

Possible future SUD policy options for further discussion with SUD WG members¹

1. **IPM: Do any changes need to be made to the current legal provisions for IPM, including the IPM principles and should we introduce IPM record-keeping requirements in legislation**
?should some minimum details be specified in legislation and other aspects be left to MS under subsidiarity, what to record, how to record (in what format and level of detail), when and how often to record, who records it, for how long should records be kept (paper and/or electronic form) try not to be too burdensome while still representing a useful monitoring or enforcement tool for Member State competent authorities ?What experiences do MS already have with introducing national IPM record-keeping requirements (to which types of pesticide users should such requirements apply), do these records prove useful when performing checks and official controls ? Other IPM aspects to be considered, some will take longer to develop and trial e.g. detailed IPM criteria which are expected to be specific for different Member States

It is not necessary to change the current legal provisions for IPM, especially record-keeping requirements. This measure would be ineffective, since it would increase the administrative burdens of farmers, on the other hand it would be uncertain to assess the validity of data by the authority. The farmers rather need good examples.

2. **DRONES/AERIAL SPRAYING: Are changes needed to the current SUD regarding facilitating precision agriculture and particularly the use of drones for spraying, change the current SUD wording on aerial spraying ? (use of drones to survey fields/crops not prohibited)**
If yes, what is the specific issue? Problems if PPPs are not authorised for aerial spraying, lack of standards or criteria to assess drones. What national experiences do MS have re interpreting the current legislative wording on drones or authorising nationally the use of drones for spraying

The European Commission and the Member States should pay the new technologies into account and expand the applicable technologies. It would be appropriate if the safe use and efficacy of these new technologies were evaluated and assessed (e.g. in the frame of researches). The Commission should revise the statement which declares use of drones for spraying falls into the category of classic aerial spraying.

3. **TESTING OF PAE: Any need for changes to the current system for testing PAE outlined in the SUD ?Need for standards and criteria, potentially reduce the testing requirements for basic and less risky PAE, more frequent testing for contractors/large scale users? Mandatory test before first placing on the market?**
assistance to train testers and facilitate mobile testing services to cover larger geographical areas ?

The Sustainable Pesticide Use Directive defines clearly the requirements on standards.

Depending on the experiences the reducing testing requirements for basic and less risky PAE might be considered.

¹This is a non-exhaustive list of possible policy options based on discussions in the breakout groups at the SUD BTSF one-off workshop of 17-19 November 2020. SUD WG members are free to add proposals for extra policy options based on their national experiences concerning implementation, application and enforcement of the SUD.

The current frequency of testing is sufficient and appropriate.

Any measures with increasing administrative burden can't be supported.

4. **POSSIBLE LEGISLATIVE SIMPLIFICATION/REDUCTION OF ADMINISTRATIVE BURDEN: Can some elements of the SUD be simplified to reduce the admin burden for MS and stakeholders**
?suggestion that morestructure on IPM annex/ guidanceis needed, any change needed to the requirements on training and advisory services or they are currently working quite well ? There was a suggestion to possibly reduce the testing requirements for simpler and less risky PAE ?

Depending on the experiences the reducing testing requirements for basic and less risky PAE might be considered.

5. **COLOUR CODED LABELLING OF PPP PRODUCTS: Consider a traffic light colour coding label or sticker on the PPP package (green, amber, red) to indicate varying hazard for health and environment** ? can an attempt be made to objectively divide PPPs into 3 such groups or even 2 groups of the most hazardous and least hazardous products, do any MS have an experience of implementing such a scheme nationally ?

The current wording is enough. This measure could lead to a very complicated system. It should be kept at MS level.

PPPs for non-professional use are classified as Category III.

6. **RESTRICTIONS ON USE OF SOME PPPs: Potentially restrict/ prohibit the use of some more hazardous pesticides by all or some users: agricultural, non-agricultural, professional and non-professional users** ?Are certain exceptions needed, for example for some sports facilities ? Which pesticides should have their use restricted and for which uses and users, is there a minimum baseline which could be applied in all MS ?

The restriction on of some PPPs may be appropriate, but the working out of the details of requirements should be kept at MS level.

In our country some restrictions has already been introduced:

In Hungary the PPPs are divided into three categories (two professional and one non-professional). (See attachment)

Plant protection products belonging to marketing categories II and III can be used on public areas, residential areas, recreation grounds (including crossing railway tracks), in community areas, in home gardens, and on public areas.

- *according to the authorisation certificate of PPP,*
- *by application of special requirements*

On public areas and in community areas, plant protection products shall only be used under the management of expert in charge who is member of the Hungarian Chamber of Professionals and Doctors of Plant Protection.

The residents concerned shall be informed, in the locally approved way, about the application of plant protection products on public areas and in community areas.

7. **ANY EXTRA INFORMATION OR COMMUNICATION ACTIVITIES NEEDED: Should any extra information or communication measures be included in the SUD ?**any need to improve the information to the general public or residents when pesticides are used or planned to be used in their local area, any experiences at MS level on this ?

The Sustainable Pesticide Use Directive contributed to the current situation which is more favourable than before 2009. The results of the SUD should be highlighted and promoted at EU level (e.g. decreasing of the HRII by 17%, measures taken so far).

8. **POTENTIAL HIGHER TAXATION OF MORE HAZARDOUS PESTICIDES: Should a higher VAT tax rate or an environmental/excise tax be applied to some more hazardous chemical pesticides/candidates for substitution, if so which pesticides and which tax rate would disincentivise their use ?** (their use would not be prohibited). Should a general recommendation be given on how MS should use any funds generated via these higher taxes ? It should be noted that a decision on using any funds generated is a national competence at MS .

We think the taxation should stay at Member State level.

As Value Added Tax (VAT) is not an environmental tax, it is not this aspect that serves as the main focus point in the shaping of the applicable VAT rates on national level or, particularly, of the applicable VAT-rate in the case of pesticides. In Hungary, the supply of pesticide products fall under the general VAT rate (27%), so the reduced rates are not applicable. Furthermore, we do not consider the inclusion of this product in the excise duty system to be eligible, given that the primary purpose of excise duty is not environment protection either.

9. **PRESCRIPTION SYSTEM FOR SOME PPPs: Should a prescription system be considered for some more hazardous chemical pesticides (candidates for substitutions) used by professional PPP users?** if so for which pesticides, who would issue the prescription (a recording or registration system would likely be needed, paper and electronic prescriptions, for how long would a prescription be valid, how to deal with repeat prescriptions for the same issue and product, possible extra costs and administrative burden for farmers, advisers and competent authorities, who would need to keep copies of the prescription: the farmer/user, adviser/prescriber, seller, would some minimum qualifications or training be needed to issue prescriptions, for how long would prescriptions need to be kept to be available for inspection or controls, what is the experience of those MS such as Greece who have already introduced such a system, did it impact significantly on PPP use or impose extra costs and administrative burden on stakeholders and industry ?

This proposal can generally be supported, but the working out of the details of requirements should stay at MS level.

In Hungary prescription system is in place for years.

See attachment for details.

- 10. HOW TO IMPROVE MONITORING OF PESTICIDES' EFFECTS ON HUMAN HEALTH AND THE ENVIRONMENT:** Should the SUD include extra details on monitoring the effects of pesticides on human health and the environment? if so which ones, how to improve cooperation and collaboration with human health colleagues (might not be achieved via a legislative change)? Would this require changing / making SUD clearer?

It should be taken into account that monitoring programmes in the frame of REGULATION (EU) 2017/625 already exist and contribute to the monitoring of the effects in question.

Human health

There is a high demand for valid exposure information because the chronic effects of pesticides on human health are still scarce. In order to improve monitoring of pesticides' effects on human health effect, we propose an approach similar to the one in the Asbestos at Work and the Carcinogens Mutagens Directives:

The Member States shall establish, in accordance with national law or practice, arrangements for carrying out relevant health surveillance of workers regularly exposed to pesticides. The employer must enter the workers responsible for carrying out the activities in a register, indicating the nature of the exposure to which they have been subjected (pesticide type, application type, duration of the activity). The health surveillance documents and the register shall be kept for at least 40 years following the end of exposure. Employers shall report the number of exposed persons and the pesticide type to the competent (labour inspection) authority.

Environmental aspects

Harmonisation of work at EU level would be helpful to have threshold values established for pesticides where a monitoring requirement is in place in relevant EU legislation (e. g. EQS directive) as soon as possible; MS, especially small member states are not capable of deriving TV-s themselves.

Differentiation of TV-s would also be necessary in case of Groundwater Directive TV, where general values are established only (0,1 µg/l for single active substances and 0,5 µg/l for total), as there are differences in toxicology and impacts of the different pesticides.

The improvement of monitoring the effect of pesticides on pollinators could be considered (honey bee and wild pollinators).

- 11. RECYCLING/SAFE DISPOSAL OF EMPTY PPP CONTAINERS:** Should any extra measures be taken to increase the recycling and safe disposal of empty pesticide containers or this should be left to industry and MS to manage? for example a possible refundable deposit on products purchased if the empty container is returned to the point of purchase, how to deal with online purchases, problem of long distances/sparsely populated areas, return to point of purchase or bring to a collection point or have a farm collection system, some MS have collection systems

also for other waste such as general farm plastics, does the Commission need to act or take action to support the recycling and safe disposal of empty pesticide containers ?

These measures should be stay at MS level.

Systems for the safe disposal of empty packaging and remnants of pesticides are in place and there are also legal requirements (Decree 103/2003 (IX. 11.) FVM)

In Hungary pesticide industries finance a system for the disposal of empty pesticide packaging.

In our country online purchases are prohibited.

- 12. IMPROVING EFFECTIVENESS OF MS NAPs: Can MS SUD national action plans be made into more effective implementation and communication tools, how to involve stakeholders and link with CAP national strategic plans ?should they be made more prescriptive, be updated more frequently? Be better linked to the CAP and other relevant plans (WFD, Natura 2000)? Would this require changing / making SUD clearer? If yes, in what way?**

The interventions set out in the CAP national strategy plan can contribute to the spread of integrated pest management solutions and to the formation of farmers' attitudes and increase their level of knowledge through supports such as management commitments, investments, AKIS., etc.

Some terms should be made clearer (e.g. the difference between the terms „target“ and “objective“, the explanation hasn't appeared in the Directive yet).

- 13. (LEGALLY BINDING) TARGETS TO REDUCE USE AND RISK OF PESTICIDES: What are the experiences at MS level with quantitative pesticide use/risk reduction targets ? have these been put into legislation or NAPs, have they been successful or not, what have been the follow-up actions at national level if the targets are not achieved or progress is insufficient: support, penalties ? should the F2F targets be made legally applicable in individual MS?**

In Hungary the assessment and the evaluation of the targets are in progress currently.

The targets at MS level can't be supported, the targets of the Strategy were defined at EU level. There are a lot of differentiation between the Member States. (e.g.: agricultural areas).

- 14. (HARMONISED) RISK INDICATORS: Any suggestions for potential new (harmonised) risk indicators that should be investigated or developed by the Commission, preferably that could be easily and quickly developed ?do MS already use other indicators e.g. German experience with MRL detections in food ?**

The use of pesticides (amount of substance (kg) per hectare) should also be taken into account in the case of HRII.

- 15. COHERENCE/COMPLEMENTARITY OF THE SUD WITH OTHER EU LEGISLATION OR POLICIES: Any areas of contradiction between different EU policies that should be investigated or resolved ? Reference was made to different buffer zone requirements applying under the CAP and for individual PPPs.**

REGULATION (EU) 2020/852 on the establishment of a framework to facilitate sustainable investment is necessary to examine before/after the revision of SUD.

Groundwater Directive (see point 10)