



**2022/0196(COD)**

1.6.2023

# OPINION

of the Committee on 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 - C9-0207/2022 – 2022/0196(COD))

Rapporteur for opinion: Michèle Rivasi

PA\_Legam

## AMENDMENTS

The Committee on Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a regulation

##### Citation 1

###### *Text proposed by the Commission*

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) thereof,

###### *Amendment*

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1) **and Article 208** thereof,

### Amendment 2

#### Proposal for a regulation

##### Citation 5 a (new)

###### *Text proposed by the Commission*

###### *Amendment*

***having regard to the Intergovernmental Panel Special Report of 24 September 2019 on the Ocean and Cryosphere in a Changing Climate (SROCC),***

### Amendment 3

#### 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 pesticides<sup>41</sup> 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

###### *Amendment*

(3) The European Parliament resolution of 12 February 2019 on the implementation of Directive 2009/128/EC on the sustainable use of pesticides<sup>41</sup> noted that the Union must act without delay to transition to a more sustainable use of pesticides, ***including addressing imported agricultural products treated with banned***

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 system<sup>42</sup>.

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<sup>41</sup> P8\_TA(2019)0082, 12 February 2019.

<sup>42</sup> P9\_TA(2021)0425, 20 October 2021.

#### **Amendment 4**

##### **Proposal for a regulation**

##### **Recital 3 a (new)**

*Text proposed by the Commission*

***or restricted pesticides in the European Union***, 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 system<sup>42</sup>, ***which entails to promote an agricultural model that does not depend on chemical pesticides and does not put at risk our health and that of our environment.***

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<sup>41</sup> P8\_TA(2019)0082, 12 February 2019.

<sup>42</sup> P9\_TA(2021)0425, 20 October 2021.

*Amendment*

***(3a) Third countries receiving pesticides often have less stringent protective regulations and limited technical capacity to handle hazardous substances, resulting in toxic exposure affecting their populations, in particular in local communities, and their environment, with severe impacts on human health, ecosystems, biodiversity, and the economy. These circumstances are especially relevant in low- and middle-income countries, which have been at the receiving end of hazardous chemicals and pesticides from high-income countries for decades.***

#### **Amendment 5**

##### **Proposal for a regulation**

##### **Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3 a) Decades of research have resulted in the banning and severe restriction of some highly hazardous pesticides. However, an international legally binding agreement to regulate pesticides does not currently exist, meaning that the number of hazardous substances banned globally is extremely limited. For instance, the Stockholm Convention on Persistent Organic Pollutants only restricts or prohibits a few pesticides globally. Other international agreements regulate only certain aspects of pesticides trade. For example, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention) requires States to share information on the export and import of certain hazardous pesticides and the Basel Convention regulates the international trade of hazardous pesticides only after they become waste.***

## **Amendment 6**

### **Proposal for a regulation Recital 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***(3 b) Many States have been taking domestic action on the use or market access of certain pesticides due to the risks to human health or the environment. Regulatory actions include banning these substances, refusing their approval, or severely restricting their use. In France, for example, the law of 30 October 2018, on the agricultural and food sectors, foresees in its Article 83 a new prohibition relating to the production, storage and circulation of plant protection products containing unapproved substances in the***

*European Union.*

## **Amendment 7**

### **Proposal for a regulation**

#### **Recital 3 c (new)**

*Text proposed by the Commission*

*Amendment*

**(3 c) However, locally banned or unapproved pesticides are still manufactured for export and use in other parts of the world. This practice has been characterized as a “double standard,” as high-income countries continue to allow the production of their unwanted substances for export. In 2018 alone, more than 81,000 tonnes of pesticides containing 41 different hazardous chemicals banned for agricultural use in the EU, were exported by European corporations**

## **Amendment 8**

### **Proposal for a regulation**

#### **Recital 3 e (new)**

*Text proposed by the Commission*

*Amendment*

**(3 e) The United Nations Report of 24 January 2017 of the Special Rapporteur on the right to food, written in collaboration with the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, stresses that excessive use of pesticides are very dangerous to human health, to the environment and that the claim that they are vital to ensuring food security is misleading. In this regard, it called for establishing policies to reduce pesticide use worldwide and develop regulatory framework, grounded on a**

*human rights approach, for banning and phasing-out of highly hazardous pesticides, coupled with a transition towards agro-ecology, to achieving the Sustainable Development Goals.*

#### **Amendment 9**

##### **Proposal for a regulation Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*(4 a) In its Chemicals Strategy for Sustainability, the EU committed to prohibiting the exports of domestically banned substances.*

#### **Amendment 10**

##### **Proposal for a regulation Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*(4a) This Regulation should comply with the principle of policy coherence for development, as enshrined in Article 208 of the TFUE, which holds that the "Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries". On this line, the Commission and the Member States, must ensure that pesticides banned from the European market are not exported to third countries, in particular developing countries, given its harmful environmental and public health impact. In the absence of an EU-wide ban, multinational pesticide companies can avert national bans by continuing their export trade through subsidiaries companies located in other Member States. This ban must be coupled with partnerships and cooperation mechanisms, which include support measures to assist developing countries in*

*the necessary transition to agroecology and sustainable practices, in particular by investing in research to find alternative solutions to hazardous pesticides and to reduce the use and risk of pesticides. Such a shift would meet the objective of reducing the risks posed by the use of pesticides and would help combat soil degradation, drought and desertification.*

**Amendment 11**  
**Proposal for a regulation**  
**Recital 4 b (new)**

*Text proposed by the Commission*

*Amendment*

*(4b) Pesticides are widely used throughout developing countries, and the demand for them is increasing due to the shift in agricultural policies, from traditional food production for local consumption to export-oriented production. The EU has a major role to play in supporting low and middle-income countries in the transition from intensive agriculture to more sustainable, agroecological practices, through the provision of technical and financial assistance, strengthened research and capacity building programmes, notably in the framework of the Rotterdam Convention, with the view to reduce the use and risk of pesticides and find alternatives to hazardous pesticides, as well as support collaboration among developing countries to reinforce pesticide risk regulation.*

**Amendment 12**  
**Proposal for a regulation**  
**Recital 4 d (new)**

*Text proposed by the Commission*

*Amendment*

*(4 d) According to the Legal Opinion of the Center for International*



***Environmental Law (CIEL), the failure by European States to ban the export of banned or unapproved pesticides impairs the right to health in the importing States, and it, therefore, constitutes a breach by European States of their international human rights obligations. Hence, the Union and its Member States have a legal obligation to completely and immediately ban all exports of these hazardous chemical active substances and pesticides and end this illegal and dangerous trade, in line with the Commission's Chemicals Strategy for Sustainability.***

## Amendment 13

### Proposal for a regulation Recital 9

#### *Text proposed by the Commission*

(9) In the final report of the Conference on the Future of Europe, published on 9 May 2022, when it comes to the proposals on agriculture, food production, biodiversity and ecosystems, pollution, citizens ask the Union in particular to significantly reduce the use of chemical pesticides and fertilizers, in line with the existing targets, while still ensuring food security, and support for research to develop more sustainable and natural-based alternatives. Citizens ask for more research and innovations, including in technological solutions for sustainable production, plant resistance, and precision farming, and more communication, advisory systems, and training for and from farmers as well as asking the Union to protect insects, in particular indigenous and pollinating insects.<sup>55</sup>.

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<sup>55</sup> Conference on the Future of Europe –

#### *Amendment*

(9) In the final report of the Conference on the Future of Europe, published on 9 May 2022, when it comes to the proposals on agriculture, food production, biodiversity and ecosystems, pollution, citizens ask the Union in particular to significantly reduce the use of chemical pesticides and fertilizers, in line with the existing targets, while still ensuring food security, and support for research to develop more sustainable and natural-based alternatives. Citizens ask for more research and innovations, including in technological solutions for sustainable production, plant resistance, and precision farming, and more communication, advisory systems, and training for and from farmers as well as asking the Union to protect insects, in particular indigenous and pollinating insects. ***Citizens are also calling for water sources to be protected and for something to be done to combat pollution of rivers and oceans***<sup>55</sup>.

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<sup>55</sup> Conference on the Future of Europe –

**Amendment 14**  
**Proposal for a regulation**  
**Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) Relations between the European Union and developing countries, most notably in Africa, cover partnerships on green transition. As noted in the EU Biodiversity Strategy for 2030, the protection of biodiversity is an indispensable part of the fight against environmental degradation, habitat fragmentation and loss of natural environments and, as consequence, of prevention of environmental hazards, contributing amongst others to health threats, such as zoonoses. The One Health approach, that reinforces the United Nations 2030 Agenda for Sustainable Development, includes the nexus between biodiversity and health. In addition, pesticides, frequently detected in concentrations exceeding legal or environmental standards, are a source of diffuse pollution, contaminating water, harming aquatic organisms, marine and coastal ecosystems. As the pollution of surface and underground waters and the depletion of water resources, more generally, are major concerns for our international partners, the EU should give a special attention to the consequences of pesticides on the aquatic environment in developing countries, as provided within the Sustainable Development Goal (SDG) 6 "Guarantee access to water and sanitation for all and ensure sustainable management of water resources".***

***While chemical pesticides can have a serious impact on biodiversity, habitats, ecosystems and the food-chain and therefore on public health, biological***

*control agents are also an effective alternative without destructive effects. It is therefore appropriate to support partner countries in integrated pest management innovations and in the availability, accessibility and affordability of integrated pest management solutions, focusing in particular on smallholder farmers. The Commission and the Member States should support research programmes targeting integrated pest management innovations and provide technical and financial support for the implementation of integrated pest control in developing countries.*

## **Amendment 15**

### **Proposal for a regulation Recital 49 a (new)**

*Text proposed by the Commission*

*Amendment*

*(49 a) Acknowledges the fact that new rules to reduce the risk and use of plant protection products in the EU with the aim of having a healthier and more environmentally sound food system in line with the European Green Deal is an important goal; Points out that this trend could potentially benefit developing countries as plant protection products are usually expensive, often hard to come by and in some cases hazardous to human, animal and environmental health;*

## **Amendment 16**

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

*Text proposed by the Commission*

*Amendment*

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

This Regulation lays down rules for the sustainable use of plant protection products *with the aim to reduce the risks and impacts of pesticide use on human*

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.

***health and the environment and promote the use of integrated pest management and of alternative approaches or techniques such as nonchemical alternatives to pesticides*** 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 17**  
**Proposal for a regulation**  
**Article 12 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. The Commission shall support the implementation of integrated pest management in developing countries, notably through provision of technical and financial assistance and strengthen research in the fields of agro-ecology, organic farming and integrated pest management as an alternative to hazardous pesticides, in particular with a view to protecting biodiversity and human health, and implementing the One Health approach.***

**Amendment 18**  
**Proposal for a regulation**  
**Article 19 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. By ... [OP: please insert the date of application of this Regulation], Member States shall have in place appropriate measures to ***avoid*** deterioration of surface and groundwater status as well as coastal and marine waters and allow achievement

3. By ... [OP: please insert the date of application of this Regulation], Member States shall have in place appropriate measures to ***limit the extensive damage caused by diluted pesticides in aquatic ecosystems, halt the accelerating***

of good surface and groundwater status, to protect the aquatic environment and drinking water supplies from the impact of plant protection products to achieve, at least, the objectives set out in Directives 2000/60/EC, 2006/118/EC, 2008/105/EC, 2008/56/EC and (EU) 2020/2184.

deterioration of surface and groundwater status as well as coastal and marine waters and allow achievement of good surface and groundwater status, to protect the aquatic environment and drinking water supplies from the impact of plant protection products to achieve, at least, the objectives set out in Directives 2000/60/EC, 2006/118/EC, 2008/105/EC, 2008/56/EC and (EU) 2020/2184.

## **Amendment 19**

### **Proposal for a regulation Chapter VI a (new)**

*Text proposed by the Commission*

*Amendment*

***Trade and cooperation with third countries.***

***Article 1 - Import of agricultural and agri-food products from third countries***

***1. The import of agricultural and agri-food products from third countries is prohibited if they have been treated or produced with substances that do not meet the approval criteria set out in points 3.6.2 to 3.6.5, 3.7 and 3.8.2 of Annex II of Regulation 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market.***

***2. The production, storage and export from the European Union of banned active substance and plant protection products not approved by Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing on the market of products phytopharmaceuticals or not complying with the identification and traceability requirements imposed by this same regulation is prohibited.***

***Article 2 - International cooperation on information on the use of plant protection***

*products*

*1. The Commission shall start a dialogue with third countries to set up partnerships and cooperation mechanisms to strengthen the collection and transparency of data on the use of plant protection products in third countries and to allow the exchange of information between those countries on the one hand, and the Commission and the Member States on the other.*

*2. These partnerships and cooperation mechanisms may include structured dialogues, support programs and measures, and administrative procedures. They shall aim to promote the reduction in the use of plant protection products in third countries and a transition towards non-chemical alternatives to pesticides and integrated pest management practices.*

*3. The Commission shall encourage third countries to set up public databases containing precise information on the use of plant protection products.*

*4. The Commission shall encourage third countries to require producers, suppliers, distributors, importers and exporters to keep registers of the plant protection products they produce, import, export, store or place on the market for at least five years. In addition, third countries shall be encouraged to require professional users of plant protection products, to keep for at least three years a record of each use of such as product, containing the name of the plant protection product, the time and the dose of application, the area and the crop treated. The information contained in these registers shall be available to be communicated on request to the competent authorities of third countries as well as to interested third parties, such as the drinking water industry, retailers or residents.*

## **Amendment 20**

### **Proposal for a regulation**

#### **Article 27 – paragraph 4 (new)**

*Text proposed by the Commission*

*Amendment*

**4. The Commission shall support developing countries in accessing up to date information on risks associated with the use of plant protection products through the website or websites referred to in paragraph 2.**

## **Amendment 21**

### **Proposal for a regulation**

#### **Article 39 a (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 39 a**

**The Commission shall support developing countries in establishing an efficient process of re-evaluating pesticide registrations according to contemporary good regulatory practices, in line with the FAO/WHO Code of Conduct.**

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	The sustainable use of plant protection products and amending Regulation (EU) 2021/2115
<b>References</b>	COM(2022)0305 – C9-0207/2022 – 2022/0196(COD)
<b>Committee responsible</b> Date announced in plenary	ENVI 4.7.2022
<b>Opinion by</b> Date announced in plenary	DEVE 19.1.2023
<b>Rapporteur for the opinion</b> Date appointed	Michèle Rivasi 17.1.2023
<b>Discussed in committee</b>	21.3.2023
<b>Date adopted</b>	23.5.2023
<b>Result of final vote</b>	+: 13 –: 1 0: 9
<b>Members present for the final vote</b>	Barry Andrews, Hildegard Bentele, Stéphane Bijoux, Dominique Bilde, Mercedes Bresso, Udo Bullmann, Antoni Comín i Oliveres, Elisabetta De Blasis, Charles Goerens, Mónica Silvana González, Pierrette Herzberger-Fofana, György Hölvényi, Rasa Juknevičienė, Karsten Lucke, Erik Marquardt, Janina Ochojska, Michèle Rivasi, Christian Sagartz, Tomas Tobé, Bernhard Zimniok
<b>Substitutes present for the final vote</b>	Rosa Estaràs Ferragut, María Soraya Rodríguez Ramos
<b>Substitutes under Rule 209(7) present for the final vote</b>	Marisa Matias



## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

<b>13</b>	<b>+</b>
NI	Antoni Comin i Oliveres
Renew	Barry Andrews, Stéphane Bijoux, Charles Goerens, María Soraya Rodríguez Ramos
S&D	Mercedes Bresso, Udo Bullmann, Mónica Silvana González, Karsten Lucke
Verts/ALE	Pierrette Herzberger-Fofana, Erik Marquardt, Michèle Rivasi

<b>1</b>	<b>-</b>
ID	Bernhard Zimniok

<b>9</b>	<b>0</b>
ID	Dominique Bilde, Elisabetta De Blasis
PPE	Hildegard Bentele, Rosa Estarás Ferragut, György Hölvényi, Rasa Juknevičienė, Janina Ochojska, Christian Sagartz, Tomas Tobé

Key:

+ : in favour

- : against

0 : abstentions