

Pesticides: framework for Community action to achieve a sustainable use of pesticides

2006/0132(COD) - 21/10/2009 - Final act

PURPOSE: to establish a framework for achieving a more sustainable use of pesticides.

LEGISLATIVE ACT: Directive 2009/128/EC of the European Parliament and of the Council establishing a framework for Community action to achieve the sustainable use of pesticides.

CONTENT: following an agreement reached at second reading of the codecision procedure, the Council adopted a directive aimed at establishing a framework for Community action to achieve the sustainable use of pesticides so as to reduce the risks to human health and the environment and the dependency on the use of pesticides.

This directive will apply to pesticides and its scope will be extended to cover biocidal products at a later stage. The provisions of this Directive shall not prevent Member States from applying the precautionary principle in restricting or prohibiting the use of pesticides in specific circumstances or areas.

Under the new Directive, Member State should:

- adopt **national action plans** to set up quantitative objectives, targets, measures, and timetables to reduce risks and impacts of pesticide use on human health and the environment, and to encourage the development and introduction of integrated pest management and of alternative approaches in order to reduce dependency on the use of pesticides. These targets may cover different areas of concern, for example worker protection, protection of the environment, residues, use of specific techniques or use in specific crops. The National Action Plans shall also include **indicators** to monitor the use of plant protection products containing active substances of particular concern, especially if alternatives are available;
- take all necessary measures to **promote low pesticide-input farming, including integrated pest management**, and to ensure that professional users of pesticides shift towards a more environmentally-friendly use of all available crop protection measures, giving priority to low-risk, non-chemical alternatives wherever possible, and to the products with minimum impact on human health and the environment among the ones available for the same pest problem. Member States have to ensure that all professional users of pesticides implement the general standards for integrated pest management at the latest by 1 January 2014;
- set up systems of **training for distributors, advisors, and professional users of pesticides** so that those who use or will use pesticides are fully aware of the potential risks to human health and the environment and of the appropriate measures to reduce those risks as much as possible. Member States shall ensure that distributors have sufficient staff in their employment holding a certificate. Micro distributors selling only products for nonprofessional use may be exempted if they do not offer for sale pesticide formulations classified as toxic, very toxic, carcinogenic, mutagenic or toxic for reproduction;
- take measures to inform the general public and to **promote and facilitate information and awareness-raising programmes** and the availability of accurate and balanced information relating to pesticides for the general public. They shall put in place systems for gathering information on pesticide acute poisoning incidents, as well as chronic poisoning developments where available,

among groups that may be exposed regularly to pesticides such as operators, agricultural workers or persons living close to pesticide application areas;

- **ban aerial spraying and only allow it in special cases approved by competent authorities:** Member States shall ensure that aerial spraying is prohibited. By way of derogation, aerial spraying may only be allowed in special cases provided the following conditions are met: (a) there must be no viable alternatives, or there must be clear advantages in terms of reduced impacts on human health and the environment as compared with land-based application of pesticides; (b) the pesticides used must be explicitly approved for aerial spraying by the Member State following a specific assessment addressing risks from aerial spraying; (c) if the area to be sprayed is in close proximity to areas open to the public, specific risk management measures to ensure that there are **no adverse effects on the health of bystanders** shall be included in the approval. The area to be sprayed shall not be in close proximity to residential areas. A professional user wishing to apply pesticides by aerial spraying shall submit a **request for approval** of an application plan to the competent authority. The request for application shall be submitted in due time to the competent authority;
- make sure that the **aquatic environment and drinking water supplies as well as Natura 2000 sites are safe from the impact of pesticides** and that their use is **minimised or prohibited in specific areas used by the general public or by vulnerable groups**, such as public parks and gardens, sports and recreation grounds, school grounds and children's playgrounds and in the close vicinity of healthcare facilities;
- ensure that **pesticide application equipment is inspected at regular intervals**, the interval between inspections shall not exceed five years until 2020 and shall not exceed three years thereafter.

The European Commission:

- shall submit: (a) by 14 December 2014, a report on the information communicated by the Member States in relation to the National Action Plans. The report shall contain methods used and the implications concerning the establishment of different types of targets to reduce the risks and use of pesticides; (b) by 14 December 2018, a report on the experience gained by Member States on the implementation of national targets in order to achieve the objectives of this Directive. It may be accompanied, if necessary, by appropriate legislative proposals;
- shall put forward as a priority for discussion in the expert group on the [thematic strategy on the sustainable use of pesticides](#) the exchange of information and best practice in the field of sustainable use of pesticides and integrated pest management;
- shall regularly submit to the European Parliament and to the Council a report on progress in the implementation of this Directive, accompanied where appropriate by proposals for amendments.

ENTRY INTO FORCE: 25.11.2009.

TRANSPOSITION: 14.12.2011.