct, not compliant with the training received and the failure to apply the obligations established by the label.</p> <p>In addition to the withdrawal, also provide for the temporary suspension of the authorization. Each SS.MM. can identify the cases in which to apply the suspension or withdrawal</p>
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.		

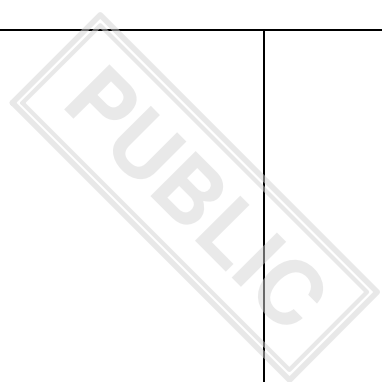
<p>Article 26</p> <p>Independent advisory system</p>		
<p>1. Each Member State shall designate a competent authority to establish, oversee and monitor the operation of a system of independent advisors for professional users. That system may make use of the impartial farm advisors referred to in Article 15 of Regulation (EU) No 2021/2115, who must be regularly trained and can be funded under Article 78 of the same regulation.</p>	<p>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, pursuant to article 25 of this regulation, and can be funded under Article 78 of the same regulation.</p>	<p>It should be specified that advisors must be regularly trained in accordance with this regulation</p>
<p>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</p>		

duties in an impartial manner.		
3. Each professional user shall consult an independent advisor at least once a year for the purposes of receiving the strategic advice referred to in paragraph 4.		
<p>4. An advisor referred to in paragraph 3 shall provide strategic advice on the following subjects:</p> <p>(a) application of relevant control techniques to prevent harmful organisms;</p> <p>(b) implementation of integrated pest management;</p> <p>(c) precision farming techniques, including use of space data and services;</p> <p>(d) use of non-chemical methods;</p> <p>(e) where chemical plant protection products are necessary, measures to effectively minimise risks to human health and the environment, in particular to biodiversity, including pollinators,</p>	<p>4. An advisor referred to in paragraph 3 shall provide strategic advice on the following subjects:-</p> <p>(a) application of relevant control techniques to prevent harmful organisms;</p> <p>(b) implementation of integrated pest management;</p> <p>(c) precision farming techniques, including use of space data and services;</p> <p>(d) use of non-chemical methods;</p> <p>(e) where chemical plant protection products are 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.</p>	<p>In order to achieve the objectives of the SUR, taking into account the obligation imposed on the farmer and the related charges, the Independent Advisor should be a figure with a high technical profile, whose task should not be limited to giving advices, even strategic ones, but should also provide general support that address the farm towards a sustainable use of PPPs. The drafting of a "Business Plan" which takes into account the characteristics of the company (e.g. geolocation of the company and of the parcels - distance of the fields treated from surface water bodies, urban areas, houses, neighboring land, etc.) could be envisaged, on the basis of integrated crop protection using all the tools that aim to the sustainability of the use</p>

from such use, including risk mitigation measures and techniques.	An advisor with a training certificate or recorded in a central electronic register provides strategic advice on IPM, any applicable crop-specific rules and the safe use of plant protection products. He can make use of territorial monitoring results as well as decision support systems and periodic technical bulletins approved by the competent Authorities	of PPPs.
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.		Please clarify that the information must be "accurate and balanced" as reported in directive 2009/128/EC. Furthermore, information should be provided, not only on the risks associated with the use of PPPs, but also on the need to defend crops using PPPs correctly and on the efforts made in recent years both with regard to the elimination of many toxic molecules and the reduction of the quantities sold.



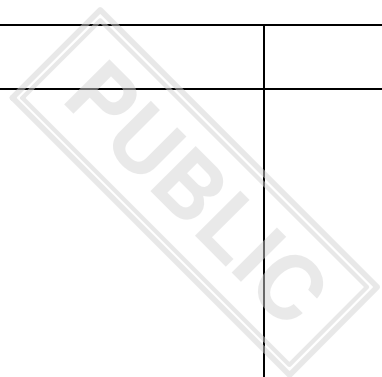
<p>2. The competent authority referred to in paragraph 1 shall establish a website or websites dedicated to providing information on risks associated with the use of plant protection products. That information may be provided directly or by providing links to relevant websites of other national or international bodies.</p>		
<p>3. Websites established in accordance with paragraph 2 shall include information on the following subjects:</p> <p>(a) the potential risks to human health and the environment through acute or chronic effects relating to the use of plant protection products;</p> <p>(b) the manner in which the potential risks referred to in point (a) can be mitigated;</p> <p>(c) alternatives to chemical plant protection products;</p> <p>(d) the procedure for approval of active substances and authorisation of plant protection</p>		



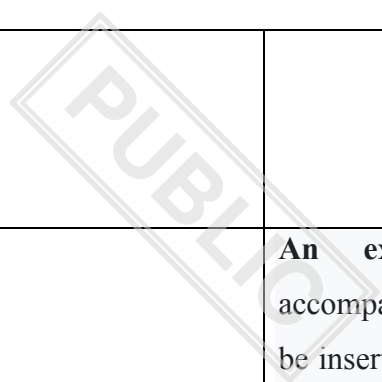
<p>products;</p> <p>(e) permits granted under Article 18 or Article 20;</p> <p>(f) a link to the website referred to in Article 7;</p> <p>(g) the rights of third parties to request access to information on the use of plant protection products by addressing the relevant competent authority in accordance with Article 67(1) of Regulation (EC) No 1107/2009.</p>		
<p>Article 28</p> <p>Information on acute and chronic poisoning</p>		
<p>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:</p> <p>(a) the name and authorisation number of the plant protection product and the active substances involved in the acute or chronic</p>	<p>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 human exposure/intoxication (acute and chronic) from exposure of persons to plant protection products:</p> <p>(a) the name and authorisation number of the</p>	

<p>poisoning incident;</p> <p>(b) the number of individuals poisoned;</p> <p>(c) the symptoms of poisoning;</p> <p>(d) the duration and severity of the symptoms;</p> <p>(e) whether a confirmed acute or chronic poisoning incident resulted from:</p> <p>(i) correct use of a plant protection product;</p> <p>(ii) misuse of a plant protection product;</p> <p>(iii) use of a plant protection product that has not been authorised; or</p> <p>(iv) deliberate ingestion or exposure.</p>	<p>plant protection product; and the active substances involved in the acute or chronic poisoning incident;</p> <p>(b) active substances of the product;</p> <p>(c) authorisation of the product (present/absent);</p> <p>If the authorisation is present, indicate:</p> <p>(d) authorisation number of the plant protection product;</p> <p>(e) the number of individuals exposed;</p> <p>(f) the workplace (yes/no):</p> <p>(g) route of exposure;</p> <p>(h) symptoms (presents/absents);</p> <p>If symptoms are present, indicate:</p> <p>(i) the specific symptoms of poisoning;</p> <p>(l) the duration;</p> <p>(m) the severity;</p> <p>(n) poisoning confirmed (yes/no);</p>	
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	<p>If the poisoning is Confirmed, indicate the circumstances of the exposure:</p> <p>(o) accidental - correct use of a plant protection product;</p> <p>(p) misuse of a plant protection product;</p> <p>(q) accidental – diminished responsibility/willingness (children <12 years/people with cognitive impairment)</p> <p>(r) use of a plant protection product that has not been authorised;</p> <p>(s) self-harm/victim of crime</p>	
<p>2. By 31 August every year, each Member State shall submit to the Commission a report containing the following information:</p> <p>(a) the number of acute and chronic poisoning incidents arising from exposure of persons to plant protection products during the preceding calendar year;</p> <p>(b) the information referred to in paragraph 1 as</p>		



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		
<i>Relevant definitions</i> <i>Please comment on definitions linked to Article 20-28</i> <i>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</i>		



ANNEX III TRAINING SUBJECTS REFERRED TO IN ARTICLE 25		
<p>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</p> <p>Regulation (EC) No 396/2005 of the European Parliament and of the Council</p> <p>Regulation (EU) No 528/2012 of the European Parliament and of the Council</p> <p>Regulation (EC) No 1185/2009 of the European Parliament and of the Council</p> <p>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</p>		<p>An explicit reference to the label accompanying the plant protection product must be inserted since all categories, user consultants and retailers, must be able to correctly interpret the label in all its parts and be aware that the label is legally binding.</p> <p>The User must also be trained in the application of risk mitigation measures for health and the environment. So not only the buffer zones but also the alternative measures.</p> <p>Furthermore, it should be explicitly stipulated that the training must also concern the problem of residues in food.</p>

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Regulation (EU) 2021/2115 of the European 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

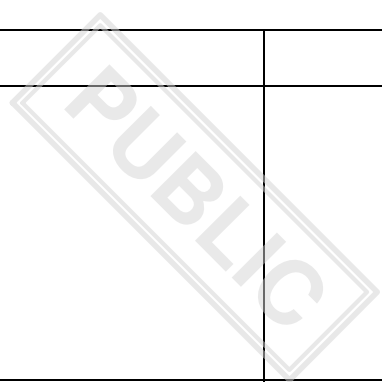
Council Directive 98/24/EC

Directive 2004/37/EC of the European Parliament and of the Council

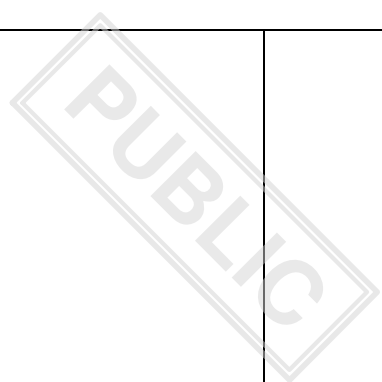
Directive 2009/104/EC of the European Parliament and of the Council

Regulation (EC) No 1907/2006 of the European Parliament and of the Council

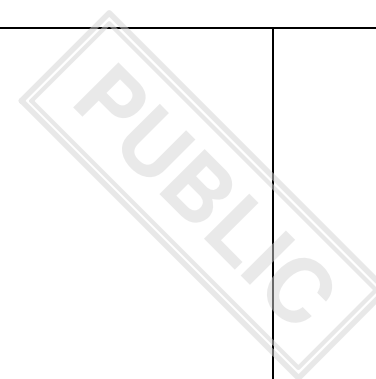
Directive 2008/68/EC of the European



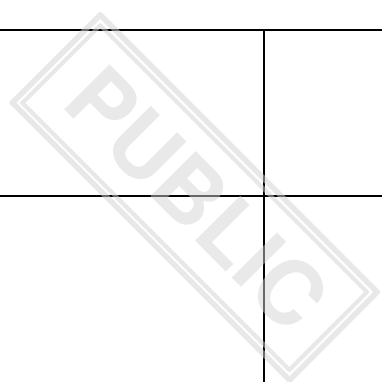
Parliament and of the Council		
2. The existence and risks of illegal and counterfeit plant protection products, the methods to identify such products, and the penalties associated with sale or use of illegal plant protection products.		
3. The hazards of and risks associated with plant protection products, 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.		
4. Integrated pest management strategies and techniques, integrated crop management strategies and techniques, organic farming principles, biological pest control methods,		



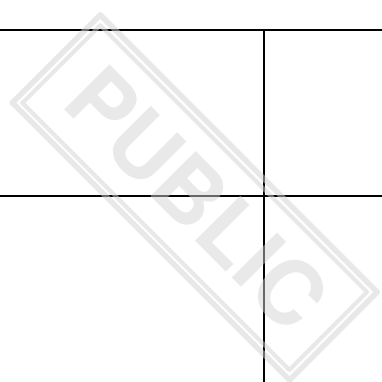
harmful organism control methods, the obligation to apply integrated pest management as set out in Articles 12 and 13 of this Regulation, and the obligation to enter records in the electronic integrated pest management and plant protection product use register, as set out in Article 14 of this Regulation.		
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.	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, in relation to the environmental characteristics (soil type, groundwater height, distance from surface water bodies, distance from areas frequented by the population and residences, etc.) and the potential impact on the environment and non-target organisms and on health.	
6. Measures to minimise risks to humans, non-		



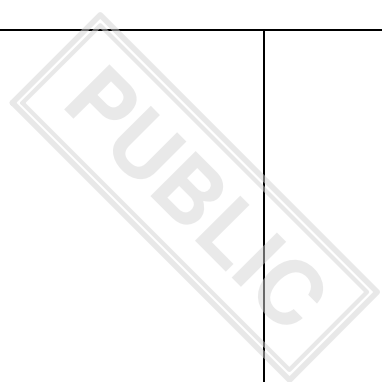
<p>target organisms and the environment, including:</p> <p>(a) safe working practices for storing, handling and mixing plant protection products;</p> <p>(b) safe working practices for disposing of empty packaging, other contaminated materials and surplus plant protection products (including tank mixes), whether in concentrate or dilute form;</p> <p>(c) the recommended way to control operator exposure (including personal protection equipment);</p> <p>(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</p>		
<p>7. Procedures for preparing application equipment for operation, including its calibration, with minimum risks to the user,</p>		



other persons, non-target animal and plant species, biodiversity and the environment, including water resources.		
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.		
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.		
<p>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:</p> <p>(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</p>	<p>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:</p> <p>(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</p>	

<p>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;</p> <p>(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;</p> <p>(c) use of drift reducing technology in all field crops;</p>	<p>life with long lasting effects” pursuant to Regulation (EC) No 1272/200820 or containing “(very) persistent” or “(very) bioaccumulative” pursuant to Regulation (EC) No 1107/2009 or 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 or the substances identified as candidates for substitution, pursuant to Regulation (EC) No. 1107/2009, also taking into account the objective of protecting drinking water and human health directly exposed through consumption;</p>	
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(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.