



2022/0196(COD)

11.5.2023

DRAFT 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
on the sustainable use of plant protection products and amending Regulation
(EU) 2021/2115
(COM(2022)0305 – C9-0207/2029 – 2022/0196(COD))

Rapporteur for opinion: Clara Aguilera

PA_Legam

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 take the following into account:

Amendment 1

Proposal for a regulation

Title

Text proposed by the Commission

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

(Text with EEA relevance)

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL

on the sustainable use of plant protection
products and amending Regulation (EU)
1107/2009

(Text with EEA relevance)

Or. es

Amendment 2

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The European Parliament resolution of 12 February 2019 on the implementation of Directive 2009/128/EC on the sustainable use of pesticides⁴¹ noted that the Union must act without delay to transition to a more sustainable use of pesticides and called on the Commission to propose an ambitious Union-wide binding target for the reduction of pesticide use. The European Parliament re-affirmed its call for binding reduction targets in its resolution of 20 October 2021 on a Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system⁴².

Amendment

(3) The European Parliament resolution of 12 February 2019 on the implementation of Directive 2009/128/EC on the sustainable use of pesticides⁴¹ noted that the Union must act without delay to transition to a more sustainable use of pesticides and called on the Commission to propose an ambitious Union-wide binding target for the reduction of pesticide use. The European Parliament re-affirmed its call for binding reduction targets in its resolution of 20 October 2021 on a Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system⁴², ***stressing that those targets must be matched by increased availability on the***

market of sustainable alternatives with equivalent effectiveness in plant health protection.

⁴¹ P8_TA(2019)0082, 12 February 2019.

⁴² P9_TA(2021)0425, 20 October 2021.

⁴¹ P8_TA(2019)0082, 12 February 2019.

⁴² P9_TA(2021)0425, 20 October 2021.

Or. es

Amendment 3

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) In order to ensure full attainment of the objectives of the Union legal framework on sustainable use of plant protection products, it needs to be adapted by laying down clearer and directly applicable rules for operators. In addition, a number of rules should be clarified, including the **rules** on the application of integrated pest management, restrictions of use of plant protection products and the inspections of equipment used to apply plant protection products. It is therefore appropriate to repeal Directive 2009/128/EC and replace it with a regulation.

Amendment

(5) In order to ensure full attainment of the objectives of the Union legal framework on sustainable use of plant protection products, it needs to be adapted by laying down clearer and directly applicable rules for operators. In addition, a number of rules should be clarified, including the **guides or guidelines** on the application of integrated pest management, restrictions of use of plant protection products and the inspections of equipment used to apply plant protection products. It is therefore appropriate to repeal Directive 2009/128/EC and replace it with a regulation.

Or. es

Amendment 4

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) The European Parliament resolution of 20 October 2021 on a Farm to Fork Strategy^{1a} underlined the need to

ensure coherence between the measures envisaged by that strategy and EU trade policy, and ensure that all food and feed products imported into the EU fully comply with relevant EU legislation and the Union's high standards. The European Parliament welcomed the strategy's ambition in this regard of ensuring enforceable chapters in all EU trade agreements. It also recalled that access to the EU market and its 450 million consumers provides its trading partners with a strong incentive to improve their sustainability as well as their production and labour standards.

^{1a} P9_TA(2021)0425, 20 October 2021.

Or. es

Amendment 5

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Biological control agents are a sustainable control alternative to the use of chemical products for the control of harmful organisms. As noted in Council Decision (EU) 2021/1102⁵⁷, biological control agents have a growing importance in sustainable agriculture and forestry and have an instrumental role to play in the success of integrated pest management and organic farming. Access to biological controls facilitates moving away from chemical plant protection products. It is appropriate to encourage farmers to switch to low input agricultural methods including organic farming. It is therefore appropriate to define the concept of biological control as a basis for Member States to set indicative targets to increase the percentage of crops on which biological control agents

Amendment

(11) Biological control agents are a sustainable control alternative to the use of chemical products for the control of harmful organisms. As noted in Council Decision (EU) 2021/1102⁵⁷, biological control agents have a growing importance in sustainable agriculture and forestry and have an instrumental role to play in the success of integrated pest management and organic farming. Access to biological controls facilitates moving away from chemical plant protection products. It is appropriate to encourage farmers to switch to low input agricultural methods including organic farming. It is therefore appropriate to define **broadly** the concept of biological control as a basis for Member States to set indicative targets to increase the percentage of crops on which biological control agents

are used.

⁵⁷ Council Decision (EU) 2021/1102 of 28 June 2021 requesting the Commission to submit a study on the Union’s situation and options regarding the introduction, evaluation, production, marketing and use of invertebrate biological control agents within the territory of the Union and a proposal, if appropriate in view of the outcomes of the study (OJ L 238, 6.7.2021, p. 81).

are used.

⁵⁷ Council Decision (EU) 2021/1102 of 28 June 2021 requesting the Commission to submit a study on the Union’s situation and options regarding the introduction, evaluation, production, marketing and use of invertebrate biological control agents within the territory of the Union and a proposal, if appropriate in view of the outcomes of the study (OJ L 238, 6.7.2021, p. 81).

Or. es

Amendment 6

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Given the different levels of historical progress and differences in intensity of pesticide use between Member States, it is necessary to allow Member States some flexibility when setting their own binding national targets (“national 2030 reduction targets”). Intensity of use is best measured by dividing the total quantity of active substances placed on the market, and therefore used, in the form of plant protection products in a particular Member State by the surface area over which the active substances were applied. Intensity in the use of chemical pesticides, and in particular of the more hazardous pesticides, correlates with greater dependency on chemical pesticides, greater risks to human health and the environment and less sustainable farming practices. It is therefore appropriate to allow Member States to take their **lower** intensity of use of chemical pesticides **than the Union average into account** in setting their national 2030 reduction targets. **It is also**

Amendment

(13) Given the different levels of historical progress and differences in intensity of pesticide use between Member States, it is necessary to allow Member States some flexibility when setting their own binding national targets (“national 2030 reduction targets”). Intensity of use is best measured by dividing the total quantity of active substances placed on the market, and therefore used, in the form of plant protection products in a particular Member State by the surface area over which the active substances were applied. Intensity in the use of chemical pesticides, and in particular of the more hazardous pesticides, correlates with greater dependency on chemical pesticides, greater risks to human health and the environment and less sustainable farming practices. It is therefore appropriate to allow Member States to take **into account** their intensity of use of chemical pesticides **in relation to the average of the zone to which they belong under Annex I to Regulation (EU)**

appropriate to require them to take their higher intensity of use of chemical pesticides than the Union average into account in setting their national 2030 reduction targets. In addition, in order to give recognition to past efforts by Member States, they should also be allowed to take into account historical progress prior to the adoption of the Farm to Fork Strategy when setting national 2030 reduction targets. ***Conversely, where Member States have increased, or made only limited reductions in, their use and risk of chemical plant protection products, they should now make a greater contribution to the achievement of the Union 2030 reduction targets, while also taking account of their intensity of pesticide use.*** In order to ensure a fair and collective effort towards the achievement of Union-wide targets and an adequate level of ambition, minimum ***limits should*** be laid down for national 2030 reduction targets. The EU's outermost regions, as listed in Article 349 of the Treaty, are located in the Atlantic, Caribbean and Indian Ocean. Due to permanent constraints such as their remoteness to the European continent, insularity and high exposure to climate change, it is appropriate to allow Member States to take into account the specific needs of these regions as regards the use of plant protection products and measures tailored to specific climatic conditions and crops. In order to ensure a fair and collective effort towards the achievement of Union-wide targets, where a Member State reaches the level of its 2030 national reduction target before 2030, it should not be required to undertake additional reduction efforts, but it should closely monitor annual fluctuations in the use and risk of chemical plant protection products and in the use of more hazardous plant protection products to ensure progress towards meeting the respective 2030 national reduction target. In the interests of transparency, Member State responses to any Commission recommendations in

No 1107/2009 in setting their national 2030 reduction targets. In addition, in order to give recognition to past efforts by Member States, they should also be allowed to take into account historical progress prior to the adoption of the Farm to Fork Strategy when setting national 2030 reduction targets. In order to ensure a fair and collective effort towards the achievement of Union-wide targets and an adequate level of ambition, ***a minimum percentage must*** be laid down for national 2030 reduction targets. The EU's outermost regions, as listed in Article 349 of the Treaty, are located in the Atlantic, Caribbean and Indian Ocean. Due to permanent constraints such as their remoteness to the European continent, insularity and high exposure to climate change, it is appropriate to allow Member States to take into account the specific needs of these regions as regards the use of plant protection products and measures tailored to specific climatic conditions and crops. In order to ensure a fair and collective effort towards the achievement of Union-wide targets, where a Member State reaches the level of its 2030 national reduction target before 2030, it should not be required to undertake additional reduction efforts, but it should closely monitor annual fluctuations in the use and risk of chemical plant protection products and in the use of more hazardous plant protection products to ensure progress towards meeting the respective 2030 national reduction target. In the interests of transparency, Member State responses to any Commission recommendations in relation to the level of ambition of national targets and the annual progress made towards them should be publicly accessible.

relation to the level of ambition of national targets and the annual progress made towards them should be publicly accessible.

Or. es

Amendment 7

Proposal for a regulation Recital 14

Text proposed by the Commission

(14) Member States should draft and publish national action plans. In order for the Member State national action plans to be effective, they should contain quantitative objectives, references to binding national 2030 reduction targets as set out in national law, together with related indicative targets set out in the national action plans, measures, timetables and indicators to reduce risks and impacts of pesticide use on human health and the environment. This will allow for a structured approach to the setting of quantitative objectives and targets, with a clear link to the national 2030 reduction targets. In order to monitor compliance with the provisions of this Regulation, Member States should also be required to report annually on targets and precise quantitative data relating to compliance with provisions on use, training, application equipment and integrated pest management.

Amendment

(14) Member States should draft and publish national action plans. In order for the Member State national action plans to be effective, they should contain quantitative objectives, references to binding national 2030 reduction targets, ***in accordance with their respective zones***, as set out in national law, together with related indicative targets set out in the national action plans, measures, timetables and indicators to reduce risks and impacts of pesticide use on human health and the environment. This will allow for a structured approach to the setting of quantitative objectives and targets, with a clear link to the national 2030 reduction targets. In order to monitor compliance with the provisions of this Regulation, Member States should also be required to report annually on targets and precise quantitative data relating to compliance with provisions on use, training, application equipment and integrated pest management.

Or. es

Amendment 8

Proposal for a regulation Recital 15

Text proposed by the Commission

(15) In order to achieve the Union-wide reduction targets ('Union 2030 reduction targets') as well as national 2030 reduction targets, it is necessary to increase the availability and use of biological control and other non-chemical alternatives. Availability of these alternatives will incentivise the adoption of low pesticide-input pest management practices such as organic farming.

Amendment

(15) In order to achieve the Union-wide reduction targets ('Union 2030 reduction targets') as well as national 2030 reduction targets, it is necessary to increase the availability, ***accessibility and affordability of low-risk alternatives*** and use of biological control and other non-chemical alternatives, ***including new genome techniques and digital and precision technologies***. Availability of these alternatives will incentivise the adoption of low ***chemical*** pesticide-input pest management practices such as organic farming.

Or. es

Amendment 9

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Economic instruments, including those under the CAP that provide support to farmers, can play a crucial role in the achievement of objectives relating to the sustainable use of plant protection products and, in particular, reducing the use of chemical plant protection products. Member States have to show in their national CAP Strategic Plans that their implementation of the CAP contributes to and supports other relevant Union legislation and their objectives, ***including objectives under this Regulation***.

Amendment

(18) Economic instruments, including those under the CAP that provide support to farmers, can play a crucial role in the achievement of objectives relating to the sustainable use of plant protection products and, in particular, reducing the use of chemical plant protection products. Member States have to show in their national CAP Strategic Plans that their implementation of the CAP contributes to and supports other relevant Union legislation and their objectives. ***Over and above the CAP, additional funding is needed to ensure that farmers receive adequate financial support to avoid productivity losses and ensure that the environmental, economic and social sustainability of European agriculture is maintained.***

Amendment 10

Proposal for a regulation

Recital 20

Text proposed by the Commission

(20) An approach to pest control that follows integrated pest management in ensuring careful consideration of all available means that discourage the development of populations of harmful organisms, while keeping the use of chemical plant protection products to levels that are economically and ecologically justified and minimising risks to human health and the environment is necessary for the protection of human health and the environment. ‘Integrated pest management’ emphasises the growth of a healthy crop with the least possible disruption to agro-ecosystems, encourages natural pest control mechanisms and uses chemical control only when all other control means are exhausted. To ensure that integrated pest management is implemented consistently on the ground, it is necessary to lay down clear rules in this Regulation. In order to comply with the obligation to follow integrated pest management, a professional user should consider and implement all methods and practices that avoid the use of plant protection products. Chemical plant protection products should only be used when all other control means have been exhausted. In order to ensure and monitor compliance with this requirement, it is important that professional users keep a record of the **reasons why they apply** plant protection products or the reasons for any other action taken in line with integrated pest management and of advice received in support of their implementation of integrated pest management from

Amendment

(20) An approach to pest control that follows integrated pest management in ensuring careful consideration of all available means that discourage the development of populations of harmful organisms, while keeping the use of chemical plant protection products to levels that are economically and ecologically justified and minimising risks to human health and the environment is necessary for the protection of human health and the environment. ‘Integrated pest management’ emphasises the growth of a healthy crop with the least possible disruption to agro-ecosystems, encourages natural pest control mechanisms and uses chemical control only when all other control means are exhausted. To ensure that integrated pest management is implemented consistently on the ground, it is necessary to lay down clear rules in this Regulation. In order to comply with the obligation to follow integrated pest management, a professional user should consider and implement all methods and practices that avoid the use of plant protection products. Chemical plant protection products should only be used when all other control means have been exhausted. In order to ensure and monitor compliance with this requirement, it is important that professional users keep a record of the plant protection products **they apply** or the reasons for any other action taken in line with integrated pest management and of advice received, **notably by farms that make intensive use of plant protection products**, in support of

independent advisors. These records are also required for aerial applications.

their implementation of integrated pest management from independent advisors. These records are also required for aerial applications.

Or. es

Amendment 11

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) In order to facilitate compliance with integrated pest management, it is necessary to lay down crop-specific **rules** that a professional user must follow in relation to the specific crop and region in which the professional user operates. Such **rules** should convert the requirements of integrated pest management into verifiable criteria that apply to the specific crop. To ensure that the crop-specific **rules** are in accordance with the requirements of integrated pest management, **detailed rules** should be laid down **as to what they should contain and the Commission should verify their development, implementation and enforcement on the ground.**

Amendment

(22) In order to facilitate compliance with integrated pest management, it is necessary to lay down crop-specific **guidelines** that a professional user must follow in relation to the specific crop and region in which the professional user operates. Such **guidelines** should, **where possible,** convert the requirements of integrated pest management into verifiable criteria that apply to the specific crop. To ensure that the crop-specific **guidelines** are in accordance with the requirements of integrated pest management, **a series of requirements as to their content** should be laid down.

Or. es

Amendment 12

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) In order to verify compliance by professional users with integrated pest management, an electronic integrated pest management and plant protection product

Amendment

(23) In order to verify compliance by professional users with integrated pest management, an electronic integrated pest management and plant protection product

use register should be maintained with the aim of verifying compliance with the **rules** on integrated pest management set out in this Regulation and supporting the development of Union policy. Access to the register should also be granted to national statistical authorities for the development, production and dissemination of official statistics in accordance with Chapter V of Regulation (EC) No 223/2009 of the European Parliament and of the Council⁶⁶. This register should record any preventative measure or intervention **and the reasons for that preventative measure or intervention**. This will provide the competent authorities with the information necessary to verify whether a professional user has carried out a decision-making process, in accordance with integrated pest management, before determining the specific preventative measure or intervention. The register should also contain details in relation to advice required annually in support of integrated pest management in order to verify that such strategic longer term planning in relation to integrated pest management is taking place.

⁶⁶ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

use register should be maintained with the aim of verifying compliance with the **provisions** on integrated pest management set out in this Regulation and supporting the development of Union policy. Access to the register should also be granted to national statistical authorities for the development, production and dissemination of official statistics in accordance with Chapter V of Regulation (EC) No 223/2009 of the European Parliament and of the Council⁶⁶. This register should record any preventative measure or intervention. This will provide the competent authorities with the information necessary to verify whether a professional user has carried out a decision-making process, in accordance with integrated pest management, before determining the specific preventative measure or intervention. **Where relevant**, the register should also contain details in relation to advice required annually in support of integrated pest management in order to verify that such strategic longer term planning in relation to integrated pest management is taking place.

⁶⁶ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

Or. es

Amendment 13

Proposal for a regulation Recital 25

Text proposed by the Commission

(25) Use of plant protection products may have particularly negative impacts in certain areas that are frequently used by the general public or by vulnerable groups, communities in which people live and work and ecologically sensitive areas, such as Natura 2000 sites protected in accordance with Directive 2009/147/EC of the European Parliament and of the Council⁶⁷ and Council Directive 92/43/EEC⁶⁸. If plant protection products are used in areas used by the general public, the possibility of exposure of humans to such plant protection products is high. In order to protect human health and the environment, the use of plant protection products in sensitive areas and within 3 metres of such areas, ***should therefore be prohibited***. Derogations from the prohibition ***should only*** be allowed under certain conditions and on a case-by-case basis.

⁶⁷ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

⁶⁸ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

Amendment

(25) Use of plant protection products may have particularly negative impacts in certain areas that are frequently used by the general public or by vulnerable groups, communities in which people live and work and ecologically sensitive areas, such as Natura 2000 sites protected in accordance with Directive 2009/147/EC of the European Parliament and of the Council⁶⁷ and Council Directive 92/43/EEC⁶⁸. If plant protection products are used in areas used by the general public, the possibility of exposure of humans to such plant protection products is high. In order to protect human health and the environment, the ***Member States may prohibit or restrict the*** use of plant protection products in sensitive areas and within 3 metres of such areas. ***If prohibited,*** derogations from the prohibition ***may*** be allowed under certain conditions and on a case-by-case basis.

⁶⁷ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

⁶⁸ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

Or. es

Amendment 14

Proposal for a regulation Recital 28

Text proposed by the Commission

(28) It is however likely that certain unmanned aircraft (including drones) will allow for the targeted aerial application of plant protection products. Such unmanned aircraft are likely to help reduce the use of plant protection products due to targeted application and consequently help reduce the risks to human health and the environment compared to use of land-based application equipment. It is therefore appropriate to set criteria in this Regulation for an exemption of certain unmanned aircraft from the prohibition of aerial application. It is also appropriate to defer the application of this exemption for **3 years given the current state of scientific uncertainty**.

Amendment

(28) It is however likely that certain unmanned aircraft (including drones) will allow for the targeted aerial application of plant protection products. Such unmanned aircraft are likely to help reduce the use of plant protection products due to targeted application and consequently help reduce the risks to human health and the environment compared to use of land-based application equipment. It is therefore appropriate to set criteria in this Regulation for an exemption of certain unmanned aircraft from the prohibition of aerial application. It is also appropriate to defer the application of this exemption for **1 year to allow the Commission to establish evaluation methodologies to allow such uses to be authorised**.

Or. es

Amendment 15

**Proposal for a regulation
Recital 30**

Text proposed by the Commission

(30) Given the importance of advice on the use of plant protection products as a means to support their use in a manner that protects human health and the environment in accordance with integrated pest management, it is important that advisors are adequately trained.

Amendment

(30) Given the importance of advice on the use of plant protection products as a means to support their use in a manner that protects human health and the environment in accordance with integrated pest management, it is important that advisors are adequately trained **and that they are independent as regards the production and sale of plant protection products. Member States may put in place the system they deem appropriate to guarantee and monitor this independence**.

Or. es

Amendment 16

Proposal for a regulation Recital 32

Text proposed by the Commission

(32) It is essential that Member States establish and maintain systems of both initial and follow-up training for distributors, advisors and professional users of plant protection products and certification systems to record such training, in order to ensure that those operators are fully aware of the potential risks to human health and the environment and of the appropriate measures to reduce those risks as much as possible. The training for advisors should be more extensive than that of distributors and professional users since they need to be able to support the proper implementation of integrated pest management and crop-specific *rules*. The use or purchase of a plant protection product authorised for professional use must be limited to persons in possession of a training certificate. In addition, in order to ensure safe use of plant protection products for human health and the environment, distributors should be required to provide both professional and non-professional purchasers of plant protection products with product specific information at point of sale.

Amendment

(32) It is essential that Member States establish and maintain systems of both initial and follow-up training for distributors, advisors and professional users of plant protection products and certification systems to record such training, in order to ensure that those operators are fully aware of the potential risks to human health and the environment and of the appropriate measures to reduce those risks as much as possible. The training for advisors should be more extensive than that of distributors and professional users since they need to be able to support the proper implementation of integrated pest management and crop-specific *guidelines*. The use or purchase of a plant protection product authorised for professional use must be limited to persons in possession of a training certificate. In addition, in order to ensure safe use of plant protection products for human health and the environment, distributors should be required to provide both professional and non-professional purchasers of plant protection products with product specific information at point of sale.

Or. es

Amendment 17

Proposal for a regulation Recital 33

Text proposed by the Commission

(33) In order to ensure a planned approach to harmful organism control techniques across a number of growing

Amendment

(33) In order to ensure a planned approach to harmful organism control techniques across a number of growing

seasons with a view to minimising the use of chemical plant protection products as much as possible and to ensure a proper implementation of integrated pest management, professional users should be **required** to **regularly** consult trained, independent advisors on pest management, so that plant protection products are only used as a last resort.

seasons with a view to minimising the use of chemical plant protection products as much as possible and to ensure a proper implementation of integrated pest management, professional users should be **facilitated** to consult trained, independent advisors on pest management **at any stage**, so that plant protection products are only used as a last resort.

Or. es

Amendment 18

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

This Regulation lays down rules for the sustainable use of plant protection products by providing for the setting, and achievement by **2030**, of reduction targets for the use and risk of chemical plant protection products, establishing requirements for use, storage, sale and disposal of plant protection products and for application equipment, providing for training and awareness raising, and providing for implementation of integrated pest management.

Amendment

This Regulation lays down rules for the sustainable use of plant protection products by providing for the setting, and achievement by **2035**, of reduction targets for the use and risk of chemical plant protection products, establishing requirements for use, storage, sale and disposal of plant protection products and for application equipment, providing for training and awareness raising, and providing for implementation of integrated pest management.

Or. es

Justification

The deadline should be extended as the 10 years provided for in the F2F Strategy are exceeded by the legislative procedure and the roadmap in this Regulation. Adoption of this amendment implies its application to recitals 12, 13, 14, 15, 19, 38, 39, 40, Articles 4, 5, 6, 7, 8, except paragraph 1(d), 9, 10, 11, 34, 36, and Annexes I and II. Its adoption will entail the corresponding changes.

Amendment 19

Proposal for a regulation

Article 3 – paragraph 1 – point 7

Text proposed by the Commission

(7) ‘professional user’ means any person who uses a plant protection product ***in the course of their professional activities***;

Amendment

(7) ‘professional user’ means any person who uses a plant protection product ***authorised for professional use***;

Or. es

Justification

The definition should be consistent with the definition of professional use given in Article 17(1).

Amendment 20

Proposal for a regulation

Article 3 – paragraph 1 – point 16 – point a

Text proposed by the Commission

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

Amendment

(a) an area used by the general public, such as a public park or garden, recreation or sports grounds, or a public path ***where access cannot be restricted***;

Or. es

Amendment 21

Proposal for a regulation

Article 3 – paragraph 1 – point 16 – point d

Text proposed by the Commission

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

Amendment

(d) an urban area covered by a watercourse or water feature ***where access cannot be restricted***;

Or. es

Amendment 22

Proposal for a regulation

Article 3 – paragraph 1 – point 16 – point e

Text proposed by the Commission

Amendment

(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) 2021/2115;

deleted

Or. es

Justification

Regulation (EU) 2115/2021 on CAP Strategic Plans already stipulates that land covered by GAEC standard 8 cannot be treated with plant protection products.

Amendment 23

Proposal for a regulation

Article 3 – paragraph 1 – point 16 – point f – point i

Text proposed by the Commission

Amendment

(i) any protected area under Directive 2000/60/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) 2020/2184 of the European Parliament and of the Council⁸¹;

(i) any protected area under Directive 2000/60/EC, **excluding those covered by Annex IV, point 1(iv) and** including possible safeguard zones as well as modifications of those areas following the risk assessment results for drinking water abstraction points under Directive (EU) 2020/2184 of the European Parliament and of the Council⁸¹;

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).

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).

Justification

Nitrate-sensitive zones are excluded.

Amendment 24**Proposal for a regulation****Article 3 – paragraph 1 – point 16 – point f – point ii***Text proposed by the Commission*

(ii) sites of Community importance in the list referred to in Article 4(2) of Directive 92/43/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 2009/147/EC, **and any other national, regional, or local protected area reported by the Member States to the Nationally designated protected areas inventory (CDDA)**;

Amendment

(ii) sites of Community importance in the list referred to in Article 4(2) of Directive 92/43/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 2009/147/EC;

Or. es

Amendment 25**Proposal for a regulation****Article 3 – paragraph 1 – point 16 – point f – point iii***Text proposed by the Commission*

(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;**

Amendment

deleted

Or. es

Justification

These areas are not defined so they should not be included.

Amendment 26

Proposal for a regulation

Article 3 – paragraph 1 – point 22

Text proposed by the Commission

(22) ‘non-chemical methods’ means alternatives to chemical plant protection products;

Amendment

(22) ‘non-chemical methods’ means alternatives to chemical plant protection products, ***including strategies based on the use of synthetic pheromones/semiochemicals;***

Or. es

Amendment 27

Proposal for a regulation

Article 3 – paragraph 1 – point 23

Text proposed by the Commission

(23) ‘biological control’ means 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.

Amendment

(23) ‘biological control’ means 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, ***other natural substances*** or invertebrate macro-organisms.

Or. es

Amendment 28

Proposal for a regulation

Article 3 – paragraph 1 – point 23 a (new)

Text proposed by the Commission

Amendment

(23a) ‘natural substance’ means a substance containing one or more components originating in nature, including plants, algae/microalgae, animals, minerals, bacteria, fungi, proteins, peptides, enzymes, RNA, protozoa, viruses, viroids and mycoplasmas. Natural substances can be obtained from nature or synthesised, including only natural nucleotides or amino acids. This definition excludes semiochemicals and microbes.

Or. es

Justification

This definition is introduced to complement a broad definition of ‘biological control’.

Amendment 29

Proposal for a regulation Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Requirements applicable to imported products

When concluding a trade agreement with a third country, insofar as it concerns agricultural and agri-food products, the EU shall ensure that the requirements applicable in that country for the use, storage, sale and disposal of plant protection products guarantee a level of protection of human health, animal health and the environment that is equivalent to that established by this Regulation.

Or. es

Amendment 30

Proposal for a regulation

Article 5 – paragraph 5 – subparagraph 2 – point b

Text proposed by the Commission

(b) 50% where a Member State's weighted intensity of use and risk of chemical plant protection products during the average of the years 2015, 2016 and 2017 is between 70% and **140%** of the Union average;

Amendment

(b) 50% where a Member State's weighted intensity of use and risk of chemical plant protection products during the average of the years 2015, 2016 and 2017 is between 70% and **170%** of the Union average;

Or. es

Justification

It is essential to take into account the particular climatic conditions of the various Member States with regard to the intensity of use of plant protection products.

Amendment 31

Proposal for a regulation

Article 5 – paragraph 5 – subparagraph 2 – point c

Text proposed by the Commission

(c) 65% where a Member State's weighted intensity of use and risk of chemical plant protection products during the average of the years 2015, 2016 and 2017 is more than **140%** of the Union average.

Amendment

(c) 65% where a Member State's weighted intensity of use and risk of chemical plant protection products during the average of the years 2015, 2016 and 2017 is more than **170%** of the Union average.

Or. es

Justification

It is essential to take into account the particular climatic conditions of the various Member States with regard to the intensity of use of plant protection products.

Amendment 32

Proposal for a regulation

Article 5 – paragraph 6 – subparagraph 2 – point b

Text proposed by the Commission

(b) 50% where a Member State's intensity of use of the more hazardous plant protection products during the average of the years 2015, 2016 and 2017 is between 70% and **140%** of the Union average;

Amendment

(b) 50% where a Member State's intensity of use of the more hazardous plant protection products during the average of the years 2015, 2016 and 2017 is between 70% and **170%** of the Union average;

Or. es

Justification

It is essential to take into account the particular climatic conditions of the various Member States with regard to the intensity of use of plant protection products.

Amendment 33

Proposal for a regulation

Article 5 – paragraph 6 – subparagraph 2 – point c

Text proposed by the Commission

(c) 65% where a Member State's intensity of use of the more hazardous plant protection products during the average of the years 2015, 2016 and 2017 is more than **140%** of the Union average.

Amendment

(c) 65% where a Member State's intensity of use of the more hazardous plant protection products during the average of the years 2015, 2016 and 2017 is more than **170%** of the Union average.

Or. es

Justification

It is essential to take into account the particular climatic conditions of the various Member States with regard to the intensity of use of plant protection products.

Amendment 34

Proposal for a regulation

Article 6 – paragraph 4

Text proposed by the Commission

4. Where a Member States decides not to adjust its national **2030** reduction targets, as recommended by the Commission, it shall **include** the **justifications** for such decision **in its national action plan together with the text of the recommendation**.

Amendment

4. Where a Member States decides not to adjust its national reduction targets, as recommended by the Commission, it shall **provide** the **reasons** for such decision.

Or. es

Amendment 35

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. **Member States which have received a Commission recommendation referred to in paragraph 2 shall communicate the adjusted targets, or their justification for not adjusting them, as applicable, to the Commission by... [OP: please insert the date – 18 months after the date of application of this Regulation].**

Amendment

deleted

Or. es

Amendment 36

Proposal for a regulation
Article 6 – paragraph 6

Text proposed by the Commission

6. Having assessed the level of national **2030** reduction targets of all Member States set in accordance with Article 5, the Commission shall verify whether their average at least equals 50% so as to achieve the corresponding Union 2030 reduction target.

Amendment

6. Having assessed the level of national reduction targets of all Member States set in accordance with Article 5, the Commission shall verify whether their average at least equals 50% so as to achieve the corresponding Union 2030 reduction target **and shall propose new**

measures if the Union target is not being met.

Or. es

Amendment 37

Proposal for a regulation Article 6 – paragraph 7

Text proposed by the Commission

Amendment

7. If the average of national 2030 reduction targets of all Member States is lower than 50%, the Commission shall recommend that one or more Member States increase the level of their national 2030 reduction targets in order to achieve the Union 2030 reduction targets. The Commission shall make any such recommendation public.

deleted

Or. es

Amendment 38

Proposal for a regulation Article 6 – paragraph 8 – introductory part

Text proposed by the Commission

Amendment

8. Within one month of receiving the recommendation *referred to in paragraph 7*, a Member State shall take one of the following actions:

8. Within one month of receiving the *adjustment* recommendation, a Member State shall take one of the following actions:

Or. es

Amendment 39

Proposal for a regulation Article 8 – paragraph 1 – subparagraph 1 – point i

Text proposed by the Commission

(i) other planned and adopted measures to support, or ensure ***through binding requirements laid down in national law***, the sustainable use of plant protection products in line with integrated pest management principles, including those contained in crop-specific ***rules*** as set out in Article 15(1).

Amendment

(i) other planned and adopted measures to support or ensure the sustainable use of plant protection products in line with integrated pest management principles, including those contained in crop-specific ***guidelines*** as set out in Article 15(1).

Or. es

Amendment 40

Proposal for a regulation
Article 8 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Each Member State shall review its national action plan at least every **3** years from the first publication. As a result of the review a Member State may amend its national action plan. Member States shall publish amended versions of their national action plans and shall provide amended national action plans to the Commission without delay.

Amendment

Each Member State shall review its national action plan at least every **5** years from the first publication. As a result of the review a Member State may amend its national action plan. Member States shall publish amended versions of their national action plans and shall provide amended national action plans to the Commission without delay.

Or. es

Amendment 41

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

2. For each non-chemical method listed in accordance with paragraph 1, point (d), national action plans shall indicate all of the following:

Amendment

deleted

(a) the estimated scale of its use, based on data on the sale of plant protection products, surveys and expert judgement, during the 3 calendar years preceding the adoption of the national action plan, together with a national indicative target for increasing its use by 2030 and a list of potential obstacles to achieving this increase;

(b) a list of measures and other actions to be taken by the Member State and by other actors to address the potential obstacles referred to in point (a), with a detailed timeline of intermediary steps and the authorities responsible for each step to be taken by the Member State.

Or. es

Justification

This paragraph is deleted in order to facilitate the drafting of the national plans and lessen the administrative burden on the Member States.

Amendment 42

Proposal for a regulation Article 10 – paragraph 2 – point b

Text proposed by the Commission

(b) all trends in progress towards achieving national indicative targets set out in **Article 9(2), point (a)**, Article 9(3), point (a), and Article 9(4), calculated annually as the difference between the extent of use in the 3 calendar years preceding the adoption of the national action plan in accordance with Article 9(1) and the calendar year ending 20 months prior to the publication of the relevant annual progress and implementation report;

Amendment

(b) all trends in progress towards achieving national indicative targets set out in Article 9(3), point (a), and Article 9(4), calculated annually as the difference between the extent of use in the 3 calendar years preceding the adoption of the national action plan in accordance with Article 9(1) and the calendar year ending 20 months prior to the publication of the relevant annual progress and implementation report;

Or. es

Justification

The reference to the paragraph deleted from Article 9 is removed.

Amendment 43

Proposal for a regulation

Article 11 – paragraph 6

Text proposed by the Commission

6. Where, on the basis of its analysis of the annual progress and implementation reports, the Commission concludes that the progress achieved is insufficient for the collective achievement of the Union 2030 reduction targets, it shall propose measures **and exercise its other powers at Union level** in order to ensure the collective achievement of those targets. Such measures shall take into consideration the level of ambition of contributions to the Union 2030 reduction targets by Member States set out in the national 2030 reduction targets adopted by them.

Amendment

6. Where, on the basis of its analysis of the annual progress and implementation reports, the Commission concludes that the progress achieved is insufficient for the collective achievement of the Union 2030 reduction targets, it shall propose measures in order to ensure the collective achievement of those targets. Such measures shall take into consideration the level of ambition of contributions to the Union 2030 reduction targets by Member States, **in accordance with their respective zones**, set out in the national 2030 reduction targets adopted by them.

Or. es

Amendment 44

Proposal for a regulation

Article 12 – paragraph 1 – point a

Text proposed by the Commission

(a) by applying Article 13 where no crop-specific **rules** have been adopted for the relevant crop and area in accordance with Article 15 by the Member State in which they operate;

Amendment

(a) by applying Article 13 where no crop-specific **guidelines** have been adopted for the relevant crop and area in accordance with Article 15 by the Member State in which they operate;

Or. es

Justification

The IPM system is the basis of sustainable and future-oriented agriculture. It is not, however,

a mathematical system: two farmers managing the same crop in a different way may be correctly complying with IPM principles. IPM guidelines cannot, therefore, be laid down as pre-established criteria that must be met. It would be impossible to compile all the scenarios that a farmer may encounter. The term 'rule' is deleted throughout the chapter.

Amendment 45

Proposal for a regulation

Article 12 – paragraph 1 – point b

Text proposed by the Commission

(b) by applying crop-specific **rules** adopted by the Member State in which they operate for the relevant crop and area in accordance with Article 15 and performing the actions set out in Article 13(8).

Amendment

(b) by applying crop-specific **guidelines** adopted by the Member State in which they operate for the relevant crop and area in accordance with Article 15 and performing the actions set out in Article 13(8).

Or. es

Justification

The IPM system is the basis of sustainable and future-oriented agriculture. It is not, however, a mathematical system: two farmers managing the same crop in a different way may be correctly complying with IPM principles. IPM guidelines cannot, therefore, be laid down as pre-established criteria that must be met. It would be impossible to compile all the scenarios that a farmer may encounter. The term 'rule' is deleted throughout the chapter.

Amendment 46

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Advisors shall provide advice that is consistent with the applicable crop-specific **rules** and with integrated pest management.

Amendment

2. Advisors shall provide advice that is consistent with the applicable crop-specific **guidelines** and with integrated pest management.

Or. es

Justification

The IPM system is the basis of sustainable and future-oriented agriculture. It is not, however,

a mathematical system: two farmers managing the same crop in a different way may be correctly complying with IPM principles. IPM guidelines cannot, therefore, be laid down as pre-established criteria that must be met. It would be impossible to compile all the scenarios that a farmer may encounter. The term 'rule' is deleted throughout the chapter.

Amendment 47

Proposal for a regulation Article 13 – paragraph 1

Text proposed by the Commission

1. Professional users shall first apply measures that do not require the use of chemical plant protection products for the prevention or suppression of harmful organisms before resorting to application of chemical plant protection products.

Amendment

1. ***Where possible***, professional users shall first apply measures that do not require the use of chemical plant protection products for the prevention or suppression of harmful organisms before resorting to application of chemical plant protection products.

Or. es

Amendment 48

Proposal for a regulation Article 13 – paragraph 2 – subparagraph 1 – introductory part

Text proposed by the Commission

A professional user's records referred to in Article 14(1) shall demonstrate that he or she has considered all of the following options:

Amendment

2. ***Where possible***, a professional user's records referred to in Article 14(1) shall demonstrate that he or she has considered all of the following options:

Or. es

Amendment 49

Proposal for a regulation Article 13 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Where a professional user has not applied a measure listed in the first subparagraph of this paragraph, the records referred to in Article 14(1) shall contain reasons thereof.

deleted

Or. es

Justification

This information is difficult to export to an electronic register and complicates the farmer's tasks in terms of registration.

Amendment 50

Proposal for a regulation

Article 13 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. Professional users shall monitor harmful organisms by appropriate methods and tools. Such methods and tools shall include at least one of the following:

3. ***Where possible***, professional users shall monitor harmful organisms by appropriate methods and tools. Such methods and tools shall include at least one of the following:

Or. es

Amendment 51

Proposal for a regulation

Article 13 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. Professional users shall use biological controls, physical and other non-chemical methods. Professional users may only use chemical methods if they are necessary to achieve acceptable levels of harmful organism control after all other non-chemical methods as set out in paragraphs 1, 2 and 3 have been exhausted

4. ***Where possible***, professional users shall use biological controls, physical and other non-chemical methods. Professional users may only use chemical methods if they are necessary to achieve acceptable levels of harmful organism control after all other non-chemical methods as set out in paragraphs 1, 2 and 3 have been exhausted

and where any of the following conditions has been satisfied:

and where any of the following conditions has been satisfied:

Or. es

Amendment 52

Proposal for a regulation Article 14 – paragraph 1 – point a

Text proposed by the Commission

(a) any preventative measure or intervention **and the reason for that preventative measure or intervention**, including the identification and assessment of pest level, where no crop-specific **rules** have been adopted for the relevant crop and area by the Member State in which the professional user operates;

Amendment

(a) any preventative measure or intervention, including the identification and assessment of pest level, where no crop-specific **guidelines** have been adopted for the relevant crop and area by the Member State in which the professional user operates;

Or. es

Justification

Deletion of information that is difficult to export to the electronic register.

Amendment 53

Proposal for a regulation Article 14 – paragraph 1 – point b

Text proposed by the Commission

(b) any preventative measure or intervention **and the reason for that preventative measure or intervention**, including the identification and assessment of pest level, performed with a reference to measurable criteria set out in the applicable crop-specific **rules** where crop-specific **rules** have been adopted for the relevant crop and area by the Member State in which the professional user operates.

Amendment

(b) any preventative measure or intervention, including the identification and assessment of pest level, performed with a reference to measurable criteria set out in the applicable crop-specific **guidelines** where crop-specific **guidelines** have been adopted for the relevant crop and area by the Member State in which the professional user operates.

Justification

Deletion of information that is difficult to export to the electronic register.

Amendment 54**Proposal for a regulation
Article 15 – title***Text proposed by the Commission*

Implementation of integrated pest management using crop-specific **rules**

Amendment

Implementation of integrated pest management using crop-specific **guidelines**

Or. es

Justification

IPM as a system is a fundamental element of a sustainable and future-oriented agriculture. It is not, however, a mathematical system: two farmers managing the same crop in a different way may be correctly complying with the principles of IPM. IPM guidelines cannot, therefore, be laid down as pre-established criteria that must be complied with. It would be impossible to compile all the scenarios that a farmer may encounter. The term ‘rule’ is deleted throughout the chapter.

Amendment 55**Proposal for a regulation
Article 15 – paragraph 1***Text proposed by the Commission*

1. Member States shall adopt agronomic requirements based on integrated pest management **controls** that must be adhered to when growing or storing a particular crop and are designed to ensure that chemical crop protection is only used after all other non-chemical methods have been exhausted and when a threshold for intervention is reached (‘crop-specific **rules**’). The crop-specific **rules** shall implement the principles of integrated pest management, set out in

Amendment

1. Member States shall adopt agronomic requirements based on **the most recent available scientific and technical knowledge on** integrated pest management that must be adhered to when growing or storing a particular crop and are designed to ensure that chemical crop protection is only used after all other non-chemical methods have been exhausted and, **where possible**, when a threshold for intervention is reached (‘crop-specific **guidelines**’). The crop-specific **guidelines** shall implement

Article 13, for the relevant crop **and be set out in a binding legal act.**

the principles of integrated pest management, set out in Article 13, for the relevant crop.

Or. es

Justification

See justification for the amendment to the title of this Article.

Amendment 56

**Proposal for a regulation
Article 15 – paragraph 2**

Text proposed by the Commission

2. Each Member State shall designate a competent authority responsible for ensuring that the crop-specific **rules** are scientifically robust and **comply** with this Article.

Amendment

2. Each Member State shall designate a competent authority responsible for ensuring that the crop-specific **guidelines** are scientifically robust, **considering the diversity of local agronomic conditions** and **complying** with this Article.

Or. es

Justification

See justification for the amendment to the title of this Article.

Amendment 57

**Proposal for a regulation
Article 15 – paragraph 3**

Text proposed by the Commission

3. By ... [OP: please insert the date = the first day in the month following 24 months after the date of entry into force of this Regulation] each Member State shall have in place effective and enforceable crop-specific **rules**, for crops covering an area that accounts for at least 90 % of its utilised agricultural area (excluding kitchen gardens). Member States shall determine

Amendment

3. By ... [OP: please insert the date = the first day in the month following 24 months after the date of entry into force of this Regulation] each Member State shall have in place effective and enforceable crop-specific **guidelines**, for crops covering an area that accounts for at least 90 % of its utilised agricultural area (excluding kitchen gardens). Member

the geographic scope of those rules taking account of relevant agronomic conditions, including, the type of soil and crops and the prevailing climatic conditions.

States shall determine the geographic scope of those rules taking account of relevant agronomic conditions, including, the type of soil and crops and the prevailing climatic conditions, ***together with crop vulnerabilities and organisms harmful to crops that need to be controlled.***

Or. es

Justification

See justification for the amendment to the title of this Article.

Amendment 58

**Proposal for a regulation
Article 15 – paragraph 4**

Text proposed by the Commission

Amendment

4. At least 9 months prior to the point in time when a crop-specific rule becomes applicable under national law, the Member State shall perform all of the following actions:

deleted

(a) publish a draft for public consultation;

(b) take into account comments received from stakeholders and members of the public on the draft in a transparent manner;

(c) submit the draft that takes into account the comments as referred to in point (b) to the Commission.

Or. es

Justification

An overly unwieldy procedure should be done away with, and can be simplified, for instance by notifying the Commission each time new requirements are adopted at national level.

Amendment 59

Proposal for a regulation Article 15 – paragraph 5

Text proposed by the Commission

Amendment

5. *Where the Commission is notified of a draft in accordance with paragraph 4, point (c), it may within 6 months of receipt of the draft object to its adoption by a Member State, if it considers that the draft does not comply with the criteria set out in paragraph 6. If the Commission objects, the Member State shall refrain from adopting the draft until it has amended the text so as to remedy the shortcomings identified in the Commission's objections. The absence of a reaction from the Commission in accordance with this paragraph to a draft crop-specific rule shall not prejudice any action or decision which might be taken by the Commission under other Union acts.* **deleted**

Or. es

Justification

An overly unwieldy procedure should be done away with, and can be simplified, for example by notifying the Commission each time new requirements are adopted at national level.

Amendment 60

Proposal for a regulation Article 15 – paragraph 6 – introductory part

Text proposed by the Commission

Amendment

6. The crop-specific **rules** shall **convert the requirements of integrated pest management laid down in Article 13 into verifiable criteria by**, among others, **specifying** the following:

6. The crop-specific **guidelines** shall **include**, among others, the following:

Or. es

Justification

Verifiable criteria for IPM can only be set in some cases.

Amendment 61

Proposal for a regulation

Article 15 – paragraph 6 – point c

Text proposed by the Commission

Amendment

(c) *the low-risk plant protection products or alternatives to chemical plant protection products which are effective against the harmful organisms referred to in point (a) and qualitative criteria or conditions under which these interventions are to be made;* **deleted**

Or. es

Justification

Companies, whether large or SMEs, sell and advertise their plant protection products as effective against the harmful organisms for which they are registered. It is not for public authorities to promote any given product, and could give rise to various problems. Nor is it always possible to establish quantitative criteria or thresholds for the application of chemicals.

Amendment 62

Proposal for a regulation

Article 15 – paragraph 6 – point d

Text proposed by the Commission

Amendment

(d) *chemical plant protection products that are not low-risk plant protection products and that are effective against the harmful organisms referred to in point (a) and qualitative criteria or conditions under which these interventions are to be made;* **deleted**

Or. es

Justification

Companies, whether large or SMEs, sell and advertise their plant protection products as effective against the harmful organisms for which they are registered. It is not for public authorities to promote any given product; this could give rise to various problems. Nor is it always possible to establish quantitative criteria or thresholds for the application of chemicals.

Amendment 63

Proposal for a regulation

Article 15 – paragraph 6 – point e

Text proposed by the Commission

(e) the quantitative criteria or conditions under which chemical plant protection products may be used after all other means of control that do not require the use of chemical plant protection products have been exhausted;

Amendment

(e) ***where possible***, the quantitative criteria or conditions under which chemical plant protection products may be used after all other means of control that do not require the use of chemical plant protection products have been exhausted;

Or. es

Amendment 64

Proposal for a regulation

Article 15 – paragraph 6 – point f

Text proposed by the Commission

(f) the measurable criteria or conditions under which more hazardous plant protection products may be used after all other means of control that do not require the use of chemical plant protection products have been exhausted.

Amendment

(f) ***where possible***, the measurable criteria or conditions under which more hazardous plant protection products may be used after all other means of control that do not require the use of chemical plant protection products have been exhausted.

Or. es

Amendment 65

Proposal for a regulation

Article 15 – paragraph 6 – point g

Text proposed by the Commission

(g) the obligation to record observations demonstrating that the relevant threshold value has been reached.

Amendment

(g) ***where possible***, the obligation to record observations demonstrating that the relevant threshold value has been reached ***or the climatic conditions and the phenological status of the crop require the use of plant-protection products.***

Or. es

Amendment 66

**Proposal for a regulation
Article 15 – paragraph 7**

Text proposed by the Commission

7. Each Member State shall review its crop-specific ***rules*** annually and update them where necessary, including when it is needed to reflect changes in the availability of harmful organism control tools.

Amendment

7. Each Member State shall review its crop-specific ***guidelines*** annually and update them where necessary, including when it is needed to reflect changes in the availability of harmful organism control tools, ***including scientific progress and new digital and precision farming technologies.***

Or. es

Amendment 67

**Proposal for a regulation
Article 15 – paragraph 8**

Text proposed by the Commission

8. A Member State that is planning to update a crop-specific rule shall, at least 6 months before the update becomes applicable under national law:

(a) publish a draft of the updated rules for public consultation;

(b) take into account comments

Amendment

deleted

received from stakeholders and members of the public on the draft in a transparent manner;

(c) submit the draft that takes into account the comments as referred to in point (b) to the Commission.

Or. es

Justification

The proposed updating procedure is overly complex and could be simplified by notifying the Commission each time a new requirement is adopted at national level.

Amendment 68

**Proposal for a regulation
Article 15 – paragraph 9**

Text proposed by the Commission

Amendment

9. *Where the Commission is notified of a draft under paragraph 8, it may within 3 months of receipt of the draft object to the updating of the crop-specific rule by a Member State, if it considers that the draft does not comply with the criteria set out in paragraph 6. If the Commission objects, the Member State shall refrain from updating the crop-specific rule until it has amended the text so as to remedy the shortcomings identified in the Commission's objections. The absence of a reaction from the Commission in accordance with this paragraph to a draft crop-specific rule shall not prejudice any action or decision which might be taken by the Commission under other Union acts.*

deleted

Or. es

Justification

The proposed procedure is overly complex. It would suffice to inform the Commission's staff whenever an IPM guideline is revised or updated at national level.

Amendment 69

Proposal for a regulation Article 15 – paragraph 10

Text proposed by the Commission

10. A Member State with significant climatic or agronomic differences between regions, shall adopt crop-specific **rules** for each of those regions.

Amendment

10. A Member State with significant climatic or agronomic differences between regions, shall adopt crop-specific **guidelines** for each of those regions.

Or. es

Amendment 70

Proposal for a regulation Article 15 – paragraph 11

Text proposed by the Commission

11. Each Member State shall publish all of its crop-specific **rules** on a single website.

Amendment

11. Each Member State shall publish all of its crop-specific **guidelines** on a single website.

Or. es

Amendment 71

Proposal for a regulation Article 15 – paragraph 13

Text proposed by the Commission

13. By ... [OP: please insert the date = the first day of the month following 7 years after the date of entry into force of this Regulation], the Commission shall submit a report to the European Parliament and the Council on the adoption and enforcement of crop-specific **rules** in the Member States and the compliance of those **rules** with Article 15.

Amendment

13. By ... [OP: please insert the date = the first day of the month following 7 years after the date of entry into force of this Regulation], the Commission shall submit a report to the European Parliament and the Council on the adoption and enforcement of crop-specific **guidelines** in the Member States and the compliance of those **guidelines** with Article 15.

Amendment 72

Proposal for a regulation

Article 16 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) any preventative measure or intervention ***and the reasons for that preventative measure or intervention*** entered in accordance with Article 14(1);

(a) any preventative measure or intervention entered in accordance with Article 14(1);

Or. es

Justification

This is a matter of keeping only truly relevant information and deleting information that is not only difficult to export to an electronic register, but also complicates the farmer's tasks in terms of registration.

Amendment 73

Proposal for a regulation

Article 16 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) the name of the advisor and dates and content of advice entered in accordance with Article 14(2);

(b) ***where necessary***, the name of the advisor and dates and content of advice entered in accordance with Article 14(2);

Or. es

Amendment 74

Proposal for a regulation

Article 16 – paragraph 7

Text proposed by the Commission

Amendment

7. ***In order to ensure a uniform structure of the summary and analysis***

deleted

referred to in paragraph 4, the Commission may, by means of implementing acts, adopt a standard template for such summary and analysis. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 41(2).

Or. es

Justification

Since paragraph 4 has been deleted, paragraph 7 should also be removed.

Amendment 75

**Proposal for a regulation
Article 17 – paragraph 1 – point b**

Text proposed by the Commission

Amendment

(b) uses the services of an independent advisor in accordance with Article 26(3).

(b) uses, **when appropriate**, the services of an independent advisor in accordance with Article 26(3).

Or. es

Justification

Only large farms and/or those which make intensive use of chemical plant-protection products should be required to hire independent consultants.

Amendment 76

**Proposal for a regulation
Article 17 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

2a. The production, storage, transfer and export to third countries of plant-protection products containing active substances whose use is prohibited in the European Union shall be prohibited.

Amendment 77**Proposal for a regulation
Article 18 – paragraph 1***Text proposed by the Commission*

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.

Amendment

1. ***Member States should, taking due account of the necessary public health and hygiene requirements and biodiversity, evaluate the need to prohibit or restrict the use of certain plant-protection products in*** sensitive areas and within 3 metres of such areas. This 3 metre buffer zone shall not be reduced by using alternative risk-mitigation techniques.

Or. es

Justification

Sensitive areas should be managed at Member State level under the national plans.

Amendment 78**Proposal for a regulation
Article 18 – paragraph 3 – introductory part***Text proposed by the Commission*

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:***

Amendment

3. A competent authority designated by a Member State may permit a professional user to use a plant protection product in a sensitive area ***where its use is prohibited*** for a limited period with a precisely defined start and end date that is the shortest possible but does not exceed **120** days, provided that:

(a) one of the following conditions is met:

Or. es

Amendment 79

Proposal for a regulation Article 18 – paragraph 3 – point a

Text proposed by the Commission

(a) a proven serious and exceptional risk of the spread of quarantine pests or invasive alien species exists;

Amendment

(a) **(i)** a proven serious and exceptional risk of the spread of quarantine pests or invasive alien species exists;

Or. es

Amendment 80

Proposal for a regulation Article 18 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(aa) (ii) a proven serious and exceptional risk exists of the spread of new quarantine pests or invasive alien species, which are at the pre-assessment stage in accordance with subsection 1 of Section 3 of Annex I to Regulation (EU) 2016/2031 of the European Parliament of the Council of 26 October 2016^{1a} on protective measures against pests of plants.

1a OJ L317, 23.11.2016, p. 4.

Or. es

Amendment 81

Proposal for a regulation Article 18 – paragraph 3 – point b

Text proposed by the Commission

(b) there is no technically feasible lower risk alternative control technique to contain the spread of quarantine pests or invasive alien species.

Amendment

(b) **and**

(b) there is no technically feasible lower risk alternative control technique to contain the spread of quarantine pests or invasive alien species **as set out in points (a)(i) and (ii) of this paragraph.**

Or. es

Amendment 82

**Proposal for a regulation
Article 23 – paragraph 1**

Text proposed by the Commission

Advice on the use of a plant protection product to a professional user may only be given by an advisor for whom a training certificate has been issued for following courses for advisors in accordance with Article 25 or who has a proof of entry in a central electronic register for following such courses in accordance with Article 25(5).

Amendment

Where necessary, advice on the use of a plant protection product to a professional user may only be given by an advisor for whom a training certificate has been issued for following courses for advisors in accordance with Article 25 or who has a proof of entry in a central electronic register for following such courses in accordance with Article 25(5).

Or. es

Justification

The requirement to seek advice should only apply to large farms and/or farms which make intensive use of plant-protection products.

Amendment 83

**Proposal for a regulation
Article 25 – paragraph 1 – point c**

Text proposed by the Commission

(c) extensive training for advisors on the subjects listed in Annex III with particular emphasis on the application of integrated pest management.

Amendment

(c) extensive, **ongoing** training for advisors on the subjects listed in Annex III with particular emphasis on the application of integrated pest management.

Or. es

Amendment 84

Proposal for a regulation Article 25 – paragraph 6

Text proposed by the Commission

6. A training certificate or an entry in a central electronic register shall be valid for 10 years **in the case of** a distributor or professional user and for **5 years in the case of** an advisor.

Amendment

6. A training certificate or an entry in a central electronic register shall be valid for 10 years **both for** a distributor or professional user and for an advisor.

Or. es

Justification

The high standards of protection in EU legislation and the constant revisions require advisors to undergo almost constant training. A validity period of less than 10 years would add unnecessary red tape.

Amendment 85

Proposal for a regulation Article 26 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Independent advisory system shall mean a system made up of a network of appropriately trained and impartial advisors providing agriculture-related advice on integrated pest management to professional users of plant-protection products. These advisors shall have no links whatsoever to companies holding

Amendment 86

Proposal for a regulation Article 26 – paragraph 1

Text proposed by the Commission

1. Each Member State shall designate **a** competent **authority** to establish, oversee and monitor the operation of a system of independent advisors for professional users. That system may make use of the impartial farm advisors referred to in Article 15 of Regulation (EU) No 2021/2115, who must be regularly trained and can be funded under Article 78 of the same regulation.

Amendment

1. Each Member State shall designate **one or more** competent **authorities** to establish, oversee and monitor the operation of a system of independent advisors for professional users. That system may make use of the impartial farm advisors referred to in Article 15 of Regulation (EU) No 2021/2115, who must be regularly trained and can be funded under Article 78 of the same regulation.

Justification

The amendment aims to adapt the system to the different internal administrative structures of each Member State.

Amendment 87

Proposal for a regulation Article 26 – paragraph 2

Text proposed by the Commission

2. The competent authority referred to in paragraph 1 shall ensure that any advisor registered in the system referred to in **that paragraph** (‘independent advisor’) is free from any conflict of interest and, in particular, is not in a situation which, directly or indirectly, could affect their ability to carry out their professional duties

Amendment

2. The competent authority **or authorities** referred to in paragraph 1 shall ensure that any advisor registered in the system referred to in **paragraphs -1 and 1** (‘independent advisor’) is free from any conflict of interest and, in particular, is not in a situation which, directly or indirectly, could affect their ability to carry out their

in an impartial manner.

professional duties in an impartial manner.

Or. es

Amendment 88

Proposal for a regulation

Article 26 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. For the purposes of this Article, ‘independent advisor’ shall mean the technical and agriculture-related services of agricultural cooperatives and, in those Member States which have such a network, the national advisory networks for integrated pest management.

Or. es

Justification

In Spain, the Integrated Crop Treatment Associations (Agrupaciones para Tratamientos Integrados – ATRIA) and Crop Defence Associations (Agrupaciones de defensa vegetal – ADV) function very well.

Amendment 89

Proposal for a regulation

Article 26 – paragraph 3

Text proposed by the Commission

Amendment

3. Each professional user shall consult an independent advisor at least once a year for the purposes of receiving the strategic advice referred to in paragraph 4.

3. Each professional user shall consult an independent advisor whenever necessary for the purposes of receiving the strategic advice referred to in paragraph 4. ***Each Member State may draw up a list of plants and types of agriculture where the intensive use of plant-protection products requires the professional user to consult an independent advisor.***

Or. es

Justification

*Consulting of an independent adviser must not be made into a bureaucratic formality.
Farmers must be free to do so as often as necessary.*

Amendment 90

Proposal for a regulation

Article 26 – paragraph 4 – introductory part

Text proposed by the Commission

4. An advisor referred to in paragraph 3 shall provide strategic advice on the following subjects:

Amendment

4. An ***independent*** advisor referred to in paragraph 3 shall provide strategic advice on the following subjects:

Or. es

Amendment 91

Proposal for a regulation

Article 26 – paragraph 4 – point d

Text proposed by the Commission

(d) use of non-chemical methods;

Amendment

(d) use of non-chemical methods ***of intervention***;

Or. es

Amendment 92

Proposal for a regulation

Article 27 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the benefits of plant health for crop protection;

Or. es

Amendment 93

Proposal for a regulation Article 29 – paragraph 1

Text proposed by the Commission

1. By ... [OP please insert the date = first day of the month following 9 months after the date of entry into force of this Regulation], an owner of application equipment in professional use shall **enter** the fact that he or she is the owner of the application equipment in the electronic register of application equipment in professional use referred to in Article 33, using **the** form set out in Annex V, unless the Member State in which the owner uses the equipment has exempted that equipment from inspection in accordance with Article 32(3).

Amendment

1. By ... [OP please insert the date = first day of the month following 9 months after the date of entry into force of this Regulation], an owner of application equipment in professional use **or, where applicable, the competent authority acting on behalf of the owner**, shall **log** the fact that he or she is the owner of the application equipment in the electronic register of application equipment in professional use referred to in Article 33, using **a form containing, as a minimum requirement, the information** set out in Annex V, unless the Member State in which the owner uses the equipment has exempted that equipment from inspection in accordance with Article 32(3).

Or. es

Justification

In some Member States, registration of the application equipment in professional use is the responsibility of the regional authorities.

Amendment 94

Proposal for a regulation Article 29 – paragraph 2

Text proposed by the Commission

2. If application equipment in professional use is sold, the seller and the buyer shall **enter** the fact of the sale, within 30 days after the sale, in the electronic register of application equipment in professional use referred to in Article 33, using **the** form set out in Annex V, unless the application equipment in professional

Amendment

2. If application equipment in professional use is sold, the seller and the buyer **or, if applicable, the competent authority acting on behalf of the owner** shall **log** the fact of the sale, within 30 days after the sale, in the electronic register of application equipment in professional use referred to in Article 33, using **a** form

use has been exempted from inspection in the relevant Member State(s) in accordance with Article 32(3). A similar obligation to enter a transfer of ownership in the electronic register applies in the case of any other changes of ownership of application equipment in professional use that has not been exempted from inspection in the relevant Member State(s) in accordance with Article 32(3).

containing, as a minimum requirement, the information set out in Annex V, unless the application equipment in professional use has been exempted from inspection in the relevant Member State(s) in accordance with Article 32(3). A similar obligation to enter a transfer of ownership in the electronic register applies in the case of any other changes of ownership of application equipment in professional use that has not been exempted from inspection in the relevant Member State(s) in accordance with Article 32(3).

Or. es

Justification

In some Member States, documenting the sale of the application equipment in professional use is the responsibility of the regional authorities.

Amendment 95

Proposal for a regulation Article 29 – paragraph 3

Text proposed by the Commission

3. If application equipment in professional use is withdrawn from use and is not intended to be used again, its owner shall, within 30 days after the withdrawal from use, **enter** the fact that the equipment has been withdrawn from use in the electronic register of application equipment in professional use referred to in Article 33, using **the** form set out in Annex V.

Amendment

3. If application equipment in professional use is withdrawn from use and is not intended to be used again, its owner **or, if applicable, the competent authority acting on behalf of the owner** shall, within 30 days after the withdrawal from use, **log** the fact that the equipment has been withdrawn from use in the electronic register of application equipment in professional use referred to in Article 33, using **a form containing, as a minimum requirement, the information** set out in Annex V.

Or. es

Justification

In some Member States, documenting the withdrawal of application equipment from

professional use is the responsibility of the regional authorities.

Amendment 96

Proposal for a regulation Article 29 – paragraph 4

Text proposed by the Commission

4. If application equipment in professional use is returned to use, its owner shall, within 30 days after the return to use, **enter** that fact in the electronic register of application equipment in professional use referred to in Article 33 **using** the **form** set out in Annex V.

Amendment

4. If application equipment in professional use is returned to use, its owner **or, if applicable, the competent authority acting on behalf of the owner** shall, within 30 days after the return to use, **log** that fact in the electronic register of application equipment in professional use referred to in Article 33 **a form containing, as a minimum requirement, the information** set out in Annex V.

Or. es

Amendment 97

Proposal for a regulation Article 42 a (new) Regulation (EU) 1107/2009 Article 30 a (new)

Text proposed by the Commission

Amendment

Article 42a

*Amendment to Regulation (EU)
1107/2009*

The following new Article 30a is inserted:

Article 30a

Provisional authorisations for plant-protection products derived from natural substances

1. By way of derogation from Article 29(1)(a), Member States may authorise, for a provisional period not exceeding five years, the sale of plant protection products

based on substances of biological origin containing active substances which have not yet been approved, provided that:

(a) pursuant to Article 9 the dossier on the active substance is admissible in relation to the proposed uses; and

(b) the Member State concludes that the active substance can satisfy the requirements of Article 4(2) and (3) and that the plant-protection product may be expected to satisfy the requirements of Article 29(1)(b) to (h); and

(c) maximum residue levels have been established in accordance with Regulation (EC) No 396/2005.

2. In such cases the Member State shall immediately inform the other Member States and the Commission of its assessment of the dossier and of the terms of the authorisation, giving at least the information provided for in Article 57(1).

Or. es

Justification

Arrangements for making innovative alternatives to chemical pesticides available to farmers need to be streamlined.

Amendment 98

Proposal for a regulation

Article 43

Regulation (EU) 2115/2021

Article 31 – paragraph 5 – Article 70 – paragraph 3 – Article 73 – paragraph 5

Text proposed by the Commission

Amendment

Article 43

deleted

*Amendments to Regulation (EU)
2021/2115*

Regulation (EU) 2021/2115 is amended as follows:

(1) in Article 31(5), the following

subparagraph is added:

*‘By way of derogation from points (a) and (b) of the first subparagraph of this paragraph, where in accordance with Regulation (EU) .../... of the European Parliament and of the Council ^{*89} requirements are imposed on farmers, support may be granted to comply with those requirements for a maximum period ending on the later one of the two dates – ... [OP: insert the date = 5 years from the date of entry into force of this Regulation] or 5 years from the date on which they become mandatory for the holding.*

** Regulation (EU) .../... of the European Parliament and of the Council ... on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115 (OJ ...).’.*

(2) In Article 70(3), the following subparagraph is added:

‘By way of derogation from points (a) and (b) of the first subparagraph of this paragraph, where in accordance with Regulation (EU) .../...⁹⁰ requirements are imposed on beneficiaries, support may be granted to comply with those requirements for a maximum period ending on the later one of the two dates – ... [OP: insert the date = 5 years from the date of entry into force of this Regulation] or 5 years from the date on which they become mandatory for the holding.’;

(3) in Article 73(5), the following subparagraph is added:

‘By way of derogation from the first subparagraph of this paragraph, where in accordance with Regulation (EU) .../... ⁺⁺ requirements are imposed on farmers, support may be granted to comply with those requirements for a maximum period ending on the later one of the two dates – ... [OP: insert the date = 5 years from the date of entry into force of this Regulation] or 5 years from the date on which they

become mandatory for the holding. ‘

⁸⁹ +OJ: Please insert in the text the number of the Regulation contained in document ... and insert the number, date and the OJ reference of that Regulation in the footnote.

⁹⁰ ++OJ: Please insert in the text the number of the Regulation contained in document ...’

Or. es

Justification

The Commission’s proposal is not accompanied by a corresponding budget for support for farmers. Once again the Commission is counting on using CAP funds, committed in the respective strategic plans, to finance other legislative proposals; this is unacceptable.

Amendment 99

Proposal for a regulation Article 45 – paragraph 3

Text proposed by the Commission

However, Article 21 shall apply from [OP: please insert the date = **3 years** after the date of entry into force of this Regulation].

Amendment

However, Article 21 shall apply from [OP: please insert the date = **1 year** after the date of entry into force of this Regulation].

Or. es

Justification

There is currently a shortage of products for aerial use owing to the lack of assessment guidelines for these uses. The Commission shall, within the agreed timeframe, establish assessment methodologies for the authorisation of this type of use.

Amendment 100

Proposal for a regulation Annex II – Part 2 – paragraph 2 – point 11

Text proposed by the Commission

Amendment

11. the percentage of professional users that failed to comply with the obligation to use independent advisory services at least once a year.

deleted

Or. es

Amendment 101

Proposal for a regulation

Annex II – Part 2 – paragraph 4 – point 15

Text proposed by the Commission

Amendment

15. the percentage of utilised agricultural area in each Member State that is covered by crop-specific **rules that have been made legally binding under national legislation.**

15. the percentage of utilised agricultural area in each Member State that is covered by crop-specific **guidelines for integrated pest management.**

Or. es

Amendment 102

Proposal for a regulation

Annex III – point 10

Text proposed by the Commission

Amendment

10. Special care in sensitive areas as defined in Article **2(15)** of this Regulation and protection areas established under Articles 6 and 7 of Directive 2000/60/EC and an awareness of contamination caused by particular plant protection products in their respective region.

10. Special care in sensitive areas as defined in Article **3(16)** of this Regulation and protection areas established under Articles 6 and 7 of Directive 2000/60/EC and an awareness of contamination caused by particular plant protection products in their respective region.

Or. es