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*Committee on the Environment, Public Health and Food Safety*

**2006/0132(COD)**

24.10.2008

## **AMENDMENTS 13 - 108**

**Draft recommendation for second reading**  
**Christa Klaß**  
(PE412.105v02-00)

Council common position for adopting a directive of the European Parliament and of the Council establishing a framework for Community action to achieve the sustainable use of pesticides

Council common position  
(06124/5/2008 – C6-0323/2008 – 2006/0132(COD))

AM\_Com\_LegRecomm

### Amendment 13

Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken

#### Council common position

##### Citation 1

#### *Council common position*

Having regard to the Treaty establishing the European Community, and in particular **Article 175(1)** thereof,

#### *Amendment*

Having regard to the Treaty establishing the European Community, and in particular **Articles 152(4) and 175(1)** thereof,

Or. en

#### *Justification*

*Reinstating first reading Amendment 1: the aim of the Directive is a reduction of the impact of pesticides on human health and the environment. Both human health and the environment should be mentioned as legal base for the Directive.*

### Amendment 14

Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira

#### Council common position

##### Recital 1

#### *Council common position*

(1) In line with Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme, **this Directive establishes** a common legal framework for achieving a sustainable use of pesticides.

#### *Amendment*

(1) In line with Articles 2 and 7 of Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme, a common legal framework for achieving a sustainable use of pesticides **should be established, taking account of the precautionary principle.**

Or. en

#### *Justification*

*The precautionary principle should be the principle underlying all aspects of pesticide policy.*

*Reinstating first reading Amendment 2.*

## **Amendment 15**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken**

### **Council common position**

#### **Recital 2**

##### *Council common position*

(2) At present, this Directive should apply to pesticides which are plant protection products. However, ***it is anticipated that*** the scope of this Directive will be extended to cover biocidal products.

##### *Amendment*

(2) At present, this Directive should apply to pesticides which are plant protection products. However, the scope of this Directive will be extended to cover biocidal products ***by 2012.***

Or. en

##### *Justification*

*Amendment of a new recital introduced by Council in which it's worthwhile to propose a clear engagement to the EC.*

## **Amendment 16**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

### **Council common position**

#### **Recital 4**

##### *Council common position*

(4) National Action Plans aimed at setting targets, measures and timetables to reduce ***risks and impacts of pesticide use on*** human health and the environment and at encouraging the development and introduction of Integrated Pest Management and of alternative approaches or techniques in order to reduce ***dependency on*** the use of pesticides should be used by Member States in order to facilitate the implementation of this Directive. National Action Plans ***may*** be coordinated with implementation plans

##### *Amendment*

(4) National Action Plans aimed at setting ***quantitative objectives,*** targets, measures, ***indicators*** and timetables to reduce ***pesticide use and the risks to*** human health and the environment and at encouraging the development and introduction of Integrated Pest Management and of alternative ***non-chemical*** approaches or techniques in order to reduce the use of pesticides should be used by Member States in order to facilitate the implementation of this Directive. National Action Plans ***should*** be coordinated with

under other relevant Community legislation and could be used for grouping together objectives to be achieved under other Community legislation related to pesticides.

implementation plans under other relevant Community legislation and could be used for grouping together objectives to be achieved under other Community legislation related to pesticides.

Or. en

### *Justification*

*Quantitative use reduction should be an objective of the framework directive reached through serious targeting and implementing the National Action Plan.*

## **Amendment 17** **Caroline Lucas**

### **Council common position** **Recital 4**

#### *Council common position*

(4) National Action Plans aimed at setting targets, measures and timetables **to reduce** risks and impacts of pesticide use on human health and the environment and at encouraging the development and **introduction of Integrated Pest Management and** of alternative approaches or techniques in order to reduce dependency on the use of pesticides should be used by Member States in order to facilitate the implementation of this Directive. National Action Plans may be coordinated with implementation plans under other relevant Community legislation and could be used for grouping together objectives to be achieved under other Community legislation related to pesticides.

#### *Amendment*

(4) National Action Plans aimed at setting **quantitative objectives**, targets, measures, **indicators** and timetables **for the prevention of** risks and impacts of pesticide use on human health and the environment and at **promoting and** encouraging the development and **adoption** of alternative **non-chemical** approaches or techniques in order to reduce dependency on the use of pesticides should be used by Member States in order to facilitate the implementation of this Directive. National Action Plans may be coordinated with implementation plans under other relevant Community legislation and could be used for grouping together objectives to be achieved under other Community legislation related to pesticides.

Or. en

### *Justification*

*In relation to human health, the risks must be prevented not just reduced. Promoting non-*

*chemical plant protection by Member States was a key aim of the Commission in the text of this recital and has been deleted by the Council in favour of Integrated Pest Management which is a system that still uses pesticides. The reference to non-chemical methods should be re-instated as the priority should always be given to non-chemical methods of pest management as the only truly preventative and sustainable solution which is more in line with the objectives for sustainable crop protection, than the reliance on complex chemicals designed to kill plants, insects or other forms of life, which cannot be classified as sustainable. Member States need to promote and encourage the widespread adoption of non-chemical methods of plant protection and pest and crop management. Reinstating part of first reading Amendment 4.*

## **Amendment 18**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

### **Council common position**

#### **Recital 9**

##### *Council common position*

(9) Considering the possible risks from the use of pesticides, the general public should be better informed on the overall impacts of the use of pesticides through awareness-raising campaigns, information passed on through retailers and other appropriate measures.

##### *Amendment*

(9) Considering the possible risks from the use of pesticides, ***in particular their acute and chronic health effects and their environmental effects, consumers and*** the general public should be better informed on the overall impacts of the use of pesticides ***particularly through the media but also*** through awareness-raising campaigns, information passed on through retailers and other appropriate measures ***about both the health and environmental risk and short and long-term adverse effects related to the use of pesticides and about non-chemical alternatives. Member States should monitor and collect data on impacts of pesticide use, including poisoning incidents, and promote long-term research programmes on the effects of pesticide use.***

Or. en

##### *Justification*

*This amendment clarifies that consumers and the general public should be informed about acute and chronic effects of pesticides in human health and environmental risks and adverse*

*effects related to the use of pesticides. The most effective way how to inform the public is through the media. This would enable people to have the information necessary to make informed and knowledgeable decisions and actions regarding the protection of their health and surrounding environment. Reinstating first reading Amendment 8.*

**Amendment 19**  
**Caroline Lucas**

**Council common position**  
**Recital 9**

*Council common position*

(9) Considering the **possible** risks from the use of pesticides, the general public should be better informed **on the overall** impacts of the use of pesticides through awareness-raising campaigns, information passed on through retailers and other appropriate measures.

*Amendment*

(9) Considering the risks from the use of pesticides, the general public should be better informed **about both the health and environmental risks and short and long-term adverse** impacts of the use of pesticides, **and about non-chemical alternatives**, through **the media**, awareness-raising campaigns, information passed on through retailers and other appropriate measures.

Or. en

*Justification*

*The public must be informed about both the health and environmental risks and adverse effects related to the use of pesticides, along with information on the non-chemical alternatives available. This would enable people to have the information necessary to make informed and knowledgeable decisions and actions regarding the protection of their health and surrounding environment. Reinstating part of first reading Amendment 8.*

**Amendment 20**  
**Kathy Sinnott**

**Council common position**  
**Recital 9 a (new)**

*Council common position*

*Amendment*

**(9a) Imported food should be subject to the same standards with regard to plant**

***protection and should not be treated with substances that have not been approved in accordance with the provisions of this Directive.***

Or. en

*Justification*

*In order to protect human health it is important that imported food is not exposed to plant protection substances that are not approved by the EU. Importing foods not subject to the same standards would be a double standard for the health of external producers and disadvantage EU farmers.*

**Amendment 21**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

**Council common position**

**Recital 12**

*Council common position*

(12) Aerial spraying of pesticides has the potential to cause significant adverse impacts on human health and the environment, in particular from spray drift. Therefore, aerial spraying should generally be prohibited with derogations possible where it represents clear advantages in terms of reduced impacts on human health and the environment in comparison with other spraying methods, or where there are no viable alternatives.

*Amendment*

(12) Aerial spraying of pesticides has the potential to cause significant adverse impacts on human health and the environment, in particular from spray drift. Therefore, aerial spraying should generally be prohibited with derogations possible where it represents clear advantages in terms of reduced impacts on human health and the environment in comparison with other spraying methods, or where there are no viable alternatives, ***provided that the best available technology to reduce drift is used (e.g. low-drift nozzles) and the health of residents or bystanders is not affected.***

Or. en

*Justification*

*Aerial spraying does not offer environmental benefits over other spraying methods. Derogations should not be possible in areas where residents and bystanders might be affected, for example, highly populated rural areas or near areas used by the public and vulnerable groups. Reinstating first reading Amendment 10.*



## Amendment 22

Roberto Musacchio, Dan Jørgensen, Åsa Westlund, Hiltrud Breyer, Margrete Auken, Anne Ferreira

### Council common position

#### Recital 14

##### *Council common position*

(14) Use of pesticides can be particularly dangerous in very sensitive areas, such as Natura 2000 sites protected in accordance with Directives 79/409/EEC and 92/43/EEC. In other places such as public parks, sports grounds *or* children's playgrounds, the risks from exposure to pesticides of the general public are high. Use of pesticides in those areas should, therefore, be prohibited, *restricted or the risks arising from such use minimised.*

##### *Amendment*

(14) Use of pesticides can be particularly dangerous in very sensitive areas, such as Natura 2000 sites protected in accordance with Directives 79/409/EEC and 92/43/EEC. In other places such as *residential areas*, public parks, sports *and recreation* grounds, *school grounds and* children's playgrounds, *and in the vicinity of public healthcare facilities (clinics, hospitals, rehabilitation centres, health resorts, hospices)*, the risks from exposure to pesticides of the general public are high. Use of pesticides in those areas should, therefore, be prohibited.

Or. en

##### *Justification*

*The Commission has acknowledged that the risks from exposure to pesticides in areas used by the general public are high. Therefore considering the acute and chronic adverse health impacts exposure to pesticides can cause then pesticide use should be prohibited in and around any area where members of the public may be exposed, particularly, although not exclusively, to protect vulnerable groups. Reinstating first reading Amendment 151 and amendment to new Council text.*

## Amendment 23

Caroline Lucas

### Council common position

#### Recital 14

##### *Council common position*

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##### *Amendment*

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Natura 2000 sites protected in accordance with Directives 79/409/EEC and 92/43/EEC. In other places such as public parks, sports grounds *or* children's playgrounds, the risks from exposure to pesticides of the general public are high. Use of pesticides in those areas should, therefore, be prohibited, *restricted or the risks arising from such use minimised.*

Natura 2000 sites protected in accordance with Directives 79/409/EEC and 92/43/EEC. In other places such as *residential areas*, public parks, sports *and recreation* grounds, *school grounds and* children's playgrounds, *and in the vicinity of public healthcare facilities (clinics, hospitals, rehabilitation centres, health resorts, hospices)*, the risks from exposure to pesticides of the general public are high. Use of pesticides in those areas should, therefore, be prohibited.

Or. en

### *Justification*

*The Commission has acknowledged that the risks from exposure to pesticides in areas used by the general public are high. Therefore considering the acute and chronic adverse health impacts exposure to pesticides can cause then pesticide use should be prohibited in and around any area where members of the public may be exposed, (especially if they are at risk of long-term exposures, such as residents living near treated areas), particularly, although not exclusively, to protect vulnerable groups. Reinstating first reading Amendment 151 and amendment to new Council text.*

### **Amendment 24**

**Roberto Musacchio, Hiltrud Breyer, Margrete Auken**

### **Council common position**

#### **Recital 16**

#### *Council common position*

(16) The application of general principles and crop and sector specific guidelines of Integrated Pest Management by all farmers would result in a better targeted use of all available pest control measures, including pesticides. Therefore, it contributes to a further reduction of the risks to human health and the environment and the *dependency on the use of pesticides.* Member States should promote low pesticide-input pest management, in particular Integrated Pest Management, and

#### *Amendment*

(16) The application of general principles and crop and sector specific guidelines of Integrated Pest Management by all farmers would result in a better targeted use of all available pest control measures, including pesticides. Therefore, it contributes to a further reduction of the risks to human health and the environment and the *reduction of pesticide use.* Member States should promote low pesticide-input pest management, in particular Integrated Pest Management, and establish the necessary

establish the necessary conditions and measures for its implementation.

conditions and measures for its implementation. ***Additionally, Member States should implement mandatory crop-specific standards of Integrated Pest Management. Member States should use economic instruments for the promotion of Integrated Pest Management to provide advice and training for farmers, and to reduce the risks of pesticide use. A levy on pesticide products should be considered as one of the measures to finance the implementation of general and crop-specific methods and practices of Integrated Pest Management and the increase of land under organic farming.***

Or. en

#### *Justification*

*The promotion of non-chemical methods should not be restricted to promoting general standards of IPM but also include organic farming and crop-specific standards of IPM. A tax/levy on pesticides has been found a successful way to fund measures for pesticide reduction in many European countries. Member States should be given a choice of different tax/levy systems in order for them to choose the most suitable to their needs. Economic instruments are generally the most effective tools in reducing environmental risks.*

#### **Amendment 25**

**Caroline Lucas**

#### **Council common position**

##### **Recital 16**

#### *Council common position*

(16) The application of general principles and crop and sector specific guidelines of Integrated Pest Management by all farmers would result in a better targeted use of all available pest control measures, including pesticides. Therefore, it contributes to a further reduction of the risks to human health and the environment and the dependency on the use of pesticides. Member States should promote low

#### *Amendment*

(16) The application of general principles and crop and sector specific guidelines of Integrated Pest Management by all farmers would result in a better targeted use of all available pest control measures, including pesticides. Therefore, it contributes to a further reduction of the risks to human health and the environment and the dependency on the use of pesticides. Member States should promote low

pesticide-input pest management, in particular Integrated Pest Management, and establish the necessary conditions and measures for its implementation.

pesticide-input pest management, in particular ***general and crop-specific standards of*** Integrated Pest Management, and establish the necessary conditions and measures for its implementation ***and increase land under organic farming.***

Or. en

*Justification*

*Reinstating part of first reading Amendment 13.*

**Amendment 26**  
**Caroline Lucas**

**Council common position**  
**Recital 17**

*Council common position*

(17) Whereas, on the basis of Regulation (EC) No .../... and of this Directive, implementation of the principles of Integrated Pest Management is obligatory and whereas the subsidiarity principle applies to the way the principles for Integrated Pest Management are implemented, Member States should describe how they ensure the implementation of the principles of Integrated Pest Management *into* their National Action Plan.

*Amendment*

(17) Whereas, on the basis of Regulation (EC) No .../...and of this Directive, implementation of the principles of Integrated Pest Management is obligatory and whereas the subsidiarity principle applies to the way the principles for Integrated Pest Management are implemented, Member States should describe how they ensure the implementation of the principles of Integrated Pest Management ***with priority being given to non-chemical methods of plant protection and pest and crop management*** in their National Action Plan.

Or. en

*Justification*

*Integrated Pest Management should be a system that gives priority to non-chemical methods of plant protection and pest and crop management. Amendment of a new recital introduced by Council.*

**Amendment 27**  
**Caroline Lucas**

**Council common position**  
**Recital 18**

*Council common position*

(18) It is necessary to measure the progress achieved in **the reduction of** risks and adverse impacts **from pesticide use** for human health and the environment. Appropriate means are harmonised risk indicators that will be established at Community level. Member States should use those indicators for risk management at national level and for reporting purposes, while the Commission should calculate indicators to evaluate progress at Community level. Statistical data collected in accordance with Regulation (EC) No ... of the European Parliament and of the Council of ... concerning statistics on plant protection products should be used. Member States should be entitled to use, in addition to harmonised common indicators, their national indicators.

*Amendment*

(18) It is necessary to measure the progress achieved in **preventing the use of pesticides and their** risks and adverse impacts for human health and the environment. Appropriate means are harmonised **use and** risk indicators that will be established at Community level. Member States should use those indicators for risk management at national level and for reporting purposes, while the Commission should calculate indicators to evaluate progress at Community level. Statistical data collected in accordance with Regulation (EC) No ... of the European Parliament and of the Council of ... concerning statistics on plant protection products should be used. Member States should be entitled to use, in addition to harmonised common indicators, their national indicators, **which must be in line with the requirements of this Directive and relate to both the health and environmental risks of pesticide use.**

Or. en

*Justification*

*In relation to human health, the risks and adverse impacts must be prevented completely not merely reduced. It has to be made clear to Member States that the national indicators are in relation to both health and environmental risks of pesticide use. Reinstating part of first reading Amendment 15.*

**Amendment 28**  
**Caroline Lucas**

**Council common position**  
**Article 1**

*Council common position*

This Directive establishes a framework to achieve a sustainable use of pesticides by reducing the risks and impacts of pesticide use on human health and the environment **and promoting the use of Integrated Pest Management and of alternative approaches or techniques.**

*Amendment*

This Directive establishes a framework to achieve a sustainable use of pesticides by reducing **their use and** the risks and impacts of pesticide use on human health and the environment **in line with the precautionary principle and encouraging the promotion and adoption of non-chemical alternatives to pesticides.**

Or. en

*Justification*

*The only real solution to eliminate adverse impacts of pesticides on public health, animals, wildlife and the wider environment is to take a preventative approach with the widespread adoption of truly sustainable non-chemical methods. This would be more in line with the objectives for sustainable crop protection. The precautionary principle should be the principle underlying all aspects of pesticide policy. Reinstating first reading Amendment 18.*

**Amendment 29**  
**Péter Olajos**

**Council common position**  
**Article 1**

*Council common position*

This Directive establishes a framework to achieve a sustainable use of pesticides by reducing the risks and impacts of pesticide use on human health and the environment **and promoting the use of Integrated Pest Management and of alternative approaches or techniques.**

*Amendment*

This Directive establishes a framework for achieving a more sustainable use of pesticides by reducing **their use and** the risks and impacts of pesticide use on human health and the environment **and encouraging the promotion and adoption of non-chemical alternatives to pesticides.**

Or. en

### *Justification*

*The only real way to reduce the risks of pesticide is also to reduce its use. The word 'use' should accompany the words 'risks and impacts' throughout the whole text. The only real solution to eliminate adverse impacts of pesticides on public health, animals, wildlife and the wider environment is to take a preventative approach with the widespread adoption of truly sustainable non-chemical methods.*

### **Amendment 30**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

### **Council common position**

#### **Article 1**

#### *Council common position*

This Directive establishes a framework to achieve a sustainable use of pesticides by reducing the risks and impacts of pesticide use on human health and the environment and promoting the use of Integrated Pest Management **and of alternative approaches or techniques.**

#### *Amendment*

This Directive establishes a framework to achieve a sustainable use of pesticides by reducing **their use and** the risks and impacts of pesticide use on human health and the environment **in line with the precautionary principle** and promoting the use of Integrated Pest Management, **giving priority to non-chemical methods.**

Or. en

### *Justification*

*The only real way to reduce the risks of pesticide is also to reduce its use. The word 'use' should accompany the words 'risks and impacts' throughout the whole text. The only real solution to eliminate adverse impacts of pesticides on public health, animals, wildlife and the wider environment is to take a preventative approach with the widespread adoption of truly sustainable non-chemical methods. This would be more in line with the objectives for sustainable crop protection. The precautionary principle should be the principle underlying all aspects of pesticide policy. The priority should always be given to non-chemical methods, the phrase 'giving priority to non-chemical methods of plant protection and pest and crop management' should accompany the words 'Integrated Pest Management' throughout the text. Reinstating first reading Amendment 18.*

**Amendment 31**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken**

**Council common position**

**Article 2 – paragraph 2 a (new)**

*Council common position*

*Amendment*

***2a. Member States may provide subsidies or take fiscal measures to encourage the use of less harmful pesticides. This may include the introduction of a pesticides levy on all products except non-chemical products or low-risk plant protection products as defined in Article [50(1)] of Regulation (EC) No ... [concerning the placing of plant protection products on the market].***

Or. en

*Justification*

*If Member States so wish, they must remain free to promote more sustainable use of pesticides by means of fiscal instruments. Reinstating first reading Amendment 21.*

**Amendment 32**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

**Council common position**

**Article 2 – paragraph 2 b (new)**

*Council common position*

*Amendment*

***2b. The provisions of this Directive shall not prevent Member States from applying the precautionary principle in restricting or prohibiting the use of pesticides.***

Or. en

*Justification*

*The precautionary principle should be the principle underlying all aspects of pesticide policy. Reinstating first reading Amendment 22.*



**Amendment 33**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

**Council common position**

**Article 3 – point 1 a (new)**

*Council common position*

*Amendment*

**1a) "use" means all operations carried out with a pesticide, such as storage, handling, dilution, mixing, and application;**

Or. en

*Justification*

*Reinstatement of original Commission text.*

**Amendment 34**

**Evangelia Tzampazi**

**Council common position**

**Article 3 – point 3**

*Council common position*

*Amendment*

3) 'adviser' means any person who **advises** on **pest management and pesticide safe use, in the context of a professional capacity or commercial service, including private self-employed and public advisory services, commercial agents, food producers and retailers where applicable.**

3) 'adviser' means any **natural or legal** person who **has the level of education and training stipulated by the Member States in order to authorise that person to provide advice on the use of pesticides, in the context of uses authorised by the country in which the pesticide is produced and of the maximum residue limits laid down by the Community**

Or. el

*Justification*

*Reinstatement of first reading Amendment 24.*

**Amendment 35**  
**Caroline Lucas**

**Council common position**  
**Article 3 – point 3**

*Council common position*

3) "advisor" means any person who **advises** on pest management and **pesticide safe use**, in the context of a professional capacity or commercial service, including private self-employed and public advisory services, commercial agents, food producers and retailers where applicable;

*Amendment*

3) "advisor" means any person who **has the level of instruction and training to be authorised to provide advice** on pest management and **the use of pesticides**, in the context of a professional capacity or commercial service, including private self-employed and public advisory services, commercial agents, food producers and retailers where applicable;

Or. en

*Justification*

*Reinstating part of first reading Amendment 24 and amendments to new Council text.*

**Amendment 36**  
**Caroline Lucas**

**Council common position**  
**Article 3 – point 6**

*Council common position*

6) "integrated pest management" means careful consideration of all available plant protection methods and subsequent integration of appropriate measures that discourage the development of the populations of harmful organisms and keep the use of plant protection products and other forms of intervention to levels that are economically and ecologically justified and reduce or minimise risks to human health and the environment. Integrated Pest Management emphasises the growth of a

*Amendment*

6) "integrated pest management" means careful consideration of all available plant protection methods and subsequent integration of appropriate measures that discourage the development of the populations of harmful organisms and keep the use of plant protection products and other forms of intervention to levels that are economically and ecologically justified and reduce or minimise risks to human health and the environment. Integrated Pest Management emphasises the growth of a

healthy crop with the least possible disruption to agro ecosystems and encourages natural pest control mechanisms;

healthy crop with the least possible disruption to agro ecosystems and encourages natural pest control mechanisms, ***by giving priority to preventive crop-growing measures and the use of adapted varieties and of non-chemical methods of plant protection and pest and crop management;***

Or. en

*Justification*

*Integrated Pest Management should be a system that gives priority to non-chemical methods of plant protection and pest and crop management. Amendment of new Council text to ensure this definition is consistent with amendment 50 of the first reading of the pesticide Regulation that defines Integrated Pest Management.*

**Amendment 37**  
**Caroline Lucas**

**Council common position**  
**Article 3 – point 6 a (new)**

*Council common position*

*Amendment*

***6a) "non-chemical methods of plant protection and pest and crop management" means the use of pest control and management techniques that do not rely on chemical properties. Non-chemical methods of plant protection and pest and crop management include rotation, physical and mechanical control and natural predator management;***

Or. en

*Justification*

*The priority should always be given to non-chemical methods of pest management as the only truly preventative and sustainable solution which is more in line with the objectives for sustainable crop protection, than the reliance on complex chemicals designed to kill plants, insects or other forms of life, which cannot be classified as sustainable. Member States need to promote and encourage the widespread adoption of non-chemical methods of plant*

*protection and pest and crop management. Reinstating first reading Amendment 27.*

**Amendment 38**  
**Péter Olajos**

**Council common position**  
**Article 3 – point 9 a (new)**

*Council common position*

*Amendment*

***9a) "non-chemical methods of plant protection and pest and crop management" means the use of pest control and management techniques that do not rely on chemical properties. Non-chemical methods of plant protection and pest and crop management include rotation, physical and mechanical control and natural predator management;***

Or. en

**Amendment 39**  
**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

**Council common position**  
**Article 3 – point 9 a (new)**

*Council common position*

*Amendment*

***9a) "use reduction" means reduction of applications of pesticides and is not necessarily dependent on volume;***

Or. en

*Justification*

*This amendment brings the Directive in line with the objective of use reduction and clarifies that use reduction is not linked to a decrease in the volume of pesticides but rather to the decrease in the number or rate of applications to the levels necessary to crop protection. Reinstating first reading Amendment 30.*

**Amendment 40**  
**Péter Olajos**

**Council common position**  
**Article 3 – point 9 b (new)**

*Council common position*

*Amendment*

***9b) "use reduction" means reduction of applications of pesticides and is not necessarily dependent on volume;***

Or. en

*Justification*

*This amendment brings the Directive in line with the objective of use reduction and clarifies that use reduction is not linked to a decrease in the volume of pesticides but rather to the decrease in the number or rate of applications to the levels necessary to crop protection. Reinstating first reading Amendment 30.*

**Amendment 41**  
**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken**

**Council common position**  
**Article 3 – point 9 b (new)**

*Council common position*

*Amendment*

***9b) "treatment index" is based on the fixed standard dose of active substance per hectare needed for one treatment against the pest in question. Therefore, it is not necessarily dependent on volume and can be used to evaluate use reduction.***

Or. en

*Justification*

*Regardless of whether the amount of active substance needed for one treatment is 1 kg/ha or a few grams/ha (for very potent substances), a "treatment index" of e.g. 2.0 would mean that the area with arable crops on average had been sprayed 2 times with the recommended dose. The Treatment index is a relevant use indicator measuring pesticide dependency reduction in terms of spraying intensity rather than being a risk indicator and the quantitative use*

*reduction target is to be considered a tool to stimulate the swift implementation by stakeholders of various measures in an integrated reduction. Reinstating first reading Amendment 30, deleting the word 'frequency' as Article 4 only refers to treatment and not frequency.*

#### **Amendment 42**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

#### **Council common position**

##### **Article 4 – title**

*Council common position*

*Amendment*

National Action Plans

National Action Plans ***to reduce risks and use of pesticides***

Or. en

#### *Justification*

*Reinstating first reading Amendment 32.*

#### **Amendment 43**

**Ambroise Guellec, Erna Hennicot-Schoepges**

#### **Council common position**

##### **Article 4 – paragraph 1 – subparagraph 1**

*Council common position*

*Amendment*

1. Member States shall adopt National Action Plans to set up targets, measures and timetables to reduce risks and impacts of pesticide use on human health and the environment and to encourage the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides.

1. Member States shall adopt, ***and implement without undue delay***, National Action Plans to set up targets, measures and timetables to reduce risks and impacts of pesticide use on human health and the environment and to encourage the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides. ***These national actions shall as a minimum, the include:***

***a) for other than biological pesticides and low-risk plant protection products as***

*defined in Regulation (EC) No ... , quantitative use reduction targets measured as a treatment index. The treatment index will be adapted to the specific conditions of each Member State. The treatment index will have to be communicated immediately to the Commission for its approval.*

*For active substances of very high concern (as defined in Article 5 of Regulation (EC) No 1907/2006 of the European Parliament and the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency), the reduction target shall be a minimum 50% reduction in relation to the treatment index calculated for the year 2005 by the end of 2013, unless the Member State can prove that it has already achieved a comparable or higher target based on another year of reference from the period 1995-2004;*

*b) for pesticide formulations classified as toxic or very toxic pursuant to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations, a quantitative use reduction target measured as sold volumes. This target shall be a minimum 50% reduction calculated in relation to the year 2005 by the end of 2013, unless the Member State can prove that it has already achieved a comparable or higher reduction target based on another year of reference from the period 1995-2004.*

<sup>1</sup> OJ L 396, 30.12.2006, p. 1; corrected version, OJ L 136, 29.5.2007, p. 3.

<sup>2</sup> OJ L 200, 30.7.1999, p. 1.

Or. fr

## *Justification*

*This is a retableting of Amendment 146 (adopted by a large majority at first reading in plenary).*

### **Amendment 44**

**Roberto Musacchio, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

#### **Council common position**

#### **Article 4 – paragraph 1 – subparagraph 1**

##### *Council common position*

1. Member States shall adopt National Action Plans to set up targets, measures and timetables to reduce risks and impacts of pesticide use on human health and the environment and to **encourage** the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides.

##### *Amendment*

1. Member States shall adopt, **and implement without undue delay**, National Action Plans to set up targets, measures and timetables to reduce risks, **including hazards**, and impacts of pesticide use on human health and the environment and to **ensure** the development and introduction of integrated pest management and of alternative approaches or techniques, **giving priority to non-chemical methods of plant protection and pest and crop management**, in order to reduce dependency on **and** the use of pesticides. **The National Action Plans shall as a minimum include:**

**(a) for other than biological pesticides and low-risk plant protection products as defined in Article [50(1)] of Regulation (EC) No ... [concerning the placing of plant protection products on the market], quantitative use reduction targets measured as a treatment index. The treatment index will be adapted to the specific conditions of each Member State. The treatment index will have to be communicated immediately to the Commission for its approval. For active substances of very high concern the reduction target shall be a reduction of at least 50% in relation to the treatment index calculated for the year 2005 by the end of 2013, unless the Member State can prove that it has already achieved a**



*comparable or higher target based on another year of reference from the period 1995-2004;*

*(b) for pesticide formulations classified as toxic or very toxic pursuant to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations<sup>1</sup>, a quantitative use reduction target measured as sold volumes. This target shall be a reduction of at least 50% calculated in relation to the year 2005 by the end of 2013, unless the Member State can prove that it has already achieved a comparable or higher reduction target based on another year of reference from the period 1995-2004.*

*Member States shall establish a mechanism for financing the introduction of the National Action Plans.*

<sup>1</sup> OJ L 200, 30.7.1999, p. 1.

Or. en

#### *Justification*

*All relevant stakeholder groups should be involved in the development, workings and amendments of national action plans to be in line with the Spirit of Directive 2003/35/EC providing for public participation. Reinstating part of first reading Amendments 146, 34 and 36 and amendment to new Council text.*

#### **Amendment 45** **Caroline Lucas**

#### **Council common position** **Article 4 – paragraph 1 – subparagraph 1**

##### *Council common position*

1. Member States shall adopt National Action Plans to set up targets, measures

##### *Amendment*

1. Member States shall adopt **and implement without undue delay** National

and timetables to reduce risks and impacts of pesticide use on human health and the environment and to encourage the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides.

Action Plans to set up targets, measures and timetables to reduce risks, **including hazards**, and impacts of pesticide use on human health and the environment and to encourage the development and introduction of integrated pest management and of alternative approaches or techniques, **giving priority to non-chemical methods of plant protection and pest and crop management**, in order to reduce dependency on the use of pesticides.

Or. en

### *Justification*

*The priority should always be given to non-chemical methods. All relevant stakeholder groups should be involved in the development, workings and amendments of national action plans to be in line with the Spirit of Directive 2003/35/EC providing for public participation. Reinstating part of first reading Amendments 146 and 36 and amendment to new Council text.*

### **Amendment 46**

**Dan Jørgensen, Anne Laperrouze, Åsa Westlund**

### **Council common position**

#### **Article 4 – paragraph 1 – subparagraph 1**

##### *Council common position*

1. Member States shall adopt National Action Plans to set up targets, measures and timetables to reduce risks and impacts of pesticide use on human health and the environment and to **encourage** the development and introduction of integrated pest management and of alternative approaches or techniques in order to reduce dependency on the use of pesticides.

##### *Amendment*

1. Member States shall adopt, **and implement without undue delay**, National Action Plans to set up targets, measures and timetables to reduce risks, **including hazards**, and impacts of pesticide use on human health and the environment and to **ensure** the development and introduction of integrated pest management and of alternative approaches or techniques, **giving priority to non-chemical methods of plant protection and pest and crop management**, in order to reduce dependency on **and** the use of pesticides. **The National Action Plans shall as a minimum include:**

*(a) for other than biological pesticides and low-risk plant protection products as defined in Article [50(1)] of Regulation (EC) No ... [concerning the placing of plant protection products on the market], quantitative use reduction targets measured as a treatment index. The treatment index will be adapted to the specific conditions of each Member State. The treatment index will have to be communicated immediately to the Commission for its approval. For active substances of very high concern the reduction target shall be a reduction of at least 50% in relation to the treatment index calculated for the year 2005 by the end of 2013, unless the Member State can prove that it has already achieved a comparable or higher target based on another year of reference from the period 1995-2004;*

*(b) for pesticide formulations classified as toxic or very toxic pursuant to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations<sup>1</sup>, a quantitative use reduction target measured as sold volumes. This target shall be a reduction of at least 50% calculated in relation to the year 2005 by the end of 2013, unless the Member State can prove that it has already achieved a comparable or higher reduction target based on another year of reference from the period 1995-2004.*

<sup>1</sup> OJ L 200, 30.7.1999, p. 1.

Or. en

**Amendment 47**  
**Caroline Lucas**

**Council common position**  
**Article 4 – paragraph 1 – subparagraph 2**

*Council common position*

When drawing up and revising their National Action Plans, Member States shall take account of the social, economic, environmental and health impacts of the measures envisaged. Member States shall describe in their National Action Plans how they will implement measures pursuant to Articles 5 to 14 in order to achieve the objectives referred to in the first subparagraph of this paragraph.

*Amendment*

When drawing up and revising their National Action Plans, Member States shall take account of the social, economic, environmental and health impacts of the measures envisaged, **and of all relevant stakeholder groups**. Member States shall describe in their National Action Plans how they will implement measures pursuant to Articles 5 to 14 in order to achieve the objectives referred to in the first subparagraph of this paragraph.

Or. en

*Justification*

*All relevant stakeholder groups should be involved in the development, workings and amendments of national action plans to be in line with the Spirit of Directive 2003/35/EC providing for public participation. Reinstating part of first reading Amendments 146, 34 and 36 and amendment to new Council text.*

**Amendment 48**  
**Dan Jørgensen, Anne Laperrouze, Åsa Westlund**

**Council common position**  
**Article 4 – paragraph 1 – subparagraph 2**

*Council common position*

When drawing up and revising their National Action Plans, Member States shall take account of the social, economic, environmental and health impacts of the measures envisaged. Member States shall describe in their National Action Plans how they will implement measures pursuant to Articles 5 to 14 in order to achieve the objectives referred to in the

*Amendment*

When drawing up and revising their National Action Plans, Member States shall take account of the **public health**, social, economic, environmental and health impacts of the measures envisaged, **of specific national, regional and local conditions and of all relevant stakeholder groups**. Member States shall describe in their National Action Plans how they will

first subparagraph of this paragraph.

implement measures pursuant to Articles 5 to 14 in order to achieve the objectives referred to in the first subparagraph of this paragraph. ***Minimum requirements for the National Action Plans are listed in the guidance document in Annex IIb.***

***Member States shall step up their efforts to monitor and prevent illegal use of pesticides, in collaboration with the relevant stakeholders.***

***Member States shall report on a regular basis on controls in place regarding illegal use.***

Or. en

#### **Amendment 49**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

#### **Council common position**

**Article 4 – paragraph 1 a (new)**

*Council common position*

*Amendment*

***1a. By ...\*, Member States shall adopt background reports in accordance with Annex IIa with the objective of identifying national trends in pesticide use and risks and the priority areas and crops to be addressed in the National Action Plan.***

***\* One year after the entry into force of this Directive.***

Or. en

#### *Justification*

*Clarifying tasks of MS in setting guidelines of their National Action Plans. Reinstating first reading Amendment 33.*

**Amendment 50**  
**Caroline Lucas**

**Council common position**  
**Article 4 – paragraph 2 – subparagraph 2**

*Council common position*

National Action Plans shall be reviewed at least every **five years** and any **substantial** changes to National Action Plans shall be reported to the Commission without undue delay.

*Amendment*

National Action Plans shall be reviewed at least every **three years** and, **depending on the attainment of objectives, updated. Monitoring shall also include an analysis of whether the risks in the Action Plan are appropriately taken into account or if they need to be reassessed.** Any changes to National Action Plans **and the findings of the monitoring** shall be reported to the Commission without undue delay. **The Commission shall establish an Internet portal to inform the public about the National Action Plans, any changes and the results of their implementation.**

Or. en

*Justification*

*Reinstating first reading Amendment 42.*

**Amendment 51**  
**Roberto Musacchio, Hiltrud Breyer, Margrete Auken**

**Council common position**  
**Article 4 – paragraph 2 – subparagraph 2**

*Council common position*

National Action Plans shall be **reviewed at least every five years** and any **substantial** changes to National Action Plans shall be reported to the Commission without undue delay.

*Amendment*

National Action Plans shall be reviewed at least every **three years** and, **depending on the attainment of objectives, updated. Monitoring shall also include an analysis of whether the risks in the Action Plan are appropriately taken into account or if they need to be reassessed.** Any changes to National Action Plans **and the findings of the monitoring** shall be reported to the

Commission without undue delay. ***The Commission shall establish an Internet portal to inform the public about the National Action Plans, any changes and the results of their implementation.***

Or. en

*Justification*

*A regular revision of the national action plans and establishment of the rules of Integrated Pest Management are the key to a genuine reduction in the use of pesticides and the risks associated with to such use. Key element is the availability of relevant information to the interested stakeholders therefore the Directive has to promote public information and transparency. Reinstating first reading Amendment 42.*

**Amendment 52**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Ferreira**

**Council common position**

**Article 4 – paragraph 3**

*Council common position*

3. ***Where relevant***, the Commission shall make information communicated in accordance with paragraph 2 available on the Internet.

*Amendment*

3. The Commission shall make information communicated in accordance with paragraph 2 available ***to the public*** on the Internet.

Or. en

*Justification*

*The public must be fully involved in the drafting, development, implementation, workings, monitoring and amendments of national action plans to be in line with the Spirit of Directive 2003/35/EC providing for public participation. Information about National Action Plans should be made available on the Internet, on the European Commission website. Reinstating first reading Amendment 44.*

## Amendment 53

Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken

### Council common position

#### Article 5 – paragraph 1 a (new)

*Council common position*

*Amendment*

***1a. Member States shall ensure that professional users, distributors and advisers are aware of the existence and risks of illegal (counterfeit) plant protection products, and are properly trained to identify such products.***

Or. en

### *Justification*

*Counterfeiting and illegal trafficking of plant protection products in Europe is a significant problem. Making professional users and distributors aware is important to tackle the problem of illegal trafficking of plant protection products. Reinstating first reading Amendment 50.*

## Amendment 54

Caroline Lucas

### Council common position

#### Article 6 – paragraph 1

*Council common position*

*Amendment*

1. Member States shall ensure that ***at least those distributors selling pesticides to professional users*** have sufficient staff in their employment holding a certificate referred to in Article 5(2). Such persons shall be available at the time of sale to provide adequate information to customers as regards ***pesticide use and human health and environmental safety instructions on the products in question.***

1. Member States shall ensure that distributors have sufficient staff in their employment holding a certificate referred to in Article 5(2). Such persons shall be available at the time of sale to provide adequate information to customers as regards ***use of pesticides as well as the health and environmental risks and potential adverse impacts associated with them.***

Or. en



*Justification*

*Reinstating part of first reading Amendment 54.*

**Amendment 55**

**Caroline Lucas**

**Council common position**

**Article 6 – paragraph 3**

*Council common position*

3. Member States shall require distributors selling pesticides to non-professional users to provide general information regarding the risks of pesticide use, in particular on hazards, exposure, proper storage, handling, application and safe disposal in accordance with Community legislation on waste, as well as regarding low-risk alternatives. Member States may require pesticide producers to provide such information.

*Amendment*

3. Member States shall require distributors selling pesticides to non-professional users to provide general information regarding the risks ***and potential adverse health and environmental impacts*** of pesticide use, in particular on hazards, exposure, proper storage, handling, application and safe disposal in accordance with Community legislation on waste, as well as regarding low-risk alternatives. Member States may require pesticide producers to provide such information.

Or. en

*Justification*

*Reinstating part of first reading Amendment 56.*

**Amendment 56**

**Dan Jørgensen, Anne Laperrouze, Roberto Musacchio**

**Council common position**

**Article 6 – paragraph 3 a (new)**

*Council common position*

*Amendment*

***3a. Member States shall ensure that existing inspection and enforcement measures are fully implemented to ensure that illegal (counterfeit) pesticides are not offered for sale.***

**Amendment 57****Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira****Council common position****Article 7***Council common position*

Member States shall take measures to inform the general public and to promote and facilitate awareness-raising and the availability of accurate **and balanced** information relating to pesticides for the general public, in particular regarding the risks for human health, non-target organisms and the environment and the use of non-chemical alternatives.

*Amendment*

**1.** Member States shall take measures to inform the general public and to promote and facilitate **information and** awareness-raising **programmes** and the availability of accurate information relating to pesticides for the general public, in particular regarding the risks, **including hazards, and the potential acute and chronic effects** for human health, non-target organisms and the environment **arising from their use,** and **to** the use of non-chemical alternatives.

**2. Member States shall put in place mandatory systems for gathering information on pesticide acute and chronic poisoning incidents, especially among pesticide operators, workers, residents and any other groups that may be exposed to pesticides regularly.**

**3. Member States shall regularly monitor and collect information on indicator species exposed to pesticides and on pesticides in the environment, such as in fresh and marine waters, soil and air, and report on this information regularly to the Commission.**

**4. Member States shall carry out research programmes into specific situations where pesticides have been linked to impacts on human health and the environment, including studies on high-risk groups, biological diversity and combination effects.**

**5. To enhance comparability of information, the Commission, in cooperation with the Member States, shall**

***develop by ...\* a strategic guidance document on monitoring and surveying of impacts of pesticide use on human health and the environment.***

***\* Three years after the entry into force of this Directive.***

Or. en

#### *Justification*

*In a legal framework such as this, a balancing of interests is not permitted and therefore it is not a case of promoting information from all sides, but making sure the information that is produced regarding the risks and health and environmental impacts of pesticides is accurate so that the public has the necessary information to be able to make informed and knowledgeable decisions to protect their health and that of their families from harm. Awareness programs should not forget chronic health effects of pesticides. Monitoring and research are necessary in Member States to collect information and quantify health and environmental impacts of pesticides. A reporting system is already in place in the EU for pesticide residues in food but no system exists to monitor poisoning incidents and environmental effects of pesticides. Reinstating part of first reading Amendment 59.*

#### **Amendment 58**

**Péter Olajos**

#### **Council common position**

**Article 7 - paragraph 1 a (new)**

*Council common position*

*Amendment*

***1a. Member States shall regularly monitor and collect information on indicator species exposed to pesticides and on pesticides in the environment, such as in fresh and marine waters, soil and air, and report on this information regularly to the Commission.***

Or. en

#### *Justification*

*A reporting system is already in place in the EU for pesticide residues in food but no system exists to monitor poisoning incidents and environmental effects of pesticides.*

**Amendment 59**

**Péter Olajos**

**Council common position**

**Article 7 - paragraph 1 b (new)**

*Council common position*

*Amendment*

***1b. Member States shall carry out long-term research programmes into specific situations where pesticides have been linked to impacts on human health and the environment, including studies on high-risk groups, biological diversity and combination effects.***

Or. en

*Justification*

*A reporting system is already in place in the EU for pesticide residues in food but no system exists to monitor poisoning incidents and environmental effects of pesticides.*

**Amendment 60**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken**

**Council common position**

**Article 8 - paragraph 1**

*Council common position*

*Amendment*

1. Member States shall ensure that pesticide application equipment in professional use shall be subject to inspections at regular intervals. The interval between inspections shall not exceed five years until **2020** and shall not exceed three years thereafter.

1. Member States shall ensure that pesticide application equipment ***and accessories*** in professional use shall be subject to ***mandatory*** inspections at regular intervals. The interval between inspections shall not exceed five years until **2015** and shall not exceed three years thereafter.

Or. en

## *Justification*

*Spraying pesticides is a hazardous activity and therefore all application equipment and accessories for professional use should be tested on a regular basis as damage could occur to the equipment at any time, (even shortly after it may have passed one test and long before another). Compulsory testing, as well as the possibility of random testing should be required after the initial inspection. Reinstating part of first reading Amendment 60 and amendment to new Council text.*

### **Amendment 61** **Roberto Musacchio**

#### **Council common position** **Article 8 - paragraph 3**

*Council common position*

*Amendment*

**3. By way of derogation from paragraphs 1 and 2 and, following a risk assessment for human health and the environment including an assessment of the scale of the use of the equipment, Member States may:**

**deleted**

**(a) apply different timetables and inspection intervals to pesticide application equipment not used for spraying pesticides, to handheld pesticide application equipment or knapsack sprayers and to additional pesticide application equipment, which shall be listed in the national action plan foreseen in article 4, that represent a very low scale of use.**

**The following additional pesticide application equipment shall never be considered as constituting a very low scale of use:**

**(i) spraying equipment mounted on trains or aircraft;**

**(ii) boom sprayers larger than 3 m, including boom sprayers that are mounted on sowing equipment;**

**(b) exempt from inspection handheld pesticide application equipment or**

*knapsack sprayers.*

Or. en

*Justification*

*Spraying pesticides is a hazardous activity and releases droplets, particles, and vapours into the environment and therefore all application equipment and accessories for professional use should be tested on a regular basis (as damage could occur to the equipment at any time, even shortly after it may have passed one test and long before another) and so no application equipment should be exempt from testing.*

**Amendment 62**

**Dan Jørgensen, Anne Laperrouze, Margrete Auken, Hiltrud Breyer**

**Council common position**

**Article 8 - paragraph 3 – point b**

*Council common position*

*Amendment*

|  |                |
|--|----------------|
| <i>(b) exempt from inspection handheld pesticide application equipment or knapsack sprayers.</i> | <i>deleted</i> |
|--|----------------|

Or. en

**Amendment 63**

**Caroline Lucas**

**Council common position**

**Article 8 - paragraph 3**

*Council common position*

*Amendment*

|   |                |
|---|----------------|
| <i>3. By way of derogation from paragraphs 1 and 2 and, following a risk assessment for human health and the environment including an assessment of the scale of the use of the equipment, Member States may:</i> | <i>deleted</i> |
| <i>(a) apply different timetables and inspection intervals to pesticide application equipment not used for</i>  |                |

*spraying pesticides, to handheld pesticide application equipment or knapsack sprayers and to additional pesticide application equipment, which shall be listed in the national action plan foreseen in article 4, that represent a very low scale of use.*

*The following additional pesticide application equipment shall never be considered as constituting a very low scale of use:*

*(i) spraying equipment mounted on trains or aircraft;*

*(ii) boom sprayers larger than 3 m, including boom sprayers that are mounted on sowing equipment;*

*(b) exempt from inspection handheld pesticide application equipment or knapsack sprayers.*

Or. en

#### *Justification*

*Spraying pesticides is a hazardous activity and releases droplets, particles, and vapours into the environment and therefore all application equipment and accessories for professional use should be tested on a regular basis (as damage could occur to the equipment at any time, even shortly after it may have passed one test and long before another) and so no application equipment should be exempt from testing. Deletion of new Council text.*

#### **Amendment 64**

**Roberto Musacchio, Dan Jørgensen, Anne Laperrouze, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

#### **Council common position**

#### **Article 9 - paragraph 2 – point b**

##### *Council common position*

(b) the pesticides used must be explicitly **approved** for aerial spraying by the Member State following a specific assessment addressing risks from aerial

##### *Amendment*

(b) the pesticides used must be explicitly **authorised** for aerial spraying by the Member State following a specific assessment addressing risks from aerial spraying; **substances classified as very**

spraying;

***toxic (R50) to aquatic organisms shall not be authorised for aerial spraying;***

Or. en

*Justification*

*Reinstating part of first reading Amendment 64.*

**Amendment 65**

**Roberto Musacchio, Dan Jørgensen, Anne Laperrouze, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

**Council common position**

**Article 9 - paragraph 2 – point d a (new)**

*Council common position*

*Amendment*

***(da) the area to be sprayed must not be in close proximity to public or residential areas and there must be no effects on the health of residents or bystanders;***

Or. en

*Justification*

*There must be no adverse health effects on residents and bystanders. Reinstating part of first reading Amendment 64.*

**Amendment 66**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

**Council common position**

**Article 9 - paragraph 2 – point d b (new)**

*Council common position*

*Amendment*

***(db) the aerial craft must be equipped with the best available technology to reduce spray drift (e.g. low-drift nozzles); where helicopters are used, the spray booms must be equipped with injection jets to***



*reduce drift.*

Or. en

*Justification*

*There must be no adverse health effects on residents and bystanders. Reinstating part of first reading Amendment 64.*

**Amendment 67**

**Caroline Lucas**

**Council common position**

**Article 9 - paragraph 2 – point d c (new)**

*Council common position*

*Amendment*

***(dc) aerial spraying must be notified in advance to the competent authority and authorised by that authority;***

Or. en

*Justification*

*Reinstating part of first reading Amendment 64.*

**Amendment 68**

**Caroline Lucas**

**Council common position**

**Article 9 - paragraph 2 – point d d (new)**

*Council common position*

*Amendment*

***(dd) the authorisation shall specify the measures necessary for warning in good time residents and bystanders and for protecting the environment in the vicinity of the area sprayed.***

Or. en

*Justification*

*Residents and bystanders must receive prior notification before pesticides are used in their locality to enable them to take the necessary precautions.*

**Amendment 69**

**Anne Ferreira**

**Council common position**

**Article 9 - paragraph 2 – point d a (new)**

*Council common position*

*Amendment*

***(da) the authorisation shall specify the measures necessary for warning in good time residents and bystanders and for protecting the environment in the vicinity of the area sprayed.***

Or. en

*Justification*

*Residents and bystanders must receive prior notification before pesticides are used in their locality to enable them to take the necessary precautions. Reinstating part of first reading Amendment 64 and original Commission text.*

**Amendment 70**

**Gyula Hegyi**

**Council common position**

**Article 9 – paragraph 2 a (new)**

*Council common position*

*Amendment*

***2a. Member States may include in their National Action Plans provisions on informing neighbours who could be exposed to the spray drift.***

Or. en

## *Justification*

*Information to the public must be ensured, in order to protect citizen's health.*

### **Amendment 71**

**Dan Jørgensen, Anne Laperrouze, Roberto Musacchio, Margrete Auken, Hiltrud Breyer, Anne Ferreira**

#### **Council common position**

##### **Article 9 - paragraph 3**

###### *Council common position*

3. Member States shall designate the authorities competent for establishing the specific conditions by which aerial spraying may be carried out and **make** public information on crops, areas, circumstances and particular requirements for application including weather conditions where aerial spraying may be allowed.

The competent authorities shall specify the measures necessary for warning residents and bystanders and to protect the environment in the vicinity of the area sprayed.

###### *Amendment*

3. Member States shall designate the authorities competent for establishing the specific conditions by which aerial spraying may be carried out. ***The competent authority is responsible for authorising aerial spraying following a request pursuant to paragraph 4 and for making*** public information on crops, areas, circumstances and particular requirements for application including weather conditions where aerial spraying may be allowed.

***In the authorisation*** the competent authorities shall specify the measures necessary for warning residents and bystanders ***in good time*** and to protect the environment in the vicinity of the area sprayed.

Or. en

## Amendment 72

Roberto Musacchio, Dan Jørgensen, Anne Laperrouze, Margrete Auken, Hiltrud Breyer, Anne Ferreira

### Council common position

#### Article 9 - paragraph 4

##### *Council common position*

4. A professional user wishing to apply pesticides by aerial spraying shall submit a request in due time to the competent authority to apply pesticides by aerial spraying accompanied by evidence to show that the conditions referred to in paragraphs 2 and 3 are fulfilled. **Member States may provide that requests for which no answer was received on the decision taken within the time period laid down by the competent authorities shall be deemed to be approved.**

##### *Amendment*

4. A professional user wishing to apply pesticides by aerial spraying shall submit a request in due time to the competent authority to apply pesticides by aerial spraying accompanied by evidence to show that the conditions referred to in paragraphs 2 and 3 are fulfilled. **The notification shall contain information about the time of spraying and the amounts and the type of pesticides applied.**

Or. en

##### *Justification*

*Requests for which no answer was received on the decision taken within the time period laid down by the competent authorities should not be deemed approved as this would create a loophole in relation to the purpose of this Article. Reinstating first reading Amendment 65 and deleting part of new text by Council.*

## Amendment 73

Roberto Musacchio, Dan Jørgensen, Margrete Auken, Hiltrud Breyer, Anne Ferreira

### Council common position

#### Article 9 - paragraph 6

##### *Council common position*

6. The competent authorities shall keep records of the requests submitted under paragraph 4.

##### *Amendment*

6. The competent authorities shall keep records of the requests submitted under paragraph 4 **and shall make them available to the public.**

Or. en

*Justification*

*Reinstating first reading Amendment 66.*

**Amendment 74**

**Caroline Lucas**

**Council common position**

**Article 9 a (new)**

*Council common position*

*Amendment*

**Article 9a**

***Information to the public***

***Member States may include in their National Action Plans provisions on informing neighbours who could be exposed to the spray drift.***

Or. en

*Justification*

*In the UK there is a legal obligation for farmers/pesticide users to provide at least 48 hours notice to beekeepers in order to protect bees. Yet humans do not have any comparable notification requirements. Considering 48 hours is workable for protecting other species then it should be the same for protecting humans, especially the most vulnerable groups. Therefore it should be obligatory to notify residents prior to any aerial or ground spraying application to enable them to take the necessary precautions to try and reduce exposure as much as possible. This notification should include information on the chemicals to be used to inform residents of what pesticides are being used in their locality.*

**Amendment 75**

**Dan Jørgensen, Anne Laperrouze, Roberto Musacchio, Margrete Auken, Hiltrud Breyer**

**Council common position**

**Article 10**

*Council common position*

*Amendment*

1. Member States shall ***ensure that appropriate measures to protect the aquatic environment and drinking water supplies from the impact of pesticides are***

1. Member States shall ***take the necessary action to protect bodies of water, in particular by ensuring that buffer zones, where pesticides must not be applied or***

*adopted. These measures shall support and be compatible with relevant provisions of Directive 2000/60/EC and Regulation (EC) No ....*

2. The *measures* provided in paragraph 1 shall include:

- (a) giving preference to pesticides that are not classified as dangerous for the aquatic environment pursuant to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations nor containing priority hazardous substances as set in Article 16(3) of Directive 2000/60/EC;
- (b) giving preference to the most efficient application techniques such as the use of low-drift pesticide application equipment especially in vertical crops such as hops

*stored, are established on fields adjacent to water courses, and in particular to safeguard zones for the abstraction of drinking water established in accordance with Article 7(3) of Directive 2000/60/EC. The dimensions of the buffer zones shall be defined as a function of the risks of pollution and the agricultural and climate characteristics of the area concerned. Furthermore Member States shall ensure that, in safeguard zones for the abstraction of drinking water in accordance with Article 7(3) of Directive 2000/60/EC, additional measures are taken to prevent contamination of water with pesticides including, where necessary, tighter restrictions on use of some high-risk products, enhanced use of buffer zones, specific training and awareness of advisers and spray operators, and strict enforcement of best practice in filling, mixing and disposal of pesticides.*

*Member States may establish any pesticide-free zones they deem necessary in order to safeguard drinking water resources. Such pesticide-free zones may cover the entire Member State.*

2. *In addition to the actions* provided for in paragraph 1, *Member States shall take the following measures:*

- (a) giving preference to pesticides that are not classified as dangerous for the aquatic environment pursuant to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations nor containing priority hazardous substances as set in Article 16(3) of Directive 2000/60/EC;
- (b) giving preference to the most efficient application techniques such as the use of low-drift pesticide application equipment especially in vertical crops such as hops

and those found in orchards and vineyards;

(c) use of mitigation measures which minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off. ***These shall include when necessary the establishment of appropriately-sized buffer zones for the protection of non-target aquatic organisms and safeguard zones for surface and groundwater used for the abstraction of drinking water, where pesticides must not be used or stored;***

(d) reducing as far as possible or ***if appropriate*** eliminating applications on or along roads, railway lines, very permeable surfaces or other infrastructure close to surface water or groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems.

and those found in orchards and vineyards;

(c) use of mitigation measures which minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off;

(d) reducing as far as possible or eliminating applications on or along roads, railway lines, very permeable surfaces or other infrastructure close to surface water or groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems.

Or. en

## **Amendment 76**

**Roberto Musacchio, Dan Jørgensen**

### **Council common position**

#### **Article 10 – paragraph 2 – point c**

##### *Council common position*

(c) use of mitigation measures which minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off. These shall include ***when necessary*** the establishment of appropriately-sized buffer zones for the protection of non-target aquatic organisms and safeguard zones for surface and groundwater used for the abstraction of drinking water, where pesticides must not be used or stored;

##### *Amendment*

(c) use of mitigation measures which minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off. These shall include the establishment of appropriately-sized buffer zones for the protection of non-target aquatic organisms and safeguard zones for surface and groundwater used for the abstraction of drinking water, where pesticides must not be used or stored;

Or. en

## *Justification*

*Reinstating part of first reading Amendment 74 and original Commission text.*

### **Amendment 77**

**Ambroise Guellec, Erna Hennicot-Schoepges**

#### **Council common position**

##### **Article 10 – paragraph 2 – point c**

###### *Council common position*

c) use of mitigation measures which minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off. These shall include ***when necessary*** the establishment of appropriately-sized buffer zones for the protection of non-target aquatic organisms and safeguard zones for surface and groundwater used for the abstraction of drinking water, where pesticides must not be used or stored;

###### *Amendment*

c) use of mitigation measures which minimise the risk of off-site pollution caused by spray drift, drain-flow and run-off. These shall include the establishment of appropriately-sized buffer zones for the protection of non-target aquatic organisms and safeguard zones for surface and groundwater used for the abstraction of drinking water, where pesticides must not be used or stored;

Or. fr

### **Amendment 78**

**Caroline Lucas**

#### **Council common position**

##### **Article 10 – paragraph 2 – point d**

###### *Council common position*

(d) ***reducing*** as far as possible or ***if appropriate eliminating applications*** on or along roads, railway lines, very permeable surfaces or other infrastructure close to surface water or groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems.

###### *Amendment*

(d) ***ensuring that application of pesticides is reduced*** as far as possible or ***eliminated*** on or along roads, railway lines, very permeable surfaces or other infrastructure close to surface water or groundwater or on sealed surfaces with a high risk of run-off into surface water or sewage systems. ***In all these areas use of non-chemical alternatives should be promoted.***

Or. en



*Justification*

*To eliminate pollution of these areas non-chemical alternatives should be used. Reinstating part of first reading Amendment 74 and original Commission text.*

**Amendment 79**  
**Caroline Lucas**

**Council common position**  
**Article 10 – paragraph 2 – point d a (new)**

*Council common position*

*Amendment*

***(da) taking appropriate measures to limit the aerial drift and long-range transportation of pesticides at least in vertical crops, including orchards, vineyards, and hops directly adjacent to or near a water course, by ensuring that pesticide use in such areas is reduced to the minimum and non-chemical alternatives are used.***

Or. en

*Justification*

*Pesticides have been shown to travel considerable distances which can result in water courses being at risk of contamination from a number of sources. Therefore to avoid pollution of the aquatic environment substantial measures must be introduced. Reinstating first reading Amendment 135.*

**Amendment 80**  
**Caroline Lucas**

**Council common position**  
**Article 11 – title - introductory part and point 1**

*Council common position*

*Amendment*

Reduction of pesticide use **or** risks in **specific** areas

Reduction of pesticide use **and** risks in **sensitive** areas

Member States shall, having due regard **to** necessary hygiene and public health

Member States shall, having due regard **for** **the** necessary hygiene and public health

requirements and biodiversity, **or the results of relevant risk assessments**, ensure that the use of pesticides is prohibited, restricted **or the risks arising from such use minimised**, in:

1) areas used by the general public or by vulnerable **populations, such as** parks, public gardens, sports grounds, school grounds and playgrounds;

requirements and biodiversity, ensure that the use of pesticides is prohibited, **or restricted to the minimum necessary**, in:

1) **all** areas used by the general public or by vulnerable **population groups, at least in residential areas**, parks, public gardens, sports **and recreation** grounds, school grounds and playgrounds **and in the vicinity of public healthcare facilities (clinics, hospitals, rehabilitation centres, health resorts, hospices) as well as in substantial no-spray zones including in fields around these areas, particularly, although not exclusively, to protect sensitive groups such as babies, children, pregnant women, the elderly and those with pre-existing medical conditions and who may be taking medication;**

Or. en

#### *Justification*

*The Commission has acknowledged that risks from exposure to pesticides in areas used by the general public are high. Therefore pesticide use should be prohibited in and around any area where members of the public may be exposed, especially if living near treated areas. Pesticides can travel vast distances and some US states have no-spray zones of up to 2.5 miles around schools. Therefore substantial legislative measures must be introduced to prevent public exposure and protect vulnerable groups. Reinstating first reading Amendment 153.*

#### **Amendment 81**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

#### **Council common position**

#### **Article 11 –title - introductory part and point 1**

##### *Council common position*

Reduction of pesticide use **or** risks in **specific** areas

Member States shall, having due regard **to** necessary hygiene and public health requirements and biodiversity, **or the**

##### *Amendment*

Reduction of pesticide use **and** risks in **sensitive** areas

Member States shall, having due regard **for the** necessary hygiene and public health requirements and biodiversity, ensure that

*results of relevant risk assessments*, ensure that the use of pesticides is prohibited, restricted *or the risks arising from such use minimised*, in:

1) areas used by the general public or by vulnerable *populations, such as* parks, public gardens, sports grounds, school grounds and playgrounds;

the use of pesticides is prohibited, *or restricted to the minimum necessary*, in:

1) *all* areas used by the general public or by vulnerable *population groups, at least in residential areas*, parks, public gardens, sports *and recreation* grounds, school grounds and playgrounds *and in the vicinity of public healthcare facilities (clinics, hospitals, rehabilitation centres, health resorts, hospices) as well as in substantial no-spray zones including in fields around these areas.*

Or. en

#### *Justification*

*The Commission has acknowledged that risks from exposure to pesticides in areas used by the general public are high. Therefore pesticide use should be prohibited in and around any area where the public may be exposed, especially if living near treated areas. Pesticides can travel vast distances and some US states have no-spray zones of up to 2.5 miles around schools. Therefore substantial legislative measures must be introduced to prevent public exposure and protect vulnerable groups. Reinstating first reading Amendment 153.*

#### **Amendment 82** **Inés Ayala Sender**

#### **Council common position** **Article 11 – introductory part**

##### *Council common position*

Member States shall, having due regard to necessary hygiene and public health requirements and biodiversity, or the results of relevant risk assessments, ensure that the *use of pesticides is prohibited, restricted or the risks arising from such use* minimised, in:

##### *Amendment*

Member States shall, having due regard to necessary hygiene and public health requirements and biodiversity, or the results of relevant risk assessments, ensure that the *risks arising from the use of pesticides are minimised*, in:

Or. es

**Amendment 83**  
**Caroline Lucas**

**Council common position**  
**Article 11 – point 3**

*Council common position*

3) recently treated areas used by or accessible to agricultural workers.

*Amendment*

3) recently treated areas used by or accessible to agricultural workers **or members of the public, e.g. using public footpaths or other access routes through treated areas.**

Or. en

*Justification*

*Members of the public entering treated areas such as ramblers and people walking dogs through fields and other treated areas must also be protected. Amendment to new Council text.*

**Amendment 84**  
**Roberto Musacchio, Hiltrud Breyer, Margrete Auken**

**Council common position**  
**Article 13 – paragraph 1**

*Council common position*

1. Member States shall take **appropriate** measures to promote low pesticide-input pest management, giving priority **wherever possible** to non-chemical methods **and otherwise** to practices and products with the lowest risk to human health and the environment among those available for the same pest problem. Low pesticide-input pest management includes Integrated Pest Management as well as organic farming according to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products.

*Amendment*

1. Member States shall take **all necessary** measures, **including the use of economic instruments**, to promote low pesticide-input pest management, giving priority to non-chemical methods **of plant protection and pest and crop management, and to ensure that professional users of pesticides switch as quickly as possible** to practices and products with the lowest risk to human health and the environment among those available for the same pest problem. Low pesticide-input pest management includes Integrated Pest Management as well as organic farming according to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic

production and labelling of organic products.

Or. en

*Justification*

*Priority should always be given to non-chemical methods. Reinstating part of first reading Amendment 164 and amendment to new Council text.*

**Amendment 85**

**Caroline Lucas**

**Council common position**

**Article 13 – paragraph 1**

*Council common position*

1. Member States shall take ***appropriate*** measures to promote low pesticide-input pest management, giving priority ***wherever possible*** to non-chemical methods and otherwise to practices ***and products*** with ***the lowest*** risk to human health and the environment among those available for the same pest problem. Low pesticide-input pest management includes Integrated Pest Management as well as organic farming according to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products.

*Amendment*

1. Member States shall take ***all necessary*** measures to promote low pesticide-input pest management, giving priority to non-chemical methods ***of plant protection and pest and crop management***, and otherwise to practices with ***no*** risk to human health and the environment among those available for the same pest problem. Low pesticide-input pest management includes Integrated Pest Management as well as organic farming according to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products.

Or. en

*Justification*

*Priority should always be given to non-chemical methods. Reinstating part of first reading Amendment 164 and amendment to new Council text.*

**Amendment 86**  
**Dan Jørgensen, Anne Laperrouze**

**Council common position**  
**Article 13 – paragraph 1**

*Council common position*

1. Member States shall take **appropriate** measures to promote low pesticide-input pest management, giving priority **wherever possible** to non-chemical methods **and otherwise** to practices and products with the lowest risk to human health and the environment among those available for the same pest problem. Low pesticide-input pest management includes Integrated Pest Management as well as organic farming according to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products.

*Amendment*

1. Member States shall take **all necessary** measures to promote low pesticide-input pest management, giving priority to non-chemical methods **of plant protection and pest and crop management, and to ensure that professional users of pesticides switch as quickly as possible** to practices and products with the lowest risk to human health and the environment among those available for the same pest problem. Low pesticide-input pest management includes Integrated Pest Management as well as organic farming according to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products.

Or. en

**Amendment 87**  
**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken**

**Council common position**  
**Article 13 – paragraph 2**

*Council common position*

2. Member States shall establish or support the establishment of necessary conditions for the implementation of Integrated Pest Management. In particular, they shall ensure that professional users have at their disposal information and tools for pest monitoring and decision making, as well as advisory services on integrated pest management.

*Amendment*

2. Member States shall establish or support the establishment of **all** necessary conditions for the implementation of Integrated Pest Management **and non-chemical methods of plant protection and pest and crop management**. In particular, they shall ensure that professional users have at their disposal information, **training** and tools for pest monitoring and decision making, as well as advisory services on integrated pest management **and non-**

***chemical methods of plant protection and pest and crop management, and shall draw up descriptions of the best integrated crop protection practices, assigning priority to non-chemical crop protection.***

Or. en

*Justification*

*Priority should always be given to non-chemical methods of pest management as the only truly preventative and sustainable solution which is more in line with the objectives for sustainable crop protection, than the reliance on complex chemicals designed to kill plants, insects or other forms of life, which cannot be classified as sustainable. Member States need to promote and encourage the widespread adoption of non-chemical methods of plant protection and pest and crop management. Reinstating first reading Amendments 82 and 83.*

**Amendment 88**

**Roberto Musacchio, Hiltrud Breyer, Margrete Auken**

**Council common position**

**Article 13 – paragraph 5**

*Council common position*

5. Member States shall establish appropriate incentives to encourage professional users to implement crop or sector specific guidelines for integrated pest management ***on a voluntary basis. Public authorities and/or organisations representing particular professional users may draw up such guidelines.*** Member States shall refer to those guidelines that they consider pertinent and appropriate in their National Action Plans drawn up in accordance with Article 4.

*Amendment*

5. Member States shall establish appropriate incentives, ***training and financial measures*** to encourage professional users to implement crop or sector specific guidelines for integrated pest management. Member States shall ***take into account the general criteria as described in Annex IIIa*** and refer to those guidelines that they consider pertinent and appropriate in their National Action Plans drawn up in accordance with Article 4.

Or. en

*Justification*

*Member States need to promote and encourage the widespread adoption of non-chemical alternatives to plant protection, the general principles developed is an essential tool making farmers more aware of what actions should be taken before using pesticides keeping their*

*own assessment to the pertinent guidelines.*

**Amendment 89**

**Roberto Musacchio, Hiltrud Breyer, Margrete Auken**

**Council common position**

**Article 13 – paragraph 5 a (new)**

*Council common position*

*Amendment*

***5a. The general standards for Integrated Pest Management shall be developed in accordance with the procedure referred to in Article [58] of Regulation (EC) No ... [concerning the placing of plant protection products on the market], with public participation of interested stakeholders.***

Or. en

*Justification*

*Reinstating first reading Amendment 88 and original Commission text.*

**Amendment 90**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken**

**Council common position**

**Article 14 – paragraph 1 – subparagraph 1**

*Council common position*

*Amendment*

1. Harmonized risk indicators as referred to in Annex IV shall be established. ***However***, Member States may continue to use existing national indicators or adopt other appropriate indicators ***in addition to the harmonized ones***.

1. Harmonised risk indicators as referred to in Annex IV shall be established. ***Until those indicators are adopted***, Member States may continue to use existing national indicators or adopt other appropriate indicators.

Or. en



*Justification*

*Reinstating original Commission text and amendment to new Council text.*

**Amendment 91**

**Caroline Lucas**

**Council common position**

**Article 14 – paragraph 2 – point c**

*Council common position*

(c) identify priority items, such as active substances, crops, regions or practices, that require particular attention or good practices that can be used as examples in order to achieve the objectives of this Directive **to reduce the** risks and impacts of pesticide use on human health and the environment and to encourage the **development and introduction of integrated pest management and of** alternative approaches or techniques in order to reduce dependency on the use of pesticides.

*Amendment*

(c) identify priority items, such as active substances, crops, regions or practices, that require particular attention or good practices that can be used as examples in order to achieve the objectives of this Directive **in preventing** risks, **including hazards**, and impacts of pesticide use on human health and the environment and to **promote and** encourage the **adoption of non-chemical** alternative approaches or techniques in order to reduce dependency on the use of pesticides.

Or. en

*Justification*

*Priority should always be given to non-chemical methods of plant protection and pest and crop management. Reinstating part of first reading Amendment 93 and amendment to new Council text.*

**Amendment 92**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken, Anne Ferreira**

**Council common position**

**Article 14 – paragraph 3**

*Council common position*

3. Member States shall communicate the results of the evaluations carried out

*Amendment*

3. Member States shall communicate the results of the evaluations carried out

pursuant to paragraph 2 to the Commission and to other Member States.

pursuant to paragraph 2 to the Commission and to other Member States ***and shall make this information available to the public.***

Or. en

*Justification*

*Reinstating part of first reading Amendment 95.*

**Amendment 93**

**Roberto Musacchio, Dan Jørgensen, Hiltrud Breyer, Margrete Auken**

**Council common position**

**Article 14 – paragraph 4 – subparagraph 2 a (new)**

*Council common position*

*Amendment*

***The results shall be made available to the general public via the Internet portal referred to in the second subparagraph of Article 4(2).***

Or. en

*Justification*

*Reinstating first reading Amendment 97.*

**Amendment 94**

**Caroline Lucas**

**Council common position**

**Article 15**

*Council common position*

*Amendment*

Reporting

***Recordkeeping and reporting***

***Pesticide dealers shall maintain records showing the receipt, sale, delivery or other disposal of all pesticides or pesticide application equipment for a period of two***

The Commission shall regularly submit to the European Parliament and the Council a report on the progress in the implementation of this Directive, accompanied where appropriate by proposals for amendments.

*years.*

The Commission shall regularly submit to the European Parliament and the Council a report on the progress in the implementation of this Directive ***and an assessment of National Action Plans***, accompanied where appropriate by proposals for amendments.

***Member States shall report annually to the Commission on their National Action Plans.***

Or. en

### *Justification*

*Reinstating first reading Amendments 100 and 101.*

### **Amendment 95** **Péter Olajos**

### **Council common position** **Article 17 a (new)**

*Council common position*

*Amendment*

### ***Article 17a***

### ***Exchange of information and best practice***

***The Commission shall establish a platform for the exchange of information and best practice in the field of sustainable use of pesticides and integrated pest management.***

Or. en

**Amendment 96**  
**Caroline Lucas**

**Council common position**  
**Annex I – title and introductory part (new)**

*Council common position*

*Amendment*

Training subjects referred to in Article 5

Training **and further training** subjects referred to in Article 5

***Training and further training programmes shall be designed so as to ensure that sufficient knowledge on the following subjects is acquired:***

Or. en

*Justification*

*Reinstating first reading Amendment 106.*

**Amendment 97**  
**Caroline Lucas**

**Council common position**  
**Annex I – paragraph 1**

*Council common position*

*Amendment*

1. All relevant legislation regarding pesticides and their use.

1. All relevant legislation regarding pesticides and their use, ***pesticide labels and labelling systems, pesticide terminology, pesticide safety, toxicity and eco-toxicity.***

Or. en

*Justification*

*Reinstating first reading Amendment 107.*

**Amendment 98**  
**Caroline Lucas**

**Council common position**  
**Annex I – paragraph 2 – point a**

*Council common position*

(a) risks to humans (operators, residents, bystanders, people entering treated areas and those handling or eating treated items) and how factors such as smoking exacerbate these risks;

*Amendment*

(a) risks to humans (operators, residents, bystanders, people entering treated areas and those handling or eating treated items) **and all potential acute and chronic long-term adverse health effects of exposure** and how factors such as smoking, **eating or not wearing the appropriate protective equipment** exacerbate these risks;

Or. en

*Justification*

*Anyone who uses pesticides must be fully aware of the risks and the potential acute and chronic long-term adverse health impacts of pesticide use. Reinstating first reading Amendment 108.*

**Amendment 99**  
**Caroline Lucas**

**Council common position**  
**Annex I – paragraph 2 – point b**

*Council common position*

(b) symptoms of pesticide poisoning and first aid measures;

*Amendment*

(b) symptoms of pesticide poisoning and first aid measures **and symptoms of chronic health effects;**

Or. en

*Justification*

*Anyone who uses pesticides must be fully aware of any acute or chronic adverse health effects that can result from exposure. Reinstating first reading Amendment 109.*

**Amendment 100**  
**Caroline Lucas**

**Council common position**  
**Annex I – paragraph 3**

*Council common position*

3. Notions on integrated pest management strategies and techniques, integrated crop management strategies and techniques, organic farming principles, information on the general principles and crop or sector-specific guidelines for integrated pest management.

*Amendment*

3. Notions on integrated pest management strategies and techniques, integrated crop management strategies and techniques, organic farming principles **and non-chemical crop protection, in particular preventive methods and biological control methods**, information on the general principles and crop or sector-specific guidelines for integrated pest management; **standards and practices of non-chemical methods of plant protection and pest and crop management.**

Or. en

*Justification*

*Priority should always be given to non-chemical methods of plant protection and pest and crop management. Reinstating first reading Amendment 111.*

**Amendment 101**  
**Caroline Lucas**

**Council common position**  
**Annex I – paragraph 4**

*Council common position*

4. Initiation to comparative assessment at user level to help professional users make the most appropriate choices **on pesticides with the least side effects on human health, non-target organisms and the environment** among all authorised products for a given pest problem, in a given situation.

*Amendment*

4. Initiation to comparative assessment at user level to help professional users make the most appropriate choices among all authorised products for a given pest problem, in a given situation, **choosing the least dangerous product for human health, non-target organisms and the environment.**

*Justification*

*No pesticide is supposed to be approved until it has been established that there will be no harm to human or animal health or the environment. This means there is not supposed to be any side effects on human health from the use of any pesticide. Therefore deletion of new Council text and reinstating first reading Amendment 112.*

**Amendment 102**

Caroline Lucas

**Council common position****Annex I – paragraph 5***Council common position*

5. Measures to minimise risks to humans, non-target organisms and the environment: safe working practices for storing, handling and mixing pesticides, and disposing of empty packaging, other contaminated materials and surplus pesticides (including tank mixes), whether in concentrate or dilute form; recommended way to control operator exposure (personal protection equipment).

*Amendment*

5. Measures to minimise risks to humans, non-target organisms and the environment: safe working practices for storing, handling and mixing pesticides, and disposing of empty packaging, other contaminated materials and surplus pesticides (including tank mixes), whether in concentrate or dilute form; recommended way to control operator exposure (personal protection equipment); ***knowledge of all potential exposure factors including long-term exposure to pesticides in the air, exposure to vapours after application, reactivation, precipitation, pesticides transported from outdoor applications and redistributed into an indoor air environment, exposure to mixtures, pesticide residues transported on pollen or crop dust (e.g. at harvest), spreading of contaminated soil and long-range transportation.***

*Justification*

*Anyone who uses pesticides must be fully aware of all the potential exposure factors and related risks not only for their own health, but for the health of others who may be exposed, in particular residents and communities living in the locality to sprayed fields. Reinstating first*

*reading Amendment 113.*

### **Amendment 103**

**Dan Jørgensen, Anne Laperrouze, Roberto Musacchio, Margrete Auken, Hiltrud Breyer, Anne Ferreira**

#### **Council common position**

##### **Annex I – paragraph 6**

###### *Council common position*

6. Procedures for preparing pesticide application equipment for work, including its calibration, and for its operation with minimum risks to the user, other humans, non-target animal and plant species, biodiversity **and** the environment.

###### *Amendment*

6. Procedures for preparing pesticide application equipment for work, including its calibration, and for its operation with minimum risks to the user, other humans, non-target animal and plant species, biodiversity, the environment **and water resources**.

Or. en

###### *Justification*

*There is a need to strengthen the specific reference to protection of water resources. It is important to identify this under the training programmes so that professional users, distributors and advisers are aware of these needs. Retabling of amendment 114 of the 1st reading*

### **Amendment 104**

**Dan Jørgensen, Anne Laperrouze, Roberto Musacchio, Margrete Auken, Hiltrud Breyer, Anne Ferreira**

#### **Council common position**

##### **Annex I – paragraph 8**

###### *Council common position*

8. Emergency action to protect human health **and** the environment in case of accidental spillage **and** contamination.

###### *Amendment*

8. Emergency action to protect human health, the environment **and water resources** in case of accidental spillage, contamination **and extreme weather events that would result in pesticides leaching risks**.



*Justification*

*Linked to amendment to point 6 of Annex I. Retabling of the amendment 116 of the 1st reading.*

**Amendment 105**

**Dan Jørgensen, Anne Laperrouze, Roberto Musacchio, Margrete Auken, Hiltrud Breyer, Anne Ferreira**

**Council common position**

**Annex I – paragraph 8 a (new)**

*Council common position*

*Amendment*

***8a. Special care in protection areas established under Articles 6 and 7 of Directive 2000/60/EC.***

*Justification*

*Following the WFD special protection of surface water, groundwater and the conservation of habitats and species directly depending on water as well as drinking water bodies requires specific protection and care. Retabling of amendment 117 of the 1st reading.*

**Amendment 106**

**Roberto Musacchio, Dan Jørgensen, Margrete Auken, Hiltrud Breyer**

**Council common position**

**Annex II a (new)**

*Council common position*

*Amendment*

***Annex IIa***

***Minimum elements of national background reports***

***Part A: Elements to be included in initial national pesticide use reduction studies***

***Description of current conditions:***

- *Known information on production, import, export, sales and distribution of pesticides;*
- *Current pesticide consumption patterns (overall amounts of active ingredients used; specific amounts of pesticides used in specific applications on all major crops and in non-agricultural uses, particularly in public spaces; calculation of treatment frequency index);*
- *Description of the impacts of current pesticide use patterns on the environment, the food chain and human health, based on data gathered via existing monitoring programmes;*
- *Overview of current legislation and policy instruments and their effectiveness;*
- *Evaluation of the need of pesticides;*
- *Gaps identified in any of the information above.*

*Scenarios for pesticide reductions:*

- *30% and 50% use reduction measured by the treatment frequency index.*

*Assessment of consequences of implementing the various scenarios:*

- *Effects on the environment (including energy consumption, greenhouse gases);*
- *Effects on public health (workers, residents, bystanders, residues on food);*
- *Effects on agricultural production;*
- *Economic costs and benefits (including reduction in hidden costs) of the various scenarios.*

*Identification and assessment of elements needed to achieve scenarios:*

- *Impact of the elements specified in the Directive in achieving reductions in use;*
- *Additional scientific data needed and how to gather it, e.g. through additional monitoring capacity, research facilities;*

• *Additional capacity necessary for implementing pesticide use reduction, e.g. agricultural extension services, inspectors for control of use;*

• *Possible sources of funding, including levies, for implementation of the various scenarios.*

*Conclusions*

• *Achievable pesticide use reduction targets for specific crops and non-agricultural pest control situations as well as nationally, which as a minimum meet the mandatory reduction goals set in Article 4 and which aim to achieve further use reductions over time.*

*Part B: Elements to be included in subsequent national pesticide use reduction studies*

• *Evaluation of the experiences of the previous three years concerning the implementation of the pesticide reduction programme.*

• *Other elements as above.*

*Setting of new targets for the next period.*

Or. en

*Justification*

*Reinstating first reading Amendment 120.*

**Amendment 107**

**Roberto Musacchio, Dan Jørgensen, Margrete Auken, Hiltrud Breyer**

**Council common position**

**Annex II b (new)**

*Council common position*

*Amendment*

**Annex IIb**

***Minimum elements in the National Action Plans for the reduction of risks and use of***

## *pesticides*

### *Qualitative and quantitative goals:*

- *Interim goals for reduction of risks and use measured by the treatment frequency index;*
- *Goals for specific target groups or uses, e.g. public authorities, farmers, transportation rights-of-way;*
- *Goals for reduction of usage in pesticide sensitive zones;*
- *Goals for progressive elimination of pesticides and their residues from groundwater and other environmental media;*
- *Goals for problematic crops and/or regions.*

### *Controls over uses:*

- *Measures for ensuring implementation of Integrated Pest Management practices;*
- *Controls such as bans on applications of pesticides near drinking water well-heads or in pesticide sensitive zones, such as nature sites and in buffer zones;*
- *Controls including bans on applications of pesticides in areas with high risk of exposure, e.g. residential areas, schools, parks and other public spaces, roadsides, etc.*

### *Research and extension:*

- *Research into non-chemical alternatives to pesticides;*
- *Demonstration programmes on how to reduce frequency of application by use of non-chemical pest control methods and systems;*
- *Training of agricultural advisers in non-chemical pest control methods and systems;*
- *Research into possible use reductions through the application of better spraying equipment, methods and techniques.*

***Information, education and training:***

- ***Education of all pesticide operators on health hazards posed by pesticides as well as on non-chemical pest control methods and systems;***
- ***Guidance for pesticide operators, e.g. on storage and handling of pesticides.***

***Pesticide application equipment:***

- ***Inspection of equipment in use.***

Or. en

*Justification*

*Reinstating the majority of first reading Amendment 121.*

**Amendment 108**

**Roberto Musacchio, Margrete Auken, Hiltrud Breyer**

**Council common position**

**Annex III a (new)**

*Council common position*

*Amendment*

***Annex IIIa***

***Elements for general and crop-specific  
Integrated Pest Management criteria***

***Integrated Pest Management as a  
minimum includes the following general  
criteria:***

***(a) The prevention and/or suppression of  
harmful organisms should be achieved or  
supported among other options especially  
by:***

- ***Use of optimum crop rotation achieving  
a balanced population of soil organisms  
and maintenance of a healthy soil, in  
order to prevent outbreak of soil-bound  
pests and to eliminate use of soil  
fumigants and other soil chemicals;***
- ***Building a soil structure that can***

*support a healthy crop, for instance by stimulating the percentage of organic matter, limiting depth of ploughing, preventing erosion, applying optimum crop sequence;*

- *Use of adequate cultivation techniques, e.g. stale seedbed technique, sowing dates and densities, under-sowing, optimal plant distance, conservation tillage, hygiene measures, pruning;*

- *Use of the best available resistant/tolerant cultivars and approved/certified seed and planting material;*

- *Use of balanced fertilisation based on information concerning nutrients already present in the soil and the soil structure, liming and irrigation/drainage practices to reduce susceptibility to pests and diseases. Use of groundwater for irrigation should be avoided;*

- *Prevention of the spread of harmful organisms through machinery and equipment;*

- *Protection and enhancement of important beneficial organisms, for instance by using ecological infrastructures inside and outside production sites, setting aside a minimum percentage of total field area, planting of plant species to attract natural enemies of pests.*

*(b) Harmful organisms must be monitored with appropriate methods and tools. Such tools should include scientifically sound warning, forecasting and early diagnosis systems, where feasible, as well as professionally qualified advisers, such as those provided for by state and private extension services.*

*(c) Based on the results of the monitoring the professional user has to decide whether and when to apply plant*

*protection measures. Robust and scientifically sound threshold values are essential components for decision making. For harmful organisms threshold levels defined for the region must be taken into account before treatment, where feasible.*

*(d) Biological, physical, mechanical and other non-chemical methods must be preferred to chemical methods whenever feasible. Against weeds, mechanical weeding or other non-chemical methods such as use of heat should be preferred. Exceptions should be allowed only in case of bad weather conditions during a prolonged period of time that makes mechanical weeding unfeasible.*

*(e) The professional user should keep the use of pesticides and other forms of intervention to levels that are necessary, e.g. by reduced dosage, reduced application frequency or partial applications, bearing in mind that the level of risk in vegetation must remain acceptable and that they may not increase the risk for development of resistance in populations of harmful organisms.*

*(f) Where the risk of resistance against a plant protection measure is known and where the level of harmful organisms requires repeated application of pesticides to crops, available anti-resistance strategies should be applied to maintain the effectiveness of the products. This may include the use of multiple pesticides with different modes of action.*

*(g) Professional users should keep records of all pesticides used, by field. Based on the records on the use of pesticides and on the monitoring of harmful organisms the professional user should check the success of the applied plant protection measures.*

Or. en

*Justification*

*Reinstating first reading Amendment 122.*