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WORKING PAPER

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Agricultural Questions (Pesticides/Plant Protection Products)
Subject:	Report on Directive 2009/128/EC - DK comments

Delegations will find in Annex comments from Denmark on the Report on Directive 2009/128/EC.



Den 19. august 2020

Comments from the Ministry of Environment and Food of Denmark on Report on Directive 2009/128/EC

The Ministry of Environment and Food of Denmark welcomes the call for initial comments and the relevant questions provided by the Presidency

The Ministry of Environment and Food of Denmark supports the Commission's conclusion that all member states need to establish national targets and objectives according to the requirement in article 4 of the directive as well as initiatives to fulfil these targets and objectives. The initiatives can include economic incentives, such as national taxes on pesticides.

The Ministry of Environment and Food of Denmark supports the Commission's conclusions regarding the need to accelerate the procedures for placing low-risk plant protection products on the market. This should broaden the range of available low-risk substances as well as basic substances and thereby reduce farmers' dependency on the more hazardous active substances. However, the acceleration of approvals should not result in less thorough risk assessments with regards to possible effects of substances for health and environment.

The Ministry of Environment and Food of Denmark welcomes the introduction of harmonized risk indicators, but reaffirms that the indicators must accurately reflect the risks arising from the use of plant protection products. In accordance with this principle, plant protection products that pose a great threat to health and the environment should therefore carry greater weight when calculating indicator scores. Consequently, the use of the most harmful substances should have the largest impact on the scores of member states on indicators. In general, we must ensure that the indicators reflect risk accurately.

Reaffirming that the indicators should accurately reflect the risks associated with the use of various plant protection products, the Ministry of Environment and Food of Denmark would support proposals to refine the weighting of the Harmonized Risk Indicators. The active substances that pose the greatest risk should also carry the greatest weight when calculating HRI scores. However, the current construction of the Harmonized Risk Indicators does not achieve this. Active substances that pose highly different levels of risk receive the same weighting simply because they share approval status, e.g. the active substances in question are all candidate for substitution. Approval status does not accurately

reflect the risk posed by the active substance. We need smaller groups of active substances that actually pose the same level of risk and not just approval status.

For example, “Group 3” contains all of the substances that are candidates for substitution. This includes active substances in “Category E” that are not carcinogenic and substances in “Category F” that are in fact carcinogenic. The active substances in “Category E” and “Category F” have the same weighting because they are both in “Group 3”, i.e. candidates for substitution. This methodology overlooks that active substances in “Category F” pose a greater risk than active substances in “Group 3”.

The Ministry of Environment and Food of Denmark furthermore disagree with the construction of the current two specific risk indicators. The Harmonized Risk Indicator 1 (HRI 1) is based on the amount of active substance. The Ministry of Environment and Food of Denmark suggest this should be changed with a view to include a standard dose pr. ha for each active substance. This ensures that the indicator more accurately reflects the risk levels.

The Ministry of Environment and Food of Denmark suggests the Harmonized Risk Indicator 2 (HRI 2) regarding emergency authorisations is also amended. The number of emergency authorisations does not accurately reflect the risk of these substances nor the amount of the substances used. The Ministry of Environment and Food of Denmark suggests that only emergency authorisations for active substances that are not authorised in the EU is relevant to include in such an indicator. The volumes of use enabled by the emergency authorizations should be included as well.

The Ministry of Environment and Food of Denmark does not agree with the Commission that the time series of substances should be recalculated for all previous years when substances are reclassified. While it is true that the risks associated with the active substances are the same over the period, the classification of an active substance is currently based on its status as approved, candidate for substitution or not approved. Therefore, the classification of an active substance should depend on its status in whatever year the HRI is calculated. It is misleading to recalculate HRI in previous years because an active substance is reclassified today. While the risks associated with its use are unchanged, its classification as approved, candidate for substitution or not approved clearly changes over time.

The Ministry of Environment and Food of Denmark does not agree with the Commission that IPM can be converted into prescriptive and assessable criteria in order to determine compliance with IPM at farm level. IPM is an important tool for minimizing dependence on potentially harmful plant protection products, but it is not easily turned into assessable criteria, which will be relevant across different borders, climates, and crop types.

The Ministry of Environment and Food of Denmark would like to see an increased focus on the development and use of precision farming in the IPM implementation and to include this further in the authorisations of plant protection products.