



THE PROPOSAL FOR A REGULATION ON THE SUSTAINABLE USE OF PESTICIDES

A BLIND SHOT AT EU FARMING

On June 22, the European Commission published the revision of the Directive on the Sustainable Use of Pesticides (SUD) after a delay of 3 months. Despite the war in Ukraine and the resulting food security problem, the Commission still wanted to show that it was moving forward according to its Green Deal goals by publishing one of the pillars of its Farm to Fork (F2F) strategy. Indeed, this proposed regulation is the first regulatory step of the F2F strategy.

In the proposal, which transforms the Directive into a Regulation (SUR) — meaning immediately enforceable without transposition at the national level — the Commission binds the target for reducing the use and risk of chemical pesticides at the European level and asks the Member States to set a national reduction target compared to the average of the years 2015, 2016 and 2017 that takes into account the intensity of use, i.e., how far the MS deviates from the European average. The "virtuous ones" will therefore be able to set a lower target — 35% — and the "bad ones" will have to reach up to 65%.

The issue of reduction targets is the most political and macroscopic point but there are many points in this proposal that are critical.

It is useful to start by quoting the Commission Impact Assessment, as it sheds light on the motivation and potential impact of the proposal:

“Consistent with the objectives of the Green Deal, the Farm to Fork strategy and the Biodiversity strategy, the reduction of the use of chemical plant protection products aims not only at ensuring public health, but also at preserving biodiversity and protecting the environment, particularly where global issues are at stake, like safeguarding pollinator populations.

Under this preferred option, production costs per unit will increase due to:

(i) stricter and more detailed reporting requirements;

(ii) the expected reduction of yields due to lower pesticide use; and

(iii) the inclusion of an additional cost layer for those professional users not currently using advisers.

Under this proposal, Member States will be able to provide support under the CAP to cover the costs to farmers of complying with all legal requirements imposed by this proposal for a period of 5 years.”

The Commission justifies its proposal on two grounds: protection of human health and protection of the environment.

Is protection of human health a reasonable justification for a new regulatory approach? The EU already has a world top regulatory framework that protects human health. The EU has the lowest Maximum Residue Limits (MRL) for pesticides found in food in the world. Year after year, official as well as independent checks, show that only a very limited share of food samples overshoots the very low MRLs. Therefore it is reasonable to assume that there is not a real problem of human health in the use of pesticides in the EU, on the contrary the EU is one of the safest places in the world in that respect. The Commission itself has always promoted EU food as safe.

Protecting the environment is another topic. But has the Commission come forward with data, and an analysis, on where the problem lies? Do pesticide residues pollute water courses, and affect the quality of drinking water in the EU? Where and which active substances are responsible? Is there an established scientific link with the reduction of pollinator populations? Data this year in big farming countries like France shows an increase of those populations, well above previous years, apparently totally unrelated to pesticide use.

The Commission does not address the issue of pesticides impact with evidence, with facts, with a scientifically and sound technical approach. Instead it assumes that chemical pesticides are bad by definition (by the way, non-chemical pesticides are also poisonous as are all pesticides, otherwise they wouldn't be effective, but there isn't a word in the proposal about the use of non-chemical pesticides), and it proposes a sharp cut in a very short period of time.

On the impact of those sharp cuts the Commission acknowledges increased costs for producers, and lower production. When food security and food sovereignty have clearly raised to the level of strategic concerns after the invasion of Ukraine, the minimum one can say is that the proposal is blind on its negative impacts.

As the Commission acknowledges the negative economic impacts of the proposal on farmers, it tries to evacuate the problem by pointing out that existing CAP funds can cover some additional costs (to comply with additional legal requirements). But as we all know CAP funds are allocated, and to divert those funds to partially compensate for the negative economic impact of the proposed regulation can only be done at the detriment of other types of support.

Another aspect that is disregarded by the Commission is the worsening of the unfair competition EU farmers would face vis-à-vis imports from the rest of the world, where there are no such measures being implemented or even debated. Our production costs would go up, and our competitive disadvantage would do likewise. Imports would become unfairly more competitive, which would aggravate the already negative impact of SUR.

This proposal is an eye-opener on how the Commission intends to pursue the F2F and Green Deal strategies. The Commission pays little attention to technical and scientific evidence to pursue its agenda, and does not hesitate to hurt the economy and food security with its proposals.

The new CAP that only now starts being implemented, is already compromised by proposals coming from environmental, climate or other grounds. Decisions taken by the co-legislators in the right fora are challenged by the new proposal, creating an uncertain and unstable environment for farming.

EXAMINING THE SUR PROPOSAL IN DETAIL

Having a closer look, here is what the SUR proposal contains and its critical points.

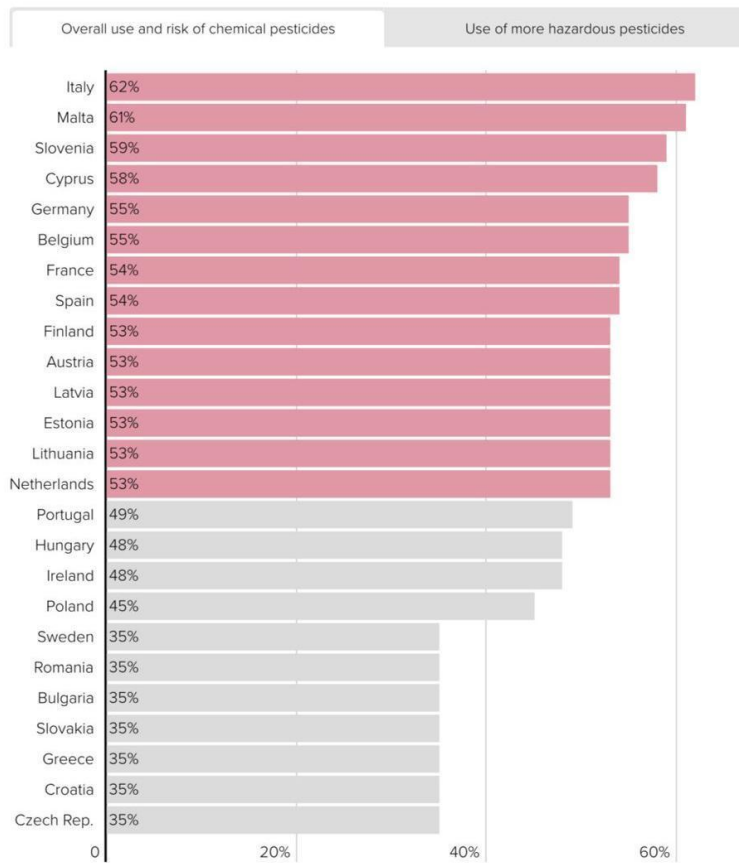
PESTICIDES REDUCTION TARGETS

The most important point in the whole proposal is that of chemical pesticide use and risk reduction targets. If the legally binding European target is 50 percent, Member States must set their own reduction targets under national legislation according to a calculation provided in Annex 1 of the SUR Regulation. According to the Commission, this formula allows Member States to take into account historical progress and intensity of pesticide use when setting national targets. The "intensity of use," is obtained by dividing the total amount of active substances placed on the market by the area in which the active substances were applied.

The Commission has already done the calculations and last August notified Member States of their national reduction targets. These figures are not public (at the will of the MS but have been published by Politico for 25 MS out of 27). As can be seen from the chart below there are countries like Italy and Malta that have to reduce their use by more than 60 percent in a few

years. As one can well imagine, the debate in the Council in these early months has focused precisely on the method of calculating national targets, with Hungary proposing a document with an alternative method of calculation that takes more account of the reduction efforts made by each Member State in past years.

Targets in overall use and risk of chemical pesticides and the use of more hazardous pesticides by 2030 for 25 EU countries*. Countries whose individual target is higher than the EU-wide goal are highlighted in pink.



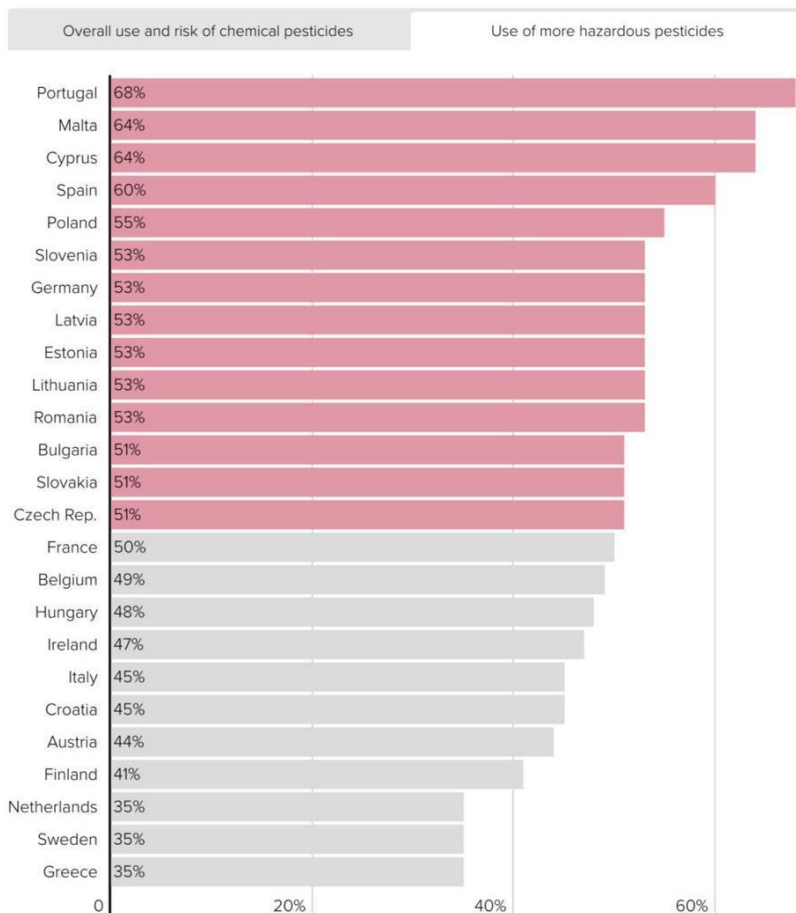
*No data for Denmark and Luxembourg.

SOURCE: POLITICO

By Giovanna C

The following data, on the other hand, concern reduction targets on the use of the most hazardous pesticides, and we see Portugal even having a target of 68 percent.

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SOURCE: POLITICO

By Giovanna Coi



SENSITIVE AREAS

According to the Commission's proposal, the use of chemical pesticides should be banned in so-called "sensitive areas" and within 3 meters of such areas. By "sensitive area," the Commission, first of all, means an area used by the public, such as a public park or garden, a recreational or sports field, or a public footpath. This prohibition is easily understood and just as easily supported. But the Commission goes much further than this definition of a sensitive area and wants to ban pesticides also in human settlements; urban areas covered by a watercourse or water feature; non-productive areas as defined under the EU standards on good agricultural and environmental conditions of land (GAEC), GAEC standard 8 listed in Annex III to Regulation (EU) 2021/21151; an ecologically sensitive area, which means any area protected by the Water Framework Directive (2000/60/EC); Directive 92/43/EC (conservation of natural habitats and wild fauna and flora), Directive 2009/147/EC (wild birds); Natura 2000 areas (2000/60/EC).

Although exemptions are possible if "there is a proven serious and exceptional risk of the spread of quarantine pests or invasive exotic species; or if there is no technically feasible low-risk alternative control technique to contain the spread of quarantine pests or invasive exotic species" there are very large areas that also include farmland, which would then be denied phytosanitary tools in a discriminatory manner compared to other farmland.

According to preliminary assessments, most of the largest productive area in Italy (Po valley) would see a total ban on the use of chemical pesticides. In many Natura 2000 areas lay many agriculture productive land, including well-known vineyards. Without the use of pesticides production plummets, and its quality is severely deteriorated. The impact of the total ban on such a largely defined sensitive areas would be devastating for farming in those areas. The negative impact is not properly assessed by the Commission, in both quantitative and qualitative terms.

WHAT COULD BE THE WAY FORWARD?

As said above, the critical issues with regard to protecting the environment should be identified and measured. Pesticide residue concentration should be measured and active elements identified.

With that information on hand, the Commission should support investments and practices that would reduce any harmful uses without compromising agricultural production, food security and farmers' revenues. Pesticide residues or pesticide over-utilisation are from a farming viewpoint a waste, and practices and investments that reduce both, like Integrated Pest Management or digital and precision agriculture, should be supported.

Integrated pest management (IPM), a mandatory practice according to the SUD, aims to prevent and/or suppress the suppression of pests through: crop rotation; the use of appropriate cultivation techniques; the use of resistant/tolerant cultivation and standard/certified seeds and

planting materials; the use of balanced fertilization, liming and irrigation/drainage practices; the prevention of the spread of pests through hygienic measures; and the protection and enhancement of important beneficial organisms.

However, there has been a lack of consistent monitoring of the implementation of IPM principles by Member States, making it impossible to determine the level of implementation of integrated pest management at the national level and, consequently its effectiveness. What was supposed to be the heart of the SUD Directive, namely the development of alternatives to pesticides has not been properly implemented, and this is one of the reasons for the failure of the SUD Directive.

If we do not start from here, that is, by giving farmers concrete pest control tools that are alternatives to chemistry or that reduce its use, it will certainly not help to impose ambitious goals to be achieved in a few years.

General principles of IPM need to be translated into assessable criteria, and practical guidelines need to be given on crop- and sector-specific requirements and integrated approaches to cropping systems that combine different pest control techniques; combine environmental protection and food security with productivity.

To remedy these problems, the proposed SUR Regulation calls for Member States to establish crop-specific rules to best implement IPM principles; farmers, on the other hand, are asked to use an electronic register to record every pesticide use. This yet another administrative burden does not solve the policy issue of giving farmers the right tools and the right financial support to use them.

A better approach would be the revision of the New Genomic Techniques framework, which would be one of the long-awaited responses in terms of innovation and input reduction, but which will not be published until 2023. The lack of defences against climatic and/or phyto-pathological vulnerabilities, would lead to a deep fall in production, if as proposed by the Commission blind pesticide cuts are imposed in such a short period of time. NGT could provide a response by raising the ability to fend-off extreme climatic events and increasing pest resistance.

A tentative sign of openness to concrete solutions within the framework of digital and precision agriculture is seen in Article 21 of the proposal, which--subject to the prohibition of aerial application of pesticides--provides for the possibility of the use of certain unmanned aircraft (such as drones) for pesticide application from 3 years after the Regulation comes into force. But that is too little, too narrow.

Precision sprayers, and other tools, pest detection systems, cost money but provide the right answers. The whole tool-box should be at the reach of all farmers, which takes time, investment and organization.

The result we should seek is to produce more with less inputs, not produce less with less inputs. Food security and farming sustainability are at stake.