

Consultation draft of 12 Aug 2002

**EUREAU with the support of the European Commission**

## **WATER RESOURCES AND SUSTAINABLE USE OF PESTICIDES IN AGRICULTURE**

**Report from an invited workshop 25-26 June 2002 in Brussels to discuss practical cross sectoral policy approaches to implementing EU legislation**

*This workshop was held in June 2002 in Brussels and comprised a group of experts from water companies(EUREAU), the European Commission, crop protection companies(ECPA), farmers(COPA-COGECA) and environmental organisations. The group reached a good degree of consensus on some key issues and on ways in which they could be taken forward in conjunction with other key stakeholders. The views expressed are however, those of the individuals and not necessarily of the organisation they represented.*

### **Background to the Workshop**

The recently adopted Water Framework Directive has established a new long term legislative focus for achievement of sustainable European water resources. In parallel there is an ongoing review of related environmental directives, including 91/414/EC on the use of crop protection products. At the same time European agricultural policy is at a crossroads with a major debate about ways to promote adoption of more environmentally sustainable farming and land use policies.

Over the last few years there has been considerable discussion about policies which can help achieve more sustainable methods of crop protection, but hitherto these have paid less attention to the adverse effects of crop protection chemicals on water resources used for the production of drinking water. The European standard for pesticides in treated drinking water is set at a level which is effectively a surrogate for zero and well below that which might be set if based solely on health criteria. This has important cost and energy-related implications if raw water has to be treated in order to deliver drinking water which meets the necessary standards. This in turn places demanding targets on the level of protection from pesticides that need to be applied to such water resources.

EUREAU, the European Association of water operators has published a detailed report setting out the impacts on water suppliers associated with pesticides in raw drinking water resources. This report highlights the fact that for some resources, both surface- and groundwater, certain pesticides are found in raw water bodies used for abstraction of drinking water at concentrations which at times can significantly exceed the required standard for drinking water at the tap, thus leading to high costs for water industry for treatment. This is clearly not a sustainable position for the longer term nor does Eureau believe it is compatible with emerging European policy. At the same time the majority of problems are associated with a relatively small number of pesticide compounds. This is an important starting point for solutions.

The purpose of the workshop was therefore, to identify a number of solutions to address the problems, balancing best practices approach with effective regulatory controls. Ideally this would form part of broader strategy for the sustainable use of crop protection products by farmers and the long term sustainability of European water resources.

## **The format of the workshop**

After opening presentations setting out the background from EUREAU, other stakeholders, and the European Commission, the workshop considered two key topics and for each tried to address two specific questions as set out below.

### ***Topic 1 Making European policy effective at the catchment / farm level***

- How to incentivise high levels of adoption of sustainable practice with particular reference to the review of the Common Agricultural Policy (CAP) and European Agri-environment policy.
- How to ensure that existing best practice can be routinely made available to farmers and land users in a way that is easily used.

### ***Topic 2 Developing a practical framework for effective implementation of EU policy and legislation***

- How can the various EU legislative requirements be used in an integrated way to ensure effective implementation of EU policy
- Guidance on implementing the Water framework Directive (WFD) and particularly Article 7.2 and 7.3

The key points arising from the discussion are set out below.

## Over-arching issues

- 1) European policy should be coherent and integrated but concentrate on
  - Setting EU goals
  - Providing EU wide tools where appropriate

Under the principle of subsidiarity, Member States/catchment authorities should have local flexibility to achieve these EU goals

- 2) While this workshop focussed on pesticide contamination from farming, it was recognised that pesticides in the environment can derive from other sources as well, for example amenity use by municipalities.

- 3) Although farmers have to deliver at the farm level, all stakeholders have the responsibility to help resolve the problem. As well as pesticide manufacturers through product stewardship responsibility, this includes retailers, consumers, and water companies

- 4) Many of the solutions to the problem of reducing pesticide levels in water resources will also provide solutions to other related problems of diffuse pollution from farmland. An integrated approach to farm management is essential.

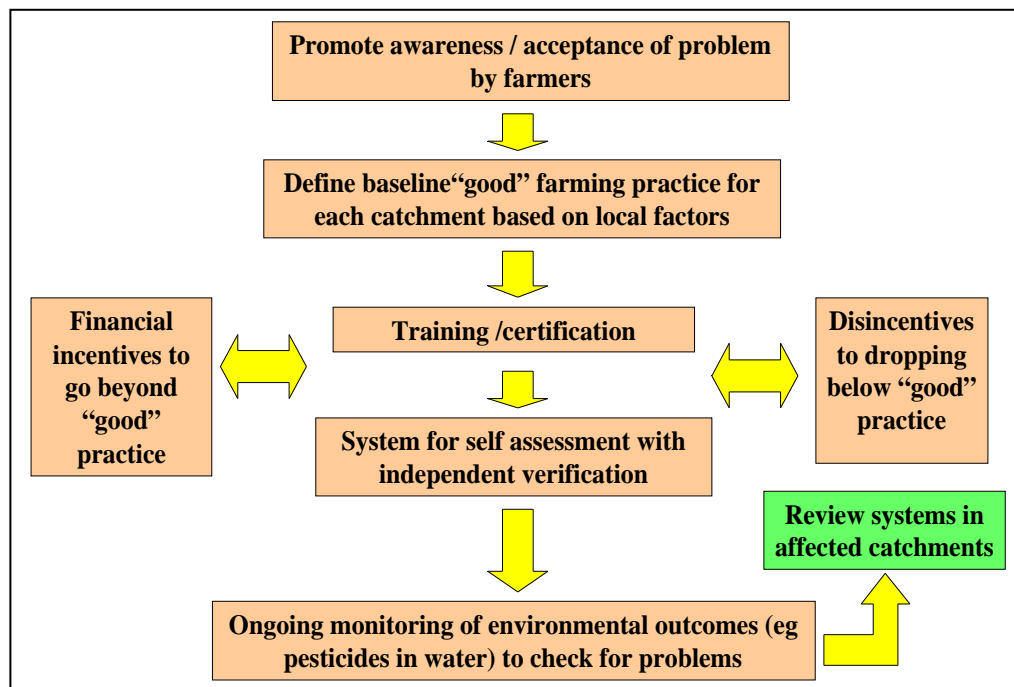
- 5) It was also recognised that whilst this workshop focused only on the question of pesticides in water, this was only one of a number of farming related issues that need to be addressed by the Water Framework Directive. There are in practice many other challenges for which sustainable solutions must be sought, e.g. nutrients, waste treatment, restoration of wetlands etc. It was felt by participants that this dedicated workshop could serve as a model for similar multi-stakeholder cooperation to address issues such as those listed above.

- 6) Implementation of some of the ideas and solutions put forward at the workshop would be greatly facilitated if pilot catchment forums could be set up across Europe to develop best practices and assess their potential effectiveness. In such situations it is important to ensure that there is effective co-ordination of action and advice where administrative and catchment boundaries are different.

## Topic 1 - Making European policy effective at the catchment / farm level

### Incentivising high levels of adoption of sustainable practice

The participants considered that the most effective approach could be summarised in the following diagram highlighting the key stages that needed to be followed :



### Financial incentives

It was considered that widespread adoption of practices going beyond baseline "good" practice could effectively be encouraged by more flexible use of financial incentives. Key points made, all of which should be considered as part of the ongoing review of the CAP, included:

- Encouragement of more cross compliance schemes where subsidy payments were linked to improved environmental practice.
- Introduction of greater flexibility in the CAP/ Agri-environment structure to remove some of the present barriers
- More effective use of "one-off" payments to improve farm infrastructure

### Disincentives

It was considered that there should be a focus on positive incentives and greater recognition of improvements. However, with the support of the farming community there also needed to be suitable disincentives to penalise bad practice. These could include:

- Fiscal e.g. Loss of subsidy or pressure via retailers in terms of agricultural product purchase
- Withdrawal of permits to buy or use pesticides
- Reminding farmers that there is always the potential for regulatory review of a pesticide authorisation if problems are not solved within an acceptable timeframe.
- Local legal penalties via courts for gross bad practice

Awareness, training, certification, and on farm audits

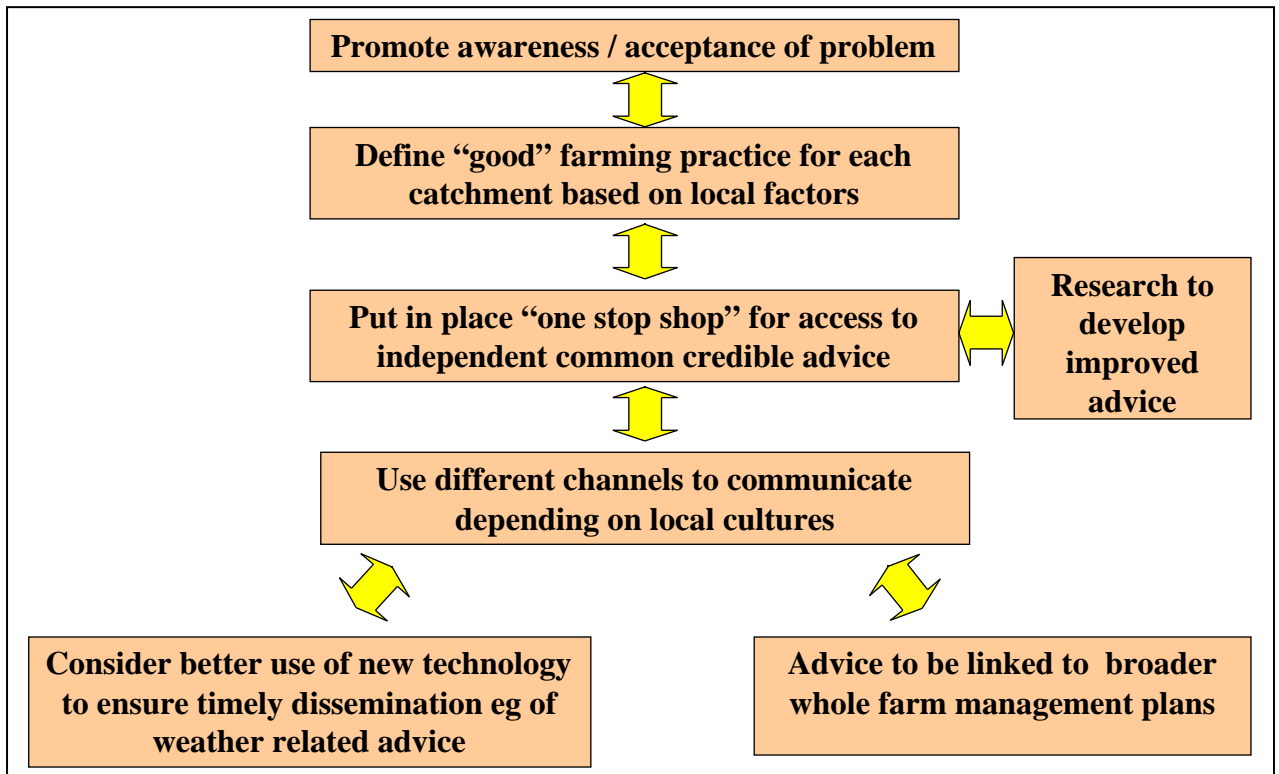
These items were seen as vital to the overall process. Little progress can be made unless there is an acceptance by farmers of a problem and the need for change. At the same time a process of mandatory training and refresher updates linked to formal certificates to use pesticides would be a significant improvement . Other points made included:-

- Use of local farmers as champions can be very beneficial
- Development of some form of “on site” self checklist for use by farmers would be very helpful provided this was linked to appropriate independent verification
- The need for better record keeping but without bureaucracy
- There would be benefit in developing certification schemes on integrated pest management and greater incentives for farmers to participate in them

## Making best practice routinely available

The participants considered that the approach summarised in the diagram below provided the best way forward

It was considered that all these elements, in combination with agreed objectives, are broadly incorporated in “sustainable- use”-programmes, already adopted in some Member-States.



## **Topic 2 - Developing a practical framework for effective implementation of EU policy and legislation**

During the discussion of Topic 2, two common over-riding themes emerged.

- the need for good data
- the need for continued communication and collaboration between all stakeholders at a European, national and catchment level.

A summary of the key points arising from consideration of the two specific questions posed are set out below.

### **How can the various EU legislative requirements be used in an integrated way to ensure effective implementation of EU policy?**

#### *Coherence of Land and Water Policy*

The need to ensure integration of land and water policy was acknowledged by the participants. Within the EU Institutions, It was noted that the preparation of integrated policy was the duty not only of a range of Directorate General's but also of the Council and Parliament.

Participants also agreed that even if the policies were integrated at an European level, in parallel there also needed to be integrated implementation at Member State level. It was incumbent on everyone to ensure that national governments recognised the need for coherent transposition. This in turn requires both top-down and bottom-up information exchange.

#### *Consistent implementation of PPPD and WFD*

It was agreed that the Plant Protection Products Directive (PPPD 91/414/EEC) and the Water Framework Directive (WFD) are complementary. It was noted that one of the key outputs from the WFD which will influence the PPPD is better monitoring. It was also noted that in the current authorisation process for the PPPD, the potential contribution made by some pesticides to the treatment level required for the production of drinking water from surface water is not being addressed.

#### *Common European guidance on implementing the WFD*

Despite the fact that the workshop participants were all experts from the water, agriculture, environment or chemicals sectors, not everyone at the workshop was aware of the guidance on the WFD being developed under the Common Implementation Strategy.

Those who were aware were concerned at its growing complexity and the difficulty of access. The development of common guidance was very much welcomed, but it was felt that the information produced needs to be more readily available in a simple format.

It was also felt that the two areas where more work could be done at a European level, were:-

- measuring progress in pesticide reduction in raw water

- the need for a European initiative to develop a consistent framework for advice on agricultural good practice in relation to water protection.

### Capacity building & Knowledge Transfer

Communication was seen to be the key. Farmers should be made aware of the problems and also of the success of any measures they undertake.

It was thought that local catchment fora were essential to establish local action. There was common agreement that these could only work with adequate funding but the method for achieving this needed to be the subject of more debate.

### Responsibilities of key Stakeholders

All participants accepted that everyone has a role to play in ensuring the WFD and other policy measures are effective.

### Catchment Level Coordination

The need for public participation was stressed by the workshop. It was noted that although this is a statutory duty under Article 14 from 2006, it must begin to happen much earlier and ideally straight away.

It was recognised that farmers have to play a key role in delivering the WFD and that the farming unions should do more to help their members contribute. Rather than just waiting for legislation, farmers should develop their own initiatives to address the problems. However, at the same time it was stressed that it is not just farmers who have a role to play, it is all of society.

## **Guidance on implementing the WFD and particularly Article 7.2 and 7.3<sup>1</sup>**

### Definition of catchments

It was agreed that the term catchment is used within the WFD and defined by physical attributes, but it was recognised that management units may vary in size depending on the problems being addressed. It was agreed that this was an area that needed more discussion although this may in fact be a subsidiarity issue.

### Methodologies for derivation of local catchment based approaches and targets

There was a view that this is an issue for Member States and that targets will be set in the Directive and applied by competent authorities.

However there was also a general view that there were common issues which were likely to emerge across all member states, these were:

- Need to consider risk / benefit / cost assessment
- Need for a rational approach
- Local use of toolbox approach
- Importance of farmers taking more of the initiative themselves
- All aspects of sustainability should be taken into account by the Competent authorities

### Setting up structures for implementation

Whilst it was recognised that implementation was an issue for subsidiarity, it was agreed that there is a need for the EU to act as a conduit for sharing of best-practice and that some form of 'EU wide Observatory' for pesticides or diffuse pollution data in general would be useful.

There was also recognition that if certain problems were identified as being common across Europe that these problems should be addressed/solved at the European level or alternatively that the EU could help develop criteria which the Member States could use to address the problems.

### Responsibilities of key stakeholders and catchment level coordination

There was strong support of the need for collaboration. It was reaffirmed that although this is a primarily a subsidiarity matter for Member States it would be useful for key stakeholders (eg COPA-COGECA, EUREAU, ECPA, WWF) to meet at a European level, to promote ongoing collaboration.

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<sup>1</sup> Attached as an appendix is a copy of article 7. Attention is drawn to the fact that raw water standards should be set such that drinking water standards can be met at the tap under the water treatment regime applied, and that deterioration of water quality should be avoided in order to reduce the level of purification treatment required in the production of drinking water.