



# Better Training for Safer Food *Initiative*

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# BTSEF

*This training is carried out by GIZ GmbH under the contract no 2013 96 11 with the Consumers, Health and Food Executive Agency (former Executive Agency for Health and Consumers).*

**Lecture 1**



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## Legal Requirements

# Consumers, Health and Food Executive Agency (CHAFAEA)

BTSF



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## Lecture 1

### BTSF TRAINING

# BTSF



# Legal Requirements

The relevant EU legislation regarding pesticides and their use subject of training programs should be well known to trainers in order to deliver the suitable knowledge to distributors and farmers.

The training subjects listed in Annex I, directive 2009/128/EC cover various topics relevant to the provisions of the following legislation:

# Legal Requirements

## Relevant Legislation

- **Directive 2009/128/EC** establishing a framework for Community action to achieve the sustainable use of pesticides
- **Regulation (EC) 1107/2009** concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC
- **Regulation (EC) 396/2005** on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC
- **Directive 2009/127/EC** amending Directive 2006/42/EC with regard to machinery for pesticide application

# Legal Requirements

- **Commission Regulation (EU) 547/2011** implementing Regulation (EC) No 1107/2009 as regards labelling requirements for plant protection products
- **Regulation (EC) 1185/2009** concerning statistics on pesticides. *Mainly related with articles 4 & 15 of SUD.*
- **Regulation (EC) 1272/2008** on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006
- **Directive 2000/60/EC** of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (*EU Water Framework Directive*). *Mainly related with article 11 of SUD.*

# Legal Requirements

- **Directives 79/409/EEC & 92/43/EEC** on the conservation of wild birds, of natural habitats and of wild fauna and flora (*Birds Directive & Habitats Directive*). *Mainly related with article 12 of SUD.*
- **Directives 2006/12/EC and 91/689/EEC** on wastes and on hazardous wastes.
- **Directive 1998/24/EC** on the protection of the health and safety of workers from the risks related to chemical agents at work (*Chemical Agents at Work Directive*) *Related to Personal Protective Equipment (PPE)*
- **Directive 2004/37/EC** on the protection of workers from the risks related to their exposure to carcinogens or mutagens at work. *Related to Personal Protective Equipment (PPE)*

# Legal Requirements

- Provisions of SUD on training and certification of knowledge on sustainable use of plant protection products and prohibitions of sale
- New requirements for PPPs application equipment
- Implementation of SUD in EU Member States (training programs, checklists and tests)
- Legislative framework, identification and risks of illegal plant protection products

## Directive 2009/128/EC – Sustainable Use Directive

### *National Action Plans*

National Action Plans aimed at setting **quantitative objectives, targets, measures, timetables** and **indicators** are used by Member States in order to facilitate the implementation of this Directive.

# NAPs "solar system"



## Directive 2009/128/EC – Sustainable Use Directive

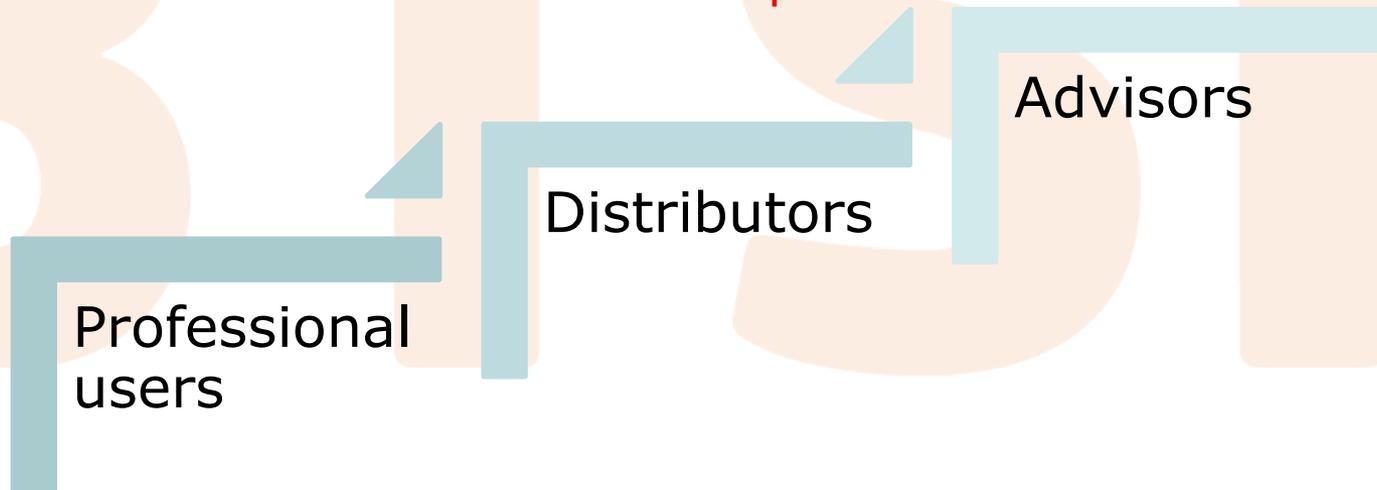
### *Article 5* **Training**

Member States shall ensure that all professional users, distributors and advisors have **access** to **appropriate** training by bodies designated by the competent authorities.

2. The training is both initial and additional in order to **acquire** and **update** knowledge as appropriate.
3. This aims at ensuring a higher awareness of the potential risks to human health and the environment and of the appropriate measures to reduce those risks as much as possible

## Sustainable Use Directive: Training requirements

- The training is designed to ensure that such **users, distributors and advisors** acquire sufficient knowledge regarding the subjects listed in Annex I, taking account of **their different roles and responsibilities.**



## Sustainable Use Directive: Training

- Training to advisors is out of the programme of this workshop as specialised training for advisors need other planning criteria.
- In many of the Member States, advisors in the agricultural sector is usually agronomists and can be considered that have the necessary “initial training”.
- Therefore for advisors, it should be given importance to have up-to-date knowledge.

## Sustainable Use Directive: Training subjects

- Annex I of SUD describes the training subjects referred to in article 5. Training for professional users will be focused on:
  - ✓ Illegal ppps;
  - ✓ risks for operators, residents, bystanders, people using treated areas;
  - ✓ measures to minimize risks for humans;
  - ✓ procedures for storage, handling and disposal of pesticides;
  - ✓ procedures for preparing pesticides application equipment;
  - ✓ use of equipment;
  - ✓ IPM.

## Sustainable Use Directive: Certification

- By 26 November 2013, Member States established certification systems and designate the competent authorities responsible for their implementation
- These certificates shall, as a minimum, provide **evidence of sufficient knowledge** of the subjects listed in Annex I acquired by professional users, distributors and advisors either **by undergoing training or by other means**.
- Certification systems include requirements and procedures for the **granting, renewal and withdrawal** of certificates.

## Sustainable Use Directive: Prohibitions of sale (By 26 November 2015)

Article 6, par.

- Member States shall ensure that distributors have sufficient staff in their employment **holding a certificate.**
- Such persons **shall be available at the time of sale** to provide adequate information to customers as regards pesticide use, health and environmental risks and safety instructions to manage those risks for the products in question.

## Sustainable Use Directive: Prohibitions of sale (By 26 November 2015)

### Article 6

- **Micro distributors** selling only products for **non-professional use** **may be exempted** if they do not offer for sale pesticide formulations classified as toxic, very toxic, carcinogenic, mutagenic or toxic for reproduction.

## Sustainable Use Directive: Prohibitions of sale (By 26 November 2015)

### Article 6

- Member States shall take necessary measures to **restrict sales** of pesticides authorised for professional use **to persons holding a certificate.**

## Sustainable Use Directive: Prohibitions of sale (By 26 November 2015)

### Article 6

- Member States shall require distributors selling pesticides to **non-professional users** to provide general information regarding the risks for human health and the environment of pesticide use, in particular on hazards, exposure, proper storage, handling, application and safe disposal in accordance with Community legislation on waste, as well as regarding low-risk alternatives.
- Member States may require pesticide producers to provide such information.

## Sustainable Use Directive: Prohibitions of sale (By 26 November 2015)

### Article 8

- Professional users shall conduct **regular calibrations and technical checks** of the pesticide application equipment in accordance with the **appropriate training**.

## Sustainable Use Directive: New requirements for PPPs application equipment

### Article 8

- Pesticide application equipment in professional use shall be subject to inspections at regular intervals. The interval between inspections shall not exceed five years until 2020 and shall not exceed three years thereafter.
- By 26 November 2016, Member States shall ensure that pesticide application equipment has been inspected at least once. After this date only pesticide application equipment having successfully passed inspection shall be in professional use.

## Sustainable Use Directive: New requirements for PPPs application equipment

### Article 8

- New equipment shall be inspected at least once within a period of five years after purchase .
- Following a risk assessment for human health and the environment including an assessment of the scale of the use of the equipment, Member States may:

## Sustainable Use Directive: New requirements for PPPs application equipment

### Article 8

- (a) apply different timetables and inspection intervals to pesticide application equipment not used for spraying pesticides, to handheld pesticide application equipment or knapsack sprayers and to additional pesticide application equipment that represent a very low scale of use .
- (b) exempt from inspection handheld pesticide application equipment or knapsack sprayers.

## Sustainable Use Directive: Implementation of SUD in EU Member States

### National Action Plans

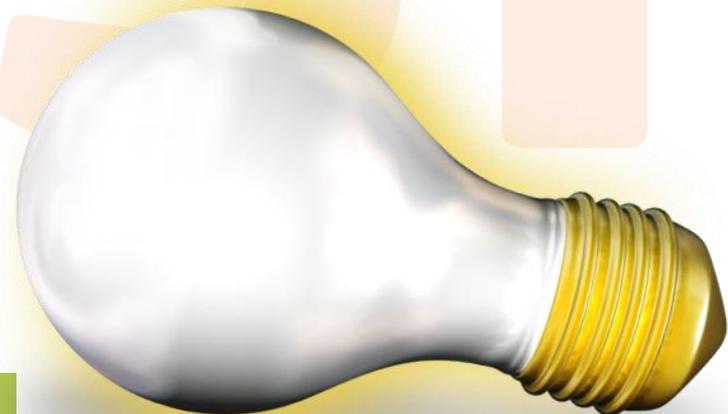
All NAPs are published on EU website :

[http://ec.europa.eu/food/plant/pesticides/sustainable\\_use\\_pesticides/national\\_action\\_plans\\_en.htm](http://ec.europa.eu/food/plant/pesticides/sustainable_use_pesticides/national_action_plans_en.htm)

## Sustainable Use Directive: General principles of IPM

### Article 14 of SUD and Annex III:

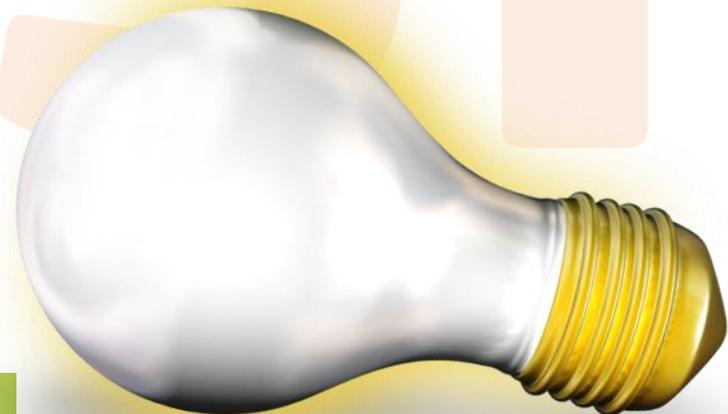
- Member States shall take all necessary measures to promote low pesticide-input pest management, giving wherever possible priority to non-chemical methods, so that professional users of pesticides switch to practices and products with the lowest risk to human health and the environment among those available for the same pest problem.



## Sustainable Use Directive: General principles of IPM

### Integrated Pest Management:

- Promotion of low pesticide-input management including non-chemical methods. Professional users will have to apply general principles of IPM from 1 January 2014.



## Sustainable Use Directive: Record keeping

### Article 67, Regulation (EC) 1107/2009:

- Professional users of plant protection products shall, for at least 3 years, keep records of the plant protection products they use, containing:
  - a. the **name** of the plant protection product,
  - b. the **time** and the **dose** of application,
  - c. the **area** and
  - d. the **crop** where the plant protection product was used.

## **Sustainable Use Directive: Hazards and risks associated with plant protection products**

- **Agronomic risks related to inappropriate use**
- **Working practices – risks to users**
- **Food safety and other public health risks  
(pesticide exposure; pesticide residues)**
- **Environmental risks (water contamination,  
biodiversity)**
- **Pesticide quality - Illegal trade in pesticides  
(substandard, counterfeit and fake products)**

## Sustainable Use Directive: Legislative framework, identification and risks of illegal plant protection products

### Legislative framework

- According to article 28, par. 1 of the Regulation (EC) No 1107/2009 : A plant protection product shall not be placed on the market or used **unless it has been authorised** in the Member State concerned in accordance with this Regulation.
- According to article 68, par. 1 of the Regulation (EC) No 1107/2009 : Member States shall carry out official controls in order to enforce compliance with this Regulation.

## Sustainable Use Directive: Legislative framework, identification and risks of illegal plant protection products

**Illegal ppps are defined as those not having an authorization**

- Forbidden products;
- Products without labels;
- Illegal copies of products;
- Counterfeited products.



## Sustainable Use Directive: Legislative framework, identification and risks of illegal plant protection products

### Common characteristics

- Cheap products;
- No guarantee for quality;
- Increased possibilities to pose risk to human and environment
- They jeopardise the safety of the system and are in full contrary to the sustainable use of ppps.





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# Sustainable Use Directive: Legislative framework, identification and risks of illegal plant protection products

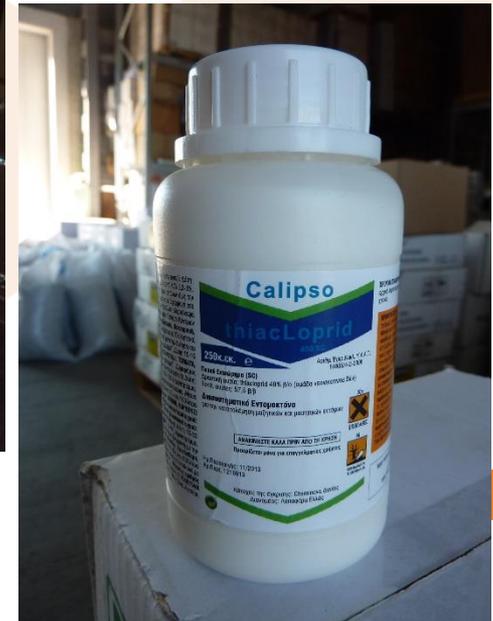
## Examples



“white” packages



## Fake products



## Sustainable Use Directive: Legislative framework, identification and risks of illegal plant protection products



**Regulation (EC) 1107/2009:** Ensure a high level of protection of both human and animal health and the environment and to improve the functioning of the internal market, while improving agricultural production

**Illegal ppps:** Risks to both human and animal health and the environment and malfunctioning of the internal market



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**The well knowledge of the legal requirements is essential for all scientists professionally involved in activities related to the sustainable use of pesticides, in particular training activities under the SUD**

# Thank you for your attention!

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**This training is carried out by GIZ GmbH under the contract no 2013 96 11 with the Consumers, Health and Food Executive Agency (former Executive Agency for Health and Consumers).**

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