

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
CONCERNING THE PLACING OF PLANT PROTECTION
PRODUCTS ON THE MARKET
COM (2006) 388 final**

Voting recommendations for ENVI Committee vote on 12th September 2007

Ahead of the ENVI Committee vote on 12th September 2007, Pesticides Action Network Europe (PAN-Europe) proposes key voting recommendations for amendments to the Commission's proposal for a Regulation concerning the placing of plant protection products on the market. PAN Europe believes it to be vital that Parliamentarians place the protection of human health and the environment at the heart of pesticides approval and authorisation policies, and therefore urges members of the ENVI Committee to adopt the following voting strategies.

Prioritising Human Health

Pesticides are hazardous by design: chemicals manufactured with the aim of killing, repelling or inhibiting the growth of living organisms by impairing biological processes essential for the maintenance of life. Given the inherent dangers posed by pesticides, the regulatory mechanisms which govern their use must contain safeguards designed to reduce their negative health impacts to an absolute minimum. Within this, PAN Europe would give priority to measures which maintain and strengthen the Commission's proposal to reject substances falling into certain hazard categories on the basis of their intrinsic properties (**hazard-based or cut-off criteria**): all substances with or suspected carcinogenic, mutagenic, toxic to reproduction (CMR), endocrine disrupting, neurotoxic, developmental neurotoxic and immunotoxic properties, and substances that are persistent, bioaccumulative or toxic should not be approved. In addition, the **substitution** of hazardous pesticides with less harmful alternatives, whenever they are available, should be ensured, leading to a **comparative assessment** of chemicals. Furthermore, all synergists, co-formulants, surfactants, and their breakdown products should be taken into account paying due attention to the short-term, long-term, cumulative, synergistic and combinational health impacts.

It is also vital for the protection of human health that the Regulation **endorse the precautionary principle** – adopted on 2 February 2002 in a Communication issued by the European Commission – so as to mitigate the use of substances whose potential to cause harm to human health is wholly or partly unknown. Amendments have been drafted to this effect. PAN Europe considers it to be essential that Parliamentarians support them.

The proposed Regulation contains several Articles which include measures specifically designed to protect those citizens most vulnerable to the negative health impacts of pesticides exposure: children, foetuses, pregnant and nursing women, the elderly, the sick, rural residents and bystanders. Such groups by their very nature deserve special consideration within pesticides regulatory legislation. Parliamentarians have a duty to support measures aimed at ensuring the **protection of vulnerable groups**, whilst rejecting those Amendments which seek to deny them adequate consideration.

Prioritise Human Health by voting

For 2, 3, 7, 24, 26, 27, 28, 33, 35, 39, 41, 60, 61, 63, 70, 73, 78, 79, 104, 106, 107, 132, 134, 135, 136, 137, 138, 139, 140, 141, 143, 144, 145, 149, 151, 152, 156, 201, 202, 208, 213, 221, 237, 238, 239, 244, 256, 263, 248, 285, 295, 296, 302, 304, 308, 317, 324, 325, 370, 372, 373, 376, 377, 438, 439, 446, 457, 462,
IMCO 31/1st part,
ITRE 3

Against 465, 466, 467, 468, 473, 474, 476,
AGRI 37, 111, 113,
IMCO 35, 48, 49, 50, 51, 52, 53,

Essential Amendments

- 7 & 24 – substances should only be used once it has been established they do not pose a threat
- 248 – gives extra protection to residents, bystanders and vulnerable groups
- 285 – immediate cessation of pesticides de-authorized on the grounds of human health or environmental protection
- 324 – restrictions on pesticide use near sensitive locations such as playgrounds, schools, sports grounds, etc
- 376 & IMCO 31/1st part – no authorisation for high risk pesticides where assessment shows the availability of safer alternatives

Protecting Ecosystems and Water Resources

Given their inherent negative impact on living organisms, the use of pesticides poses a substantial threat to the environment; in particular to those ecosystems located close to agricultural land. While few agrochemical products can claim to be genuinely ecologically friendly, including environmental safeguards within the pesticides regulatory framework could significantly mitigate the damage caused. Several proposed Amendments serve to bolster the status of environmental considerations within the decision-making process. PAN Europe urges Parliamentarians to support them.

Within the context of environmental protection, special consideration should be given to the preservation of European water resources; not only because they provide a habitat for species diverse ecosystems, but because they provide a vital resource for the health and prosperity of the European population. While it is inevitable that pesticides application will cause contamination of Europe's water resources, safeguards to protect water quality are essential. PAN Europe urges Parliamentarians to support Amendments aimed at protecting European water resources, particularly in the context of the newly created Water Framework Directive.

Protect the Environment by voting

For 1, 9, 72, 97, 174, 213, 246, 252, 254, 307, 407, 477, 478, 480,
AGRI 27, 79

Against 231
AGRI 22, 28

Essential amendments

- 1 – makes the protection of the environment the legal basis for this regulation
- 9 – brings Regulation in line with the Water Framework Directive
- 246 – better groundwater protection
- 477 – provides specific consideration for the protection of bees
- 231 – deletes reference to 'Good Environmental Practice'

Record Keeping, Access to Information, and Stakeholder Engagement

Central to the development of successful regulatory policies is the availability of high-quality relevant scientific data, without which informed decision making is impossible. It is essential in considering the proposed Regulation that Parliamentarians vote to support those Amendments necessary to ensure the collection of all relevant scientific data, whilst rejecting those that undermine it in the name of **data confidentiality** to protect commercial interests.

A second paradigm fundamental to the success of pesticides authorisation protocols is that all relevant scientific information be taken into account within the decision making process. To this end MEPs should endorse those Amendments which support the inclusion of all relevant scientific data within the authorisation process, and which engage multiple stakeholders (MSs, MEPs, Farmers Associations, NGOs, EU Citizens) in contributing valuable scientific evidence.

Greater public access to information is also of paramount importance: not least in enhancing the transparency of the pesticides authorisation process, but in informing European citizens of regulatory outcomes. Perhaps the most compelling example is the widely supported proposal that rural residents be given prior notice of pesticide applications in their area. PAN Europe is directly in contact with many European citizens whose health might not have been irreversibly damaged were an appropriate advisory system in place.

Support the collection of essential scientific data, include all information within the decision-making process, and provide greater public access to information, by voting

For 8, 17, 21, 51, 52, 53, 55, 80, 83, 95, 98, 111, 113, 115, 121, 143, 160, 161, 162, 168, 169, 170, 171, 179, 180, 189, 195, 197, 267, 286, 316, 350, 351, 406, 407, 410, 415, 424, 438, 439, 450, 456, 460, 461, AGRI 73,
Against 193, 320, 408, 414, 449, AGRI 20, 41, 82, 90, 103, 113, IMCO 11, 22

Essential Amendments

- 21 & 267 – data collection on pesticides use and food chain links
- 51 & 267 – all scientific peer-reviewed data must be considered
- 113 – creates a centralised information database
- 316 – to inform neighbours prior to pesticides application
- 286 – Commission may review pesticides approval and shall give due consideration to requests based on scientific evidence
- 320, AGRI 41 & IMCO 22 – deletes the obligation to inform neighbours of applications

Promote Integrated Pest Management (IPM) & Non-Chemical Methods

In order to achieve sustainable agricultural development, and to minimise the threat that pesticides pose to human health, water resources and the environment, it is essential that pesticides are only applied where no other intervention is deemed capable of achieving the requisite level of crop protection.

Within the context of mainstream European agriculture, PAN Europe believes this objective is best achieved by embracing the principles of Integrated Pest Management (IPM): an agricultural system already adopted by mainstream agricultural producers throughout Europe, which engenders an holistic approach to pest management within which priority is always given to non-chemical methods of plant protection and crop management.

While Section 2 of the proposed Regulation goes some way towards incorporating IPM into the authorisation framework governing the use of pesticides, several proposed Amendments threaten to substantially undermine the adoption of these principles. It is vital that IPM remains central to the use and authorisation within the draft Regulation.

Promote of Integrated Pest Management

For 25, 31, 33, 44, 67, 77, 110, 148, 164, 165, 183, 184, 185, 186, 203, 223, 224, 225, 228, 229, 312, 313, 400, 403, 404, 482, 483,
Against 182, 222, 402
AGRI 10, AGRI 77/2nd part
IMCO 7
ITRE 7

Essential Amendments

- 33 – only the minimum quantity of pesticides should be used
- 44 – restricts the use of specific pesticides incompatible with IPM
- 225 & 229 – give priority to non-chemical methods
- 402 – Don't scrap the commitment to implement IPM by 2014

Prevent the Zonal Division of Europe

The proposed Regulation envisages the amalgamation of MSs into three giant European pesticide authorisation **Zones**: 'North' (DK, EE, LV, LT, FI, SE), 'Centre' (BE, CZ, DE, IE, LU, HU, NL, AT, PL, SI, SK, UK) and 'South' (EL, ES, FR, IT, CY, MT, PT). As set out in Subsection 3, MSs are to be forced to adopt all of the pesticide authorisations of all other MSs grouped in the same zone. Furthermore, where authorisations apply to pesticide use in greenhouses or as post-harvest treatments, obligatory mutual authorisation is to apply throughout the entire EU.

PAN Europe believes that:

- 1) the adoption of a one-size-fits-all authorisation framework will eradicate efforts to ensure that pesticides are always used in accordance with local conditions. If authorisation with respect to one specific MS is to automatically trigger authorisation across a substantial and diverse set of locations, EU-wide variations in agriculture, ecology, geography, climate, plant health, human health, and water management will be ignored;
- 2) efforts by some MSs to replace the most harmful pesticides with safer alternatives will be reversed as each authority will be forced to adopt the decisions of the lowest common regulatory denominator;
- 3) this initiative violates the EC principle of proportionality and subsidiarity by including measures which go substantially beyond those necessary to speed up the decision making process;

Prevent zonal division of Europe for the approval of products

For 11, 14 15, 32, 89, 90, 91, 92, 93, 94, 130, 264, 340, AGRI 109
Against 173, 176, 178, 346, 459
AGRI 7, 50, 61, 62, 106
IMCO 25, 27, 28

Essential Amendments

- 32, 90 & AGRI 30 – Scrap the amalgamation of MSs into zones
- 11 – protect National Action Plans

- **173 – authorisations valid throughout the EU**
- **178 & 459 – push for creation of one giant EU authorisation zone**

Make the Polluter Pay

Central to the economics of contemporary policy on the environment is the principle of 'the polluter pays'. But while the EU's multi-billion Euro pesticides industry continues to play a lead role in environmental pollution, to date no legislation exists at the EU level to ensure that it makes mandatory financial contributions towards mitigating the negative impact of pesticide use. PAN Europe strongly supports the inclusion of several Amendments which require pesticides manufacturers to contribute towards the costs of disposing of obsolete pesticides, monitoring the impacts of pesticide use, and sponsoring pesticide-free cultivation. We urge Parliamentarians to endorse these Amendments.

Make the Polluter Pay, by voting

For **158, 371, 451, 452**

Essential Amendments

- **158 – the Commission should examine how manufacturers should be appropriately involved in rectifying damage to human health and the environment**
- **451 – manufacturers shall contribute towards a fund to cover the cost of disposing obsolete pesticides**