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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 - IE comments

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



Follow-up to the Council Working Party “Agricultural Questions (Pesticides)” on 22 July 2020

Introductory Comments

It is acknowledged by the Commission that the main objectives of the Plant Protection Product (PPP) regulatory framework are the protection of human health and the environment, while supporting and further developing agricultural production and facilitating international trade. The EU harmonised regulatory framework is regarded as being the most conservative PPP regulatory system in the world. The EU Commission report shows that the PPP and MRL Regulations provide for the protection of human health and the environment.

The EU regulatory process was first harmonised in the early 1990s and the Directive 91/414/EEC review resulted in the removal of over 50% of the PPP active substances from the EU market (from 1100 to 500). The introduction of the new PPP regulatory framework in 2011 has resulted in a little change in absolute numbers of approved active substances, however, of the 470 active substances currently approved, about 20 are made up of basic substances and a further 20 are considered low risk actives many of which have low biological efficacy, with a further cohort of 30-40 pheromones and 60-70 micro-organisms. Consequently, about 150 actives have reduced crop protection potential for the broad acre field crops which are the staple foods for EU consumers. Of the 320 remaining active substances, a significant number of these are currently restricted from being used in the field and many will not successfully come through the current PPP review process.

Issues around availability should not be restricted to numbers alone. It is commonly the case that where once a grower had a choice of multiple modes of action to combat certain pests, the grower has now only one mode of action available. This is having a detrimental impact on the remaining PPPs available to control that pest because of resistance management reasons.

The trend of PPP usage over the past 5 years in the EU is generally downward (as it is in some other OECD member countries). The current proposals to expedite this trend and to reduce further reliance on PPPs (by 50%) will have impacts on the European crop production sector. The entire issue of PPP availability in the future and quantitative use reduction targets will have a significant impact on ability to cultivate certain crops within certain Member States and indeed within the EU as a whole.

It is often stated that the use of non-chemical control techniques are not used to maximum effectiveness in the Member States. Methods involving cultural control, mechanical control and biological control have each a place in the overall production system and are utilised to a large extent in the production of crops indoors, however, in many instances their application to broad acre field crops can be limited. Further research in this area is a critical priority.

Consequently, it is Ireland’s position that a regulatory impact assessment must be carried out as a priority in relation to the current proposals to reduce PPP dependency by 50% and the planned regulatory actions. While such an assessment is of value on its own merits, it would be beneficial to have it conducted in conjunction with other elements of the Farm to Fork Strategy that may have impacts on production.

Comments on EU Commission Report on implementation of Directive 2009/128/EC on the sustainable use of pesticides

1. National Action plans

Ireland supports the concept of National Action Plans but in essence they are national plans and as Member States were not starting from the same position with regard to the structures in place and existing requirements, it was extremely difficult for some MSs to achieve all objectives in the initial plan period. It can always be argued that some MSs differ in their ambitions but the NAP is an issue of MS competence. There has not been sufficient recognition of the challenges facing Member States based on their particular circumstances.

2. Harmonised Risk Indicators

The Commission has established harmonised risk indicators which have achieved broad support from the MSs. However they are blunt instruments and it is difficult to draw robust conclusions from them concerning how a MS is performing in relation to reducing reliance or dependence on chemical PPPs and reducing the risk associated with PPP use as required by the directive. The harmonised risk indicators adopted have satisfied the legal requirement to establish same and in the absence of any alternative are acceptable but it is considered that there should be further work in this area.

3. Overall Implementation of the Directive

While most MSs have made progress in developing sustainable use strategies some have significant work still to do and the Commission is considering infringement procedures against these MSs. We would encourage the Commission to work with MSs, not against them.

4. Integrated Pest Management

Integrated Pest Management (IPM) poses one of the biggest challenges of the SUD. The variation in climate experienced in the MSs, from Ireland to Romania in the Central zone and Finland in the EU Northern zone to Greece in the EU Southern zone is enormous. Consequently, what suits one crop in one MS may not suit in the same crop in another MS.

The Commission rightly considers IPM as one of the cornerstones of the SUD, and as such we can agree that IPM deserves more attention by the MSs. However, we are fully convinced that IPM cannot be harmonised across all crops and all MSs but rather we need to establish crop specific guidelines for each crop in each MS, allowing MSs flexibility for enforcement. This is a large task that will require considerable research support and funding.

5. Commission actions to support implementation of the directive

The Commission have identified low-risk PPPs, pest monitoring systems, financial supports, non-chemical control methods, and harmonised risk indicators as important areas in terms of improving implementation of the IPM principles. These are all areas that need extension services support as well as MS specific R&D and financial supports for certain identified measures. Moreover, the European Parliament adopted a non-legislative resolution, encouraging more focus on risk reduction and more emphasis on implementation of IPM practices. Ireland is supportive of these sentiments.

6. Better Training for Safer Food

In general the BTSF training courses are useful tools for the sharing of ideas and gauging of attitudes across the MSs. They are also useful for regulators to learn what other MSs are doing to address certain issues or what MSs are doing to develop national sustainable use of PPP strategies.

7. Approval of active substances

New chemistry tends to be lower risk than older chemistry. In addition it tends to be applied in lower quantities as well being more targeted and less broad spectrum. PPP innovation needs regulatory science based support from both the Commission and the MSs.

8. Research and innovation

Targeted research and innovation needs to be fostered by MSs and the Commission especially in the area of IPM and species baseline surveys. Primary research is needed in the area of agronomic practices (non-chemical), on measuring impacts of various cropping practices on subsequent crops and on the potential of developments in plant breeding, including gene transfer technology.

9. SUD Working Group and SUD Web Portal

The SUD working group is a useful mechanism to share ideas and give progress reports to the Commission and the web portal is a useful repository for information. We continue to support both.

10. Sustainable use of pesticides under the current and future common agricultural policy

The 50% use reduction targets for PPP usage will present a huge challenge for all farming sectors throughout the EU. The impact on productivity needs to be carefully considered. Reductions in productivity in the EU could result in increases in productivity elsewhere in the world or in additional land being used for cropping.

There should be sufficient support under the CAP for the practices and measures needed to achieve the changes envisaged.