

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
- 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 authorized 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
- 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?
- 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?**
A suggestion that more structure on IPM annex/guidance is 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?
- 5. (COLOUR CODED LABELING 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?**
- 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?
- 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

Commented [redacted]: Record-keeping and retention period mentioned in art. 67 of reg. 1107/2009, also amateurs are not obliged to record-keeping

Commented [redacted]: Harmonized evaluation methodology (GDs) has to be developed before using drones, also the role of aviation authorities and their regulations has to be clarified

Commented [redacted]: From an authorization point of view, especially for the trained professional user, this is superfluous, as the classification pictograms of reg 1272/2008 cover that need

Commented [redacted]: Also from an authorization perspective... this is superfluous ... it is performed by risk evaluation and management within evaluation processes

¹ This 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.

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?

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 level.)
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?
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?
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?
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?
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?)

Commented []: Greece has always been against this proposal, we don't consider the issue to be a taxing-rate issue, but an issue of sound scientific advice... for that we have introduced since 1973 the obligation for sales of all PPPs solely through scientists with reliable knowledge, demonstrated by a relevant third grade education degree and although since 1973 the retailer/agronomist was responsible for the advice/sale of the ppp, we introduced the notion of prescription and real time electronic recording through our NAP...

Commented []: Look at point 8, because in reality we have assigned the role of the retailer to a third grade education agronomist since 1973, there hasn't been a negative impact with the introduction of prescription ...

Commented []: Commission should point out that such actions should be funded through the greening CAP funds, they can actually be very important tools for risk management decisions...

Commented []: As in point 10

Commented []: We wouldn't like to have legally imposed reduction targets, from an authorization's point of view withdrawal of PPP will help to adjust to the targets

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?)

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.)

Commented : Two things we have to consider with MRLs used as risk indicators : a) MRL is not a toxicological indicator but is a trade related trait, so we must at least differentiate between mrl exceedances from EU produced commodities and imported ones, also taking into account the import tolerances factor AND B) with the withdrawal of actives from the EU market, as well as the current intention of OOM to assign mrls to microbials, mrl exceedance in all commodities will become an even more recurring issue

Commented : It's not exactly a contradiction due to SUD, but in general one can't expect to increase organic farming and at the same time decrease the use of candidates for substitution, as copper is a CFS