

Sustainable use of plant protection products

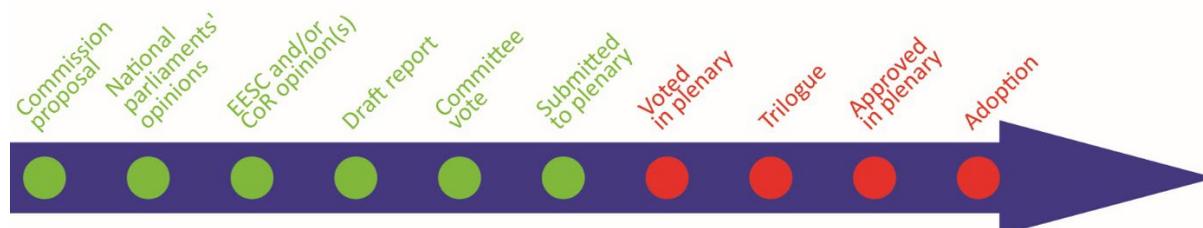
OVERVIEW

Under the farm to fork strategy, part of the European Green Deal, the EU has set itself a double target: a 50 % reduction in the overall use of and risk from chemical plant protection products, and a 50 % reduction in the use of more hazardous ones by 2030. The proposal for a regulation tabled by the European Commission on 22 June 2022, which would replace the 2009 sustainable use directive, would require Member States to contribute collectively to achieving these EU-wide targets through the adoption and attainment of binding national targets. To protect biodiversity and citizens' health, the use of all plant protection products would be banned in specific, sensitive areas, with limited derogations. Monitoring and reporting obligations would be strengthened.

Stakeholders are strongly divided on the proposal. While environmental organisations are pushing for more ambition, the farming community is concerned about the lack of alternatives for farmers, the broad coverage of sensitive areas, and consequences for business continuity. Indicators used to track progress towards the targets are also subject to criticisms from various sides.

In Parliament, the Committee on the Environment, Public Health and Food Safety (ENVI), responsible for the file, adopted its report on 24 October 2023, substantially amending the Commission text. The report awaits a vote in plenary during the November II session, with a view to setting Parliament's position for negotiations with the Council. The Council has still to agree on a general approach.

Proposal for a regulation of the European Parliament and of the Council on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115		
<i>Committee responsible:</i>	Environment, Public Health and Food Safety (ENVI)	COM(2022) 305 22.6.2022
<i>Rapporteur:</i>	Sarah Wiener (Greens/EFA, Austria)	2022/0196(COD)
<i>Shadow rapporteurs:</i>	Alexander Bernhuber (EPP, Austria) Maria Arena (S&D, Belgium) Jan Huitema (Renew, the Netherlands) Alexandr Vondra (ECR, Czechia) Anja Hazekamp (The Left, the Netherlands)	Ordinary legislative procedure (COD) (Parliament and Council on equal footing – formerly 'co-decision')
<i>Next steps expected:</i>	Plenary vote on committee report	



Introduction

[Plant protection products](#) (PPPs) are [pesticides](#)¹ used to: protect plants or plant products against pests/diseases, before or after harvest; influence the life processes of plants; preserve plant products; or destroy or prevent growth of undesired plants or parts of plants. PPPs are used chiefly in agriculture, but also in forestry, horticulture, amenity areas and home gardens. They can be grouped into [different categories](#), depending on their target (herbicides against weeds, fungicides against fungi and mould, insecticides against insects, etc.), the origin of their [active substances](#) (chemical or non-chemical, e.g. [microorganisms](#)), or their hazard to health and the environment.

While pesticides play a [significant role](#) in food production by protecting or increasing yields, their use can have harmful impacts on the environment (specifically on air, water and soil quality; terrestrial and aquatic biodiversity, with adverse effects on non-target organisms) and on human health.² The [environmental risk](#) of pesticide use, which varies from one pesticide to another, depends on the active substance characteristics (toxicity, persistence) and use patterns (volumes, time and method of application, crop and soil type). Contamination of the environment can occur through [different pathways](#), including wind drift, evaporation, surface run-off, and leaching.

Within EU society, pesticide use remains a matter of concern. Recommendations of the [Conference on the Future of Europe](#) include significantly reducing the use of chemical pesticides and fertilisers, while still ensuring food security, and supporting research to develop more sustainable and natural-based alternatives. The European citizens' initiative [Save bees and farmers!](#), launched in 2019, asks the Commission to propose legal acts to phase out synthetic pesticides in EU agriculture by 80 % by 2030, starting with the most hazardous, with a view to becoming free of synthetic pesticides by 2035, while supporting farmers in the transition. It gathered over a million statements of support from EU citizens, validated by the Commission on 10 October 2022.

Under the [European Green Deal](#), the EU has set itself a [double target](#), anchored in the [farm to fork](#) and [biodiversity](#) strategies, as well as in the [zero pollution action plan](#): a 50 % reduction in the overall use of and risk from chemical pesticides and a 50 % reduction in the use of more hazardous pesticides³ by 2030. To achieve this goal, on 22 June 2022 the European Commission tabled a [proposal for a regulation](#) on the sustainable use of plant protection products, to replace the 2009 [Sustainable Pesticide Use Directive](#) (SUD). The proposal is part of a nature protection [package](#), which also includes a proposal for legally binding targets on [nature restoration](#).

Existing situation

Legal framework

The EU regulatory framework on pesticides includes legislation on pesticide authorisation, sustainable use, residues in food and feed, and statistics.

Under [Regulation \(EC\) No 1107/2009](#), governing the placing of plant protection products on the market, PPPs are subject to a [dual approval process](#): active substances are [approved at EU level](#) and commercial products (incorporating one or more active substances) are then authorised at Member State level for specific uses. To be authorised, a PPP must satisfy a number of requirements, including not having any (direct or indirect) harmful effects on human or animal health and not having any unacceptable impact on the environment, particularly with regards to non-target species and biodiversity. When authorising PPPs, Member States make use of specific, [uniform principles](#) and take account of local agricultural and geographical/climatic conditions. Under Article 53 of the PPP Regulation, Member States may grant emergency authorisation for the use of non-authorised PPPs in exceptional circumstances and for a limited period of time.

[Directive 2009/128/EC](#) (SUD) aims to achieve sustainable use of PPPs by reducing the risks and impacts of PPP use on human health and the environment, and promoting [integrated pest management](#) (IPM), as well as alternative approaches or techniques, such as non-chemical alternatives to pesticides (see below for more details).

In order to provide farmers with tools to substitute chemical PPPs, the Commission adopted [four implementing regulations](#) in August 2022 to simplify the process of approval and authorisation of biological PPPs containing micro-organisms (such as bacteria, fungi, viruses, and protozoa). The acts entered into application on 21 November 2022.

[Regulation \(EC\) No 396/2005](#) sets legal limits for pesticide residues in or on food and feed of plant and animal origin (maximum residue levels – [MRLs](#)). MRLs apply to all products placed on the EU market, including imports. The regulation also contains provisions on [official controls](#) on pesticides residues. The last [annual report](#) from the European Food Safety Authority (EFSA) on pesticide residues in food, covering more than 88 000 food samples collected in the EU in 2020, shows that 94.9 % of samples fell within legally permitted levels.

[Regulation \(EC\) 1185/2009](#) establishes a common framework for producing statistics on the placing on the market and use of PPPs. Member States [deliver data](#) on the agricultural use by crop every 5 years, but the choice of crops monitored and the reference year vary between countries. This means that statistics on use are not harmonised on a European scale. As of 1 January 2025, the existing act will be replaced by the [regulation](#) on statistics on agricultural input and output (SAIO), [recently adopted](#) by the co-legislators. The new regulation provides for the yearly collection of data⁴ on the use of PPPs from [2028 onwards](#), with annual publication from 2030 onwards. There will be an intermediate data collection for the [reference year 2026](#), to be disseminated in 2028. The collection of data⁵ on PPPs will be based on a common list of representative crops.

SUD principles and requirements

To achieve sustainable pesticide use, Directive 2009/128/EC establishes a series of [obligations](#) for Member States, including:

- adopting [national action plans](#) (NAPs), to be reviewed every 5 years, with objectives, targets, measures and timetables to reduce health and environmental risks from pesticide use;
- promoting the adoption of integrated pest management in line with a series of general principles, laid down in Annex III of the SUD;
- ensuring access to appropriate training for professional users, distributors and advisors;
- informing the general public and promoting awareness-raising programmes about the potential risks from pesticides;
- establishing regular inspections of pesticide application equipment (at least once by 2016, then every 5 years up to 2020 and every 3 years thereafter);
- prohibiting aerial spraying (i.e. pesticide application from a plane or helicopter), except in exceptional circumstances;
- taking measures to protect the aquatic environment and drinking water supply from the impact of pesticides;
- ensuring that the use of pesticides is reduced or banned in specific areas such as public parks and gardens, schools and playgrounds, sports fields or near healthcare facilities; as well as protected areas (defined in the [Water Framework Directive](#); or identified under the [Birds](#) and [Habitats](#) Directives);
- requiring professional users to follow safety precautions when handling and storing pesticides and treating their packaging and remnants;
- taking all necessary measures to promote low pesticide-input pest management (including integrated pest management as well as [organic farming](#)).

[Commission Directive \(EU\) 2019/782](#) amending the SUD establishes, in Annex IV, two [harmonised risk indicators](#) (HRIs) to estimate the trends in risk from pesticide use. The first one (HRI 1) is based on statistics on the quantities of active substances in PPPs placed on the market (i.e. pesticide sales), reported to the Commission (Eurostat) by Member States under Annex I of Regulation (EC) No 1185/2009 on pesticide statistics. The second (HRI 2) is based on the number of [emergency authorisations](#) granted by each Member State under Article 53 of the PPP Regulation. Both

indicators are calculated using a [weighting](#) factor. This coefficient reflects the hazard attached to the active substances, which are grouped into four categories: low-risk pesticide active substances (weighting factor 1); approved active substances not falling into any other category (factor 8); [candidates for substitution](#) (factor 16); and not approved active substances (factor 64). The baseline period for the calculation of HRIs 1 and 2 is 2011 to 2013.⁶

Assessments of the SUD point to shortcomings in the directive's implementation, application and enforcement, and suggest limited effectiveness in achieving its main objectives of risk and impact reduction of pesticide use. These findings are analysed in details in the [implementation appraisal](#) issued by EPRS. The revision of the SUD upgrades the directive into a regulation, with a view to providing clear and uniform rules for consistent application across Member States. While the SUD did not target a reduction in pesticide use explicitly, the proposed regulation introduces specific reduction objectives, to bring legislation into line with the European Green Deal ambitions.

Preparation of the proposal

The Commission proposal is based on an [impact assessment](#) (IA). The EPRS [initial appraisal](#) of that IA, analysing its strengths and weaknesses, notes that the IA discusses in detail the problems and problem drivers, and analyses how the problem would evolve without policy intervention. It finds, however, that information about the problem's evolution appears to focus more on environmental and health issues, but less on economic viability. While the IA offers a qualitative and partly quantitative assessment of the options' social, environmental and economic impacts, information about possible financial assistance and/or incentives for the agri-food sector is limited. The views of stakeholders on the options, and how these views were taken into account, could have been described in more detail. The IA would have benefited from a more comprehensive analysis of the impacts on SMEs (farmers, food processors, and handlers of agricultural products and pesticides).

The IA considered [three policy options](#). The preferred option (option 3, combined with option 2 as regards the targets) would see the 50 % reduction targets become legally binding at EU level, with Member States setting their own national reduction targets using established criteria.

The Commission's Regulatory Scrutiny Board (RSB) initially gave a negative opinion on the draft impact assessment on 26 November 2021. A revised IA was submitted on 17 December 2021, and received a [positive opinion with reservations](#) on 26 January 2022.

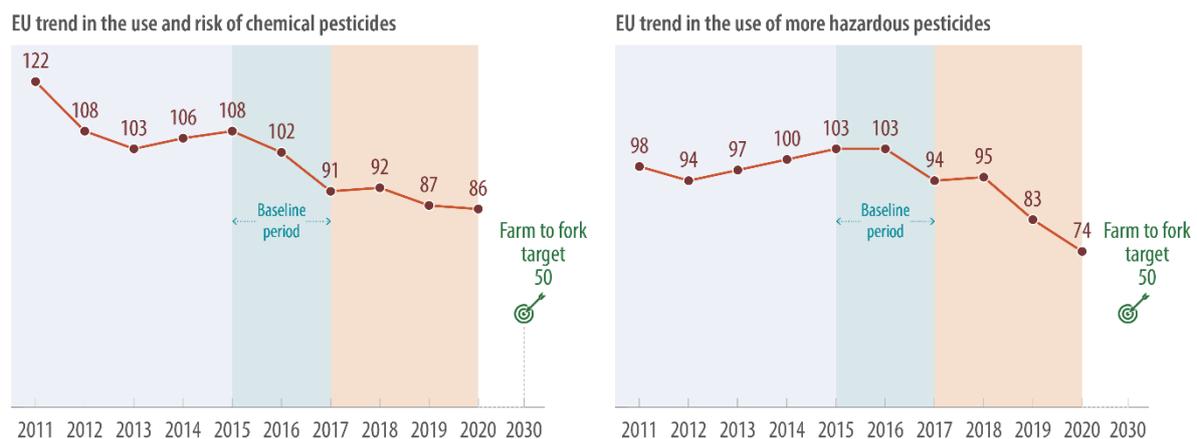
Data and expertise collected in preparation of the proposal include two Commission-contracted external studies (a [study](#) supporting the evaluation of the SUD and impact assessment of its possible revision, with a [case study compendium](#); a [foresight study](#) on future vision scenarios on the sustainable use of pesticides); the SUD implementation reports and evaluation; and various stakeholder consultation activities. To collect stakeholder input, a combined evaluation roadmap and inception impact assessment was open for public feedback from 29 May to 7 August 2020 ([360 responses](#)). A public consultation ran from 18 January to 12 April 2021 ([1 699 contributions](#), 62 % of which came from EU citizens). Furthermore, the Commission organised remote stakeholder events on 19 January, 25 June and 5 October 2021. Targeted surveys and workshops were also carried out as part of the external studies.⁷ The Commission [notes](#) diverging views among stakeholders, with many citizens, environmental organisations and the water industry in favour of strong action and legally binding targets to reduce pesticide use and risk, and some pesticide users and pesticide-industry members unconvinced of the need to reduce pesticide use. Pesticide users are also concerned about a lack of effective alternatives to chemical pesticides.

The changes the proposal would bring

Reduction targets for chemical PPPs

The [proposed regulation](#) would require Member States to **contribute collectively**, through the adoption and attainment of national targets, to achieving a 50 % EU-wide reduction in both the use and risk of chemical PPPs (target 1) and the use of more hazardous PPPs (target 2) by 2030, compared to the average of the years 2015, 2016 and 2017⁸ (baseline period) (article 4). Member States would have some flexibility in setting their targets within the parameters of a mathematical formula, allowing account to be taken of **historical progress** and **intensity of pesticide use**⁹ (article 5, paragraphs 5 to 7). However, the national reduction targets could in no case be lower than 35 %. The national targets should be adopted in national legislation within 6 months of the date of application of the regulation, and communicated to the Commission.

Figure 1– EU progress towards achieving the two 2030 reduction targets



Data source: [European Commission](#), June 2022. Graphic by Samy Chahri, EPRS.

The Commission could recommend that Member States **raise their targets**, and make such recommendations public. Any decision not to adjust national targets as recommended would have to be justified (article 6). Each year, the Commission would calculate EU and national 2030 reduction targets trends and publish them [on a website](#) (articles 7 and 34) (Figure 1). The trend in the use and risk of chemical pesticides is **measured** using statistics on the quantities of chemical active substances contained in the PPPs placed on the market (sold), reported by Member States to the Commission; and the hazard weightings allocated to the substances (factor 1, 8, 16 or 64, depending on the group they belong to). The trend in the use of more hazardous pesticides relies on data on the quantities of substances 'candidates for substitution' contained in the PPPs sold.¹⁰

National action plans (NAPs)

The proposal includes more specific requirements than the SUD on the **expected content** of the national action plans, which Member States should draft and publish within 18 months of the regulation's date of application, and review at least every 3 years thereafter (article 8). A public consultation should take place prior to the plan's adoption or modification. NAPs should be consistent with plans drawn-up under other environmental acts,¹¹ and the [CAP strategic plans](#).

To support alternatives to chemical pesticides, Member States would be required to set **national indicative targets** for increasing, by 2030:

- the use of **non-chemical methods** that can be applied to pests on key crops on which the five active substances most strongly influencing the reduction trend in relation to both of the national PPP reduction targets, are most widely used;

- the percentage of **biological controls**¹² on the five crops most strongly influencing the trends in the use and risk of chemical PPPs, and use of the more hazardous PPPs.

The baseline period would be the 3 years preceding NAP adoption. Potential obstacles to such increased use should be listed, with measures to address them and a timeline. A further indicative target should be set for raising the percentage of overall **sales of non-chemical PPPs** (article 9).

Member States would be required to **report annually** to the Commission on the implementation of their NAPs (article 10). Reporting would relate inter alia to progress towards achieving the binding national 2030 reduction targets and the national indicative targets; the evaluation outcome of HRIs (see box); and other quantitative data (detailed in Part 2 of Annex II) relating to compliance with provisions on PPP use, training, application equipment and IPM. The Commission, after analysing the progress and implementation reports, could recommend that Member States take additional measures, or **raise the level of ambition** of any of the national indicative targets.

Harmonised risk indicators in the proposed regulation

In addition to the existing HRIs 1 and 2 established under the SUD, a new HRI 2a is proposed (article 35, with Annex VI). It would replace HRI 2 from 1 January 2027. HRI 2a would be calculated using statistics on the number of emergency authorisations granted under Article 53 of the PPP Regulation, the hazard weightings of the active substances in PPPs subject to these authorisations, and the areas treated under these authorisations. The baseline period for the calculation of HRI 2a would be 2022–2024. The Commission should calculate the results of HRIs annually at EU level and publish them on the [website](#) referred to in article 7. Member States should [do the same](#) at national level. They should also conduct HRI evaluations in which they would identify: five active substances influencing the result most significantly; the crops or situations and the pests on which those active substances are used; available non-chemical methods to combat those pests. They would also have to summarise measures taken to reduce the use and risk of the substances concerned and barriers to adopting alternative pest controls. Within a year of the act's entry into force, the Commission would evaluate the three HRIs on the basis of scientific research from the Joint Research Centre and stakeholder consultation. It could then amend the existing HRIs or establish new ones through delegated acts to take account of technical progress, including the availability of statistics on PPP use in agriculture.

Integrated pest management and PPP use

The proposed regulation would require Member States to adopt **mandatory IPM crop-specific rules** to be followed by professional users, for crops covering at least 90 % of [utilised agricultural area](#) (UAA) nationally. Such rules should be in place within 2 years of the regulation's entry into force. The crop-specific rules, implementing the IPM principles outlined in article 13 for the relevant crop, must be set out in a binding legal act. Draft crop-specific rules would have to be subject to public consultation, and notified to the Commission, which could **object to their adoption** if it deemed them not compliant with the regulatory criteria (article 15). Member States would need to publish their crop-specific rules on a single website, and review them annually.

The proposal would require **record-keeping** by professional users on their IPM practices. Member States would need to establish and maintain an **electronic IPM and PPP use register** (article 16). The register would gather electronic records entered by professional users on preventative measures and interventions for crop protection – including PPP application, as required by Article 67 of the [PPP Regulation](#) – and on advice received on PPP use (article 14).

The use of PPPs for professional use would be restricted to professional users holding a **training certificate**¹³ (subject to article 25 requirements) and using the services of an independent advisor. The use and purchase of more hazardous PPPs would be limited to professional users (article 17).

Under article 26 of the proposal, Member States would have to set up a **system of independent advisors** that could build on the farm advisory services referred to in Article 15 of the [2021 regulation on CAP strategic plans](#). Independent advisors, who would be subject to extensive and regular training, would deliver advice on: application of relevant control techniques to prevent harmful organisms; IPM; precision farming techniques; use of non-chemical methods; and measures

to minimise risk to human health and the environment from chemical PPP use, where such use was necessary. Professional users would be **obliged to consult an advisor** at least once a year.

Ban on PPP use in sensitive areas

The use of **all PPPs** would be **prohibited in sensitive areas** and within 3 metres of those areas, with a possibility for Member States to establish larger mandatory buffer zones (article 18). Sensitive areas include areas used by the general public (public parks or gardens, recreation or sports grounds, public paths); areas used predominantly by vulnerable groups;¹⁴ human settlements; urban areas covered by a watercourse or water feature; non-productive areas as defined under good agricultural and environmental conditions ([GAEC standard 8](#)); and 'ecologically sensitive areas'.

Ecologically sensitive areas encompass:

- protected areas under the [Water Framework Directive](#), including possible [drinking water safeguard zones](#);
- [sites of Community importance](#) identified under the Habitats Directive, [special areas of conservation](#) designated under that directive, special protection areas classified under the Birds Directive (together forming the [Natura 2000 network](#)); as well as other national, regional, or local protected areas reported by the Member States to the [nationally designated protected areas inventory](#) (CDDA);
- areas sustaining one or more pollinator species¹⁵ that the [European Red Lists](#) classify as being threatened with extinction.

Derogations to this prohibition would only be allowed under certain conditions and on a case-by-case basis. Professional users would need to **apply for a permit** for PPP use, demonstrating the existence of a proven serious and exceptional risk of the spread of quarantine pests or invasive alien species, and the absence of a technically feasible lower risk alternative control technique to contain it. The duration of the permit should not exceed 60 days.

In order to protect the aquatic environment and drinking water, PPP use would also be prohibited on all **surface waters** and within 3 metres of those waters, again with a possibility to establish larger buffer zones at national level (article 19).

Funding under the CAP

Member States would have the possibility to **use CAP funding** to cover costs of any obligation for farmers and other users stemming from the proposed regulation, including compulsory farming practices imposed under the crop-specific rules for IPM, for a transition period of 5 years. This option requires the amendment of three articles of the [2021 regulation on CAP strategic plans](#) (article 43).

Final provisions

The proposal does not set a date for the application of the regulation as a whole. However, article 21, concerning exemptions from the aerial spraying prohibition for unmanned aircraft (drones), would apply from 3 years after the entry into force of the regulation. The Commission would evaluate the regulation 4 years after it became applicable (article 42).

Advisory committees

The European Economic and Social Committee (EESC) adopted its [opinion](#) on 14 December 2022 (rapporteur: José Manuel Roche Ramo, Group III – Diversity Europe, Spain; co-rapporteur: Arnold Puech d'Alissac, Group I – Employers, France). The EESC stressed in particular the need for flexibility in relation to national targets, for caution with HRI methodology, and the importance of focusing on alternative solutions (toolbox). It called for reciprocity of rules for imported products, and requested more clarity regarding the use of CAP funding.

The European Committee of the Regions (CoR) adopted its [opinion](#) on 15 March 2023 (rapporteur: Heinz-Joachim Höfer, PES, Germany). The CoR strongly supported the binding PPP reduction targets. It called, notably, for a state fund to support IPM uptake; and for an EU ban on the import of foodstuffs treated with pesticides not authorised in Europe, the export of unauthorised pesticides and the sale and use of chemical PPPs by non-commercial customers. It asked Member States to ensure that producers placing any PPP on the market have extended producer responsibility.

National parliaments

The [deadline](#) for national parliaments to submit reasoned opinions on grounds of subsidiarity was 23 September 2022. The [Swedish Parliament](#) submitted one on 21 September 2022. It considers that the proposal is in conflict with the principle of subsidiarity, because it includes binding requirements at EU level for an increase in the utilised agricultural area engaged in organic farming, whereas such targets already exist at Member State level. In its view, the level of detail of certain provisions (registration of many different types of data, establishment of new electronic registers, crop-specific rules) goes beyond what is necessary to achieve the set objectives. These parts of the proposal are thus not compliant with the principle of proportionality.

Stakeholder views¹⁶

The [deadline](#) for stakeholders to submit feedback following the adoption of the Commission proposal was 21 September 2022. Almost 9 000 contributions were received. Close to [three quarters](#) of the answers came from EU citizens, and around 16 % from company and business organisations. Most of the feedback provided originated from Germany (64 %). A significant share of the contributions were sent by German farmers worried about the proposed PPP ban in sensitive areas, with many expressing concerns that the German landscape conservation areas ([Landschaftsschutzgebiete](#)¹⁷), currently covering around 27 % of Germany's total area, could fall within the scope of 'ecologically sensitive areas' under the proposal.

The association of European farmers and agri-cooperatives Copa-Cogeca warns that the ambition of the proposed targets contrasts with the little information provided on solutions, technical alternatives, and support for farmers. In their view, the proposed regulation sorely lacks a framework neutralising the negative side effects and ensuring the competitiveness and resilience of the EU agricultural sector before setting a legally binding target. For the association, this is not realistic, and potentially very detrimental to the continuity of farming activities in the EU, even more so as farmers outside Europe would not be subject to the same rules.

The European Landowners' Organisation stresses that including all Natura 2000 sites under sensitive areas is breaching all previous agreements. While preserving biodiversity is key for landowners, they consider that prohibiting the use of PPPs on 18 % of EU's agricultural land (the total area under Natura 2000 – Habitats and Birds Directives) is unjustified.

The [European Federation of Food, Agriculture, and Tourism Trade Unions](#) asks to ensure strict and more effective monitoring of the proposed reduction targets, as data on the actual use of pesticides are not reliable. They regret the lack of personal accountability and sanctions for employers not respecting these reduction targets; and the lack of clarity on health and safety obligations, although improving workers' health and safety is one of the regulation's objectives.

[CropLife Europe](#), while welcoming consideration of historical progress, stresses that reduction targets would also need to address additional factors, including agronomic and climatic conditions, pest pressures, levels of pesticides used, food security, and food safety needs. It recommends setting up a centralised EU database for all existing IPM strategies to inform and guide farmers. It supports the continued use of HRI 1, but also the development of additional indicators.

While generally welcoming the proposal, environmental organisations are [asking to go further](#), in line with the demands of the 'Save bees and farmers!' initiative (an 80 % reduction in synthetic pesticides by 2030 and 100 % by 2035). Moreover, the [Pesticide Action Network](#) expresses strong

support for the proposed ban on pesticides in nature protected areas. The Health and Environment Alliance [HEAL](#) calls for buffer zone for sensitive areas to be increased from 3 metres to 50 or 100 metres, depending on the type of area. Non-governmental organisations (NGOs) and the European organic movement (IFOAM) strongly criticise [the use of HRI 1](#) to measure progress, as it is mainly a volume-based indicator that discriminates against natural substances. In a [scientific opinion paper](#), the German Environment Agency recommends several adjustments to HRI 1, including standardising PPP sale volumes with their mean application rates.

Biocontrol manufacturers ([IBMA](#)) welcome the inclusion of an EU definition of biological control, and the requirement for indicative national targets for biocontrol in NAPs. In addition, they advocate introducing a 75 % positive target for biocontrol at EU level, which they consider necessary to achieve the full agro-ecological transition.

Referring to the heated debates around the proposed regulation in both the Council and Parliament (see below), 29 NGOs, the European organic movement, beekeepers and biocontrol manufacturers addressed [a letter to the co-legislators](#) on 10 November 2022, asking them to support the proposal, and warning against the risks associated with any weakening of the text or delay in adoption. On 17 November 2022, a group of 17 agri-food chain organisations wrote a [joint letter](#) calling on the EU institutions to take into account the need for: a comprehensive assessment of the cumulative impacts of the various proposed targets; targets that are science-based and feasible for producers; the provision of alternatives before withdrawing chemical solutions; a proper definition and reconsideration of the ban on PPP use in sensitive areas; and minimisation of the burden for farmers.

[EurEau](#), representing the water sector, shares the view that buffer zones should be extended (to at least 5 metres in the case of sensitive areas, and 10 metres as regards surface waters). It also asks for a new Article 19a on extended producer responsibility, in order to implement the polluter pays principle to cover the cost to drinking water operators of ensuring compliance with the parametric values for pesticides and their metabolites in the Drinking Water Directive.

Legislative process

Parliament

In Parliament, the file was referred to the Committee on the Environment, Public Health and Food Safety (ENVI), which appointed Sarah Wiener (Greens/EFA, Austria) as rapporteur on 1 September 2022. The Committee on Agriculture and Rural Development (AGRI) is associated to the legislative report under Rule 57, with some exclusive and some shared competences (rapporteur: Clara Aguilera, S&D, Spain).

The ENVI committee adopted its [report](#) on 24 October 2023, with 47 votes in favour, 37 against and 2 abstentions. It supports an EU-wide reduction of at least 50 % in the use and risk of chemical PPPs and raises the reduction goal for the use of more hazardous ones to **65 %** by 2030. It changes the baseline period for calculating progress towards these targets from 2015-2017 to 2013-2017. To increase the availability and use of alternative solutions, the report requires the setting, within 6 months of the regulation's entry into force, of an **additional EU-wide 2030 target** for increasing overall sales of low-risk PPPs and biological control. It also introduces a number of measures to **accelerate market access** for such products. In particular, it proposes targeted amendments to the PPP Regulation requesting 'priority lanes' for their authorisation procedure at Member State level; and allowing Member States to grant, under certain conditions, provisional three-year authorisations for the placing on the market of biological control products whose active substances have not yet been approved. Under the report, the **national reduction targets** could in no case be lower than 15 % for chemical PPPs and 25 % for more hazardous PPPs (the Commission proposed a 35 % minimum threshold for both).

The report amends the **sensitive area** definition, e.g. excluding non-productive areas defined under GAEC 8 and removing certain areas protected under the Water Framework Directive from its scope.

It would be up to the Member States to identify the nationally designated areas reported to the CDDA that are relevant for the purposes of the regulation, based on Commission guidance. The report would allow application of PPPs approved for **organic farming and biological control** in sensitive areas, and add a number of **derogations** from the prohibition on the use of other PPP categories. In ecologically sensitive areas, for instance, Member States could allow the use of PPPs that would normally be prohibited if there are no economically and technically viable alternative substances; and the derogation is not detrimental to the protection objectives of the area concerned and is necessary to ensure the long-term viability of existing economic activities in the area or to safeguard seed cultivation. The Commission would define criteria and conditions for Member States to grant such derogations in an implementing act. The use of emergency authorisations under Article 53 of the PPP Regulation would be forbidden in all ecologically sensitive areas. **Buffer zones** would be expanded to 5 metres for areas frequented by the general public and vulnerable populations, and kept at 3 metres for ecologically sensitive areas.

The report seeks to adjust the **harmonised risk indicator** calculation. For HRI 1, it suggests standardising sales volumes with the mean application rates of the substances based on their representative uses evaluated under the PPP Regulation. The hazard weighting factor applying to 'not approved active substances' (group 4) would be the factor associated with the last group assignment before loss of approval (rather than the currently used factor of 64). In its evaluation of harmonised risk indicators, the Commission should look into further differentiation of approved active substances within group 2, based on their risk profile.

Member States would have the option to develop indicators for the **integral assessment** of the environmental impact of plant protection measures, which should cover at least two elements from a list provided in the report. The Commission would have to review and approve the indicators proposed by Member States, and consider them when analysing progress towards achieving national targets. By mid-2027, it should assess the indicators developed so far and look into the possible development of a harmonised EU-wide indicator on this basis.

The report would require Member States to establish, within 2 years of the regulation's entry into force, representative **monitoring programmes** of residues of PPPs and their metabolites in water, soil, air, dust, precipitation, biota and in humans, to assess whether the findings comply with the predicted exposure from environmental and human risk assessments under the PPP Regulation. The report further adds requirements on monitoring, recording and reporting of **occupational diseases** resulting from PPP use and exposure. Data collected would feed into a European database, to be set up by the Commission and made available on a public website. The report also aims to reinforce measures regarding PPPs authorised for **non-professional users**. A new article is added on access to justice.

Under the report, within 1.5 years of the regulation's entry into force, Member States should have IPM **crop-specific rules** in place for at least the five crops most strongly influencing the trend in the use and risk of chemical PPPs and the trend in the use of the more hazardous PPPs. Within 2.5 years of entry into force, such rules should be in place for crops covering at least 60 % of the utilised agricultural area nationally (excluding kitchen gardens and permanent grasslands). Crop-specific rules should be reviewed every 3 years (rather than annually). The report proposes to **store** the electronic records entered by professional users on IPM practice and PPP use for longer periods (up to at least 20 years for PPP application).

The report requires Member States to ensure that professional users are eligible for **financial support** linked to implementing IPM and reducing chemical PPP use and risk, including not only direct support, but also financing of investments to adapt production systems, insurance, and enabling access to knowledge sharing. To support farmers, Member States should consider as many funding sources as possible, among them EU funds and national contributions that include state aid. The report requires the Commission to evaluate, by the end of 2026, transition costs for farmers and impacts on farm income, and to propose, where appropriate, a new EU funding instrument for

the transition and adaptation of agriculture in the future multiannual financial framework. The [AGRI Committee](#) voted to remove the proposed provisions allowing the use of CAP funding during a 5-year transition period, on which it has exclusive competence. AGRI considers that the Commission proposal should have come with a corresponding budget to support farmers, instead of relying on funds committed under CAP strategic plans.

By the end of 2025, the Commission would have to look into differences between imported and domestically produced agricultural and agri-food products as regards PPP use and propose, if needed, legislative measures to ensure **imports meet standards** equivalent to those that apply in the EU. The report would **prohibit the export** to third countries of active substances and PPPs for which the approval or authorisation under the PPP Regulation has been refused, revoked or not renewed for public health and environmental reasons.

The report requires the Commission to **evaluate** the regulation by 30 June 2027, and every 2 years thereafter, and adds a number of elements to be looked at in the assessment. These include the availability, affordability and efficacy of biocontrol and low-risk PPPs, for each crop and relevant pests, as well as the effectiveness of the EU legislative framework on PPPs (as amended by the report) for enabling faster approvals and improved market availability of such products; the impacts of the regulation's implementation at farm level, and the impacts of reducing chemical PPPs on long-term food security and food sovereignty; and the monitoring of PPP residues and occupational diseases. The report introduces a clause to **postpone** the achievement of the 2030 EU reduction target, if needed, based on the outcomes of the second evaluation due in 2029.

The vote in plenary is expected to take place during the November II session. The text as voted will form Parliament's position for negotiations with the Council.

Council

The Council still has to agree on a general approach. Issues of concern in the Commission proposal include, in particular, the proposed reduction targets at national level, the [proposed definition for sensitive areas](#), together with the proposed ban on PPP use in these areas, the increased administrative burden associated with the regulation, [the level of support](#) necessary to accompany farmers in its implementation, and the impact assessment.

In November 2022, the Commission issued [a non-paper](#) on the definition and scope of sensitive areas, outlining possible elements of flexibility for the Council's consideration. On 19 December 2022, the Council adopted [a decision](#) requesting the Commission to prepare, and submit within 6 months, a study complementing the existing impact assessment of the proposal, notably as regards food production and prices, competitiveness and profitability of small and medium-sized farms, alternatives to PPPs, and impacts on the PPP ban in sensitive areas. The Commission submitted the requested [study](#) on 5 July 2023; it was discussed at the July 2023 [Agriculture and Fisheries Council](#).

EUROPEAN PARLIAMENT SUPPORTING ANALYSIS

Bourguignon D., [EU policy and legislation on pesticides: Plant protection products and biocides](#), EPRS, European Parliament, April 2017.

Fritzberg D., [Sustainable use of plant protection products](#), EPRS, European Parliament, October 2022.

Karamfilova E., [Revision of Directive 2009/128/EC on the sustainable use of pesticides](#), EPRS, European Parliament, September 2022.

OTHER SOURCES

[Sustainable use of plant protection products](#), Legislative Observatory (OEIL), European Parliament.

ENDNOTES

¹ In EU terms, pesticides encompass plant protection products and biocides (non-plant/crop uses). [Biocides](#) are subject to [Regulation \(EU\) 528/2012](#) governing the placing on the market and use of biocidal products. This briefing covers pesticides that are PPPs, and both terms are used interchangeably.

- ² For instance, a [meta-analysis](#) conducted by the French National Institute of Health and Medical Research (Inserm) in 2021 established a strong presumed link between occupational exposure to pesticides and six diseases: non-Hodgkin lymphomas, multiple myeloma, prostate cancer, Parkinson's disease, cognitive disorders, and chronic obstructive pulmonary disease/chronic bronchitis. Annex 5 of the Commission [impact assessment](#) accompanying the new proposal provides an overview of risks and impacts of pesticide use for environment and health.
- ³ PPPs containing one or more active substances approved as candidates for substitution under Article 24 of [Regulation \(EC\) No 1107/2009](#) and listed in [Part E of the Annex to Implementing Regulation \(EU\) No 540/2011](#), or containing one or more active substances listed in the Annex to Implementing [Regulation \(EU\) 2015/408](#).
- ⁴ Conditional on the existence of electronic registers for professional PPP users. The Commission tabled a [draft implementing regulation](#) on the content and format of the records of PPPs kept by professional users, based on Article 67(4) of the PPP Regulation.
- ⁵ The data will cover the crop areas on agricultural holdings in a Member State, treated with PPPs and the quantities of all active substances used during the reference period, including those used under an emergency authorisation.
- ⁶ This corresponds to the first 3-year period for which the Commission received data under the Pesticide Statistics Regulation, coinciding with the SUD's entry into force. A 3-year baseline is deemed necessary, as the quantity and nature of pesticides used fluctuates owing to variations in the extent and severity of pest outbreaks between years.
- ⁷ For more details, see the [Commission webpage](#) on Sustainable use of pesticides, Evaluation and impact assessment.
- ⁸ The 3 most recent years for which data was available at the time of the farm to fork strategy announcement.
- ⁹ Intensity of use would be measured by dividing the total quantity of chemical active substances in PPPs sold per year in a particular Member State by the number of hectares of utilised agricultural area in that Member State.
- ¹⁰ The methodology is set out in Annex I to the proposed regulation.
- ¹¹ The directives concerning [nitrates](#), [birds](#) and [habitats](#), [ambient air quality](#) and [national emission ceilings](#), [water](#); and the [proposed regulation](#) on nature restoration.
- ¹² Defined under article 3(23) as 'the control of organisms harmful to plants or plant products using natural means of biological origin or substances identical to them, such as micro-organisms, semiochemicals, extracts from plant products as defined in Article 3(6) of Regulation (EC) No 1107/2009, or invertebrate macro-organisms'.
- ¹³ The SUD required a training certificate only for the purchase of PPPs authorised for professional use.
- ¹⁴ Those include pregnant and nursing women, the unborn, infants and children, the elderly and workers and residents subject to high pesticide exposure over the long term, as defined in Article 3(14) of the PPP Regulation.
- ¹⁵ This would be established by the monitoring of pollinator species carried out under article 17(1), point (f), of the [proposed nature restoration regulation](#).
- ¹⁶ This section aims to provide a flavour of the debate and is not intended to be an exhaustive account of all different views on the proposal. Additional information can be found in related publications listed under 'European Parliament supporting analysis'.
- ¹⁷ Corresponding to category V 'Protected landscapes/seascapes' of the International Union for the Conservation of Nature (IUCN) protected areas management categories.

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