



## ForumPhyto

Pour une protection durable et responsable  
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## Extrait de Freshfel Newsletter n°36 du 25 septembre 2009

Principaux points du « paquet pesticides » adopté par le Parlement Européen en Janvier 2009 et par le Conseil de l'Europe le 24 septembre 2009.

Résumé en français  
Texte original in english

### **Résumé en français**

3 éléments de législation ont été adoptés par le Conseil. Les deux principaux textes ont été adoptés au début de l'année, mais des retards administratifs concernant la réglementation la moins importante ont retardé l'adoption de l'ensemble des trois textes.

#### ***Directive utilisation durable***

Les Etats Membres doivent :

- adopter des « plans d'actions nationaux » (PAN) avec objectifs chiffrés, calendrier de réduction des risques et d'encouragement de la Protection Intégrée des Cultures (IPM en anglais), mise en place d'indicateurs pour mesurer les progrès dans la réduction des risques et des effets adverses de l'usage des pesticides.
- prendre toute mesure nécessaire à la promotion d'une agriculture économe en pesticides, y compris la protection intégrée (IPM). L'usage des principes de l'IPM par les professionnels deviendra obligatoire au 1<sup>er</sup> janvier 2014
- mettre en place un système de formation pour les distributeurs, conseillers et utilisateurs professionnels de pesticides.
- S'assurer de la sécurité des installations de stockage. Et prendre les mesures pour protéger les ressources en eau et minimiser l'impact dans les zones fréquentées par le public.
- Interdire en principe les pulvérisations aérienne, sauf dérogation
- mettre en place un contrôle régulier du matériel de pulvérisation

#### ***Règlement sur la mise en marché des produits phytopharmaceutiques***

Le règlement est appelé à remplacer les directives 79/117 et 91/414 et améliore le fonctionnement du marché intérieur par une harmonisation des conditions de mise sur le marché des produits phytopharmaceutiques.

Le règlement porte sur toutes les substances présentes dans un produit commercial les substances actives, les « safeners » et les synergistes, les co-formulants et les adjuvants.

Des « critères d'exclusion » (Cut-off criteria) ont été mis en place pour éliminer les substances intrinsèquement les plus dangereuses (indépendamment du risque réel). Des dérogations d'utilisation sont cependant possibles pour des cas particuliers.

Dans le cadre de ce règlement, le « principe de substitution » oblige les Etats Membres à rechercher régulièrement des substances moins dangereuses.

Le règlement met en place un système de trois zones géographiques en Europe dans lesquelles les reconnaissances mutuelles seront quasi-automatiques.

Enfin le règlement porte également sur la protection des données, l'emballage, l'étiquetage, la publicité, l'enregistrement, le commerce « parallèle » et le traitement des semences.

#### ***Matériel d'application des pesticides***

Le Conseil a également adopté une directive pour l'amélioration de la construction et l'entretien du matériel d'application des pesticides.

Cette nouvelle directive amende et complète la directive 2006/42.

## **7) FUTURE PESTICIDE LEGISLATION ADOPTED BY EU COUNCIL**

This week the EU Competitiveness Council finally adopted the EU pesticide package comprising of 3 pieces of legislation regulating the authorisation and use of pesticides. While the key legislative acts were already agreed at the beginning of the year, procedural delays in a less important act delayed the adoption of the complete package.

### ***Sustainable use of pesticides***

The Council adopted a directive aimed at establishing a framework for Community action to achieve the sustainable use of pesticides so as to reduce the risks to human health and the environment and the dependency on the use of pesticides. This directive will apply to pesticides and its scope will be extended to cover biocidal products at a later stage.

Under the new directive, EU Member States should:

- Adopt national action plans to set up quantitative objectives, targets, measures, and timetables to reduce risks and impacts of pesticide use on human health and the environment, and to encourage the development and introduction of integrated pest management and of alternative approaches in order to reduce dependency on the use of pesticides. National action plans should also include harmonised risk indicators that shall be established to measure the progress achieved in the reduction of risks and adverse impacts from pesticide use, as well as for risk management and reporting purposes.
- Take all necessary measures to promote low pesticide-input farming, including integrated pest management, and to ensure that professional users of pesticides shift towards a more environmentally-friendly use of all available crop protection measures, giving priority to low-risk, non-chemical alternatives wherever possible, and to the products with minimum impact on human health and the environment among the ones available for the same pest problem. Member States have to ensure that all professional users of pesticides implement the general standards for integrated pest management at the latest by 1 January 2014.
- Set up systems of training for distributors, advisors, and professional users of pesticides so that those who use or will use pesticides are fully aware of the potential risks to human health and the environment and of the appropriate measures to reduce those risks as much as possible.
- Make sure that the handling of pesticides do not endanger human health or the environment. They should also make sure that the aquatic environment and drinking water supplies as well as Natura 2000 sites are safe from the impact of pesticides and that its use is minimised or prohibited in specific areas used by the general public or by vulnerable groups.
- Ban aerial spraying and only allow it in special cases approved by competent authorities.
- Ensure that pesticide application equipment are inspected at regular intervals.

### ***Placing plant protection products on the market***

The Council adopted a regulation concerning the placing of plant protection products on the market and repealing directives 79/117/EEC and 91/414/EEC so as to ensure a high level of protection of both human and animal health and the environment and to improve the functioning of the internal market through the harmonisation of the rules on the placing on the market of plant protection products, while improving agricultural production.

The regulation lays down the rules for the authorisation of plant protection products in commercial form and for their placing on the market, use and control within the Community. It lays down rules both for the approval of active substances, safeners and synergists, which plant protection products contain or consist of, and for adjuvants and co-formulants.

Strict cut-off criteria for the approval at EU level of active substances are laid down in the new regulation which will ban from the market the most toxic substances currently available. However, in exceptional cases, temporary derogations to these criteria could be granted in case of a serious threat to plant health. The procedures for the approval of active substances and authorisation of plant protection products have been harmonised and simplified, deadlines have been tightened, and the roles of the Member States, the Commission, and European Food Safety Authority (EFSA) have been clarified. In exceptional cases Member States should be permitted to authorise plant protection products not complying with the conditions provided for in this regulation, where it is necessary to do so because of a danger or threat to plant production or ecosystems which cannot be contained by any other reasonable means.

Under this regulation Member States should regularly examine plant protection products containing substances which pose a high risk for human health or the environment with the aim of replacing them by plant protection products containing active substances which require less risk mitigation or by non-chemical control or prevention methods. In addition, incentives should be given for the placing on the market of low-risk plant protection products.

The regulation also sets out a system of three geographical zones for the mutual recognition of plant protection products which will increase the availability of plant protection products throughout the EU and reduce the workload for Member States. Nevertheless Member States will have the possibility to limit or reject the authorisations granted in another Member State in certain environmental or agricultural circumstances. The new regulation also includes, in particular, rules on data protection, classification, packaging and labelling, advertising, record-keeping, parallel trade and on seeds treated with plant protection products.

***Machinery for pesticide application***

The Council adopted a directive aimed at improving the construction and maintenance of machinery for pesticide application, with a view to reducing the adverse effects of pesticides on human health and the environment.

The new directive, which amends directive 2006/42/EC on machinery, applies to the essential requirements with which machinery for pesticide application must comply, before being placed on the market and/or put into service. It introduces requirements for member states to set up a system for the regular maintenance and inspection of equipment in use.