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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Questions concerning the relationship between the draft SUR and the Common Agricultural Policy <i>- Information from the Polish delegation</i>

Delegations will find in the Annex a document on the above subject to be presented by the Polish delegation under "Any other business" at the meeting of the Special Committee on Agriculture on 15 May 2023.

Questions concerning the relationship between the draft SUR and the Common Agricultural Policy

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) sets ambitious targets for reducing the use of plant protection products. Approaching these goals would require a profound transformation of current agricultural practices.

According to the proposed provisions, the use of plant protection products would be prohibited in the so-called "sensitive areas", covering a huge percentage of agricultural land or even the entire territory of some countries, e.g. Poland. In areas where the use of plant protection products will continue to be allowed, chemical plant protection products may only be used when other plant protection measures have been exhausted. Moreover, the use of plant protection products should be reduced to levels established on the basis of the theoretical statistical calculations without taking into account pest pressure and the real needs of plant protection in particular Member States. These restrictions will come into force without a transitional period necessary to prepare farmers for the new legal environment.

The SUR does not take into account the fact that for the majority of plant-pest combinations effective alternatives to chemical plant protection products are currently not available.

This raises concerns whether the ambitious targets proposed in the SUR are realistic. The impact assessment prepared for the SUR does not provide an answer to this question and does not present in quantitative manner the real consequences of the entry into force of the SUR restrictions, as it was clearly stated in the Council Decision¹. Nevertheless, it seems doubtful whether agricultural production will still be possible in the vast EU territories and whether the EU will maintain its food sovereignty. It raises justified concerns about food security of the EU citizens.

¹ 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

The Commission proposes three main tools to help implement the SUR:

- the new regulation on the new genomic techniques (NGTs),
- further development of alternative plant protection measures,
- the CAP instruments (the art. 43 of the SUR changes Regulation 2021/2115²).

It has to be stressed that the proposal on NGTs hasn't been presented yet. The proposed content of the new regulation is still unknown, so it cannot be assessed whether it would contribute to a significant reduction in the use of plant protection products, especially in the context of reaching the targets by 2030. Nevertheless, developing new pest-resistant plant varieties will take years, if not decades. The availability of effective alternative plant protection measures remains very limited, as also presented by the Commission. The development of new measures takes time, which the SUR does not take into account.

In light of the above, the CAP instruments seem to be the main tools for implementing the SUR.

This raises some questions requiring answers from the Commission:

- The strategic plans are a response to the Specific Objectives referred to in Art. 6 of Regulation 2115/2021 – how additional resources could be reallocated to the implementation of the SUR without weakening the achievement of other objectives? Will the Commission accept the limitation of meeting other objectives?
- What percentage of CAP funds, in the opinion of the Commission, should be reallocated to the implementation of the SUR? Does the Commission plan to present this in a study supplementing impact assessment?
- Taking into account the radical nature of the restrictions provided for by the SUR does the Commission envisage an increase in the CAP budget?
- The strategic plans for 2023-2027 were adopted after long consultations with stakeholders and the Commission. How could these documents be significantly changed before 2027 in order to ensure the implementation of the SUR? The proposed timeframes seem to be unrealistic.

² Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013

The national targets for the use of plant protection products and the interventions to address needs identified in this area have already been set in the strategic plans and have been agreed with and approved by the Commission. Will these goals remain valid after the entry into force of the SUR or should the strategic plans be changed? In view of the above Poland asks the Commission to clearly present the relation of the SUR to the CAP and to provide answers to the questions asked.

Additionally it is of high importance that the Commission fulfil the Council's request stated in the Council Decision (EU) 2022/2572 of 19 December 2022 and provide the co-legislators with data on the quantitative impacts on agricultural yields for the main type of relevant crops and plant products individually, taking into account the specific conditions in the Member States. This remains crucial for further discussions about proposed national binding targets. We ask the Commission to confirm that these data will be provided.
