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Committee on Industry, Research and Energy

2006/0132(COD)

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OPINION

of the Committee on Industry, Research and Energy

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

on the proposal for a directive of the European Parliament and of the Council
establishing a framework for Community action to achieve a sustainable use of
pesticides
(COM(2006)0373 – C6-0246/2006 – 2006/0132(COD))

Draftswoman: Dorette Corbey

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SHORT JUSTIFICATION

The use of pesticides or plant protection products provides substantial advantages for farmers and consumers by helping ensure reliable supplies of a broad range of affordable agricultural products. Plant protection products can also play a considerable role in the further development and application of biofuels where manufactured from crops. At the same time, pesticides are designed to eradicate certain organisms and may therefore also cause unwanted adverse effects on human health and the environment. In order to ensure the responsible and sustainable use of pesticides, a European policy has therefore been pursued in this area since as far back as 1979.

However, the current situation is not ideal: unwanted amounts of certain pesticides can still be found in the environment (air, soil and water) with potential risks to man and the environment. These shortcomings are clearly described in the Commission's recently published 'Thematic strategy on the sustainable use of pesticides' and, to counteract them, the Commission has produced two legislative proposals, i.e. a regulation on the placing of plant protection products on the market (COM(2006)388) and the present proposal on the use thereof. Both proposals need therefore to be taken together.

Your draftsman takes a favourable view of the Commission proposal which sets out to:

- require Member States to draw up national action plans containing an inventory of crops, activities or areas at risk and appropriate solutions along with objectives and timetables for achieving them;
- introduce a compulsory system for training distributors and professional users of pesticides;
- provide more and better information where pesticides are sold and for the general public;
- arrange for regular technical inspection and maintenance of application equipment using harmonised standards;
- introduce specific rules to protect the aquatic environment such as the demarcation of buffer strips and other measures to limit drifts;
- and, importantly, introduce a ban on aerial spraying in order to counteract the risks of spray drift but with the possibility of granting Member States (clearly defined) derogations.

Your draftsman welcomes the proposed harmonisation which is important not only in order to guarantee a high level of protection of public health and the environment throughout the Community but also in order to create a level playing field for farmers and pesticide products. In view of the wide diversity of geographic, agricultural and climatic conditions in the various Member States, your draftsman also agrees with the large measure of flexibility accorded to the Member States at the level of practical implementation. Nevertheless, your draftsman takes the view that the use of non-chemical plant protection can be encouraged still further by the dissemination of best practice and by frequent application of integrated

plant protection.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to incorporate the following amendments in its report:

Text proposed by the Commission¹

Amendments by Parliament

Amendment 1 Article 2, paragraph 2

2. This Directive shall apply without prejudice to any other relevant Community legislation.

2. This Directive shall apply without prejudice to any other relevant Community legislation ***or to any national fiscal measures to encourage the use of less harmful pesticides.***

Justification

Member States must remain free, should they so wish, to encourage more sustainable use of pesticides by using fiscal instruments.

Amendment 2 Article 2, paragraph 2 a (new)

2a. Member States may provide subsidies or take fiscal measures to encourage the use of less harmful plant protection products. This may include the introduction of a pesticides levy on all products except for non-chemical products or plant protection products with a low or reduced level of risk as defined in Articles 46(1) and 46a(1) of Regulation (EC) No [...] concerning the placing of plant protection products on the market.

Justification

Member States must remain free, should they so wish, to encourage more sustainable use of

¹ Not yet published in OJ.

pesticides by using fiscal instruments.

Amendment 3
Article 3, point (i a) (new)

(ia) ‘pesticide’ means plant protection product as defined in Regulation (EC) No [...] concerning the placing of plant protection products on the market.

Justification

The terms ‘pesticide’ and ‘plant protection product’ are used indiscriminately throughout the directive. For the sake of clarity and legal certainty it is important to define the term ‘pesticide’.

Amendment 4
Article 4, paragraph 1, subparagraph 1

1. Member States shall adopt national action plans to set up targets, measures and timetables to reduce risks, including hazards, ***and dependence on*** pesticides.

1. Member States shall adopt national action plans to set up targets, measures and timetables to reduce risks, including hazards, ***of*** pesticides. ***The targets shall be in conformity with the provisions of Articles 4(1) and 16 of Directive 2000/60/EC.***

Justification

The national action plans should be aimed primarily at combating risks and hazards arising from the use of pesticides and not so much at combating their actual use. It is important to base the national action programmes also on the objectives contained in the water framework directive.

Amendment 5
Article 4, paragraph 1, subparagraph 1 a (new)

Part of the national action plans shall be devoted to integrated pest management as defined in Article 13 with priority being given to plant protection measures employing non-chemical techniques.

Justification

Integrated plant protection must be encouraged.

Amendment 6
Article 6, paragraph 1

1. Member States shall ensure that distributors selling pesticides ***classified as toxic or very toxic pursuant to Directive 1999/45/EC of the European Parliament and of the Council***, have at least one person in their employment, who has a certificate referred to in Article 5(2), and who shall be present and available at the place of sales to provide information to customers as regards pesticide use.

1. Member States shall ensure that distributors selling pesticides have at least one person in their employment who has a certificate referred to in Article 5(2) and who shall be present and available at the place of sales to provide information to customers as regards pesticide use.

Justification

Instead of invariably being dealt with in the place where a product is sold, information is sometimes provided on site on a farm.

Amendment 7
Article 7

Member States shall promote and facilitate awareness programmes and availability of information relating to pesticides for ***the general public***, in particular regarding their ***health and environmental*** effects and non-chemical alternatives.

Member States shall promote and facilitate awareness programmes and availability of information relating to pesticides for ***professional and non-professional users***, in particular regarding their effects ***on agricultural production, health and the environment***, and non-chemical alternatives.

Justification

It is important to conduct a balanced awareness campaign in which all advantages and drawbacks must be aired. Pesticides also have advantages such as ensuring maximum farm output, higher-quality agricultural products, limiting soil erosion, compliance with plant health requirements and facilitating international trade in agricultural products.

Amendment 8
Article 10, paragraph 1, introductory part

(1) Member States shall ensure that, when pesticides are used in the vicinity of water bodies, preference is given to:

(1) Member States shall ensure that, when pesticides are used in the vicinity of water bodies, ***particularly those supplying water intended for human consumption***, preference is given to:

Justification

Bodies of water intended for human consumption should be given special protection in order to ensure that the provisions of Article 7 of the Water Framework Directive are complied with.

Amendment 9 Article 11, paragraph 2

The prohibition or restriction ***referred to in point (b) may*** be based on the results of relevant risk assessments.

The prohibition or restriction ***shall*** be based on the results of relevant risk assessments.

Justification

It is important to make a very strict assessment in vulnerable areas (from the point of view of flora, fauna or vulnerable groups such as children) as to whether the use of pesticides should be reduced or even banned. This must be examined on a case-by-case basis as well as on the basis of a risk assessment.

Amendment 10 Article 12, paragraph 1, introductory part

1. Member States shall adopt the necessary measures to ensure that the following operations do not endanger the health or safety of humans and the environment:

1. Member States shall adopt the necessary measures to ensure that the following operations ***carried out by professional users*** do not endanger the health or safety of humans and the environment:

Justification

It should be made clear that the action proposed by the Commission is not applicable to private uses.

Amendment 11 Article 12, paragraph 1, point (d)

(d) cleaning of the equipment used for application.

(d) ***preparation, handling, cleaning and storage*** of the equipment used for application ***and any accessories, including spraying equipment and chemicals.***

Amendment 12 Article 13, paragraph 1 a (new)

1a. Member States shall encourage the use of plant protection products with a low or reduced level of risk as defined in Articles 46(1) and 46a(1) of Regulation (EC) No [...] concerning the placing of plant protection products on the market.

Justification

Member States should encourage more sustainable and environmentally safe pesticide use. Furthermore, it is important to tie the present directive more in with the draft regulation on the marketing of plant protection products.

Amendment 13
Article 13, paragraph 2

2. Member States shall establish or support the establishment of all necessary conditions for implementation of integrated pest management.

2. Member States shall establish or support the establishment of all necessary conditions for implementation of integrated pest management ***and shall for each crop provide descriptions of best practice in integrated plant protection with priority being given to non-chemical plant protection.***

Justification

Best practice concerning non-chemical methods of plant protection helps professional users to make environmentally safe choices concerning plant protection.

Amendment 14
Article 15

The Commission shall ***regularly*** submit to the European Parliament and the Council a report on the progress in the implementation of this Directive, accompanied where appropriate by proposals for amendments.

The Commission shall ***every three years*** submit to the European Parliament and the Council a report on the progress in the implementation of this Directive ***and an assessment of the national action plans***, accompanied where appropriate by proposals for amendments.

Amendment 15
Article 15 a (new)

Article 15a

Exchange of information and best practice

The Commission shall establish a platform for the exchange of information and best practice in the field of sustainable use of pesticides and integrated pest management.

Justification

An important component of the promotion of sustainable pesticide use and integrated pest management is the exchange of information and best practice between Member States and other interested parties. This means that the wheel does not have to be reinvented each time. Existing initiatives (such as the European Initiative for Sustainable Development in Agriculture) could be included.

Amendment 16

Article 20, paragraph 1, subparagraph 2

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. ***Member States shall determine how such reference is to be made.***

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication.

Justification

The correct application of pesticides is guaranteed in accordance with the previous regulation.

PROCEDURE

Title	Framework directive on the sustainable use of pesticides
References	COM(2006)0373 - C6-0246/2006 - 2006/0132(COD)
Committee responsible	ENVI
Opinion by Date announced in plenary	ITRE 5.9.2006
Enhanced cooperation - date announced in plenary	5.9.2006
Drafts(wo)man Date appointed	Dorette Corbey 23.11.2006
Discussed in committee	28.2.2007 3.5.2007
Date adopted	3.5.2007
Result of final vote	+ : 28 - : 14 0 : 1
Members present for the final vote	Šarūnas Birutis, Renato Brunetta, Jerzy Buzek, Jorgo Chatzimarkakis, Silvia Ciornei, Pilar del Castillo Vera, Den Dover, Lena Ek, Nicole Fontaine, Adam Gierek, Norbert Glante, Fiona Hall, David Hammerstein, Erna Hennicot-Schoepges, Mary Honeyball, Romana Jordan Cizelj, Romano Maria La Russa, Pia Elda Locatelli, Eugenijus Maldeikis, Angelika Niebler, Reino Paasilinna, Miloslav Ransdorf, Vladimír Remek, Herbert Reul, Mechtild Rothe, Paul Rübig, Andres Tarand, Patrizia Toia, Catherine Trautmann, Claude Turmes, Nikolaos Vakalis, Alejo Vidal-Quadras
Substitute(s) present for the final vote	Pilar Ayuso, Ivo Belet, Dorette Corbey, Philip Dimitrov Dimitrov, Robert Goebbels, Cristina Gutiérrez-Cortines, Satu Hassi, Eija-Riitta Korhola, Erika Mann, John Purvis, Hannes Swoboda, Silvia-Adriana Țicău