



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY
Health and food audits and analysis
F3 - Plants and organics

FINAL MINUTES
WORKING GROUP
MEMBER STATE EXPERTS ON SUSTAINABLE USE OF PESTICIDES
DIRECTIVE 2009/128/EC
EUROPEAN COMMISSION
DG SANTE
04 - 05 NOVEMBER 2020, VIRTUAL EVENT

All presentations of this meeting are on CIRCABC.

Participants

Twenty six Member States (MSs) were present, with no representatives from Romania and the UK. Norway also attended the meeting.

DG AGRI:

DG ENV: (Day 1 only)

DG ESTAT:

DG SANTE E.4:

DG SANTE F3:

Day 1: 04 November 2020

1. Welcome and adoption of minutes of previous meeting

Introduction was made by the Commission highlighting that it is the first virtual meeting of the SUD WG meeting, organised in two half-a-day sessions, and following the cancellation of the first meeting in 2020, originally planned to take place on 31 March and 01 April 2020 and announced to Member States in February 2020. Participants from MSs were reminded that all presentations and other relevant documents had been up-loaded in CIRCABC prior to the meeting. Some further

details were provided with regard to recent changes of the Agenda and time schedules, as well as some technical details allowing for the smooth running of the Webex event.

With regard to the minutes of the last SUD WG held on 11 November 2019 in Luxembourg, the Commission stated that no comments were provided by MSs within the deadline. Thus, the Draft Minutes became Final Minutes, which were communicated to MS contact points together with the invitation letter for the current meeting, and were also up-loaded on CIRCA BC.

Part I: The Commission Green Deal – setting of the policy framework on pesticides

2. The Green Deal and Farm to Fork Strategy – presentation by [REDACTED], DG SANTE F.3

Member States were informed that it has been the intention of the Commission to present and discuss with them the Farm to Fork Strategy much earlier, at the first SUD WG planned on 01 April 2020, which was cancelled due to the pandemic. Participants were informed that the Strategy is publicly available on various Commission web-sites, as well as on the SUD web-portal.

The presentation given was a combined presentation on agenda point 2 (Green Deal and Farm to Fork Strategy) and agenda point 4 (Farm to Fork pesticide related targets). The link between the Green Deal and the Strategy was explained, and it was highlighted that the Strategy covers all stages “from farm to fork”, including primary production, processing, placing on the market of food, as well as consumer related issues, such as healthy diets, labelling of food etc.

The focus was on both pesticide related targets in the Farm to Fork Strategy, where the Commission called for support by Member States and all relevant stakeholders to achieve these. The Commission asked Member States’ representatives to provide their thoughts on how these targets could be made mandatory, in the context of the legislative framework for sustainable food systems expected by 2023.

In the presentation, the view of the Commission was expressed with regard to the potential options contributing towards achieving the targets. These included greater IPM up-take and enforcement, in particular, by using chemical plant protection products as the last resort and reducing the sale of Group 3 PPPs, as well as switching to non-PPP pest control techniques, sales and use of less hazardous active substances (Groups 1 and 2), and shift to organic farming.

3. The Biodiversity Strategy – presentation by [REDACTED], DG ENV;

The presentation started by explaining that the Biodiversity Strategy for 2030 is a core element of the European Green Deal, which is also closely linked with many of the other Green Deal initiatives. The Strategy was published together with the Farm to Fork Strategy, and these both contain aligned targets on biodiversity and food systems.

The global biodiversity crisis was stated to be the main reason behind the adoption of the Biodiversity Strategy and, in this context, the main direct and indirect drivers were presented.

Another reason for coming up with this Strategy was that targets in previous strategies on that topic have not been achieved, where it became clear that a new approach was needed, which was to be based on science, outlining the minimum to be done, as well as the need for improved measurability and smarter targets. The Biodiversity Strategy was stated to aim at putting Europe's biodiversity on the path to recovery by 2030 for the benefit of people, the planet and climate, and at encouraging global action so that by 2050, all of the world's ecosystems are restored, resilient and adequately protected.

The presentation made the link between both Strategies by highlighting that these share the same targets with regard to pesticides, as follows: Commission action to be taken in order to achieve reduction by 50% the overall use of and risk from chemical pesticides, and 50 % reduction of the use of more hazardous pesticides, categorised as candidates for substitution, by 2030.

The presentation also outlined the main challenges ahead, among which the need to deliver on more than 100 actions under the Biodiversity Strategy, ensuring adequate resources and linking actions under the Strategy with the new CAP and Member State National Strategic Plans.

4. F2F pesticide targets – presentation by [REDACTED], DG SANTE F.3;

A combined presentation on agenda point 2, Green Deal and Farm to Fork Strategy and agenda point 4 Farm to Fork pesticide related targets (see point 2 above).

5. Discussion

SE shared that when they have analysed their HRI results, they saw good progress using the baseline 2011 – 2013, and they asked the question would it be the choice of Member States what baseline to use to evaluate progress in meeting the F2F targets, 2015-2017 or 2011-2013.

A similar statement regarding the baseline was provided by **SK**. In their opinion, Regulation (EC) No 1107/2009 and the SUD have been implemented since 2011, thus being more logical to go for the 2011 – 2013 baseline to check progress at both Member State and EU level. If the 2015 – 2017 baseline would be used for the purposes of evaluating the progress toward achieving the F2F targets, then progress already made after the entry into force of the pesticide legislation framework of 2009 would not be taken into account. On the other hand, it is very important to communicate to the public that a lot of dangerous products were withdrawn from the market, where no new alternatives are available, for many crops. In this context, it is crucial to choose a proper baseline for the evaluation of progress.

In response, the **Commission** stated that for all F2F actions the same baseline would be used, which would be 2017 – it is supposed to set targets for where we go from now. It was highlighted that it is very important for Member States to look backwards at what they have achieved so far, where nothing shall stop them from setting a national target for what they want to achieve with baseline 2011. However, no forward looking F2F target could be set from 2017, and measuring it from 2011. In this regard, it was explained by the Commission, that harmonized risk indicator

(HRI)1 would be calculated twice, as follows: for the purposes of SUD implementation, the baseline 2011-2013 would be used, and for F2F targets, the baseline 2015 – 2017 would be used, which does not mean that the progress made before would not be taken into account. Overall, decision is that it is not right to set a forward looking target and measure from before, in particular, for measuring action taken from 2017. In order for Member States to take account of their history, the current proposal is to publish HRI indicators from 2017, assessing against 2017, but also to show the trend /history before that.

DK had a question on the 50% reduction target and, in particular, what is meant by 50% reduction in use and risk of pesticides and, in particular, reduction of volumes of candidates for substitution (CfS).

In their response, the **Commission** highlighted that the level of CfS (Group 3 pesticides) is flat lining from 2011 to 2017. This is why the second F2F target was established to send a clear message that there is a need to reduce CfS. It was highlighted that sales data is used for both F2F pesticide related targets, due to the absence of reliable use data at present. In this regard, the difference between the two indicators is that the second target is not weighted, but it is a 50% reduction in the volume of CfS, where the first target is a HRI 1 based, measuring the risk and use of pesticides, and weightings are applied.

PL asked the question why and how the 50% goal was chosen, and if both 50 % reduction goals were established for the EU as a whole, or these would be the same for individual MSs?

The **Commission** explained that both targets are aspirational, with the aim to set direction, where it was not the intention of the Commission to make these mandatory at present. If these were to be made mandatory, such a decision is to come at a later stage. It was stated that the hope of the Commission is for Member States to come forward with national action plans (NAPs) under the SUD, and with National Strategic Plans (NSPs) under the Common Agricultural Policy (CAP), and explain in both how actions under CAP and SUD would help to achieve the F2F pesticide targets. From Commission's point of view, there is need to see reduction in CfS, in parallel with a need to maintain a robust and resilient and affordable food system. The 50% targets are to set some ambition, and these were set taking account of HRI trends and the available agricultural data at EU and Member State level.

ES made a statement with regard to F2F target on Organic Farming, where increasing area dedicated to organic farming to reach 25% of total agricultural area would compromise meeting the second pesticide related targets on 50 % reduction of CfS, because one of the main pesticides used in organic farming is copper sulphate, which is a CfS.

In support to ES, **SI** made the same comment, due to its relevance for their country, where fruit tree production and vineyards have an important share in their agriculture.

In response to these comments, the **Commission** stated that they are aware of that issue, where there is a need to find an alternative to copper sulphate.

IE made a statement with regard to Food Security, highlighting that they are supportive of more sustainable farming systems, with the aim of expanding Natura sites. They raised the issue on how

to reconcile maintaining food production in EU and food security, with the massive increase required in Natura sites, reduction in fertilizer use, reduction in pesticide use, increase in organics. In their opinion, maintaining the current levels of food production with proposals that are currently published under both strategies would be problematic, where consequences having impact on food security and production are seen as a big issue for the country, and where achieving these without major impact on productivity of European agriculture would not be possible.

NL expressed their opinion on pesticide related F2F targets, both referring to reduction of use and risk, which give a negative perception of pesticides. Their proposal was to move to positive targets, speaking about increased use of low risk substances, and an increase in use of biological agents instead.

The **Commission** shared that this has been extensively discussed, where the aim was to give a message not just finding lower risk, but also about IPM. However, it has proven to be difficult to set such targets. However, this proposal was accepted as an important point, and Member States were encouraged to go for this approach, looking at national level at both positive and negative targets.

LU had a question on biodiversity, in particular, in the context of discussions currently on-going on eco-schemes under CAP, where biodiversity targets are supposed to be taken into account. They wanted to know, to what degree these are mandatory.

The **Commission** replied that, under the new CAP, they would like to see these goals on biodiversity properly integrated where the approval of Member State NSPs shall be the main mechanism for this, and the main tool to mainstream biodiversity into the CAP plans.

Part II: Progress to date in implementation of SUD

6. 2nd Commission Report to the EP and the Council – [REDACTED], SANTE F.3;

The presentation started by providing some background information and explaining the reasons for the report publication being postponed twice and delayed. Following the brief introduction, the presentation focused on the key findings described and main conclusions made in the report.

With regard to NAPs, the report highlighted two main aspects, (a) delays in the review of Member State initial NAPs, and adopting their revised NAPs, and (b) targets and indicators in most of the revised NAPs lacking ambition.

With regard to IPM, the key finding is that assessment of its implementation is the most widespread weakness in SUD implementation. The presentation also explained the compliance monitoring index, which was developed as an internal tool for assessing the level of SUD implementation by Member State, and by Article.

Regarding the main conclusions, the presentation stated that results of HRI calculations gave a mixed message, which was a positive one with regard to HRI1, and quite negative with regard to HRI2. In parallel, the Commission committed to work further on improving the existing and developing new HRIs. On IPM, the report concluded that there is significant potential for further

risk reduction through more complete implementation of the SUD and, in particular, greater adoption of IPM, including the more widespread adoption of non-chemical pest control techniques.

With regard to Commission actions to improve SUD implementation, the presentation mentioned the SUD Evaluation, as well as considering infringement actions against Member States.

The presentation also included some details with regard to the current state of play and, in particular, on-going discussions on the report at the Council, and the current work on the Council Conclusions¹, which are expected to be adopted before the end of the year, under the DE presidency.

7. Discussion

SE asked for some more details to be provided with regard to calculations made using the internal compliance monitoring index, and if **SE** could see the calculations for their country. In response, the **Commission** explained that the index in question was first produced as internal tool helping to measure and see improvement over time. It was attached to the Report for communication to hierarchy, but the Commission does not intend to publish the detailed analysis. If required so by any of the Member States, the Commission would be happy to have a dialogue with MS bilaterally.

NL reminded that, in several occasions, the Commission has stated that HRI 1 and HRI 2 would be improved. Keeping into account that the current weightings used for calculation of HRI 1 are not scientifically based, they asked if there are plans for these weightings to be changed. In response to this the **Commission** stated that some changes are expected with regard to HRI 2 in late 2021. However, with regard to HRI 1, no changes are expected for now due to the lack of enough data, which would allow for measuring use and dependency on plant protection products (PPPs).

In response to an issue raised by **BE** with regard to factual errors in references made in the report, the **Commission** encouraged BE authorities to ask for a bilateral meeting to clarify these.

A similar comment was made by **SK**, where it was stated that there were some inaccuracies with regard to SUD implementation in their country in both, the report to the European Parliament and the Council, and afterwards in the F2F letter from the Commissioner. The **Commission** replied that it is their intention to pass the right messages and not to accuse individual Member States. In this context, the Commission takes note that communication with Member States shall be improved, in particular, via bilateral meetings or other communication means.

With regard to the Annex to the report, **DK** commented that using such a table to show the level of SUD implementation was quite a new practice, and asked the Commission to communicate any such information to Member States prior to its publication in the future. Thus, Member States would have an idea about how the evaluation has been carried out, and they would have the opportunity to ask questions or ask for corrections in the case of mistakes being spotted.

¹ Council Conclusions were approved by the Council on 15 December 2020

The **Commission** explained that the compliance index was used in order to compare Member States performance in 2017 and in 2019, with no intentions to regularly up-date it. It was repeated that, in the case of any further queries from Member States in this regard, issues related can be discussed bilaterally. It was stated that for the purposes of drafting another report to the European Parliament and the Council, the Commission would proceed with an up-date, and taking note of Member State comments, the methodology and marking would be shared with Member States.

AT had a question on infringement against individual Member States, in particular, about formal proceedings in this context. In response, it was explained by the **Commission** that the first step in the process were the F2F letters of the Commission sent to all member States, thus giving them the opportunity to respond with providing up-dated information and act towards improving the situation. In more general terms, where a SUD report has been published demonstrating problems with implementation, the Commission has to consider actions, among which initiating surveys on specific SUD related issues, performing audits to individual Member States, based on risk assessment, and infringement coming as the last step to take. On the other hand, in the context of SUD Evaluation, where the Commission is looking at changing the legal requirements, infringements would not be useful. In this regard, infringement would be an option for areas, which would not be up for significant review under SUD Evaluation.

FI had a question on the Member States input into SUD review and, in particular, on the way for such an input to be provided either via Council conclusions on the Commission SUD report, or through SUD WG meetings. In response to this, the **Commission** explained that similar presentations are made at SUD WG meetings, as well as at Standing Committee meetings. In addition, the Commission announced that the first event with Member State participation on the on-going SUD Evaluation was planned under the Better Training for Safer Food (BTSF) between 17-th and 19-th November 2020, where Member States were expected to provide their ideas in a more structured discussion on the topic. It was highlighted that the Commission wants and values the input from Member States. The BTSF event was stated to be the start of the process, with further opportunities for Member States to provide their input.

Part III: Other ongoing activities

8. HRI up-date – Presentation by [REDACTED], SANTE F.3

- ✓ Publication of HRIs for 2011-2018;
- ✓ Publication of associated evaluations;
- ✓ Ongoing/future developments in HRIs

The presentation started by reminding Member States of their obligations under Article 15 of the SUD, including: calculation of HRIs, identification of trends in the use of certain active substances, identification of priority items (actives, crops, regions, practices) or good practices, and communication of results of the evaluations under Article 15(2) to the Commission and other Member States.

Then the presentation provided a summary on the state of play, as of 30 September 2020, with regard to calculation and publication of HRIs for 2018 by Member States, including Member State own analyses and presenting good practices in this regard.

The main conclusions from that exercise were shared with participants, one of which highlighted the continued poor performance by most Member States, despite the clear legal obligations and the efforts of the Commission to provide a platform for Member States to discuss and learn from each other. Another important conclusion was that the above mentioned own analyses would be very useful, in the context of the new CAP, where DG AGRI plans to initiate detailed bilateral discussions with Member States on their NSPs, including on measures at national level and how these would contribute towards achieving the F2F targets.

9. Results of survey and follow up actions regarding data on microbial PPPs under Regulation (EC) No 1185/2009 – Presentation by [REDACTED], DG ESTAT

As a follow-up to discussions on microbial PPPs at the last SUD WG meeting, in November 2019, the presentation provided an up-date on the current state of play in this area. The presentation focused on the results of a survey on that topic, where 15 Member States provided responses. Next steps were also outlined, including discussion with industry representatives, investigating and continuing the work on application part C/J and/or labelling possibilities.

10. Results of survey on water protection measures – Presentation by [REDACTED], SANTE
F.3

An internal audit was performed in a Member State, where it was found that watercourses have been removed from maps used for enforcement purposes to check if buffer zones were respected. This was reported to the Commission. In addition, some weaknesses were identified during SUD audits to Member States with regard to water protection and verification of measures in place. This is why the Commission decided to launch the survey and explore the state of play in this area across Member States. Twelve Member States provided responses, and the presentation provided an overview on the results of the survey. However, based on Member States responses and due to diversity of approaches, it was difficult for the Commission to summarise the results and draw any conclusions.

Following the presentations made under agenda points 8, 9 and 10, there was some time dedicated for discussions.

BE made a comment on HRIs indicators, where the chair suggested to discuss the issue raised by them bilaterally.

DE asked the question if the Commission considers other national indicators, in addition to HRIs. **The Commission's** response clarified that national indicators have not been considered, but just information available on the web-links provided by individual Member States, where they publish

their HRI results and, if available, their analysis under Article 15 (2) (b) and (c). Any other national indicators could be complementary.

SE had a comment on future HRIs and improvement of the existing ones, in particular, taking account of area in hectares to better reflect on use and risks associated. The **Commission** confirmed that the next step forward will be in relation HRI 2, where the new guidance document on emergency authorisations is expected to come soon, and based on this Member States will need to provide improved reporting, thus allowing for HRI 2 to be improved. With regard to HRI 1, the Commission explained that, in the absence of a dose rate for each of active substance, no improvements could be expected at present.

PL expressed their opinion, supported also by **LV**, that the Commission failed to establish proper HRIs, and they cannot make any future strategy based on such a weak tool. In response, the **Commission** acknowledged that HRI 1 and 2 are not perfect. However, in their opinion, with having identified how to go forward with improve HRI 2, and keeping account of the very little data available, further progress could be expected with a better data on PPP use in the future. Following the assessment of the Commission, **AT** and **IE** were given as an example of how current HRIs and data used for their calculation is used for an in-depth analysis, where trends and/or priority substances could be identified.

Day 2: 05 November 2020

Part IV: What steps will the Commission take to achieve F2F targets on pesticides?

1. SUD Evaluation – Presentation by [REDACTED], SANTE F.3

Presentations on the same topic were given at the Standing Committee meetings in July and October. The current presentation provided details on the current state of play with regard to SUD Evaluation and the impact assessment of its planned revision, as well as criteria to be used for this assessment and policy options. The presentation also provided a brief summary of the results of the initial public feedback, which was completed on 07 August 2020. Participants were also informed about the state of play with regard to the external study involved and the forthcoming stakeholder consultation events.

2. Discussion/Questions

DE asked participants to be provided with more details or some general directions regarding the initial public feedback and Commission responses to these. In their response, the **Commission** stated that one aspects everyone agreed on was that producers and farmers in the EU should not be disadvantaged by rules that apply at EU level and not to imports. In the public feedback, other aspects were raised, where there was quite a lot of divergence. These included the following: pesticides should be banned; EU already has the strictest system in the world, so effectively there are no risks; all food should be organic, thus solving all pesticide related issues; organic food is unjustifiably glorified, and shifting to organics would be moving production elsewhere. Following

a request by participants, the Commission agreed to share with them the five-page summary of feedback comments, making the remark that this does not reflect the Commission position.

LT had a question with regard to the five Member States, selected for deeper analysis. The **Commission** explained that it is the decision of the European Economic and Social Committee (EESC), choosing countries from different regions, some countries that have had problems with SUD implementation and others, who have done well. These visits from EESC will take place between now and next February. The Commission stated however, that EESC have not appointed a rapporteur, nor a study group, and they have not selected countries yet (at the time of the meeting). Once the Commission knows more, they would inform the Member States selected, or the EESC would contact the countries directly. The plan is to finalise the work by March and publish the report by April.

After having read the comments from the public feedback, **HR** spotted that one of the ways to go is replacing the SUD by a Regulation. They asked the Commission to confirm this policy option. In response, the **Commission** explained this has not yet been decided. There shall be first a decision on what is to be achieved, before policy options are discussed with lawyers on what the right legal instrument is. Replacing the current SUD by a Regulation is only one of several policy options.

FI asked the question, in what direction the Commission thinks the SUD should be revised. The **Commission** suggested that it is worth reading the evaluation roadmap. The Commission also invited Member States to carefully read the special report of the European Court of Auditors, in order to better understand the kinds of criticisms being made of SUD. Focusing for example on implementation, provision are there in the SUD, where Member States have not even enacted it into national legislation. The Commission highlighted that it is important to understand the differences. With regard to SUD implementation, provisions are there, but in practice it is not working on the ground. Regarding enforcement, requirements are laid down in the legislation, systems are in place, but the Member State authorities do not check/verify etc. It is the Commission intention to tease these out. In addition, the F2F pesticide targets are there in the background, and the review of the SUD should contribute towards making progress by 2030 to achieving these targets. These are the issues to be looked at, but the Commission has not decided yet how the SUD should be changed. The first step is to do the evaluation, see what are the problems, and only then look at policy options. The Commission also encouraged Member States to provide their input and to share their experience of implementing SUD, what is working well, what is not.

DK asked for more details to be provided on the planned external study, in particular, timeline, publication, Member States input. The **Commission** explained that external studies are good practice to have independent input. Expectations are for the contract to be signed in December. The study will take nine months. It was highlighted that it would be a public process, with a range of events planned, and the report would be published.

DE asked if biocides would be taken into account in the revision of SUD. The **Commission** replied that consideration was given to that issue, but there was little coming up on that aspect

during the public feedback, a separate evaluation of the biocides legislation was planned and there was no intentions of including biocides in the reviewed SUD at present.

In response to a request by **CY**, the **Commission** promised to provide to participants the Inception Impact Assessment (IIA) roadmap, EP report on SUD implementation and the special report on SUD Implementation of the European Court of Auditors (ECA).

3. Common Agricultural Policy – National Strategic Plans to reflect this transition and promote access to advisory service – Presentation by [REDACTED], DG AGRI;

- ✓ AGRI advisory service;
- ✓ AGRI IPM potential / research projects

The presentation made a parallel between the current and the post-2020 CAP, where the new CAP will focus on environmental aspects and eco-schemes. It was explained that three of the nine CAP "specific objectives" will concern the environment and climate. These include: contributing to climate change mitigation and adaptation and sustainable energy, fostering sustainable development and how the efficient management of natural resources such as water, soil and air, and contributing to the protection of biodiversity, enhancing ecosystem services and preserving habitats and landscapes. The presentation also covered aspects related to Member State NSPs, including dialogues with Member States, monitoring and milestones. The presentation also explained to what extent and how SUD measures would be addressed under the new CAP and, in particular, how the CAP could deliver on F2F targets. Some details were also provided with regard to on-going research and innovation, in particular, the new toolbox project, aiming at scaling up sustainable pest management practices.

4. Discussion

DK shared that they have a baseline for IPM, and asked the question if, on top of that, adequate crop rotation would be funded under Pillar II. The **Commission** explained that it is the responsibility of Member States to establish the IPM baseline, and anything going beyond can be funded.

NL had a similar question, asking for more clarifications on the difference between eco-schemes and Pillar II funding, as well as what measures could be considered as going beyond legal obligations and how to define the baseline. They had a second question on financing of precision farming. In response to the first question, the **Commission** explained that there are no clearly defined criteria for IPM to assess its implementation against. This is why DG AGRI has taken the approach, under the new CAP, to cover some more general IPM principles, such as crop rotation and buffer strips. To the second question, the Commission highlighted that Pillar II financing covers a number of measures, including investment for precision farming.

DE asked the question, if Member States are the ones to define the baseline and design interventions, is it planned that the Commission assesses appropriateness of their NSPs. **DG AGRI** explained that this is still under discussion, and there are proposals to ring fence money from Pillar

I on eco-schemes to cap the amount of expenditure. Otherwise, it is for Member States to design the interventions. It was stated that Member State NSPs would be presented, where the Commission would perform an assessment to decide, if these are appropriate and meet the requirements.

LU had a question on eco-schemes and, in particular, what is compulsory and what is voluntary. **DG AGRI** confirmed that eco-schemes have to be offered by Member States, but farmers cannot be forced to take them up, or in other words, these are compulsory for Member States, but voluntary for farmers. It was explained that Commission's expectations are that farmers will adopt these, as there will be financial incentives.

LT asked if the baseline requirements under conditionality should be agreed between individual Member States and the Commission. In response, **DG AGRI** explained that Member States shall define the baseline, where there are some limitations as defined by Regulation. Requirements are in place with regard to baseline for all MS, but some differences could exist in order to better reflect and suit the crops and practices existing in their country.

IT had two questions, one on the link between eco-schemes funding and IPM principles, and the second one on HRIs and, in particular, are these enough for decision-making on funding under both Pillar I and Pillar II. To the first question, **DG AGRI** stated that the eight general principles are quite general, and these have to be turned into crop specific guidelines. Based on these Guidelines, decision shall be taken on what measures go beyond the requirements. In response to the second question, it was explained that it is not HRIs, in particular HRI 1, but specific measures taken by Member States and described in their NSPs, where DG AGRI would be using the share of agricultural areas supported by specific activities.

ES stated that the special ECA report made a recommendation to the Commission for IPM general principles to be converted into measurable criteria, which are to be considered in cross-compliance. **DG AGRI** replied that the new CAP and conditionality could not consider this until these criteria have been developed and applied by all Member States.

AT asked a question on the F2F target regarding organic farming, in response to which the **Commission** clarified that all Member States shall achieve 25 % of agriculture area under organic farming by 2030. AT was stated to have almost reached that target.

5. Placing on the market of pesticides containing micro-organisms – Presentation by [REDACTED], SANTE E

The presentation aimed at linking authorisation of PPPs containing micro-organisms as active substances with the F2F targets and, in particular, the contribution of microbials towards the 50 % reduction of use and risks of chemical pesticides and achieving the 25 % of total agricultural area dedicated to organic farming by 2030. In this context, the presentation provided the most recent up-dates with regard to availability of bio-pesticides, revision of concerned Regulations and Guidance Documents and timelines for these tasks, as well as some further details with regard to initiatives under the BTSF. Participants were informed that under the BTSF, a new project has

been launched on organization and implementation of training activities on the risk assessment of microorganisms used as pesticides or biocides, with training sessions for Member State experts to take place in 2021 and 2022, where the project could be extended for two more years (2023 and 2024).

LU asked the question if any data are available on the actual sales volumes and the use of microbials, in particular, use of bio-pesticides in arable crops. The **Commission** replied that no such data is available at present.

NL made a comment that they see as a problem and a limitation the lack of reliable statistical data in this regard, and highlighted again the problem with reporting on sales volumes, and the lack of statistical data on microbials at EU level. The **Commission** shared the same concern, taking account of the fact that different Member States report sales volumes using different units, which does not allow for reliable data to be gathered and for reasonable conclusions to be drawn. **SANTE E** shared with the participants, that they are investigating with the Bio-pesticides WG, what the right approach should be, thus also reflecting on the action to be taken.

IE stated that they see a terrific progress in recent years in the use of microorganisms, especially in the case of protected crops such as tomatoes, cucumbers, strawberries, and not too much in the case of field crops. In their opinion, however, Europe is fed mainly with staple crops, e. g. potatoes. In this context, they asked if there was a feeling from the Commission that the EU is close to a breakthrough in terms of having useable microbial products for field products. In addition, **IE** stated it was great to see possibility to replace chemical products, which have been used for 20-30 years. However, they shared their thoughts that there is maybe a need for moderating the expectations in terms of what is reasonable for these field crops.

The **Commission** stated that what was possible to be done from regulatory perspective was to lay down data requirements, which are flexible, for applications to be submitted in the future. As a regulator, the Commission can only hope that application to come in the future would also include microbials for control of pests and diseases in field crops.

BE commented that issues with regard to reporting on sales of microbials are long-lasting ones, which also affects calculations of HRI 1. They once again expressed their opinion that for HRI 1 calculations, it is important to not only report sale volumes, but also quantities of active substance used per ha. The **Commission** did not have anything new to add, as this was a subject covered above, under agenda point 9 (Day 1).

6. Revision of the Statistics Regulation – DG ESTAT

- ✓ Addressing current data gaps to support evidence based policy making;
- ✓ Access to data on PPP sales and use

The presentation provided an up-date on the current state of play and, in particular, progress made since the last SUD WG meeting in November 2019. Further details were provided with regard to proposals for the current legal basis. These include: cleaning-up the list of active substances, addition of aggregated levels of active substances for the purpose of permitting their dissemination (e.g. low-risk substances), and addition of aggregated levels to improve the knowledge of priority

areas for targeted measures to reduce dependency (e.g. pesticides placed on the market for use in forestry). The presentation also focused on the proposed Regulation on Statistics on Agricultural Inputs (SAIO), which is in the pipeline for adoption and is expected within a year. It is expected, that with the SAIO Regulation, agricultural pesticide use statistics should become more harmonized.

7. Discussion

FI provided a comment sharing their experience with PPPs authorised only for use in forestry and, in this context, asking for the future, sales volumes reported to differentiate between agricultural and forestry uses. They shared the issues they are currently experiencing with calculations of HRI 1, where such active substances are taken into account for the calculations, which has an impact on the results. FI expressed their satisfaction with the new proposal where such a differentiation between agricultural and forestry are envisaged.

LT explained their problems with gathering data on PPP use at farm level under the current legislation and asked how uniformity could be achieved in the future with the new legislation. In response, **ESTAT** explained that they are investigating with MS the possibility of using a survey at Member State level for the same crops, in the same year. However, no agreement has been reached with Member States so far, under the current legislation, and further developments in this direction are expected in the future.

ES shared their opinion that statistical data have always been a good tool facilitating decision-making and analysis for the purposes of national strategic plans. They also expressed their concerns that confidentiality could cause problems, despite of requirements available with regard to record keeping.

SK welcomed the proposal with regard to amendments on aggregation of data on more hazardous (candidates for substitution) or low-risk substances, and expressed their support regarding differentiation between PPPs used in agriculture and forestry, which is not possible at present.

8. AOB – points of information by the Commission

- ✓ Meeting with experts from MSs on criteria for IPM assessment;

The Commission reminded Member States that it was a subject to audit by the ECA in 2019, and the special ECA report was published on 05 February 2020. The report is published on the SUD web-portal. It was explained that one of the criticisms was related to IPM, where one of the recommendations was the COM to check that Member States convert the general IPM principles into practical and measurable criteria and that they verify these during inspections at farm level. In response to recommendation in the ECA report, the Commission has developed an Action Plan, where one of the actions indicated was establishing a group of experts and organizing a meeting in the first quarter of 2021 (March) to work on a proposal in this regard. It was explained that the Commission will select Member States to be invited and take part in this meeting, based on their experience in verification of IPM implementation at farm level. Once the Member States have

been selected, SUD colleagues would be informed in advance in order for them to arrange for their participation. The approach for establishing such a technical expert group will be the same, already applied in 2018 for the expert group, which worked on the HRIs proposal. The technical expert group will be requested to come up with a proposal, which would be discussed at the following SUD WG meeting, so as to reach an agreement with MSs. As per the Action Plan, the main idea is to have a uniform approach for IPM verification before the end of 2021, which is to be applied across Member States in 2022.

LT asked for the proposal, expected to be drafted at the technical expert meeting, to be shared with all Member States, so that they could provide their comments before hands. In response, the **Commission** confirmed, that the proposal is expected to come as the result of the technical expert group meeting, where only a limited number of selected Member States will be present. Then, as the second step in the process, all Member States will be consulted at the following SUD WG meeting, where an agreement shall be reached on the uniform way for IPM verification at Member State level.

DE questioned the need of such a technical expert group meeting and starting IPM verification as of 2022, where the SUD Evaluation is on-going and its revision could result in new legal requirements in this regard. In response, the **Commission** explained that the recommendation in the ECA report has a deadline of 2022 for actions to have been taken on IPM verification at farm level. It was also reminded that already in its first report to the European Parliament and the Council, the Commission took the commitment to provide support to Member States. In addition, as per Commission plans at present, the new legislative proposal is expected in the first quarter of 2022, which then would be discussed for number of years in the European Parliament and the Council. However, this does not mean the Commission shall not take any action in this area.

In response to a question from the **NL** if there are Terms of Reference for this technical expert group, the **Commission** explained that this is not an expert group with official procedure needed, but the intention is to bring together experts for perhaps only one meeting.

DK commented that, although they support the idea of such a technical meeting to discuss the potential uniform approach for IPM verification, they are still not convinced that IPM implementation could be effectively checked at farm level. Moreover, this is not the right time for such an action, as it is still not known in what way the SUD would be changed, following the SUD Evaluation.

AT supported **DK** by expressing their opinion that, as a result of the SUD Evaluation, it is the new legislative proposal, which shall come up with a set of criteria for assessment of IPM implementation at farm level, and it is better to wait before starting with the assessment of IPM implementation.

ES asked a question on Commission intentions and, in particular, what the legal status of that document (to be drafted at the technical expert meeting) would be. In their opinion, in order to be coherent with the Member State NSPs, there is a need for including these specific IPM requirements into a legal basis, which would allow Member States to use these for conditionality.

In response to DK, AT and ES, the **Commission** stated that whatever comes up from this technical expert group, it would serve as guidance on IPM assessment, with no legal changes expected. The Commission highlighted that IPM implementation by PPP professional users, as well as for its verification by Member State authorities are already a requirement under the current pesticides legislation.

✓ Expert Group (SUD/ Annexes amendments);

The Commission informed participants that, for the purposes of amending SUD Annexes, there would be a need for establishing an Expert Group. This stems from the “Lesbonisation”, for the purposes of delegated acts. SANTE F found a compromise where a “revamp” of the current expert group on the General Food Law into an “Expert group on general food law and sustainability of food systems” is planned, which could cover a wider scope in the context of sustainable food systems, i.e. health/nutrition, environment/climate, and agriculture/fisheries-related areas. In this regard, that Expert Group could cover SUD related issues. This would require amendment of the relevant Terms of Reference. Member States would be required to nominate representatives with expertise in the above listed fields. The Expert Group could be operational in a very short time, mid-2021 in the latest.

There were many questions by Member States on the Expert Group caused mainly by mixing up the SUD WG and the Expert Group. The **Commission** clarified the confusion and all misunderstandings by explaining that the current SUD WG will continue functioning in the same way, whereas the Expert Group has a different role, and would be important for the forthcoming changes to the Annex of the HRI Directive, in particular, the changes with regard to HRI 2.

✓ Draft Report on Pollinators Protection in MSs’ NAPs

The Commission informed Member State representatives that the report in question is an action under the EU Pollinators initiative. DG ENV delegated drafting of this report to an external contractor. The initial plan was for the contractor to organise a one-day Pollinators workshop, which was originally planned to take place on 31 March 2020. This event was cancelled due to the pandemic. As the contractor had a deadline for finalising the report by the end of 2020, it was not possible to arrange the workshop virtually and waiting until November. As an alternative, the contractor performed the analysis/assessment of Member State NAPs (revised and/or initial) over the summer period. In addition, they interviewed representatives from seven Member States, selected by the contractor, in consultation with DG ENV, where the main idea was to identify good practices. The participants were informed that the Draft report has been up-loaded on CIRCA BC, and Member States are invited to provide their written comments within 14 days, by 19 November 2020. The high importance for Member States was highlighted and they were encouraged to carefully read the report and cross-check all the references to their NAPs and comment on the content, as well as on any misquotations or wrong information.

Before closing the meeting officially, note was taken by the **Commission** in response to the request by **FI** and several other Member States for shorter and more frequent meetings to be organised in the future.

The meeting was closed by [REDACTED], Head of Unit F3 at DG SANTE F by thanking representatives from Member States and other DGs for their attendance, active participation and valuable input in the discussions over the two-day event.