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European Union

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#### COVER NOTE

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From: General Secretariat of the Council  
To: Delegations

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Subject: COUNCIL DECISION (EU) 2022/2572 of 19 December 2022 requesting the Commission to submit a study complementing the impact assessment of the proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115 of the European Parliament and of the Council, and to propose follow-up actions, if appropriate in view of the outcomes of the study - Commission's response

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**DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (27.04.2023)**

Delegations will find attached the Commission's response to the Council's request under Article 241 TFEU, by way of Council Decision (EU) 2022/2572 of 19 December 2022.



Brussels, 22 March 2023

Dear Minister Roswall,

I am writing with reference to Council Decision (EU) 2022/2572 of 19 December 2022 by which the Commission has been requested to submit a study complementing the impact assessment of the proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products, and amending Regulation (EU) 2021/2115 of the European Parliament and of the Council ('SUR proposal'), and to propose follow-up actions, if appropriate in view of the outcomes of the study.

The Commission adopted the SUR proposal on 22 June 2022 as part of a package of measures to reduce the environmental and health footprint of the EU's food system and help mitigate the economic losses that we are already suffering due to climate change and biodiversity loss.

The Commission would like to recall that the impact assessment that accompanied the SUR proposal was carried out fully in line with the Better Regulation procedures and obtained a positive opinion from the Regulatory Scrutiny Board. All stakeholders and Member States had multiple opportunities to provide input, including relevant data, to this work. General aspects of food security and other elements requested in the Council Decision in relation to the impacts of sensitive area provisions, the limited availability of alternatives and the effects of the proposal on small and medium-sized enterprises were assessed in the impact assessment, which built on supporting external studies and other sources of data available to the Commission. Certain limitations in the specific pesticide use data available at Union level restricted the analytical possibilities.

The Commission does not possess comparable data on pesticide use broken down by individual crops or active substances. In fact, a key finding of the 2021 evaluation<sup>1</sup> of the current Directive 2009/128/EC<sup>2</sup> on the Sustainable Use of Pesticides is that there is a need to improve the availability of monitoring data. Moreover, the Commission is not in the position to carry out a study with a separate detailed analysis for each of the 27 individual Member States.

The Commission recognises that exceptional circumstances affecting the food system occurred since the adoption of the SUR proposal and its accompanying impact assessment.

<sup>1</sup> [https://food.ec.europa.eu/plants/pesticides/sustainable-use-pesticides/evaluation-and-impact-assessment\\_en](https://food.ec.europa.eu/plants/pesticides/sustainable-use-pesticides/evaluation-and-impact-assessment_en)

<sup>2</sup> Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides (OJ L 309, 24.11.2009, p. 71).

Ms Jessika Roswall  
Minister for EU Affairs

The Russian war of aggression has increased concerns about global food security and reminded everybody about the important role that the EU plays for global food security. While food security is not at risk in the EU, high energy prices, also arising from the unjustified Russian invasion into Ukraine, combined with devastating droughts and heat waves raised concerns about food affordability.

Because of these concerns, the Commission published a staff working document in January 2023 on the drivers of food security<sup>3</sup>, as announced at the adoption of the SUR proposal. This staff working document analyses the main drivers affecting food security from both the supply and demand sides for short- and long-term time horizons. Relying on an evidence-based approach, it provides a factual assessment of the key drivers and their interlinkages, based on available information and literature.

The analysis clearly shows that climate change, biodiversity loss and land degradation effects (in particular, droughts and loss of pollinators) are key factors in relation to food security. Additionally, while acknowledging that chemical/synthetic pesticides contribute to stabilising yields in the short-term, the analysis identifies the positive effects of pesticide use reduction on soil health and biodiversity, which will have a positive impact on food security in the medium- to long-term. The analysis also recognises that the ability to ensure food security in the long-term requires consistent policy interventions that reinforce sustainability and resilience of the food system.

On the basis of the Council request, the Commission will in the spirit of sincere cooperation and on an exceptional basis, be providing additional input, as requested by the Council, on the basis of available evidence and data as soon as it becomes available in the course of spring 2023. This input will be shared with the European Parliament in parallel.

The Commission would also like to recall that it has already provided additional data to the Council on the extent of sensitive area coverage, has carried out extensive modelling of alternative methodologies for calculating national pesticide reduction targets, and continues supporting discussions in the Council Working Group by providing additional evidence. Notably, it is recalled that the Commission has provided a non-paper on sensitive areas at the end of 2022, which offers a possible way forward to addressing the concerns raised.

The Commission reaffirms its strong commitment to the objectives of the SUR proposal to protect the environment and the health of citizens, and remains available to cooperate fully with the European Parliament and the Council to achieve swift progress on this proposal.

The Commission looks forward to continuing discussing with the Council on this matter.

Yours sincerely,



Maroš Šefčovič

<sup>3</sup> [https://commission.europa.eu/publications/analysis-main-drivers-food-security\\_en](https://commission.europa.eu/publications/analysis-main-drivers-food-security_en)