

Amendment 459

Norbert Lins, David McAllister, Christine Schneider, Alexander Bernhuber, Christian Sagartz, Niclas Herbst, Andreas Schwab, Massimiliano Salini, Gheorghe Falcă, Cristian-Silviu Buşoi, Marian-Jean Marinescu, Stefan Berger, Marlene Mortler, Lena Düpont, Rainer Wieland, Karolin Braunsberger-Reinhold, Sven Simon, Peter Jahr, Marion Walsmann, Sabine Verheyen, Michael Gahler, Dennis Radtke, Markus Ferber, Peter Liese, Angelika Niebler, Daniel Caspary, Hildegard Bentele, Markus Pieper, Angelika Winzig, Christian Ehler, Jens Gieseke, Wolfram Pirchner, Axel Voss, Monika Hohlmeier, Ralf Seekatz, Herbert Dorfmann, Alexandr Vondra, Veronika Vrecionová, Lukas Mandl, Christian Doleschal

Report

A9-0339/2023

Sarah Wiener

Sustainable use of plant protection products
(COM(2022)0305 – C9-0207/2022 – 2022/0196(COD))

Proposal for a regulation**Article 3 – paragraph 1 – point 16***Text proposed by the Commission**Amendment*

(16) ‘sensitive area’ means **any of** the following:

(16) ‘sensitive area’ means **a 'sensitive area' as defined by the Member State as part of its national action plan, in such a way that the general public and vulnerable groups are appropriately protected. The definition shall be made in such a way that the following types of areas are appropriately protected: (a) a freely accessible area used by the general public or a public path where access cannot be fully restricted during the application of plant protection products, except for public paths clearly located in agricultural areas. Professional sport facilities and railway networks shall not be considered to be sensitive areas for the purpose of this Regulation; (b) an area used predominantly by a vulnerable group as defined in Article 3(14) of Regulation (EC) No 1107/2009;**

(a) an area used by the general public, such as a public park or garden, recreation or sports grounds, or a public path;

(b) an area used predominantly by a vulnerable group as defined in Article

3(14) of Regulation (EC) No 1107/ 009;

(c) human settlements (community in which people live and work), defined as the most up to date CORINE (Coordination of information on the Environment) system maintained by the EEA Land Cover Level 1 classification (Artificial Surfaces) (excluding Level – 1.: Industrial, commercial and transport units and Level – 1.3: Mine, dump and construction sites)⁸⁰ ;

(d) an urban area covered by a watercourse or water feature;

(e) non-productive areas as defined under the EU standards on good agricultural and environmental condition of land (GAEC), GAEC standard 8 listed in Annex III to Regulation (EU) 01/115.

(f) an ecologically sensitive area, which means any of the following:(i) any protected area under Directive 000/60/EC, including possible safeguard zones as well as modifications of those areas following the risk assessment results for drinking water abstraction points under Directive (EU) 00/184 of the European Parliament and of the Council⁸¹

(ii) sites of Community importance in the list referred to in Article 4() of Directive 9/43/EEC and the special areas of conservation designated in accordance with Article 4(4) of that Directive, and special protection areas classified pursuant to Article 4 of Directive 009/147/EC, and any other national, regional, or local protected area reported by the Member States to the Nationally designated protected areas inventory (CDDA);

(iii) any area for which the monitoring of pollinator species carried out in accordance with Article 17(1), point (f), of Regulation xxx/xxx [reference to adopted act to be inserted] establishes that it sustains one or more pollinator species which the European Red Lists classify as being threatened with extinction.

⁸¹ Directive (EU) 2020/2184 of the European Parliament and of the Council of 16 December 2020 on the quality of water intended for human consumption (OJ L 435, 23.12.2020, p. 1).

Or. en

Amendment 460

Norbert Lins, David McAllister, Christine Schneider, Alexander Bernhuber, Christian Sagartz, Niclas Herbst, Andreas Schwab, Massimiliano Salini, Gheorghe Falcă, Cristian-Silviu Buşoi, Marian-Jean Marinescu, Stefan Berger, Marlene Mortler, Lena Düpont, Rainer Wieland, Karolin Braunsberger-Reinhold, Sven Simon, Peter Jahr, Marion Walsmann, Sabine Verheyen, Michael Gahler, Dennis Radtke, Markus Ferber, Peter Liese, Angelika Niebler, Daniel Caspary, Hildegard Bentele, Markus Pieper, Angelika Winzig, Christian Ehler, Jens Gieseke, Wolfram Pirchner, Axel Voss, Monika Hohlmeier, Ralf Seekatz, Herbert Dorfmann, Alexandr Vondra, Veronika Vrecionová, Lukas Mandl, Christian Doleschal, Ulrike Müller, Svenja Hahn, Jan-Christoph Oetjen, Nicola Beer, Andreas Glueck, Moritz Körner

Report

A9-0339/2023

Sarah Wiener

Sustainable use of plant protection products
(COM(2022)0305 – C9-0207/2022 – 2022/0196(COD))

Proposal for a regulation**Article 18 – paragraph 8 a (new)***Text proposed by the Commission**Amendment*

8 a. The preceding paragraphs shall not apply in regions in which the reduction targets of Article 5 are achieved with measures that are equivalent in their effect, suitable and binding and have been or will be developed by the Member States for the protection of biodiversity. The European Commission shall assess the measures and authorise them if they are equivalent and suitable.

Or. en

Amendment 461

Norbert Lins, David McAllister, Christine Schneider, Alexander Bernhuber, Christian Sagartz, Niclas Herbst, Andreas Schwab, Massimiliano Salini, Gheorghe Falcă, Cristian-Silviu Buşoi, Marian-Jean Marinescu, Stefan Berger, Marlene Mortler, Lena Düpont, Rainer Wieland, Karolin Braunsberger-Reinhold, Sven Simon, Peter Jahr, Marion Walsmann, Sabine Verheyen, Michael Gahler, Dennis Radtke, Markus Ferber, Peter Liese, Angelika Niebler, Daniel Caspary, Hildegard Bentele, Markus Pieper, Angelika Winzig, Christian Ehler, Jens Gieseke, Wolfram Pirchner, Axel Voss, Monika Hohlmeier, Ralf Seekatz, Herbert Dorfmann, Alexandr Vondra, Veronika Vrecionová, Lukas Mandl, Christian Doleschal, Ulrike Müller, Svenja Hahn, Jan-Christoph Oetjen, Nicola Beer, Andreas Glueck, Moritz Körner

Report

A9-0339/2023

Sarah Wiener

Sustainable use of plant protection products
(COM(2022)0305 – C9-0207/2022 – 2022/0196(COD))

Proposal for a regulation**Article 18 – title***Text proposed by the Commission**Amendment*

Use of plant protection products in
sensitive areas

Use of plant protection products in
sensitive areas
1. In line with Article 3(16), Member States shall define sensitive areas as part of their National Action Plans, in such a way that the general public and vulnerable groups are appropriately protected. These definitions shall be assessed by the Commission before approving the relevant Member States' National Action Plan. In sensitive areas, the use of all plant protection products shall be minimised through the use of risk mitigation techniques using non-chemical plant protection products. Member States shall take the necessary measures within and outside sensitive areas and report to the Commission two years after the entry into force of this Regulation.
2. Member States shall implement measures to promote biodiversity in cooperation with land-users and landowners.
3. By way of derogation from paragraph 1, a competent authority designated by a Member State may, where it is established

that there is a causal link between the use of plant protection products and the designation of the area as sensitive area, restrict or prohibit a professional user to use a plant protection product in a sensitive area for a limited period with a precisely defined start and end date that is the shortest possible but does not exceed 60 days, provided that one or more of the following conditions are met:

- a) A proven serious and exceptional risk of the spread of quarantine pests or invasive alien species does not exist;*
- b) There is no risk of significantly harming agriculture, forestry or other economic activities; or*
- c) The conservation and protection objective of the sensitive area is not dependent on agricultural use.*

1. The use of all plant protection products is prohibited in all sensitive areas and within 3 metres of such areas. This 3 metre buffer zone shall not be reduced by using alternative risk-mitigation techniques.

2. Member States may establish larger mandatory buffer zones adjacent to sensitive areas.

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

4. An application by a professional user for a permit for the use of a plant protection product in a sensitive area

shall include the information necessary to demonstrate that the conditions set out in paragraph 3 are met.

5. The competent authority referred to in paragraph 3 shall decide on the application for a permit for the use of a plant protection product within weeks of its submission.

6. The permit to use a plant protection product in a sensitive area shall indicate all of the following:
(a) the conditions for limited and controlled use by the applicant;
(b) the obligation to display notices regarding use of plant protection products on the perimeter of the area to be treated, and any specific form such display is to take;
(c) risk mitigation measures;
(d) the duration of validity of the permit.

7. A professional user that has been granted a permit to use a plant protection product in a sensitive area shall display notices to that regard on the perimeter of the area to be treated in the form indicated in the permit.

8. Where a permit for use of a plant protection product in a sensitive area is granted, before the first day of its validity, the competent authority referred to in paragraph 3 shall make publicly available the following information:
(a) the location of the use;
(b) the evidence for the exceptional circumstances justifying the application of a plant protection product;
(c) the start and end date of the approval period of the permit, which shall not exceed 60 consecutive days;
(d) the relevant weather conditions allowing a safe application;
(e) the name of the plant protection product or products;
(f) the application equipment to be used and the risk mitigation measures to be taken.

Or. en

