



# Inspections of pesticide application equipment in the context of European legislation

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# outline

- *Context: EU legislation related to plant protection products*
- *Sustainable use Directive + technical requirements for machinery*
- *Regulation proposal on official controls*

# EU legislative framework

Placing on  
the market  
of plant  
protection  
products



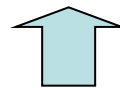
Sustainable  
use of  
pesticides

Collection  
of statistics



Maximum  
residue  
levels of  
pesticides

Technical requirements for  
machinery



# **DIRECTIVE 2009/128/EC – SUSTAINABLE USE OF PESTICIDES**



Implementation by **Nov 2011**  
National Action Plans **Nov 2012**  
(revised at least every 5 years)

→ *Directive: national approaches in implementation + subsidiarity*  
→ *"framework" Directive*

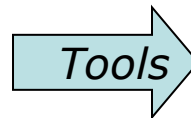
→ *New series FVO inspections covers SUD*

[http://ec.europa.eu/food/plant/pesticides/sustainable\\_use\\_pesticides/index\\_en.htm](http://ec.europa.eu/food/plant/pesticides/sustainable_use_pesticides/index_en.htm)

Reduce impacts of  
PPPs on humans  
and the  
environment

+

promote the use of  
low pesticides-  
input pest  
management



- 1 **Training**
- 2 **Sales**
- 3 **Awareness raising**
- 4 **Equipment**
- 5 **Aerial applications**
- 6 **Aquatic environment**
- 7 **Protected areas**
- 8 **Handling, storage, disposal**
- 9 **IPM**
- 10 **Harmonised risk indicators**

# Main actions

## *Training*

- **Professional PPP users, distributors and advisors get proper training (Annex I) → *includes use, maintenance, calibration of PAE***
- **EU countries establish certification systems (Dec 2013)**
- → *COM support: "Better Training Safer Food" Training Programme*

## *Sales*

- **PPP sale only by trained people (certificate)**
- **No sale of professional PPPs to people without certificate**

# Main actions

## *Integrated pest management*

- **General IPM principles (Annex III) mandatory for professional users since 1 January 2014.**
- **MS to guarantee conditions for IPM (e.g. information tools, advisory services) + incentives**
- **MS to report to COM on IPM implementation (2013)**  
→ support: EU-Research (e.g. FP7 → 10 projects; Horizon 2020)

- *IPM ≠ no pesticides*
- *IPM =*
  - *Low pesticide input + consideration of all available PP measures*
  - *pests + diseases at levels economically and ecologically justifiable*



# Main actions

## *Handling, storage, disposal*

- **Recovery and disposal of PPP remnants and packaging according to waste legislation**
- **Storage areas should prevent unwanted releases**

## *Aerial spraying is prohibited*

- **...but derogations are possible at MS level under some conditions. Warning of residents essential.**

# Main actions

## *Inspection of equipment in use (Art. 8)*

- **All PAE in professional use inspected at least once by 2016 and every 5 years** (after 2020 every 3 years)
- **Inspections → Annex II.**
- Different inspection timetables possible for non-spraying PAE, knapsacks (but training and information to use essential), PAE of low scale of use → exceptions listed in NAPs

# Main actions

## *Inspection of equipment in use (Art. 8)*

- Professional users should calibrate / do technical checks according to training (see Art 5)
- MS to designate responsible bodies, establish certificate systems, endeavour to mutually recognise certificates issued by other MS

# Main actions

## *Inspection of equipment in use (Art. 8)*

→ COM support:

- **Harmonised standards for inspection of PAE under development**

Art. 20 SUD → CEN mandate 435 (2008)

[http://ec.europa.eu/enterprise/policies/european-standards/index\\_en.htm](http://ec.europa.eu/enterprise/policies/european-standards/index_en.htm)

→ EN/ISO standards 16122 series

→ Once ready, publication in Official Journal → harmonised standards

- "Better Training Safer Food" Training Programme

# Technical requirements for machinery

*Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery, and amending Directive 95/16/EC*

- **Directive 2009/127/EC amending Directive 2006/42/EC with regard to machinery for pesticide application**
- **Mandate CEN 471 → EN ISO 16119 standards, published OJ**

# Technical requirements for machinery

*COMMISSION DELEGATED REGULATION (EU) No ...of ...supplementing and amending Regulation (EU) No 167/2013 of the EP and of the Council with regard to vehicle construction and general requirements for the approval of agricultural and forestry vehicles*

- **ANNEX XXIX - Requirements applying to protection against hazardous substances** (→ *cabins/ filters*)
- **Adopted COM (Sept 2014), currently under objection period of EP and Council.**

# REGULATION PROPOSAL ON OFFICIAL CONTROLS

# General principles

- **Risk based official controls**
- **Financing:**
  - ✓ **general obligation for MS to resource adequately control authorities**
  - ✓ **mandatory fees** for most official controls (all sectors)
  - ✓ **exemption of microenterprises** (no cross subsidisation)
- **Responsibilities:**
  - ✓ **Competent Authorities to be designated by MS**
  - ✓ **Delegation of specific tasks to delegated bodies/natural persons**



# Specific provisions

## Delegated acts on rules for verifying compliance with rules laying down requirements for the sustainable use of pesticides (Article 22)

### ➤ in particular:

- uniform specific requirements for inspections on pesticide application equipments and uniform minimum frequency of such controls (A. 8(1) to (4), (7) and Ax. II to SUD);
- the design of certification systems to assist the competent authorities in the inspections of pesticide application equipments (A. 8(6) SUD).

# Specific provisions

➤ **more in general:**

- the specific responsibilities and tasks of the competent authorities;
- the cases where the competent authorities in relation to specific non-compliances are to take one or more of the measures referred to in Article 135(2) or additional measures to those provided for in that paragraph.

# State of play - Ongoing ordinary legislative procedure (European Parliament)

- **COM ENVI: first Rapporteur Mr Pirillo (S&D, IT)**
- **COM AGRI: Rapporteur Ms Reimers (ALDE, DE) (joint competence on some Articles)**
- **EP first reading plenary vote on 14/15.04.2014**
- **COM ENVI: new Rapporteur /new EP**

# European Parliament first reading – main changes

- **Scope**
  - **no amendments voted on PPP**
- Repeal of empowerment for **delegated acts on OC rules in the area of the sustainable use of pesticides (Article 22)** ('legislative proposals' instead)

# European Parliament first reading – main changes

- Repeal of **mandatory official control fees**:
  - Possibility for MS to collect fees to recover some of the costs incurred
  - **Primary production** (including farm processing) excluded + possibility for MS to exempt **SMEs**

# State of play - Ongoing ordinary legislative procedure (Council)

## Joint Working Party of Veterinary Experts (Public Health) and Phytosanitary Experts

- 1 meeting day under the IE Presidency,
- 7 meeting days under the LT Presidency,
- 12 meeting days under the EL Presidency,
- So far 4 meeting days under the IT Presidency...

**Technical examination concluded - discussions on Presidency's draft preliminary compromise text ongoing**

