

## Possible future SUD policy options for further discussion with SUD WG members<sup>1</sup>

- 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  
**Ireland already has mandatory IPM record keeping at a very basic level. Currently we cannot see an acceptable way of improving/increasing the level of record keeping, as IPM is not a fixed system of farming, it changes from season to season. There are some attempts by MSs (including Ireland) to assess level of IPM uptake at farm level but these are very much specific to that Member State. We think that this needs to be left to the Member State to define their own crop specific guidelines and then determine what type of records should be maintained and subsequently define the format required.**
- 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.  
**Ireland has never been a proponent of “Aerial Application” of PPPs. However, we continue to understand that aerial application via fixed wing aircraft and helicopter are important tools for certain crops in certain parts of the EU and are also of use in emergency situations. We acknowledge that there are concerns regarding drift and treatment of non target areas, however, we believe that it is not entirely appropriate to consider drone application as being the same as more conventional aerial application.**  
**Drone technology is becoming ever more advanced and is increasingly used in other parts of the world for targeted pesticide application. Data produced by many actors in the industry proves that spray drift is comparable with ground application via conventional hydraulic nozzle sprayers. A policy rethink is required to allow drone application to become part of crop protection strategies in the EU.**
- 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**

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<sup>1</sup> 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.

first placing on the market? assistance to train testers and facilitate mobile testing services to cover larger geographical areas ?

**Ireland** believes that application equipment should be tested based on the level of risk. Therefore large scale users would require more frequent testing while periodic users would require less frequent testing. Also, certain types of equipment that present a low level of risk should be tested less frequently. Additionally, harmonised test guidelines should be available for all equipment to be tested.

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 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 ? It is difficult to conceive simplification of the IPM elements of the Directive. However, generally the current Directive is not overly complex, but areas such as Article 8 (as outlined at 3 above), Article 11, Article 12 and Article 13 could possibly be simplified/improved.
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 premise that Ireland works on is that when a PPP is authorised it can be used safely when used in accordance with the labelling conditions. PPPs that are being used by professional users in Ireland use labels approved to a prescribed format so that the user knows where to get safety information or mitigation measures or GAP information etc. If we move to a categorisation of less or more hazardous, we risk the end user not reading the labels for the “more” hazardous product. Consequently Ireland would have concerns regarding such a proposal but would be interested in considering views of other MSs who have implemented such a scheme.
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 ?  
This is already the case in Ireland but we believe this should be left up to Member States, as agriculture and societal structures differ significantly throughout the union.
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 ?  
We do not require end users to inform residents of spraying operations as it tends to generate more fear and apprehension and does little to improve public health.
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.

Taxation is an issue of Member State competence. As such any regulatory moves on this type of proposal would require unanimous support. Ireland would not support such a move.

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 is an extremely administratively burdensome system and requires considerable infrastructure and audit processes. It places all the responsibility on a relatively small number of people who write the prescriptions. Some practitioners will be qualified and competent while others will be qualified but less competent. Do MSs with such systems have significantly better PPP safety and environmental records than MSs without such systems?

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?**

Improvements in monitoring effects on humans and the environment is of course desirable, however, accumulating data which is clearly linked to pesticide use or consumption is difficult to do. We are open to considering any constructive proposals in this regard.

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 ?

Ireland has been very proactive in the treatment and collection of hazardous waste and as importantly the treatment and collection of triple rinsed empty containers for recycling. This office has sponsored laboratory studies on triple rinsing containers rendering them recyclable. We encourage developments in the area, however, we would not like to be hindered in making further progress in this area.

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?

NAPs need to be focused and while a holistic plan incorporating several actors and several initiatives is desirable, it can often dilute the impact and effect. Such an approach has to be weighed up very carefully. Our first preference would be a stand alone NAP.

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?

We have always taken a position against quantitative use reduction targets and find them to be a blunt tool which do not necessarily reduce the risks and impacts of PPPs on human health or indeed the environment. Furthermore, replacement of more biologically active molecules with molecules and compounds that are less biologically active often results in an increase in overall quantity used. Each MS should be allowed to decide on their own system and targets as some MSs such as Ireland have a very low pesticide usage already. Blunt legally binding targets will impact MSs like Ireland in a disproportionate way.

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 ?

Enhancing the range of harmonised risk indicators or replacement of the current risk indicators needs to take priority in the short to medium term. Ireland is open to discussions on development of more harmonised risk indicators.

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.

Coherence of individual pieces of EU legislation is a given. There are very few examples of conflict between legislative texts, however, consideration is needed from other non PPP actors when considering adoption of new proposals.