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NOTE

From: Presidency

To: Permanent Representatives Committee/Council

Subject: Regulation on the sustainable use of plant protection products
- *Presentation by the Commission*
- *Exchange of views*

Delegations will find in Annex a note from the Presidency on the above-mentioned subject in preparation of the exchange of views at the meeting of the Council ("Agriculture and Fisheries") on 18 July 2022.

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**Background note from the Presidency**

On 22 June 2022, the European Commission has adopted a proposal for a new Regulation on the sustainable use of plant protection products (SUR). The proposal, based on the results of the evaluation of Directive 2009/128/EC on the sustainable use of pesticides, aims to replace the current legislation and to better align with the objectives of the relevant EU flagship strategies under the European Green Deal (e.g. Farm to Fork and Biodiversity Strategy), and the EU Chemicals Strategy.

As several audits, fact-finding missions and implementation reports from the Commission, the European Parliamentary Research Service and the European Court of Auditors point to weaknesses in the implementation, application and enforcement of the 2009 Directive, the Commission has decided to propose the introduction of new rules in form of a regulation to harmonise national policies on pesticide use and to improve the functioning of the internal market.

The proposal aims to provide a proportionate, realistic yet ambitious approach to addressing growing societal concerns around the use and risk of pesticides. It proposes that pesticides would continue to be used, but only when necessary and appropriate and in a safe manner, supporting the use of alternative non-chemical pest control techniques and the better implementation of Integrated Pest Management (IPM).

One of the main objectives of the proposal is to reduce the use and risk of chemical pesticides, in particular of the most hazardous ones. The proposed legally binding target is a 50% reduction at EU level, with Member States having the possibility to choose their own reduction targets within the parameters of a binding formula which allows for justification of a deviation from the EU target according to expected changes in national circumstances and the historical progress in the individual pesticide use at national level. These parameters should be set to take into account the current situation and progress in Member States, in particular those with lower use, risk and intensity of pesticide use.

At the same time, the proposal introduces a ban on the use of all pesticides in sensitive areas such as urban areas or Natura 2000 sites. In addition, the proposal clarifies the requirements of IPM in order to improve its implementation and reduce the administrative burden on farmers. An important aspect in this respect is the promotion and the objective to increase the use of low-risk products and alternatives to chemical pesticides.

Member States will also need to put in place crop-specific rules to implement the principles of IPM. Farmers and professional users of pesticides will have to obtain information from independent advisors on the use of alternative methods. Such an independent advisory system would have to be set up by the Member States.

The proposal also lays down rules for the use of the provisions of statistical data on the application, use and risk of pesticides, as well as for the monitoring of health and environmental impacts. New indicators based on this new data will be developed taking into account the outcome of scientific and stakeholder consultations. The proposal also promotes the use of new technologies (e.g. precision farming), including remote sensing.

In order to ensure the proper implementation of the Regulation, Member States will be able to use CAP funding for a period of 5 years to compensate any costs associated with the implementation of the Regulation by farmers.

Prior to the publication of the proposal, many delegations have actively addressed the AGRIFISH Council with specific requests and questions on its content. As a follow up to these queries, the Presidency considers it useful to launch a discussion at the Council to focus on the key parts of the proposal. In this regard, the Presidency puts forward the following question for discussion:

Question for the discussion:

What is your assessment of the proposal and which aspects do you consider the most important?
