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COVER NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	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 - European Committee of the Regions' Opinion

Delegations will find attached the Opinion of the European Committee of the Regions concerning 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.

This opinion is also available in other language versions on:

<https://dmsearch.cor.europa.eu/search/opinion> .



**European Committee
of the Regions**

NAT-VII/031

154th plenary session, 15-16 March 2023

OPINION

Sustainable use of pesticides

THE EUROPEAN COMMITTEE OF THE REGIONS:

- strongly supports the binding targets to reduce the use of chemical pesticides and their risks; calls to significantly revise the Harmonized Risk Indicators (HRIs) approach so that, as well as quantity, toxicity in particular is taken into account in a decisive way;
- asks to expand the buffer zones to 50 metres for areas primarily frequented by vulnerable populations;
- asks for the establishment of a state fund that can help to foster the implementation and uptake of integrated pest management. The financial resources for this fund could inter alia be provided by a risk-based taxation on plant protection products, by contributions of retailers, or by penalty payments;
- calls for the National Action Plans (NAPs) to be submitted to the European Commission to carry out ex-post monitoring of these plans, supported by an independent expert group;
- calls on the European Food Safety Authority to review the efficacy of authorised pesticides on a very regular basis and to review authorisations as soon as resistance has emerged in the pest populations affected by the product;
- calls on the EU to fund research projects on the cocktail effects of pesticides on human health and on the long-term toxicity of pesticides in their full formulation prior to their authorisation;
- calls on the EU to ban the import of foodstuffs treated with pesticides that have not been authorised in Europe, the export of unauthorised pesticides and the sale and use of chemical plant protection products by non-commercial customers;
- calls on the Member States to take measures to ensure that producers who place any plant protection product on the market have extended producer responsibility;
- calls on the Member State to designate a competent authority responsible for setting up a system for notifying, recognising and fairly compensating occupational diseases arising from the use of pesticides;
- calls on the Member States to put in place comprehensive programmes to monitor the occurrence of residues of active substances and their metabolites in the environment, water, animals and humans;

Rapporteur

Heinz-Joachim Höfer (DE/PES), Member of the Municipal Council of Altenkirchen (Westerwald)

Reference document

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 - COM(2022) 305

Opinion of the European Committee of the Regions – Sustainable use of pesticides

I. RECOMMENDATIONS FOR AMENDMENTS

Amendment 1

Recital 5

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
In order to ensure full attainment of the objectives of the Union legal framework on sustainable use of plant protection products, it needs to be adapted by laying down clearer and directly applicable rules for operators. In addition, a number of rules should be clarified, including the rules on the application of integrated pest management, restrictions of use of plant protection products and the inspections of equipment used to apply plant protection products. It is therefore appropriate to repeal Directive 2009/128/EC and replace it with a regulation.	In order to ensure full attainment of the objectives of the Union legal framework on sustainable use of plant protection products, it needs to be adapted by laying down clearer and directly applicable rules for operators, <i>and border checks need to be strengthened to ensure that imports meet the same criteria as those required in the EU in order to prevent any food products, plants or flowers treated with plant protection products (e.g. pesticides, fungicides) that are banned in the EU from entering the EU.</i> In addition, a number of rules should be clarified, including the rules on the application of integrated pest management, restrictions of use of plant protection products and the inspections of equipment used to apply plant protection products. It is therefore appropriate to repeal Directive 2009/128/EC and replace it with a regulation.

Amendment 2

Recital 9

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
In the final report of the Conference on the Future of Europe, published on 9 May 2022, when it comes to the proposals on agriculture, food production, biodiversity and ecosystems, pollution, citizens ask the Union in particular to significantly reduce the use of chemical pesticides and fertilizers, in line with the existing targets, while still ensuring food security, and support for research to develop more sustainable and natural-based alternatives. Citizens ask for more research and innovations, including in technological solutions for sustainable production, plant resistance, and precision farming, and more communication, advisory	In the final report of the Conference on the Future of Europe, published on 9 May 2022, when it comes to the proposals on agriculture, food production, biodiversity and ecosystems, pollution, citizens ask the Union in particular to significantly reduce the use of chemical pesticides and fertilizers, in line with the existing targets, while still ensuring food security, and support for research to develop more sustainable and natural-based alternatives. Citizens ask for more research and innovations, including in technological solutions for sustainable production, plant resistance, and precision farming, and more communication, advisory

systems, and training for and from farmers as well as asking the Union to protect insects, in particular indigenous and pollinating insects.	systems, and training for and from farmers as well as asking the Union to protect insects, in particular indigenous and pollinating insects. <i>Citizens further recommend applying the polluter pays principle, which should also be embedded in taxation measures;</i>
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Amendment 3

Recital 12

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
The objective of the Farm to Fork Strategy is to make substantial progress in the reduction of the use of chemical plant protection products in an economically viable way. In order to achieve that aim, it is necessary to set quantified targets at Union and Member State levels for the reduction in the use and risk of chemical plant protection products and the use of more hazardous plant protection products to monitor progress. National targets should be established by national law in order to ensure adequate progress and accountability in relation to them. These binding national targets should also be achieved by Member States by 2030. The reduction in the use of chemical plant protection products is expected to significantly reduce occupational safety and health risks for professional users.	The objective of the Farm to Fork Strategy is to make substantial progress in the reduction of the use of chemical plant protection products in an economically viable way. In order to achieve that aim, it is necessary to set quantified targets at Union and Member State levels for the reduction in the use and risk of chemical plant protection products and the use of more hazardous plant protection products to monitor progress. National targets should be established by national law in order to ensure adequate progress and accountability in relation to them. These binding national targets should also be achieved by Member States by 2030. The reduction in the use of chemical plant protection products is expected to significantly reduce occupational safety and health risks for professional users, <i>but also for citizens/consumers, particularly vulnerable groups.</i>

Amendment 4

Recital 13a

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
	<i>In its Staff Working Document on the Drivers of Food Security, the European Commission acknowledges that "Soil, water, biodiversity, and air are basic requirements for food production", concludes that "the current high input intensive agricultural model, based on chemical pesticides, is likely to pose a food security threat in the medium term due to a loss of biodiversity, the likely increase in pests, decline in soil health and loss of pollinators which are essential to</i>

	<i>agricultural production", and further highlights the need to implement pesticide reduction targets to safeguard food security in the EU in the long term.</i>
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<i>Reason</i>
Pesticide reduction is necessary in order to ensure food security.

Amendment 5

Recital 14

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Member States should draft and publish national action plans. In order for the Member State national action plans to be effective, they should contain quantitative objectives, references to binding national 2030 reduction targets as set out in national law, together with related indicative targets set out in the national action plans, measures, timetables and indicators to reduce risks and impacts of pesticide use on human health and the environment. This will allow for a structured approach to the setting of quantitative objectives and targets, with a clear link to the national 2030 reduction targets. In order to monitor compliance with the provisions of this Regulation, Member States should also be required to report annually on targets and precise quantitative data relating to compliance with provisions on use, training, application equipment and integrated pest management.	Member States should draft and publish national action plans. In order for the Member State national action plans to be effective, they should contain quantitative objectives, references to binding national 2030 reduction targets as set out in national law, together with related indicative targets set out in the national action plans, measures, timetables and indicators to reduce risks and impacts of pesticide use on human health and the environment. This will allow for a structured approach to the setting of quantitative objectives and targets, with a clear link to the national 2030 reduction targets. In order to monitor compliance with the provisions of this Regulation, Member States should also be required to report annually on targets and precise quantitative data relating to compliance with provisions on use, training, application equipment and integrated pest management. <i>The European Commission will be able, with the help of an expert group of environmental scientists and civil society stakeholders, to carry out ex post monitoring of these national action plans in order to ensure the transparency of opinions.</i>

Amendment 6

Recital 16

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
The implementation of policies and measures in the areas of sustainable use of plant protection products has an impact on the environment, public health and working conditions. Member	The implementation of policies and measures in the areas of sustainable use of plant protection products has an impact on the environment, public health and working conditions. Member

States should therefore ensure that the public and social partners are given sufficient opportunities to participate in and to be consulted on the preparation of Member State national action plans in accordance, where applicable, with Directive 2001/42/EC of the European Parliament and of the Council.	States should therefore ensure that <i>local and regional authorities, within the scope of their competences, as well as</i> the public and <i>the</i> social partners, are given sufficient opportunities to participate in and to be consulted on the preparation of Member State national action plans in accordance, where applicable, with Directive 2001/42/EC of the European Parliament and of the Council.
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Amendment 7

Recital 22

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
In order to ensure that plant protection products and related application equipment are used in a manner that protects human health and the environment, it is necessary to provide for general requirements on professional users in relation to the training required to use certain plant protection products or application equipment, the use of more hazardous plant protection products and the need to comply with inspection requirements for application equipment in professional use.	In order to ensure that plant protection products and related application equipment are used in a manner that protects human health and the environment, it is necessary to provide for general requirements on professional users in relation to the training required to use certain plant protection products or application equipment, the use of more hazardous plant protection products and the need to comply with inspection requirements for application equipment in professional use. <i>Concomitantly, the use of chemical plant protection products by non-professional users who are not trained should be prohibited, in order to avoid situations where human or environmental safety would be at risk.</i>

Amendment 8

Recital 24a

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
	<i>Environmental monitoring is necessary in order to examine any effects on human health and the environment resulting from the use of plant protection products. EU monitoring requirements currently focus only on water. In order to accurately assess whether the targets of this Regulation in terms of reducing the risk of plant protection products are met, Member States shall put in place comprehensive programmes to monitor the occurrence of residues of active substances and their</i>

	<i>metabolites in the environment, water, animals and humans.</i>
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Amendment 9

Recital 24b

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
	<i>The European Commission's implementation plan "Soil Deal for Europe" notes that 83% of agricultural soils in the EU are contaminated with residual pesticides, while agricultural intensification and overuse of pesticides are likely to further exacerbate the situation in the future. Pesticides' high soil persistence and toxicity to non-target species are specifically referred to as posing a threat to soil health. The importance of soil protection should therefore be duly taken into account when implementing the provisions of this Regulation.</i>

Amendment 10

Recital 25

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Use of plant protection products may have particularly negative impacts in certain areas that are frequently used by the general public or by vulnerable groups, communities in which people live and work and ecologically sensitive areas, such as Natura 2000 sites protected in accordance with Directive 2009/147/EC of the European Parliament and of the Council 67 and Council Directive 92/43/EEC. If plant protection products are used in areas used by the general public, the possibility of exposure of humans to such plant protection products is high. In order to protect human health and the environment, the use of plant protection products in sensitive areas and within 3 metres of such areas, should therefore be prohibited. Derogations from the prohibition should only be allowed under certain conditions and on a case-by-case basis.	Use of plant protection products may have particularly negative impacts in certain areas that are frequently used by the general public or by vulnerable groups communities in which people live and work and ecologically sensitive areas, such as Natura 2000 sites protected in accordance with Directive 2009/147/EC of the European Parliament and of the Council 67 and Council Directive 92/43/EEC. If plant protection products are used in areas used by the general public, the possibility of exposure of humans to such plant protection products is high. In order to protect human health and the environment, the use of plant protection products in sensitive areas and within 3 metres of such areas, should therefore be prohibited. Derogations from the prohibition should only be allowed under certain conditions and on a case-by-case basis. <i>The buffer zones should be expanded to 50 metres for areas primarily frequented by vulnerable populations and for the use of highly hazardous plant</i>

	<i>protection products. Derogations from the prohibition should only be allowed for plant protection products authorised in accordance with Regulation 2018/848 for the continuation of existing agricultural activities or under certain strict conditions and on a case-by-case basis.</i>
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Reason
Science suggests that effective buffer zones need to be several hundred metres wide to prevent pesticide inputs. A recent study investigating pesticide contamination of public playgrounds found nearly half of the playgrounds contaminated by at least one pesticide and a quarter by more than one (including EDCs), and shows that a distance of even 100 metres would be necessary to obtain zero pesticide contamination. A follow-up study shows that mitigation measures that are even stricter than the Commission's proposed 3 metres were not enough to prevent exposure of children and the general public to dangerous pesticides.

Amendment 11

Recital 26

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
The aquatic environment and drinking water supplies are especially sensitive to plant protection products. In order to protect the aquatic environment, the use of plant protection products in and around surface waters areas should therefore be prohibited. Member States should have in place appropriate measures to avoid deterioration of surface and groundwater as well as coastal and marine waters and allow achievement of good surface and groundwater status, to protect the aquatic environment and drinking water supplies from the impact of plant protection products. In addition, it is important that professional users are trained in 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". It is also important that professional users are trained on the importance of giving preference to low risk plant protection products or non-chemical alternatives, use of drift reducing technology and risk mitigation measures.	The aquatic environment and drinking water supplies are especially sensitive to plant protection products. In order to protect the aquatic environment, the use of plant protection products in and around surface waters areas should therefore be prohibited. Member States should have in place appropriate measures <i>to prevent the regular occurrence of unacceptable environmental concentrations of pesticides in the future</i> , to avoid <i>further</i> deterioration of surface and groundwater as well as coastal and marine waters and allow achievement of good surface and groundwater status, to protect the aquatic environment and drinking water supplies from the impact of plant protection products. <i>In this context, drinking water suppliers should regularly have full access to active-substance-specific data on the application of pesticides in the water protection areas within their area of responsibility, sufficiently broken down in terms of time and location.</i> In addition, it is important that professional users are trained in how to minimise or eliminate applications of certain plant protection products classified as "harmful to

	<p>aquatic life with long lasting effects", "very toxic to aquatic life with long lasting effects" or "toxic to aquatic life with long lasting effects". It is also important that professional users are trained on the importance of giving preference to low risk plant protection products or non-chemical alternatives, use of drift reducing technology and risk mitigation measures.</p>
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<i>Reason</i>
<p>The regular and widespread presence of pesticides in waters at concentrations that, according to the EU authorisation procedure, absolutely should not occur at this level, and that thus have a significant negative impact on biodiversity and natural balance, highlights the need for measures to establish an acceptable status quo in the first place.</p> <p>The drinking water supply is of major general interest and drinking water suppliers must be given all the necessary information to monitor and ensure the quality of drinking water.</p>

Amendment 12

Recital 27

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>Precision farming refers to agricultural management systems carefully tailoring crop management to fit localised conditions such as those found within land parcels. The application of existing technology, including the use of Union space data and services (Galileo and Copernicus), has the potential to significantly reduce pesticide usage. It is therefore necessary to provide for a legislative framework that incentivises the development of precision farming. Application of plant protection products from an aircraft, including application by planes, helicopters and drones, is usually less precise than other means of application and may therefore potentially cause adverse impacts on human health and the environment. Aerial application should therefore be prohibited, with limited derogations on a case-by-case basis where it has a less negative impact on human health and the environment than any alternative application method or there is no viable alternative application method. It is also necessary to record the numbers of aerial applications carried out on the basis of permits granted for aerial application in order to have</p>	<p>Precision farming refers to agricultural management systems carefully tailoring crop management to fit localised conditions such as those found within land parcels. The application of existing technology, including the use of Union space data and services (Galileo and Copernicus), has the potential to significantly reduce pesticide usage and risks. It is therefore necessary to provide for a legislative framework that incentivises the development of precision farming. Application of plant protection products from an aircraft, including application by planes, helicopters and drones, is usually less precise than other means of application and may therefore potentially cause adverse impacts on human health and the environment. However, technological developments unveiled in recent years show great precision and great potential for future innovations and applications. Aerial application should therefore be prohibited, with limited derogations on a case-by-case basis where it has a less negative impact on human health and the environment than any alternative application method or there is no viable alternative</p>

clear data on how many aerial applications for which permits were granted actually took place.	application method. <i>This must always be subject to reviews and assessments based on technological innovations in precision farming.</i> It is also necessary to record the numbers of aerial applications carried out on the basis of permits granted for aerial application in order to have clear data on how many aerial applications for which permits were granted actually took place.
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<i>Reason</i>
Focusing solely on use is not appropriate here.

Amendment 13

Recital 30

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Given the importance of advice on the use of plant protection products as a means to support their use in a manner that protects human health and the environment in accordance with integrated pest management, it is important that advisors are adequately trained.	Given the importance of advice on the use of plant protection products as a means to support their use in a manner that protects human health and the environment in accordance with integrated pest management, it is important that advisors are adequately trained <i>and that they are independent from the companies producing (or marketing) these plant protection products.</i>

<i>Reason</i>
Pesticide producers and distributors

Amendment 14

Recital 31

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Sale of a plant protection product is an important element in the distribution chain because it allows distributors to provide the necessary information to support its proper use. Specific advice on safety instructions for human health and the environment should be available to the purchaser or end user at the time of sale in order to allow questions to be answered that will facilitate the correct use of the relevant plant protection product. For non-professional users, general information should be available at point of sale on safe use, handling and storage of plant protection products and on disposal of the packaging of such	Sale of a plant protection product is an important element in the distribution chain because it allows distributors to provide the necessary information to support its proper use. Specific advice on safety instructions for human health and the environment should be available to the purchaser or end user at the time of sale in order to allow questions to be answered that will facilitate the correct use of the relevant plant protection product. For non-professional users, general information should be available at point of sale on safe use, handling and storage of plant protection products and on disposal of the packaging of such

products, since those users do not generally have the same practical knowledge as professional users.	products, since those users do not generally have the same practical knowledge as professional users. <i>In order to ensure consistency, the export of pesticides and pesticide active substances banned in the European Union from the European Union should be prohibited under Regulation 1107/2009.</i>
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<i>Reason</i>
It goes without saying that chemicals that can no longer be used in the EU due to their adverse effects on the environment or human health should not be exported from the EU either. This applies to formulated pesticides as well as to their active substances.

Amendment 15

Recital 33a

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>The efficacy of plant protection products should be regularly reviewed by the bodies responsible for evaluating and authorising plant protection products. In order to reduce pesticide use and where resistance has developed within the populations of harmful organisms that the product applies to, the permit for use should be severely restricted or withdrawn in order to prevent products that have become ineffective from remaining on the market.</i>

<i>Reason</i>
In agriculture, all possible measures should be taken to limit resistance and its negative effects and care should be taken to ensure that resistance does not lead to one pesticide being substituted by a different one that is even more problematic for humans or the environment.

Amendment 16

Recital 34

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Considering the possible risks to human health and the environment from the use of plant protection products, the public should have access to better information on the overall impacts of the use of such products through awareness-raising programmes, information passed on through <i>distributors</i> and other appropriate measures.	Considering the possible risks to human health and the environment from the use of plant protection products, the public should have access to better information, <i>for example on the European authorisation procedure, on the principle of approved plant protection products being non-hazardous to the environment and health when used correctly and</i> on the overall

	impacts of the use of such products through awareness-raising programmes, information passed on through <i>independent environmental/health authorities</i> and other appropriate measures.
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<i>Reason</i>
Only these bodies can ensure the dissemination of relevant, unbiased information.

Amendment 17

Recital 35

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
In order to better understand the trends regarding acute poisoning incidents and chronic poisoning arising from exposure of persons to plant protection products, information on such trends should be compiled by each Member State. The Commission should also monitor the overall trends at Union level.	In order to better understand the trends regarding acute poisoning incidents and chronic poisoning arising from exposure of persons to plant protection products, information on such trends should be compiled by each Member State. The Commission should also monitor the overall trends at Union level. <i>In particular, provision should be made to carry out longitudinal studies on particularly exposed populations (users) and vulnerable groups (e.g. pregnant women), which are already being carried out in some Member States.</i>

<i>Reason</i>
More specific data are needed in order to adequately address the important issue of protecting human health.

Amendment 18

Recital 35a

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>In order to reduce pesticide use, the combined effects of mixtures of pesticides on the environment and human health should be investigated and reflected more clearly in authorisation practice, in order to provide citizens with relevant and transparent information on the overall impact of using these products.</i>

<i>Reason</i>
The whole process of authorising pesticides targets individual active substances or their formulations.

Many studies have demonstrated the potential risks that combined active substances may have in the field of the environment and human health, which, taken as a whole, cannot be derived from data on individual pesticides.

Amendment 19

Recital 41

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
In order to enforce the obligations set out in this Regulation, Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are enforced. The penalties should be effective, proportionate and dissuasive. It is also important to provide for Member States to recover costs related to carrying out obligations under this Regulation by means of fees or charges in order to ensure that adequate financial resources are available to competent authorities.	In order to enforce the obligations set out in this Regulation, Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are enforced. The penalties should be effective, proportionate and dissuasive. It is also important to provide for Member States to recover costs related to carrying out obligations under this Regulation by means of fees or charges, <i>or by a risk-based taxation of plant protection products,</i> in order to ensure that adequate financial resources are available to competent authorities.

Amendment 20

Recital 41a

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
	<i>Sufficient funding is needed for the implementation of integrated pest management. The establishment of a state fund can help to foster the implementation and uptake of integrated pest management and make related measures more attractive for farmers, e.g. by providing for compensation in case of proven loss of income. The financial resources for this fund could inter alia be provided by a risk-based taxation on plant protection products, by contributions of retailers, or by penalty payments.</i>

Amendment 21

Article 1

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
This Regulation lays down rules for the sustainable use of plant protection products by providing for the setting, and achievement by	This Regulation <i>aims at reducing the risks and impacts of pesticide use on human health and the environment and reducing pesticide</i>

2030, of reduction targets for the use and risk of chemical plant protection products, establishing requirements for use, storage, sale and disposal of plant protection products and for application equipment, <i>providing for</i> training and awareness raising, <i>and providing for implementation of integrated pest management</i> .	<i>dependency. It</i> lays down rules for the sustainable use of plant protection products by providing for the setting, and achievement by 2030, of reduction targets for the use and risk of chemical plant protection products, <i>by promoting and implementing integrated pest management, based on non-chemical preventive and alternative approaches and techniques, and encouraging the transition to low-input farming systems, and by</i> establishing requirements for use, storage, sale and disposal of plant protection products and for application equipment, <i>worker protection and</i> training, <i>independent advice</i> and awareness raising.
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<i>Reason</i>
This expresses the aims and objectives of this regulation more accurately, focusing on the reduction of risks and the implementation of alternative practices in agriculture with the ultimate aim of achieving a sustainable food system.

Amendment 22

Article 3(16)(a)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
(a) an area used by the general public, such as a public park or garden, recreation or sports grounds, or a public path;	(a) an area used by the general public, such as a public park or garden, recreation or sports grounds, or a public path, <i>as well as all residential areas</i> ;

Amendment 23

Article 3(16) (f) (i)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
(f) an ecologically sensitive area, which means any of the following: (i) any protected area under Directive 2000/60/EC, including possible safeguard zones as well as modifications of those areas following the risk assessment results for drinking water abstraction points under Directive (EU) 2020/2184 of the European Parliament and of the Council;	(f) an ecologically sensitive area, which means any of the following: (i) any protected area under Directive 2000/60/EC, including possible safeguard zones as well as modifications of those areas following the risk assessment results for drinking water abstraction points under Directive (EU) 2020/2184 of the European Parliament and of the Council, <i>with the exception of areas vulnerable to nitrates, nutrients and urban waste water, which do not fall within the definition of sensitive areas and to which the planned</i>

	<i>restrictions will not apply;</i>
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Amendment 24
Article 3(16)(f)(ii)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>(f) an ecologically sensitive area, which means any of the following:</p> <p>(i) any protected area under Directive 2000/60/EC, including possible safeguard zones as well as modifications of those areas following the risk assessment results for drinking water abstraction points under Directive (EU) 2020/2184 of the European Parliament and of the Council;</p> <p>(ii) sites of Community importance in the list referred to in Article 4(2) of Directive 92/43/EEC and the special areas of conservation designated in accordance with Article 4(4) of that Directive, and special protection areas classified pursuant to Article 4 of Directive 2009/147/EC, and any other national, regional, or local protected area reported by the Member States to the Nationally designated protected areas inventory (CDDA);</p> <p>(iii) any area for which the monitoring of pollinator species carried out in accordance with Article 17(1), point (f), of Regulation xxx/xxx [reference to adopted act to be inserted] establishes that it sustains one or more pollinator species which the European Red Lists classify as being threatened with extinction.</p>	<p>(f) an ecologically sensitive area, which means any of the following:</p> <p>(i) any protected area under Directive 2000/60/EC, including possible safeguard zones as well as modifications of those areas following the risk assessment results for drinking water abstraction points under Directive (EU) 2020/2184 of the European Parliament and of the Council;</p> <p>(ii) sites of Community importance in the list referred to in Article 4(2) of Directive 92/43/EEC and the special areas of conservation designated in accordance with Article 4(4) of that Directive, and special protection areas classified pursuant to Article 4 of Directive 2009/147/EC, and any other national, regional, or local protected area reported by the Member States to the Nationally designated protected areas inventory (CDDA) <i>that these Member States would like to include in the group of areas with this level of protection;</i></p> <p>(iii) any area for which the monitoring of pollinator species carried out in accordance with Article 17(1), point (f), of Regulation xxx/xxx [reference to adopted act to be inserted] establishes that it sustains one or more pollinator species which the European Red Lists classify as being threatened with extinction.</p>

<i>Reason</i>
In order to focus protection on the most relevant sensitive areas, the Member States may consider removing references to these areas from the definition of sensitive areas in the SUR.

Amendment 25
Article 8(1)(i)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
By ... [OP: please insert the date – 18 months after the date of application of this Regulation]	By ... [OP: please insert the date – 18 months after the date of application of this Regulation]

<p>each Member State shall draft and publish on a website a national action plan containing the following information:</p> <p>(a) the national 2030 reduction targets adopted in accordance with Chapter II;</p> <p>(b) information related to national 2030 reduction targets as set out in Article 9;</p> <p>(c) details of planned progress in relation to the elements relevant for the implementation of this Regulation listed in Part 2 of Annex II;</p> <p>(d) a link to the relevant parts of CAP strategic plans, drawn-up in accordance with Regulation (EU) 2021/2115, which set out plans for an increase in the utilised agricultural area engaged in organic farming and how the plans will contribute to achieving the target set out in the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system^[1] of having 25% of the utilised agricultural area devoted to organic farming by 2030;</p> <p>(e) a list of application equipment in professional use to which the Member State applies different inspection requirements in accordance with Article 32(1);</p> <p>(f) information on the estimated annual amounts of plant protection products illegally used or seized via antifraud operations during the preceding 3 years and any planned related measures;</p> <p>(g) national measures for encouraging the use of non-chemical methods by professional users through financial incentives, in accordance with Union legislation on State aid;</p> <p>(h) planned and adopted measures to support, or ensure through binding requirements laid down in national law, innovation and the development and use of non-chemical pest control methods;</p> <p>(i) other planned and adopted measures to support, or ensure through binding requirements laid down in national law, the sustainable use of plant protection products in line with integrated pest management principles, including those</p>	<p>each Member State shall draft and publish on a website a national action plan containing the following information:</p> <p>(a) <i>the plant protection situation with regard to organisms harmful to crops, with trends, indicating any new organisms present;</i></p> <p>(b) the national 2030 reduction targets adopted in accordance with Chapter II;</p> <p>(c) information related to national 2030 reduction targets as set out in Article 9;</p> <p>(d) details of planned progress in relation to the elements relevant for the implementation of this Regulation listed in Part 2 of Annex II;</p> <p>(e) a link to the relevant parts of CAP strategic plans, drawn-up in accordance with Regulation (EU) 2021/2115, which set out plans for an increase in the utilised agricultural area engaged in organic farming and how the plans will contribute to achieving the target set out in the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system^[1] of having 25% of the utilised agricultural area devoted to organic farming by 2030;</p> <p>(f) a list of application equipment in professional use to which the Member State applies different inspection requirements in accordance with Article 32(1);</p> <p>(g) information on the estimated annual amounts of plant protection products illegally used or seized via antifraud operations during the preceding 3 years and any planned related measures;</p> <p>(h) national measures for encouraging the use of non-chemical methods by professional users through financial incentives, in accordance with Union legislation on State aid;</p> <p>(i) planned and adopted measures to support, or ensure through binding requirements laid down in national law, innovation and the development and use of non-chemical pest control methods;</p> <p>(j) other planned and adopted measures to support, or ensure through binding requirements</p>
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<p>contained in crop-specific rules as set out in Article 15(1).</p> <p>Each Member State shall notify the Commission without delay of the first publication of its national action plan.</p> <p>[1] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system [(2020)381 final].</p>	<p>laid down in national law, the sustainable use of plant protection products in line with integrated pest management principles, including those contained in crop-specific rules as set out in Article 15(1).</p> <p>Each Member State shall notify the Commission without delay of the first publication of its national action plan <i>in order to enable the European Commission to carry out ex post monitoring of these plans</i>.</p> <p>[1] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system [(2020)381 final].</p>
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Amendment 26

Amendment to Article 9(1)(a)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
a list of at least the 5 active substances that <i>most strongly</i> influence the trend in the reduction in the use and risk of chemical plant protection products, and of the use of the more hazardous plant protection products, as determined by applying the methodology set out in Annex I, during the 3 years preceding the adoption of the national action plan;	a list of at least the 5 active substances that <i>have the strongest negative</i> influence <i>on</i> the trend in the reduction in the use and risk of chemical plant protection products, and of the use of the more hazardous plant protection products, as determined by applying the methodology set out in Annex I, during the 3 years preceding the adoption of the national action plan;

<i>Reason</i>
The wording here is unclear. Of particular interest here are those active substances that contribute most significantly to there not being a more noticeable reduction in risk.

Amendment 27

Article 13(1)

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
Professional users shall first apply measures that do not require the use of chemical plant protection products for the <i>prevention or</i> suppression of harmful organisms <i>before resorting to application of chemical</i> plant protection products	Professional users shall <i>always apply non-chemical preventative measures, such as appropriate agronomic practices. When interventions are needed, professional users shall</i> first apply measures that do not require the use of chemical plant protection products for the suppression of harmful organisms, <i>following the</i>

	<i>integrated pest management hierarchy. Chemical plant protection products can only be applied if no other non-chemical preventative measure or combination of such measures has proven successful.</i>
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Amendment 28

Article 13(2)

<i>Text proposed by the European Commission</i>	<i>Amendment</i>
A professional user's records referred to in Article 14(1) shall demonstrate that he or she has considered all of the following options: - crop rotation, - use of modern cultivation techniques, including stale seedbed technique, sowing dates and densities, under-sowing, intercropping, conservation tillage, pruning and direct sowing, - use of resistant or tolerant cultivars and high quality or certified seed and planting material, - use of balanced fertilisation, liming and irrigation or drainage practices, - preventing the spreading of harmful organisms by hygiene measures, including regular cleansing of machinery and equipment, - protection and enhancement of important beneficial organisms, including beneficial plant protection measures or the utilisation of ecological infrastructures inside and outside production sites, - pest exclusion by use of protected structures, nets and other physical barriers.	A professional user's records referred to in Article 14(1) shall demonstrate that he or she has applied all of the applicable options from the list below, before resorting to chemical pesticides : - a wide crop rotation of at least four years , - enhanced crop diversity, including the mixing of different varieties, intercropping or polyculture , - use of modern cultivation techniques, including stale seedbed technique, sowing dates and densities, under-sowing, intercropping, non-chemical conservation tillage, pruning and direct sowing, - use of resistant or tolerant cultivars and high quality or certified seed and planting material, - regenerative soil management, including the use of green manure, fertilising with organic material or mulching , - avoiding excessive fertilisation, liming and limiting irrigation or drainage practices, - preventing the spreading of harmful organisms by hygiene measures, including regular cleansing of machinery and equipment, - protection and enhancement of important beneficial organisms, including beneficial plant protection measures or the utilisation of ecological infrastructures inside and outside production sites, - pest exclusion by use of protected structures, nets and other physical barriers.

Amendment 29

Article 13(3)(c)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
(c) the use of advice from professionally qualified advisors.	(c) the use of advice from professionally qualified, independent advisors.

<i>Reason</i>
The neutrality of the advice must be preserved.

Amendment 30

Article 14 (1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>1. Where a professional <i>user takes a preventative measure or</i> performs an intervention, the professional user shall enter the following information in the electronic integrated pest management and plant protection product use register referred to in Article 16, which covers the area where the professional user operates:</p> <p>(a) any preventative measure <i>or intervention and the reason for that preventative measure or intervention, including the identification and assessment of pest level,</i> where no crop-specific rules have been adopted for the relevant crop and area by the Member State in which the professional user operates;</p> <p>(b) any preventative measure <i>or intervention and the reason for that preventative measure or intervention, including the identification and assessment of pest level,</i> performed with a reference to measurable criteria set out in the applicable crop-specific rules where crop-specific rules have been adopted for the relevant crop and area by the Member State in which the professional user operates.</p> <p>2. A professional user shall enter an electronic record in the electronic integrated pest management and plant protection product use register, referred to in Article 16 of the name of its advisor and the dates and the content of the advice received from it in accordance with Article 26(3). The professional user shall make those records available to the competent authority referred to in Article 15(2) upon request.</p> <p>3. A professional user shall enter an electronic record of each application of a plant protection product under Article 67 of Regulation (EC) No 1107/2009 in the electronic integrated pest management and plant protection product use register referred to in Article 16. A professional</p>	<p>1. Where a professional performs an intervention <i>(preventive or curative),</i> the professional user shall enter the following information in the electronic integrated pest management and plant protection product use register referred to in Article 16, which covers the area where the professional user operates:</p> <p>(a) any preventative measure <i>or combination of different preventive measures (preventive or curative),</i> where no crop-specific rules have been adopted for the relevant crop and area by the Member State in which the professional user operates;</p> <p>(b) any preventative measure <i>or combination of different preventive measures (preventive or curative),</i> performed with a reference to measurable criteria set out in the applicable crop-specific rules where crop-specific rules have been adopted for the relevant crop and area by the Member State in which the professional user operates.</p> <p>2. A professional user shall enter an electronic record in the electronic integrated pest management and plant protection product use register, referred to in Article 16 of the name of its advisor and the dates and the content of the advice received from it in accordance with Article 26(3). The professional user shall make those records available to the competent authority referred to in Article 15(2) upon request.</p> <p>3. A professional user shall enter an electronic record of each application of a plant protection product under Article 67 of Regulation (EC) No 1107/2009 in the electronic integrated pest management and plant protection product use register referred to in Article 16. A professional user shall also enter an electronic record specifying whether the application was done by</p>

<p>user shall also enter an electronic record specifying whether the application was done by aerial or land-based equipment. In the case of aerial application, a professional user shall specify the type of equipment used</p> <p>4. In order to ensure a uniform structure of the entries to be made by professional users in the electronic integrated pest management and plant protection product use register in accordance with paragraphs 1, 2 and 3, the Commission may, by means of implementing acts, adopt a standard template for such entries. Any such template shall include fields for inputting records that need to be kept in accordance with Article 67 of Regulation (EC) No 1107/2009 and shall require the use of a recognisable ID. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 41(2).</p>	<p>aerial or land-based equipment. In the case of aerial application, a professional user shall specify the type of equipment used</p> <p><i>4. In order to monitor progress achieved in the reduction of risks and adverse impacts to human health and the environment from the use of plant protection products it is necessary to revise the system of harmonised risk indicators established under Directive (EU) 2009/128/EC so that it is actually able to address the two objectives pursued, namely reducing the quantity of plant protection products used and the associated risks. The revision of the system of harmonised risk indicators shall be carried out within the framework of Article 35 of this Regulation.</i></p> <p>5. In order to ensure a uniform structure of the entries to be made by professional users in the electronic integrated pest management and plant protection product use register in accordance with paragraphs 1, 2 and 3, the Commission may, by means of implementing acts, adopt a standard template for such entries. Any such template shall include fields for inputting records that need to be kept in accordance with Article 67 of Regulation (EC) No 1107/2009 and shall require the use of a recognisable ID. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 41(2).</p>
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<i>Reason</i>
<p>In the short term, the current proposal on the HRI poses the following serious problems:</p> <ul style="list-style-type: none"> – All approved active substances receive the same factor (in this case, 8) and their immense differences in toxicity are subsequently completely ignored. – Therefore, within a group of substances with the same weighting factor, the quantity applied suddenly once again has an extremely decisive impact on how substances from this group are ultimately included in the HRI. – The natural chronology of the groups to which a pesticide belongs is: currently authorised -> candidate for substitution -> no longer allowed, which also includes ever decreasing use in agriculture. Determining the weighting factors in this order, as set out above, inevitably means that the HRI ultimately calculated using these same weighting factors can only decrease, and that this decrease is even "accelerated" by the higher weighting factors. <p>In this respect, the HRI often shows decreasing risks, but these are purely a product of how it is designed. They suggest a decreasing risk, which in fact does not exist at all, or at least is not necessarily there. This is also not in line with the objectives of a transparent EU chemicals policy and</p>

the European Green Deal.

Amendment 31

Article 15(7)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
7. Each Member State shall review its crop-specific rules annually and update them where necessary, including when it is needed to reflect changes in the availability of harmful organism control tools.	7. Each Member State shall review its crop-specific rules annually and update them where necessary, including when it is needed to reflect changes in the availability of harmful organism control tools <i>and shall review the development of resistance to treatment within the pest populations concerned every five years.</i>

Amendment 32

Article 16(8)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>8. Record keeping should be extended to non-agricultural areas, for example where pesticides are used in forests and public spaces, roads and railways.</i>

Amendment 33

Article 16(9)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
	<i>9. The registers must be made available to the public with due consideration for the protection of personal data. The public interest prevails over data confidentiality in light of the emissions into the environment.</i>

Amendment 34

Article 18(1)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
Use of plant protection products in sensitive areas 1. The use of all plant protection products is prohibited in all sensitive areas and within 3 metres of such areas. This 3 metre buffer zone shall not be reduced by using alternative risk-mitigation techniques.	Use of plant protection products in sensitive areas 1. The use of all plant protection products is prohibited in all sensitive areas and within 3 metres of such areas. This 3- metre buffer zone shall not be reduced by using alternative risk-mitigation techniques. <i>For sensitive areas used by vulnerable groups, this buffer zone shall be</i>

	<i>50 metres. A 50-metre buffer zone shall also be respected for the use of the more hazardous pesticides.</i>
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Reason
Science suggests that effective buffer zones need to be several hundred metres wide to prevent pesticide inputs. A recent study investigating pesticide contamination of public playgrounds found nearly half of the playgrounds contaminated by at least one pesticide and a quarter by more than one (including EDCs), and shows that a distance of even 100 metres would be necessary to obtain zero pesticide contamination. A follow-up study shows that measures that are even stricter than the Commission's proposed 3 metres were not enough to prevent exposure of children and the general public to dangerous pesticides.

Amendment 35

Article 18(2)

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
	<i>Member States shall define a clear procedure and methods for solving the problem of pest occurrence in sensitive areas, with available alternative nonchemical solutions, starting with prevention, monitoring, physical and mechanical methods and biocontrol.</i>

Amendment 36

Article 18.3

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
3. By way of derogation from paragraph 1, a competent authority designated by a Member State may permit a professional user to use a plant protection product in a sensitive area for a limited period with a precisely defined start and end date that is the shortest possible but does not exceed 60 days, provided that all of the following conditions are met: (a) a proven serious and exceptional risk of the spread of <i>quarantine</i> pests or invasive alien species exists; (b) there is no technically feasible lower risk alternative control technique to contain the spread of <i>quarantine</i> pests or invasive alien species.	3. By way of derogation from paragraph 1, a competent authority designated by a Member State may permit a professional user to use a plant protection product in a sensitive area for a limited period with a precisely defined start and end date that is the shortest possible but does not exceed 90 days, provided that all of the following conditions are met: (a) a proven serious and exceptional risk of the spread of pests or invasive alien species exists; (b) there is no technically feasible lower risk alternative control technique to contain the spread of pests or invasive alien species.

Amendment 37

Article 19

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
<p>1. The use of all plant protection products is prohibited on all surface waters and within 3 metres of such waters. This 3 metre buffer zone shall not be reduced by using alternative risk-mitigation techniques.</p> <p>2. Member States may establish larger mandatory buffer zones adjacent to surface waters.</p> <p>3. By ... [OP: please insert the date of application of this Regulation], Member States shall have in place appropriate measures to avoid deterioration of surface and groundwater status as well as coastal and marine waters and allow achievement of good surface and groundwater status, to protect the aquatic environment and drinking water supplies from the impact of plant protection products to achieve, at least, the objectives set out in Directives 2000/60/EC, 2006/118/EC, 2008/105/EC, 2008/56/EC and (EU) 2020/2184.</p>	<p>1. The use of all plant protection products is prohibited on all surface waters and within 3 metres of such waters. This 3-metre buffer zone shall not be reduced by using alternative risk-mitigation techniques.</p> <p>2. Member States may establish larger mandatory buffer zones adjacent to surface waters.</p> <p>3. By ... [OP: please insert the date of application of this Regulation], Member States shall have in place appropriate measures <i>to immediately eliminate the already existing entries of pesticides that lead to unacceptable environmental concentrations,</i> to avoid <i>further</i> deterioration of surface and groundwater status as well as coastal and marine waters and allow achievement of good surface and groundwater status, to protect the aquatic environment and drinking water supplies from the impact of plant protection products to achieve, at least, the objectives set out in Directives 2000/60/EC, 2006/118/EC, 2008/105/EC, 2008/56/EC and (EU) 2020/2184.</p> <p><i>4. In this context, drinking water suppliers should regularly have full access to active-substance-specific data on the application of pesticides in the water protection areas within their area of responsibility, sufficiently broken down in terms of time and location. Such data should also be made available in an appropriate form to the general public.</i></p> <p><i>5. The application of chemical plant protection products should be forbidden on very permeable surfaces or other infrastructure close to surface or groundwater or sealed surfaces with a high risk of run-off into water or sewage systems.</i></p> <p><i>6. The Member States shall designate protected zones for the capturing of surface water and groundwater for drinking water where the use or storage of pesticides shall be prohibited.</i></p>

<i>Reason</i>

The regular and widespread presence of pesticides in waters at concentrations that, according to the EU authorisation procedure, absolutely should not occur at this level, and that thus have a significant negative impact on biodiversity and natural balance, highlights the need for measures to establish an acceptable status quo in the first place.

The drinking water supply is of major general interest and drinking water suppliers must be given all the necessary information to monitor and ensure the quality of drinking water.

Amendment 38

Article 19a

<i>Text proposed by the European Commission</i>	<i>CoR Amendment</i>
	<p><i>Extended Producer Responsibility</i> 1. Member States shall take measures to ensure that producers who place any plant protection product on the market have extended producer responsibility. 2. Member States shall ensure that extended producer responsibility schemes are established for all plant protection products including their metabolites, in accordance with Articles 8 and 8a of Directive 2008/98/EC. 3. Member States shall ensure that the producers of plant protection products cover the costs pursuant to the extended producer responsibility provisions in Directive 2008/98/EC and, insofar as not already included, cover the following costs: (a) the investment and operational costs incurred by drinking water suppliers to ensure compliance with the parametric values for pesticides and their metabolites defined in Annex I, Part B of Directive 2020/2184; (b) the costs for gathering and verifying data on products placed on the market. 4. The costs to be covered referred to in paragraph 3 shall not exceed the costs that are necessary to provide the services referred to therein in a cost-efficient way and shall be established in a transparent way between the actors concerned. 5. Member States shall ensure that each producer's contribution, as referred to in paragraph 3, is determined based on the environmental and health risk of the plant protection products that are placed on the market; 6. Member States shall define in a clear way the roles and responsibilities of all relevant actors involved. 7. Each Member State shall allow the producers established in another</p>

	<i>Member State and placing products on its market to appoint a legal or natural person established on its territory as an authorised representative for the purposes of fulfilling the obligations of a producer related to extended producer responsibility schemes on its territory.</i>
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Amendment 39

Article 27(3)(a)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
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;	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; <i>(aa) the potential risks to human health and the environment from the combined use of plant protection products and the lack of data on the effects of combining plant protection products, which are not assessed in connection with the use of plant protection products;</i>

Amendment 40

Article 28

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
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 poisoning incident resulted from: (i) correct use of a plant protection product; (ii) misuse of a plant protection product;	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 poisoning incident resulted from: (i) correct use of a plant protection product; (ii) misuse of a plant protection product;

<p>(iii) use of a plant protection product that has not been authorised; or</p> <p>(iv) deliberate ingestion or exposure.</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 regards each poisoning incident.</p> <p>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).</p>	<p>(iii) use of a plant protection product that has not been authorised; or</p> <p>(iv) deliberate ingestion or exposure.</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 regards each poisoning incident;</p> <p><i>(c) the number of occupational diseases resulting from the use of and/or exposure to plant protection products in the previous year.</i></p> <p>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).</p> <p><i>4. Occupational diseases resulting from the use of and/or exposure to plant protection products in the previous year:</i></p> <p><i>(a) Each Member State shall designate a competent authority responsible for setting up a system for notifying, recognising and fairly compensating occupational diseases arising from the use of and/or exposure to plant protection products.</i></p> <p><i>(b) The Member States shall ensure that the designated authorities have sufficient staff and resources to carry out their duties properly, including effective inspections.</i></p> <p><i>(c) The Member States shall ensure that the binding national occupational exposure limit values (LEP[ES1]) for the use of and/or exposure to active substances contained in plant protection products are monitored, complied with and applied.</i></p> <p><i>(d) The Member States shall ensure that all professional users, including workers, have access to official documentation indicating the nature of the plant protection product used in the course of their professional activity and the exposure period.</i></p>
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	<p><i>(e) Employers shall provide all workers employed in their business with the official documents referred to in paragraph 4.</i></p> <p><i>(f) The Member States shall ensure compliance with the obligation referred to in paragraph 5 and shall apply effective, dissuasive and proportionate penalties for breaches of that requirement.</i></p> <p><i>(g) The Member States shall facilitate the reporting of occupational diseases relating to the use of and/or exposure to plant protection products by establishing accessible and effective reporting mechanisms.</i></p> <p><i>(h) The Member States shall be obliged to ensure the recognition of these diseases and provide adequate compensation.</i></p>
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Amendment 41

Article 33(a)

<i>Text proposed by the European Commission</i>	<i>Amendment</i>
	<p><i>Monitoring of pesticide residues 1. Member States shall put in place routine measures for carrying out specific, representative monitoring programmes of residues of active substances and their metabolites in water resources, groundwater, soil, air/dust/ precipitation, biota and humans. 2. Existing monitoring programmes and indicators shall be evaluated and adapted if necessary, and new programmes shall be tailored as appropriate to assure that suitable monitoring data is generated. If necessary, Member States shall implement additional measures to ensure that the use of plant protection products complies with the provisions of Articles 4 and 29 of Commission Regulation 1107/2009. 3. The results of the monitoring programmes shall be submitted to the Commission and published on the website referred to in Article 8. The Commission shall examine the results and consider whether regulatory changes are necessary.</i></p>

Amendment 42
Amendment to Article 36(2)(a)

<i>Text proposed by the European Commission</i>	<i>CoR amendment</i>
(a) identify five active substances <i>influencing</i> the result <i>most significantly</i> ;	(a) identify five active substances <i>having the strongest negative influence on</i> the result;

<i>Reason</i>
To make the wording clearer.

II. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

1. strongly supports measures to reduce the use of chemical plant protection products and their risks as well as to ensure sustainable food systems; however, care should be taken to ensure that the obligations laid down in the legislation do not result in an excessive administrative burden;
2. points out that, in its opinion on the CAP reform, the European Committee of the Regions (CoR) called for quantified, measurable and achievable common EU targets for the national strategic plans to be included in the CAP Regulation by 2027, with pesticide use in the Member States to decrease by at least 30% compared to 2017;
3. considers that the European Commission should work, by means of delegated acts and in accordance with Article 35 of this Regulation, towards carrying out an ongoing and orderly review of the indicators in order to enable toxicity to be considered in a way that is sufficiently separate from the quantity of pesticides; also considers that, in doing so, the wide range of different toxicities, which e.g. previously were to be taken into account in one HRI group with the same weighting factor, must be taken into account in a differentiated manner with respect to their toxicity;
4. calls for the national action plans (NAPs) to be submitted to the European Commission to carry out ex post monitoring of these plans, supported by an independent expert group including representatives of civil society to ensure the transparency of the processes;
5. calls on the European Food Safety Authority to review the efficacy of authorised pesticides on a very regular basis and to review authorisations as soon as resistance has emerged in the pest populations affected by the product, in order to avoid ineffective and thus unnecessary product replication;
6. calls on the EU to fund research projects on the cocktail effects of pesticides on human health and biodiversity, which are currently unknown;
7. notes that the private and public research efforts on biological and integrated pest management have made significant progress over the last decade and now offer alternatives to 40% of

synthetic pesticide uses; would like the EU research programme to place more emphasis on support for these programmes in order to achieve, at least, the objective of halving the use of pesticides by 2030;

8. calls on the EU to significantly revise the HRI approach so that, as well as quantity, toxicity in particular is taken into account in a decisive way; calls on the EU to validate the predictive effect of the HRI or alternative approach and to ensure that a reduction in the calculated risk value actually leads to a reduction in the negative effects of pesticides in the environment or on human health; calls on the European Commission to carry out an orderly revision so that reliable results can be ensured from the existing indicators;
9. calls for the EU to fund experimental studies on the long-term toxicity of pesticides in their full formulation prior to their authorisation on the European market, in accordance with the judgment of the Court of Justice of the European Union of 1 October 2019;
10. points out that food security must not be jeopardised by an overly rapid adjustment process, given the current crisis context;
11. points out, on the contrary, that reducing the use of pesticides and reducing toxicity improves the resilience of farms to economic, energy and environmental crises;
12. points out, moreover, that lowering standards for sustainable food production in the context of the current crisis could not only lead to environmental costs, but also increase price volatility;
13. calls on the Member States to strengthen their measures to help farmers reduce their use of pesticides and their risks as part of their CAP strategic plans;
14. regrets that the European Commission proposes that the necessary funding will come from the Common Agricultural Policy (CAP) for a period of five years but without any new money being added to the fund;
15. regrets the fact that the national strategic plans, which have been validated by the Commission, lack ambition when it comes to reducing the quantities of pesticides and, above all, their risks, and will therefore not achieve the objectives that Europe has set itself;
16. calls on the EU to ban the import of foodstuffs treated with pesticides that have not been authorised in Europe and that pose a risk to public health or the environment, in order to create fair competition for our producers;
17. calls on the Commission, to ensure consistency with Regulation 1107/2009, to ban the export of unauthorised pesticides or active substances in pesticides from Europe to third countries;
18. reminds the EU institutions that, in the framework of the Conference on the Future of Europe, citizens called on the EU institutions to take decisive action to promote and ensure greener, more climate-friendly agriculture;

19. points to the role of European regions and local authorities in implementing the European Green Deal, in particular through their role in the implementation and monitoring of the CAP;
20. calls on local and regional authorities to inform their fellow citizens of the dangers of using pesticides;
21. calls for a ban on the sale of the most dangerous chemical plant protection products to non-commercial customers;
22. calls for a ban on the use of chemical plant protection products by non-commercial customers;
23. highlights the right of regional and local authorities in Europe to replan their territories, respecting subsidiarity and proportionality.

Brussels, 15 March 2023

The President
of the European Committee of the Regions

Vasco Alves Cordeiro

The Secretary-General
of the European Committee of the Regions

Petr Bližkovský

III. PROCEDURE

Title	Sustainable use of pesticides
Reference document(s)	COM(2022) 305
Legal basis	Article 307(1)
Procedural basis	Rule 41(a)
Date of Council/EP referral/Date of Commission letter	
Date of Bureau/President's decision	
Commission responsible	Commission for Natural Resources
Rapporteur	Heinz-Joachim Höfer (DE/PES)
Analysis	December 2022
Discussed in commission	31 January 2023
Date adopted by commission	31 January 2023
Result of the vote in commission (majority, unanimity)	Majority
Date adopted in plenary	15 March 2023
Previous Committee opinions	
Date of subsidiarity monitoring consultation	