

## **CROP PROTECTION ASSOCIATION UK LTD**

### **Comments on the Commission Communication: Towards a Thematic Strategy on the Sustainable Use of Pesticides (COM 2002/347 final)**

#### **1. INTRODUCTION**

The Crop Protection Association UK Ltd (CPA) is the voice of the crop protection industry in the United Kingdom. It aims to promote recognition of the role and benefits of crop protection, in particular its contribution to the production of affordable, high quality food within a viable rural economy.

The CPA welcomes the opportunity to respond to the Commission Communication “Towards a Thematic Strategy on the Sustainable Use of Pesticides”.

We believe that the debate on future measures to ensure the sustainable use of pesticides needs to be based on sound science and we look forward to engaging in a constructive dialogue on the issues.

#### **2. GENERAL COMMENTS**

##### **2.1 Crop protection products contribute to sustainable agriculture**

The CPA welcomes the acknowledgement in the Communication of the need for crop protection. Crop protection products play an important role in food production, ensuring that crops are protected from pests, weeds and diseases. They contribute to the sustainability of agriculture, allowing economically viable crop production and a continuous supply of high-quality food at affordable prices to consumers.

This contribution to sustainable agriculture needs to be taken into account when considering measures to promote the sustainable use of crop protection products as part of the Thematic Strategy.

##### **2.2 Measures must be complementary, proportionate and cost-effective**

The CPA acknowledges that the suggested measures are intended to complement existing legislation and should be targeted at the **use** of crop protection products.

We support these aims and believe that any duplication or overlap with other legislation (particularly Directive 91/414/EEC) must be avoided. Currently some of the measures suggested in the Communication do not reflect this and could lead to overlapping legislation.

Furthermore measures should be proportionate to the issues being tackled and satisfy a cost/benefit analysis.

Many of the suggested measures (such as those on reporting and information/data collection) are very demanding with regard to their practical implementation and involve significant costs and administrative burden for the whole food production chain. Before

embarking on such proposals, it is essential to evaluate how the data will be used and how it helps in achieving the goals of the Thematic Strategy.

### **2.3 Measures must be applied at the appropriate level**

We also feel it is important to assess at which level measures can best be applied. For some issues EU-wide measures may not be appropriate and the best solutions may be found at local level (at farm- or even field-level). Member States should be left to prioritise local needs and have the capability to decide on the best means to tackle specific problems.

Member States may already have a number of measures in place and there must be sufficient flexibility in any EU-wide framework to enable these to continue.

For example the Voluntary Initiative currently being implemented in the UK by the Crop Protection Association in conjunction with a number of farming organisations, addresses many of the areas set out in the Communication. This unique programme of measures is designed to minimise the environmental impacts of crop protection products and comprises projects covering research, training, communication and stewardship. Some measures may be enhanced by regulatory support but the principle of local voluntary action should be supported.

### **2.4 Co-ordination to avoid unnecessary costs**

The measures relating to agricultural production systems need to be co-ordinated with the outcome of a future CAP reform, in order to prevent duplication and unnecessary additional burdens for the farming community.

## **3. SPECIFIC COMMENTS ON THE MEASURES SUGGESTED IN THE COMMUNICATION**

### **3.1 Most appropriate measures to ensure sustainable use and to reduce further any potential risks associated with the use of crop protection products**

Having considered the proposals in the Commission Communication, the Crop Protection Association feels that some of the suggested measures are key and strongly believes that the main focus of the Thematic Strategy should be:

- Promotion of good practices and integrated farming systems including Integrated Pest Management (IPM)
- Education and training of advisers and users of crop protection products
- Regular technical inspection of application equipment
- Standards for storage

In the UK these areas have all been addressed through either statutory or non-statutory measures. However, we believe that harmonisation throughout the European Union would be a positive step.

#### **3.1.1 Promotion of good practices and integrated farming systems including ICM**

The CPA believes that Integrated Crop Management (ICM) techniques, and within them Integrated Pest Management (IPM), have already had a major impact on improving farm practices, especially crop protection practices.

The crop protection industry believes that IPM is a cornerstone for sustainable farming systems. Systems using IPM techniques can meet the three criteria of sustainable development in agriculture (economic viability, social acceptance and environmental friendliness).

The Association therefore supports additional measures to encourage the further uptake of ICM and IPM practices across the EU as part of the future Thematic Strategy. The possibilities of encouraging further uptake of these practices through CAP related measures should also be exploited in this context.

There is a range of definitions of ICM being used by various institutions in the EU. However they all share a common thread, namely that ICM is an environmentally sensitive and economically viable production system or process which uses all the available techniques to produce high-quality food in an efficient manner.<sup>1</sup>

It must not be defined as a means of reducing the use of crop protection products but for applying best practices on farm.<sup>2</sup>

As there still seem to be some misconceptions, we strongly feel that there is a need for improved communication giving the real facts about integrated farming, ICM and IPM and also other systems of production such as organic. The Commission and Member State governments have an important role to play in supporting such information initiatives.

### **3.1.2 Education and training of users and advisors**

Continuous training is essential for the effective and responsible use of crop protection products. It is a pre-requisite for ensuring good agricultural practices. If products are used in the correct manner and at the correct time, potential environmental impacts of crop protection products can be avoided.

Crop protection products are applied by farmers, their staff or by contract spraying companies, in most cases following advice given by a third party. For all those involved in advice or application, training and continual professional development are crucial.

Most advisors and users of crop protection products undergo formal training in the early part of their careers. The Crop Protection Association believes that practising advisors and sprayer operators should be required to hold a certificate of competence and to update this on a regular basis through continual professional development. This would require a Community framework with recognition being given to the certification systems already in place in some Member States.

Training forms a key part of the Voluntary Initiative in the UK. The establishment of the National Register of Sprayer Operators will encourage continual professional development; this will be supported by training roadshows and new training materials. For farmers who do not already hold the officially-recognised BASIS certificate or who do not use a BASIS qualified advisor, there will be additional training in environmental management. For advisors, the environmental element of the BASIS Professional

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<sup>1</sup> CEAS Report on Integrated Crop Management Systems in the EU carried out for DG Environment.

<sup>2</sup> One example illustrating the different aspects of ICM is the Codex on Integrated Farming recently published by the European Initiative on Sustainable development in Agriculture (EISA). This Codex was also recognised in the CEAS Report on Integrated Crop Management Systems in the EU carried out for DG Environment.

Register has been strengthened and additional training on conservation issues and the use of Environmental Information Sheets for crop protection products is planned.

### **3.1.3 Regular technical inspection of application equipment**

The Crop Protection Association believes that regular inspection and maintenance of spray application equipment can make a real contribution to ensuring the sustainable use of crop protection products and minimising potential environmental risks.

However, the development and implementation of a system of universally acceptable, independently validated, low-cost testing schemes need to be discussed and agreed with all the stakeholders involved (including equipment providers) at national level.

The Association is supporting the wider uptake of sprayer testing in the UK through the Voluntary Initiative.

### **3.1.4 Standards for storage**

Crop protection products should be stored in premises suitable for this purpose to prevent potential environmental and health risks.

The CPA believes that in addition to the suggested measures, a Community framework of minimum standards for the storage of crop protection products needs to be put in place at wholesale level, retail level and on farm, together with a system of store inspection at wholesale and retail levels.

## **3.2 Comments on other measures suggested within the Communication**

### **3.2.1 “Minimising the hazards and risks to health and environment from the use of crop protection products”**

#### **3.2.1.1 Establishment of national plans to reduce hazards, risks and dependence on chemical control**

The Crop Protection Association strongly believes that the focus of national plans should be on appropriate risk reduction measures. We agree that plans to reduce risks should be designed and implemented at the national level. The respective authorities are best positioned to identify the most appropriate measures to be taken, adapted to national, regional or local needs.

By contrast we oppose any plan aimed at an arbitrary (quantitative) reduction of the use of crop protection products. A reduction in use of crop protection products will not automatically achieve environmental improvements and the risks of other approaches should not be ignored.

Crop protection is a fundamental need – whichever technique is used. Many alternatives to crop protection products themselves have environmental risks associated with them. For instance, weed control without the use of crop protection products requires the use of additional mechanical control or other physical methods, which can lead to soil compaction, erosion, increased CO<sup>2</sup> emissions and damage to soil, flora and fauna,

Chemical control plays an important role in today’s agricultural production. Farmers purchase and use crop protection products to ensure yield and quality and thus to maintain the viability of their farms. They recognise the benefits of using crop

protection products together with other measures to protect their produce. Farmers should be free to make their own management decisions. The key is to put appropriate measures in place to ensure that, when they do decide to use crop protection products, they are used in a responsible way.

### **3.2.1.2 Implementation of Water Framework Directive (WFD), including the introduction of best practices in river basin management such as mandatory field margins or specific agreements between water companies and farmers**

The crop protection industry is a highly committed partner in the process of implementing the objectives of the Water Framework Directive.

While the Commission will provide common legislation, definitions and strategies and will also introduce the river basin as the administrative unit, the managing unit defining specific pressures and measures will be the local River Basin Management Authorities. This strategy will allow for tailored, cost-effective and proportionate local approaches.

In view of this, CPA feels that the Thematic Strategy should explicitly recognise that new measures related to water are in the process of being implemented via the Water Framework Directive and that in practice they will be selected based on local requirements. The Association supports close cooperation between farmers and the water industry. The Voluntary Initiative in the UK includes work in water catchments to reduce the amount of crop protection products being found in water through collaborative action between farmers and the water and crop protection industries. In addition, the use of buffer zones is supported as a means of protecting water. Use of these would be greatly increased if five-metre buffer strips adjacent to water could be included in set-aside.

### **3.2.1.3 Increase the protection of environmentally sensitive (*NATURA*) areas by reducing the overall use of crop protection products and defining areas of zero use**

The Crop Protection Association believes that the choice and implementation of specific measures to protect *NATURA* areas should remain in the competence of Member States, where the local situation can best be analysed and appropriate measures taken.

*NATURA* areas are sensitive areas and their protection needs to continue. However in some cases crop protection products have been an important management tool. They may be used within sensitive areas to control invasive pests and weeds (e.g. bark beetle or bracken) that otherwise would threaten the protected species or biodiversity.

While there might be a potential for some areas of zero use, this does not apply to all the *NATURA* areas per se and management decisions must be made on a local basis.

### **3.2.1.4 Ban of aerial spraying**

The Crop Protection Association is opposed to a general ban of aerial spraying. It is important to recognise that there are some areas such as forests or slopes where aerial spraying cannot be replaced by other techniques of crop protection using wheeled sprayers. Alternatives such as handheld application may not be suitable or cost-effective.

The Association believes that derogations from a general ban are necessary and that economic considerations, as well as environmental considerations, need to be taken into account when defining these.

### **3.2.1.5 Initiation of mid to long-term epidemiological research on users at risk**

The Association welcomes further scientific research. We suggest that these studies should clearly distinguish between the effects of crop protection product use and other influences in order to deliver sound scientific results.

### **3.2.1.6 Investigation and monitoring programmes on pesticides residue levels for consumers (with particular emphasis on groups of the population at particular risks) & research in methods to assess chronic and acute risks from residues to infants and children when establishing Maximum Residue Levels (MRLs)**

The Crop Protection Association believes that the existing monitoring programmes on pesticide residue levels on food commodities need to be better co-ordinated within the European Union. Sample collection and selection, data generation and reporting have to be done in a harmonised manner in order to ensure high quality and comparability of the results throughout all Member States.

Perceived potential risks to consumers and lack of data need to be considered for the selection of commodities and residues to be analysed. However potential risks to all consumer groups need to be taken into account.

With regard to assessing acute and chronic risk, we strongly support the development of new and harmonised scientific methodologies for refined approaches to risk assessment (e.g. Probabilistic Risk Assessment).

At the European Workshop on Acute Dietary Risk Assessment, participants (including national and European regulators and scientists) concluded that the lack of appropriate consumption data for various population groups (e.g. elderly, adults, children) is the biggest hampering factor to assess risks to consumers. Further research is necessary in this area to create a suitable database and refine risk assessment and MRL setting.

### **3.2.1.7 Collection of data on incidences**

The Association supports better co-ordination of reporting systems and scientific analyses of the data on incidences to improve knowledge on areas of potential risks. For a proper risk assessment it is important to ensure that the data collected are directly and unambiguously linked to exposure to crop protection products.

### **3.2.1.8 Collection and analysis of economic data on use of crop protection products (costs and benefits) and alternatives**

The use of crop protection products brings many benefits. Without crop protection products, farmers throughout the EU would quickly find their crops infested, diseased, unattractive and therefore unmarketable. The competitiveness of European agricultural production and the stability of a high quality food supply at affordable prices would be threatened.

While we recognise that several benefits of crop protection products have been outlined in the Commission Communication, we feel that this does not give a full picture.

We believe that the definition of the benefits of our products needs specific attention and further research will be necessary to bridge existing knowledge gaps.

This is particularly important given that some still argue for quantitative use reduction measures without providing appropriate cost-benefit analysis and thus without understanding the consequences of such proposals.

In this context, the Association would draw attention to the results of a recent study<sup>3</sup> that assessed the impact on the European food and agriculture sector of an imposed 75% reduction of crop protection products in the EU. The assessment calculated a 10 billion euro reduction in revenue for European farmers and the food industry and a severe impact on European agricultural production. Wheat and coarse-grain production would fall by around 40%, oilseeds by 50% and fruit and vegetables by 32% on average.

### **3.2.1.9 Further research and development efforts into different areas**

In its Communication, the Commission proposes further research and development in various areas. The Association believes that the focus should be on research that can contribute directly to the sustainable use of crop protection products by improving crop protection practice. Examples include research in IPM techniques, best methods of application and solutions for potential point source contaminations.

Regarding further research into the methods for assessing chronic and acute risk from residues to infants and children when establishing MRLs, please refer to the comments made under 3.2.1.6.

### **3.2.2 “Improved controls on the use and distribution of crop protection products”**

#### **3.2.2.1 Reporting of production, import and export quantities of crop protection products and collection of use data (per crop, product, area, etc.)**

The costs and benefits of any suggested measure need to be evaluated.

The Association supports the co-ordinated collection of relevant data. However, the proposed measures on further data collection are very demanding. Their implementation would impose significant costs and administrative burdens for the whole supply chain including manufacturers, farmers, importers and exporters.

Before embarking on such proposals, it is essential to clarify how the data would help to achieve the goals of the Thematic Strategy.

#### **3.2.2.2 Reinforcement of the system based on article 17 of Directive 91/414/EEC (inspections / monitoring of uses and distribution of crop protection products by wholesalers, retailers and farmers)**

As the details and the scope of the measure are not identified, it is difficult to comment on this proposal at this stage. However, it is important to avoid any duplication of measures.

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<sup>3</sup> Unpublished study by Prof. Dr. P Michael Schmitz, Institut fuer Agrarpolitik and Marktforschung, Justus-Liebig Universitaet, Giessen, Germany commissioned by the European Crop Protection Association.

### **3.2.2.3 Mandatory requirements for systems of regular and safe collection (possible reuse and controlled destruction of crop protection product packaging and unused products)**

The disposal of packaging and containers is well regulated and several waste disposal and collection schemes are in place at national level.

Before embarking on any EU-wide mandatory requirements, the current situation needs to be analysed in more detail to take existing systems into account and avoid any duplication of effort.

### **3.2.3 *“Reducing the levels of harmful active substances by substituting the most dangerous with safer (including non chemical) ones”***

#### **3.2.3.1 Amend Directive 91/414 to include the substitution principle**

The Crop Protection Association is opposed to the inclusion of comparative assessment and regulatory substitution in the revision of Directive 91/414/EEC. The directive ensures that only active substances that meet high technical criteria for human health and environmental impact are approved for use in the EU. The crop protection industry doubts that regulatory substitution would help meet the needs of consumers, agriculture or the environment. Regulatory substitution would reduce the chemical diversity of pest and disease control options required for sustainable agriculture, where over-dependence on one type or class of chemical can result in resistance development. While the concept of substitution is written into the Biocides Directive, its application has still to be tested and may be found wanting. In addition, it should be noted that crop protection product uses are much more varied than biocides and the application of substitution at a regulatory level for crop protection products could remove the most suitable chemical solution for certain pest/crop situations.

Through the application of the review programme of existing active substances under Directive 91/414/EEC, the number of active substances authorised for use within the EU will be reduced from over 800 to around 300 by the end of 2003. The impact of this should be assessed before further regulatory changes such as substitution are considered.

We do however believe that individual farmers and growers (with their agronomists) should apply comparative assessment when deciding which crop protection product they should use as part of IPM. They are able to assess the local conditions and select the best solutions with the least environmental impact for their specific crop/pest problems. In order to do this, they need access to high quality, product-specific information such as that made available in the Environmental Information Sheets being provided under the Voluntary Initiative in the UK.

### **3.2.4 *“Encouragement of the use of low-input or pesticide-free crop farming particularly by raising users’ awareness, promoting the use of codes of good practice and consideration of possible application of financial instruments”***

#### **3.2.4.1 Encouragement of specific farming methods or farm management systems**

All farming methods have an impact on the environment. But it is extremely difficult to separate out the different effects of crop protection products from other practices such as cultivation, rotation and cropping patterns.

The crop protection industry recognises the need to assess carefully the potential risks from any agricultural practice and any material introduced into the environment, and will continue to work to further minimise these risks.

We feel that solely favouring “the use of low-input or pesticides-free cultivation or organic” misses an important point. These practices are often non-specific in their action and also have negative effects, including environmental damage caused by increased mechanical soil cultivation. In addition, the need to increase the area under cultivation in order to compensate for the lower yields from such systems would negatively impact natural habitats.

The Crop Protection Association is convinced that farming systems applying the principles of ICM have the greatest potential to meet the potentially conflicting challenges at farm level in a manner that balances food production, profitability, social responsibility and environmental care.

#### **3.2.4.2 Proposal NOT to introduce an EU wide tax or levy**

We feel the Commission is very reasonable in its assessment of the potential of a tax or levy on crop protection products to achieve the goals of the Thematic Strategy and the subsequent conclusion not to consider EU-wide taxes or levies. The arguments are outlined within the Communication itself for why a tax is not an appropriate tool to further reduce risks associated with the use of crop protection products

Efficient risk reduction can be achieved through other approaches such as general improvement in user education and the adoption of Integrated Pest Management, both of which are suggested as part of the Thematic Strategy.

The Voluntary Initiative currently being implemented was accepted by the UK government as an alternative to a tax. The crop protection and farming industries are fully committed to this programme of measures to minimise the environmental impacts of crop protection products.

#### **3.2.4.3 Harmonisation of VAT for Crop Protection Products**

Measures to ensure the smooth functioning of the internal market are supported by industry. We therefore welcome the proposal to harmonise VAT to facilitate trade and establish a level playing field for all users of crop protection products.

#### **3.2.5 “A transparent system for reporting and monitoring the progress made in achieving the objectives of the strategy including the development of suitable indicators”**

##### **3.2.5.1 Development of indicators**

Developing meaningful indicators is a complex task. Indicators should be based on risk rather than the amount of crop protection products used or their mere presence in trace amounts.

Neither the volume used nor the application frequency necessarily correlate with risk.

Levels of crop protection usage are merely a reflection of the cropping patterns in different locations. In Northern countries, typically a high-value crop such as potatoes which is at extended risk from pests and diseases will receive four times the weight of active ingredient than a crop of spring barley would receive.

The use of a value figure is even more flawed than the use of a weight or volume. The price a farmer pays for a product bears no relationship to its toxicity or weight and reflects market conditions as well as international business strategies. It does not measure environmental impacts.

Neither does the number of crop protection products on the market say anything about the risks associated with their use. The availability of a larger number of products allows farmers to choose the most appropriate product, taking into account the pest problem, environmental considerations and resistance management.

Today it is widely recognised that it is essential to consider whole-farm systems, rather than single factors in isolation, such as crop protection products,. Other factors, such as types of crops grown, planting time, soil cultivation practices and management of non-cropped areas often have a bigger impact on the environment than crop protection products. This needs to be taken into account when developing indicators.

The UK's Pesticides Forum has done a lot of work on indicators of responsible use which could be useful in this context.

### **3.2.6 “Candidate Countries”**

The Association welcomes the Commission's intention to support candidate countries in tackling the handling of obsolete stocks.