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**\*\*\*I**

## **REPORT**

on the proposal for a regulation of the European Parliament and of the Council concerning statistics on plant protection products  
(COM(2006)0778 – C6-0457/2006 – 2006/0258(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Bart Staes

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission.)

### ***Amendments to a legislative text***

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council concerning statistics on plant protection products (COM(2006)0778 – C6-0457/2006 – 2006/0258(COD))

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2006)0778),
  - having regard to Articles 251(2) and 285(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0457/2006),
  - having regard to Rule 51 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Agriculture and Rural Development (A6-0004/2008),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission<sup>1</sup>

Amendments by Parliament

Amendment 1  
Recital 3

(3) Harmonised and comparable Community statistics on pesticide sales and use are essential for the development and monitoring of Community legislation and policies in the context of the Thematic Strategy on the Sustainable Use of Pesticides.

(3) Harmonised and comparable Community statistics on pesticide **production, imports, exports, sales, distribution** and use are essential for the development and monitoring of Community legislation and policies in the context of the Thematic Strategy on the Sustainable Use of Pesticides.

*Justification*

*To include production, import, export and distribution as key factors in the strategy for*

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<sup>1</sup> Not yet published in OJ.

*sustainable pesticide use.*

#### Amendment 2

##### Recital 4

(4) Since the effects of the relatively new Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market will not become apparent until well after 2006, when the first evaluation of active substances for use in biocidal products will be finalised, neither the Commission nor most Member States currently have sufficient knowledge or experience to propose further measures regarding biocides. The scope of this Regulation is thus limited to plant protection products covered by Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market, for which a large experience already exists on data collection. ***If necessary, the scope may be expanded at a later stage so as to include biocides.***

(4) Since the effects of the relatively new Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market will not become apparent until well after 2006, when the first evaluation of active substances for use in biocidal products will be finalised, neither the Commission nor most Member States currently have sufficient knowledge or experience to propose further measures regarding biocides. The scope of this Regulation is thus limited to plant protection products covered by Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market, for which a large experience already exists on data collection. ***The scope should be expanded to include biocidal products, by the time the first report is submitted by the Commission.***

#### *Justification*

*In most cases the active ingredient of the biocides are also used as a plant protection product. Biocides have almost the same health and environmental impact. All categories, production and trade of biocide products are known; therefore biocides should be included in the regulation.*

#### Amendment 3

##### Recital 8

(8) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics constitutes the reference framework for the provisions of this Regulation. In particular, it requires conformity to standards of impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality.

(8) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics constitutes the reference framework for the provisions of this Regulation. In particular, it requires conformity to standards of impartiality, reliability, objectivity, scientific independence, ***accuracy***, cost-effectiveness and statistical confidentiality.

Amendment 4  
Recital 9

(9) The necessary protection of confidentiality on data of commercial value shall be assured, among other means, by an appropriate aggregation when publishing statistics.

***(9) A transparent reporting and monitoring system needs to be set up for plant protection products and the necessary protection of confidentiality on data of commercial value needs to be assured, among other means, by an appropriate aggregation when publishing statistics. A compromise nonetheless needs to be reached on making selected data on the use of plant protection products available to the public, in accordance with the Aarhus Convention.***

*Justification*

*Not all data gathered are confidential, and such data should therefore be made public. The purpose of this is to inform and educate the EU public (in accordance with the Aarhus Convention), as well as to guard against potential hazards arising from unwarranted use of plant protection products.*

Amendment 5  
Article 1, title

Subject matter **and** scope

Subject matter, scope **and objectives**

Amendment 6  
Article 1, paragraph 1

1. This Regulation establishes a framework for the production of Community statistics on the placing on the market and use of ***plant protection products***.

1. This Regulation establishes a framework for the production of Community statistics on the ***production***, placing on the market and use of ***pesticides***.

*(This amendment applies to the whole legislative text. The term "pesticides" should be used throughout the adopted text, including the title.)*

*Justification*

*There is a need to establish coherence of the definitions between the Statistical Regulation and the Pesticides Package. The term "plant protection products" used throughout the proposal, including the title, might lead to confusion as the term "pesticides" is referred to in*

*the titles of all the proposals. "Plant protection products" should be replaced with "pesticides" throughout the text of this Regulation.*

*Plant protection product statistics should cover production, placing on the market and use, with a view to establishing a reliable system of controls.*

Amendment 7

Article 1, paragraph 2, indent 1

– the annual amounts of plant protection products placed on the market according to Annex I;

– the annual amounts of plant protection products ***produced and*** placed on the market according to Annex I;

Amendment 8

Article 1, paragraph 2, indent 2

– the annual ***agricultural use*** amounts of plant protection products according to Annex II.

– the annual amounts of plant protection products ***used*** according to Annex II.

Amendment 9

Article 1, paragraph 2, indent 2 a (new)

***- the annual amounts of biocidal products placed on the market according to Annex I, Annex IA and Annex IB of Directive 98/8/EC.***

*Justification*

*see justification to amendment on Article 1, paragraph 1.*

Amendment 10

Article 1, paragraph 2 a (new)

***2a. The statistics shall, in particular, serve the following purposes:***

***- implementation and evaluation of the Thematic Strategy on the Sustainable Use of Pesticides,***

***- development of harmonised national and Community risk indicators, identification of trends in the use of plant protection***

*products and assessment of the effectiveness of national action plans in accordance with Directive .../.../EC of the European Parliament and of the Council of ... establishing a framework for Community action to achieve a sustainable use of pesticides<sup>1</sup>,*

*- recording of substance flows at the stages of production of, trade in, and use of plant protection products.*

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<sup>1</sup> (COM(2006)0373)

#### *Justification*

*The statistics are to serve specific objectives laid down in Community law. In addition, the data available should be used to enable plant protection product substance flows to be traced back and to help identify use of illegal products.*

#### Amendment 11 Article 2, point (a)

(a) **'plant protection product'** means plant protection **product** as defined in Article 2(1) of Directive 91/414/EEC as amended;

(a) **'pesticides'** means:

(i) plant protection **products** as defined in Article 2(1) of Directive 91/414/EEC as amended;

(ii) **biocidal products as defined in Directive 98/8/EC belonging to product types 14 - 19 as defined in Annex V thereto;**

#### *Justification*

*Since the term "plant protection products" will be replaced by the term "pesticides" throughout the Regulation it must be made clear what the pesticides refer to. In this case, pesticides are covering plant protection products as defined by the Directive mentioned above and the same biocidal products referred to in the Framework Directive on the sustainable use of pesticides.*

#### Amendment 12 Article 3, paragraph 1, indent - 1 (new)

**- data from pesticide producers, traders and**

**importers,**

*Justification*

*Pesticide producers, traders and importers have the most relevant data regarding plant protection and biocidal product placement on the market.*

Amendment 13

Article 3, paragraph 1, indents 1 to 3

– **surveys,**

– reporting obligations applicable to suppliers concerning the plant protection products placed on the market; distinct authorizations for professional and non-professional uses can be used,

– reporting obligations applicable to professional users based on records kept on the use of plant protection products,

– reporting obligations applicable to suppliers concerning the plant protection products placed on the market; distinct authorizations for professional and non-professional uses can be used; ***in particular, obligations pursuant to Article 64(2) of Regulation (EC) No XXX/... of the European Parliament and of the Council of ... concerning the placing of plant protection products on the market<sup>1</sup>,***

– reporting obligations applicable to professional users based on records kept on the use of plant protection products; ***in particular, obligations pursuant to Article 64(1) of Regulation (EC) No XXX/...***,

– **surveys,**

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<sup>1</sup> (COM(2006)0388)

*Justification*

*It is necessary to avoid duplicating obligations on farmers to record and collect data, adding to the burden on them; where appropriate, priority should be given to using other sources. Member States should ensure that the conducting of surveys is monitored by suitably qualified persons.*

Amendment 14

Article 3, paragraph 1 a (new)

***1a. Member States shall communicate their choice of data collection pursuant to paragraph 1 to the Commission, which shall approve the data collection method in***

***accordance with the regulatory procedure with scrutiny referred to in Article 5(3).***

*Justification*

*In order to guarantee compatibility and comparability of the data on a Community level, the Commission should authorise the data collection method chosen by the Member State authority*

Amendment 15  
Article 3, paragraph 1 b (new)

***1b. Member States shall ensure that producers of plant protection products and those responsible for placing plant protection products on the market or importing them report annually to the competent authority on:***

***(a) the quantities in which a given active substance or a given plant protection product is produced,***

***(b) the quantities in which a given active substance or a given plant protection product is supplied to processing firms or wholesalers in the European Union,***

***(c) the quantities in which a given active substance or a given plant protection product is exported.***

***This information shall be assessed by the competent authorities and, where appropriate after editing to preserve the confidentiality of certain information, published.***

*Justification*

*The obligation on producers and market operators responsible for placing products on the market to declare quantities placed on the market or exported is essential to data collection and should therefore be expressly mentioned in the basic text of this Regulation.*

Amendment 16  
Article 3, paragraph 2

2. Member States shall transmit to the Commission the statistical results, including confidential data, according to the schedules and with the periodicity specified in Annexes I and II. Data shall be presented according to the classification given in Annex III.

2. Member States shall transmit to the Commission the statistical results, including confidential data, according to the schedules and with the periodicity specified in Annexes I and II. Data shall be presented according to the classification given in Annex III. ***The Member States may aggregate the data for reasons of confidentiality.***

*Justification*

*1. For the development of risk indicators, which is the purpose of the statistics regulation, all that is needed is the statistical results: there is no need for confidential information. This passage is therefore superfluous.*

*2. It should be possible for the data transmitted in accordance with the Annex III classification to be aggregated to preserve confidential operational and business information.*

Amendment 17

Article 3, paragraph 2 a (new)

***2a. Member States shall ensure that the data collected are evaluated by a suitably qualified group of experts and assessed with regard to impact on human health and the environment. This evaluation shall be published on the Internet.***

*Justification*

*The Member State authorities responsible for the national action plans provided for in Directive XXX (COM(2006)373 final) should carry out an expert evaluation of the statistical data and, where appropriate, adapt national action plans in line with trends observed.*

Amendment 18

Article 3, paragraph 6

6. ***When needed*** for reasons of confidentiality, the Commission shall aggregate the data before publication according to the chemical classes or categories of products as indicated in Annex III.

6. For reasons of confidentiality, the Commission shall, ***where appropriate,*** aggregate the data before publication according to the chemical classes or categories of products as indicated in Annex III, ***taking due account of the confidential nature of sensitive business information as***

*well as privacy obligations.*

***In accordance with Regulation (EC) No 322/97, confidential data shall be used by national authorities and by the Community authority exclusively for the purposes of this Regulation.***

*Justification*

*The handling of confidential data must not only be regulated in connection with publications; it must also be specified that data should not be used for any other than the intended purpose.*

Amendment 19

Article 4, paragraph 2, point (d)

(d) adaptation of the list of substances to be covered and their classification in categories of products and chemical classes as given in Annex III.

(d) adaptation of the list of substances to be covered and their classification in categories of products and chemical classes as given in Annex III. ***Adaptation of the list of substances needs to take place on a regular basis and in light of the ongoing consideration of active substances.***

*Justification*

*The Annex of active substances must be updated whenever a new active substance is included in Annex I of the authorisation procedure, especially because the list of active substances will be updated under the Framework Directive.*

Amendment 20

Article 6, paragraph 1

The Commission shall submit a report on the implementation of the Regulation to the European Parliament and the Council every five years. This report shall evaluate in particular the quality of data transmitted, the burden on businesses and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides.

The Commission shall submit a report on the implementation of the Regulation to the European Parliament and the Council every five years. This report shall evaluate in particular the quality ***and comparability*** of data transmitted, the burden on ***agricultural holdings, horticultural holdings and other*** businesses and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides, ***in particular with regard to the objectives set out in Article 1. It shall, if appropriate, contain proposals designed to further improve data quality and reduce the***

***burden on agricultural holdings and businesses.***

*Justification*

*The usefulness of the statistics in relation to the tasks laid down in the legislation must be clearly presented in the Commission report.*

Amendment 21  
Annex I, title

Statistics on placing of plant protection products ***on the market***

Statistics on ***the production and placing on the market*** of plant protection products

*Justification*

*The collection of data on amounts produced should be included.*

*The statistics should cover the production and placing on the market of plant protection products.*

Amendment 22  
Annex I, section 2

The quantity of each substance listed in Annex III contained in plant protection products placed on the market shall be compiled.

The quantity of each substance listed in Annex III contained in plant protection ***and biocidal*** products placed on the market shall be compiled ***in each Member State***.

*Justification*

*The aim of the regulation is to lower risk meant by pesticides and to compare the situation in different Member States. These aims can be served only with national and regional data available.*

Amendment 23  
Annex I, section 2 a (new)

***SECTION 2a***

***Reporting obligations***

***Producers of plant protection products and those responsible for placing plant protection products on the market or importing them shall report annually to the***

*competent authority on:*

*- the quantities in which a given active substance or a given plant protection product is produced,*

*- the quantities in which a given active substance or a given plant protection product is supplied to processing firms or wholesalers in the European Union,*

*- the quantities in which a given active substance or a given plant protection product is exported.*

Amendment 24  
Annex I, section 3

Data shall be expressed in kilograms of substances.

Data shall be expressed in kilograms of **active** substances.

*Justification*

*Active substance is the correct terminology.*

Amendment 25  
Annex I, section 5, paragraph 2

2. Member States shall supply data for every calendar year subsequent to the first reference period.

2. Member States shall supply data for every calendar year subsequent to the first reference period **and publish them - where appropriate in aggregated form - on the Internet, taking due account of the confidential nature of sensitive business information as well as privacy obligations.**

*Justification*

*Publication of the data by the Member States should be stipulated.*

Amendment 26  
Annex II, section 1, paragraph 1

1. Statistics shall cover the agricultural use of plant protection products in each Member

1. Statistics shall cover the agricultural, **horticultural and professional**

State.

**non-agricultural** use of plant protection products, **such as use in communal green areas, road or railway maintenance**, in each Member State.

*Justification*

*The use of plant protection products for non-agricultural purposes must be taken into account. Professional users such as public gardens and parks departments, road maintenance departments or railways should be covered.*

Amendment 27

Annex II, section 3, paragraph 1

1. Quantities of substances used shall be expressed in kilograms.

1. Quantities of **active** substances used shall be expressed in kilograms.

*Justification*

*Active substance is the correct terminology.*

Amendment 28

Annex II, section 5, paragraph 5

5. Data shall be transmitted to the Commission within 12 months of the end of each five-year period.

5. Data shall be transmitted to the Commission **and published - where appropriate in aggregated form - on the Internet**, within 12 months of the end of each five-year period, **taking due account of the confidential nature of sensitive business information as well as privacy obligations.**

*Justification*

*Publication of the data by the Member States should be stipulated*

Amendment 29

Annex II, section 6, indent 5a (new)

**- the estimated average costs entailed by data collection and any ways of reducing these costs.**

## EXPLANATORY STATEMENT

The Commission's proposal for a regulation concerning statistics on plant protection products is directly linked to the "Thematic Strategy on the Sustainable Use of Pesticides", which was presented a few months earlier. The aim of the proposal is Europe-wide harmonisation of national statistics on the sale and use of plant protection products, to a degree that would enable meaningful data on the use of plant protection products to be collected and, in the medium term, allow the risks posed by the use of such products to, and their impact on, the environment and human health to be reduced.

### 1. Comparable data quality

The primary aim of the harmonisation is to generate data from all member states which are compatible and comparable, so that meaningful, reliable and objective statistics can be produced at Community level. In order not to jeopardize this aim, the flexibility granted to Member States (in Article 3) on how to combine various primary data from different sources, should be counterbalanced by a mandatory approval of the data collection system proposed by the Member States through the Commission (see proposed Amendment 5).

### 2. Avoid duplication of data collection

In your rapporteur's view, it is necessary to avoid duplication of surveys and data collection that would add to the burden on the professional users. Legislative proposals relating to the Thematic Strategy currently being discussed in the EP and the Council lay down specific provisions on the keeping of data giving information on the use of plant protection products as well as on the furnishing of sales data by producers (see, in particular, Article 64 of the proposed regulation on authorisation of pesticides, COM(2006)0388). Reference should be expressly made to these provisions in connection with the collection of statistical data provided for in this Regulation.

Moreover, similar provisions on record keeping are at the heart of integrated plant protection and of private quality management schemes such as EurepGAP/GlobalGAP. For the purpose of statistical surveys, priority should be given to using data already available for businesses which operate according to these standards, bearing in mind, however, that this group does not form a representative cross-section of agricultural holdings as a whole.

Data on plant protection products produced and placed on the market, to be furnished by producers and distributors to the competent authorities, should form the basis for surveys. With a view to harmonising European data collection as fully as possible, it is not enough to define the reporting obligations of those concerned in implementing provisions (as provided for in Article 64 of the regulation on authorisation). The reporting obligations should be defined as precisely as possible in this regulation, as they produce the basic data required in order to compile data on the use of such products (see Annex II, section 1).

### 3. Inclusion of non-agricultural uses in the scope of the regulation

In your rapporteur's view, there is no justification for excluding the non-agricultural uses of plant protection products from the scope of this Regulation. Whilst private use, for example in private gardens and allotments, can only be covered by sales data, professional and large-scale users (such as communal services and herbicide use on roads and railways) should be subject to the same requirements as regards obligations to keep data and statistical surveys as agricultural users.

#### 4. Make full use of the data collected

Data collected should be exploited in such a way at national and Community level as to be as useful as possible in implementing the Thematic Strategy. Your rapporteur is therefore proposing that an expert group evaluate the data collected and assess it in terms of impact on human health and the environment. The expert group should be set up under the responsibility of the authorities responsible for national action plans and form a network at European level.

The data on plant protection products produced and sold should also be used in such a way as to not only furnish the basis for statistical surveys of pesticide use, but at the same time to provide the authorities with a basis for monitoring product flows. It would suffice, in this connection, to provide transparency in terms of trade flows up to the level of major customers or the local farm supplies trade. Particularly in the face of the significantly growing problem - according to the industry - of illegal imported products, the recording of substance flows in the plant protection products sector could be a useful tool for the competent authorities, giving significant added value to the proposed collection of data.

10.10.2007

## **OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT**

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

on the proposal for a regulation of the European Parliament and of the Council concerning statistics on plant protection products  
(COM(2006)0778 – C6-0457/2006 – 2006/0258(COD))

Draftsman: Friedrich-Wilhelm Graefe zu Baringdorf

### **SHORT JUSTIFICATION**

The Commission's proposal for a regulation concerning statistics on plant protection products is directly linked to the Thematic Strategy on the Sustainable Use of Pesticides, which was presented a few months earlier. The aim of the proposal is Europe-wide harmonisation of national statistics on the sale and use of plant protection products, to a degree that would enable meaningful data on the use of plant protection products to be collected and, in the medium term, allow the risks posed by the use of such products to, and their impact on, the environment and human health to be reduced.

In your draftsman's view, it is necessary to avoid duplication of surveys and data collection that would add to the burden on, in particular, agricultural holdings. Legislative proposals relating to the Thematic Strategy currently pending lay down specific provisions on the keeping of data giving information on the use of plant protection products as well as on the furnishing of sales data by producers (see, in particular, Article 64 of the proposed regulation on authorisation, COM(2006)0388). Reference should be expressly made to these provisions in connection with the collection of statistical data provided for in this Regulation.

Moreover, similar provisions on record keeping are at the heart of integrated plant protection and of private quality assurance systems such as EurepGAP. For the purpose of statistical surveys, priority should be given to using data already available for businesses which operate according to these standards, bearing in mind, however, that this group does not form a representative cross-section of agricultural holdings as a whole.

Data on plant protection products produced and placed on the market, to be furnished by producers and distributors to the competent authorities, should form the basis for surveys.

With a view to harmonising European data collection as fully as possible, it is not enough to define the reporting obligations of those concerned in implementing provisions (as provided for in Article 64 of the regulation on authorisation). The reporting obligations should be defined as precisely as possible in this regulation, as they produce the basic data required in order to compile data on the use of such products (see Annex II, section 1).

In your draftsman's view, there is no justification for excluding the use of plant protection products for non-agricultural purposes from the scope of this Regulation. Whilst private use, for example in private gardens and allotments, can only be covered by sales data, professional and large-scale users (such as communal services and transport companies) should be subject to the same requirements as regards obligations to keep data and statistical surveys as agricultural users.

Data collected should be exploited in such a way at national and Community level as to be as useful as possible in implementing the Thematic Strategy. Your draftsman is therefore proposing that an expert group evaluate the data collected and assess it in terms of impact on human health and the environment. The expert group should be set up under the responsibility of the authorities responsible for national action plans and form a network at European level.

The data on plant protection products produced and sold should also be used in such a way as to not only furnish the basis for statistical surveys of pesticide use, but at the same time to provide the authorities with a basis for recording product flows. It would suffice, in this connection, to provide transparency in terms of trade flows up to the level of major customers or the local farm supplies trade. Particularly in the face of the significantly growing problem - according to the industry - of illegal imported products, the recording of substance flows in the plant protection products sector could be a useful tool for the competent authorities, giving significant added value to the proposed collection of data.

## AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission<sup>1</sup>

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Amendments by Parliament

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Amendment 1  
Article 1, title

Subject matter *and* scope

Subject matter, scope *and objectives*

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<sup>1</sup> Not yet published in OJ.

Amendment 2  
Article 1, paragraph 2, indent 2

– the annual **agricultural use** amounts of plant protection products according to Annex II.

– the annual amounts of plant protection products **used** according to Annex II.

Amendment 3  
Article 1, paragraph 2 a (new)

***2a. The statistics shall, in particular, serve the following purposes:***

***- implementation and evaluation of the Thematic Strategy on the Sustainable Use of Pesticides,***

***- development of harmonised national and Community risk indicators, identification of trends in the use of plant protection products and assessment of the effectiveness of national action plans in accordance with the Directive XXX establishing a framework for Community action to achieve a sustainable use of pesticides (COM(2006)0373),***

***- recording of substance flows at the stages of the production of, trade in, and use of plant protection products.***

*Justification*

*The statistics are to serve specific objectives laid down in Community law. In addition, the data available should be used to enable plant protection product substance flows to be traced back and to help identify use of illegal products.*

Amendment 4  
Article 3, paragraph 1, indents 1 to 3

***–surveys,***

– reporting obligations applicable to suppliers concerning the plant protection products placed on the market; distinct authorizations for professional and non-professional uses can be used,

– reporting obligations applicable to suppliers concerning the plant protection products placed on the market; distinct authorizations for professional and non-professional uses can be used; ***in particular,***

– reporting obligations applicable to professional users based on records kept on the use of plant protection products,

*obligations pursuant to Article 64(2) of Regulation XXX concerning the placing of plant production products on the market (COM(2006)0388),*

– reporting obligations applicable to professional users based on records kept on the use of plant protection products; *in particular, obligations pursuant to Article 64(1) of Regulation XXX concerning the placing of plant production products on the market (COM(2006)0388),*

–*surveys,*

#### *Justification*

*It is necessary to avoid duplicating obligations on farmers to record and collect data, adding to the burden on them; where appropriate, priority should be given to using other sources. Member States should ensure that the conducting of surveys is monitored by suitably qualified persons.*

#### Amendment 5

Article 3, paragraph 1 a (new)

***1a. Member States shall ensure that:***

***- producers of plant protection products and***

***- those responsible for placing plant protection products on the market or importing them***

***report annually to the competent authority on:***

***- the quantities in which a given active substance or a given plant protection product is produced,***

***- the quantities in which a given active substance or a given plant protection product is supplied to processing firms or wholesalers in the European Union,***

***- the quantities in which a given active substance or a given plant protection product is exported.***

***This information shall be assessed by the competent authorities and, where***

*appropriate after editing to preserve the confidentiality of certain information, published.*

*Justification*

*The obligation on producers and market operators responsible for placing products on the market to declare quantities placed on the market or exported is essential to data collection and should therefore be expressly mentioned in the basic text of this Regulation.*

Amendment 6  
Article 6, paragraph 1

The Commission shall submit a report on the implementation of the Regulation to the European Parliament and the Council every five years. This report shall evaluate in particular the quality of data transmitted, the burden on businesses and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides.

The Commission shall submit a report on the implementation of the Regulation to the European Parliament and the Council every five years. This report shall evaluate in particular the quality *and comparability* of data transmitted, the burden on *agricultural holdings, horticultural holdings and other* businesses and the usefulness of these statistics in the context of the Thematic Strategy on the Sustainable Use of Pesticides, *in particular with regard to the objectives set out in Article 1. It shall, if appropriate, contain proposals designed to further improve data quality and reduce the burden on agricultural holdings and businesses.*

Amendment 7  
Annex I, title

Statistics on placing of plant protection products *on the market*

Statistics on *the production and* placing *on the market* of plant protection products

*Justification*

*The collection of data on amounts produced should be included.*

Amendment 8  
Annex I, section 2 a (new)

## SECTION 2a

### Reporting obligations

*Producers of plant protection products and those responsible for placing plant protection products on the market or importing them shall report annually to the competent authority on*

*- the quantities in which a given active substance or a given plant protection product is produced,*

*- the quantities in which a given active substance or a given plant protection product is supplied to processing firms or wholesalers in the European Union,*

*- the quantities in which a given active substance or a given plant protection product is exported.*

#### Amendment 9

##### Annex I, section 6, paragraph 3

The report concerning the second reference year shall contain a raw estimate of the proportions of the total quantity of substances in each major group listed in Annex III contained in plant protection products placed on the market for **both** agricultural and non-agricultural use. These estimates shall be renewed every five years.

The report concerning the second reference year shall contain a raw estimate of the proportions of the total quantity of substances in each major group listed in Annex III contained in plant protection products placed on the market for agricultural, **horticultural** and non-agricultural use, **in particular in transport, communal green spaces and for private use**. These estimates shall be renewed every five years.

#### Amendment 10

##### Annex II, section 1, paragraph 1

1. Statistics shall cover the agricultural use of plant protection products in each Member State.

1. Statistics shall cover the agricultural, **horticultural and professional non-agricultural** use of plant protection products in each Member State.

#### Amendment 11

Annex II, section 6, indent 5a (new)

***- the estimated average costs entailed by data collection for agricultural and horticultural holdings and any ways of reducing these costs.***

## PROCEDURE

<b>Title</b>	Statistics on plant protection products
<b>References</b>	COM(2006)0778 - C6-0457/2006 - 2006/0258(COD)
<b>Committee responsible</b>	ENVI
<b>Opinion by</b> Date announced in plenary	AGRI 14.12.2006
<b>Drafts(wo)man</b> Date appointed	Friedrich-Wilhelm Graefe zu Baringdorf 19.12.2006
<b>Discussed in committee</b>	11.9.2007                      9.10.2007
<b>Date adopted</b>	9.10.2007
<b>Result of final vote</b>	+:                      32 -:                      0 0:                      0
<b>Members present for the final vote</b>	Bernadette Bourzai, Niels Busk, Luis Manuel Capoulas Santos, Giuseppe Castiglione, Albert Deß, Gintaras Didžiokas, Michl Ebner, Carmen Fraga Estévez, Ioannis Gklavakis, Lutz Goepel, Esther Herranz García, Lily Jacobs, Elisabeth Jeggle, Heinz Kindermann, Jean-Claude Martinez, Véronique Mathieu, Mairead McGuinness, Rosa Miguélez Ramos, Neil Parish, Radu Podgorean, María Isabel Salinas García, Agnes Schierhuber, Willem Schuth, Czesław Adam Siekierski, Alyn Smith, Janusz Wojciechowski, Andrzej Tomasz Zapałowski
<b>Substitute(s) present for the final vote</b>	Esther De Lange, Gábor Harangozó, Jan Mulder, Catherine Neris, Markus Pieper

## PROCEDURE

<b>Title</b>	Statistics on plant protection products		
<b>References</b>	COM(2006)0778 - C6-0457/2006 - 2006/0258(COD)		
<b>Date submitted to Parliament</b>	11.12.2006		
<b>Committee responsible</b> Date announced in plenary	ENVI 14.12.2006		
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	ITRE 14.12.2006	IMCO 14.12.2006	AGRI 14.12.2006
<b>Not delivering opinions</b> Date of decision	ITRE 12.4.2007	IMCO 1.3.2007	
<b>Rapporteur(s)</b> Date appointed	Bart Staes 10.4.2007		
<b>Discussed in committee</b>	8.10.2007		
<b>Date adopted</b>	19.12.2007		
<b>Result of final vote</b>	+: -: 0:	26 15 4	
<b>Members present for the final vote</b>	Adamos Adamou, Georgs Andrejevs, Margrete Auken, Pilar Ayuso, John Bowis, Magor Imre Csibi, Chris Davies, Avril Doyle, Mojca Drčar Murko, Jill Evans, Anne Ferreira, Karl-Heinz Florenz, Matthias Groote, Satu Hassi, Gyula Hegyi, Jens Holm, Marie Anne Isler Béguin, Christa Klaß, Eija-Riitta Korhola, Urszula Krupa, Aldis Kušķis, Marios Matsakis, Linda McAvan, Roberto Musacchio, Riitta Myller, Miroslav Ouzký, Vladko Todorov Panayotov, Vittorio Prodi, Guido Sacconi, Richard Seeber, Bogusław Sonik, María Sornosa Martínez, Thomas Ulmer, Anders Wijkman, Glenis Willmott		
<b>Substitute(s) present for the final vote</b>	Kathalijne Maria Buitenweg, Philip Bushill-Matthews, Bairbre de Brún, Johannes Lebech, Miroslav Mikolášik, Hartmut Nassauer, Alojz Peterle, Bart Staes		
<b>Substitute(s) under Rule 178(2) present for the final vote</b>	Ingeborg Gräßle, Andreas Schwab		