

## 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

We believe that IPM record-keeping requirements should be prescribed in future SUD legislation for applying general principles of IPM and also advanced standards of IPM (above the national baseline).

It could be both paper and electronic form, so the form should not be prescribed, but to leave to the producers themselves.

It should be prescribed the minimum data set like crop, date, which ipm measure taken, area, and for advanced IPM maybe also the description of the measure. Records should be kept for a minimum 3 years.

For Annex III we believe it is important to define the general principles more clearly, so that MS can set advanced standards above baseline because the annex III is now too general.

- 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

We believe that it is important to include drones in future SUD legislation, but to separate the use of drones from the use of other aircrafts. It is necessary to determine the requirements for its use due to the difference from conventional aircraft and to set different criteria when approving this type of treatment.

- 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 ?

We believe that it is important to oblige MS to use the latest standard for PAE in use, and for those PAE without a standard to use SPICE advice.

For new PAE with CE that may not comply with the standard for new PAE we believe is not good idea to have mandatory inspection because it is more burden to users. It is a matter of another legislative framework by which the seller must guarantee to the buyer the functionality of the machine in accordance with the ISO standards applicable to new machines (PAE). If such an obligation is established, there is a risk that it may result in an increase in the price of the machine for the customer (end buyers).

Maybe is better idea to oblige producers of PAE that new PAE must be tested according to the latest standard for new PAE and put this provision in the Machinery Directive 127/2009 .

We are not in favour of more frequent testing for large scale users and we would like it to have inspection every 3 years as it is now.

We would like in future SUD legislation to be defined less risky PAE (at least a general list), criteria for less risky PAE and to be tested less frequently like for every 5 years.

We are in in favour of mobile testing stations and the mandatory training for inspectors which could be recognised in other MS. Such an approach has already been established in Croatia.

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 ?

We would like to be prescribed mutual recognition of the training for professional users, distributors and advisors between MS. For that reason we would like to have in the legislation prescribed minimum training duration (in hours for example) and that training should be conducted separately for advisors, professional users and distributors, not for all them together because each of the above categories needs specially tailored training in accordance with the jobs they perform.

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 ?

We are in favour of that idea ( to have 3 groups, low risk, standard and candidate for substitution, 3 colours)

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 ?

We are in favour of partially restriction in non agricultural areas like green public areas, schools, hospitals and similar.

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 would like to propose to introduce mandatory public information on all treatments

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.

We are in favour of higher VAT tax for candidates for substitution and also for recommendation for funds generated via these higher taxes to be used for incentives in IPM, new research for the development of non-chemical measures, new technologies.

We also propose to reduce tax for low risk PPPs.

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 ?

We are in favour for introducing this system only for some PPPs (active substances candidates for substitution, 3rd group), they could be issued by a advisors, validity for one vegetation season. Prescriptions could be both paper or electronic format and the user should keep prescriptions for 3 years ss the record keeping period is already prescribed by Regulation

1107/2009 regarding record keeping. We believe that no additional qualifications or training for advisors is needed to issue prescriptions.

- 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?**

We would be in favour to define in future SUD legislation which data (minimum data set) should be required by the CA to monitor regarding chronic / acute poisoning and the environment. It would be a good idea to make an obligation to report environmental incidents or poisonings to CA by other institutions (like health colleagues, inspection services).

- 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 ?

We are in favour of refundable deposit on products purchased if the empty container is returned to the point of purchase

- 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?**

We believe it should be clearly defined what the NAP should include (content of NAP) in legislation, including CAP and Natura 2000

- 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 are not in favour that F2F targets becomes legally binding, because it is not possible to predict if certain target will be achieved. This is not a matter over which the authorities can have a direct influence and take responsibility for the implementation of the plan.

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.

16.

We believe that uniform water buffer zones should be established from water bodies at EU level. Currently, this is a problem in the mutual recognition of PPP registrations within the MSs.