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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.2.2009
COM(2009) 63 final

2006/0132 (COD)

OPINION OF THE COMMISSION

pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the Proposal for a

**DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
establishing a framework for Community action to achieve a sustainable use of
pesticides**

**AMENDING THE PROPOSAL OF THE COMMISSION pursuant to Article 250 (2) of the
EC Treaty**

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1. BACKGROUND

Procedure

On 14 July 2006 the Commission submitted a proposal for a Framework Directive on the sustainable use of pesticides to the European Parliament and of the Council for adoption by co-decision procedure as laid down in Article 251 of the EC Treaty.

The Economic and Social Committee gave its opinion on 14 March 2007. The Committee of the Regions adopted its opinion on 13 February 2007.

The European Parliament adopted its first reading position on 23 October 2007.

The Council reached a political agreement on the proposal on 17 December 2007 and adopted its common position on 19 May 2008.

The European Parliament adopted its position in second reading on 13 January 2009.

2. OBJECTIVE OF THE COMMISSION PROPOSAL

The objective of the proposal is to fill the current legislative gap regarding the use-phase of pesticides at Community level, and to provide for common minimum rules on the use of pesticides so as to reduce risks to human health and the environment.

The proposed Framework Directive on the sustainable use of pesticides, COM(2006) 373 final, together with a proposal for a Regulation on the placing of plant protection products on the market, COM(2006) 388 final, are the main legislative instruments containing the measures proposed in the Thematic Strategy on the sustainable use of pesticides, COM(2006) 372.

3. COMMISSION COMMENTS

3.1 General

At its Plenary Session of 13 January 2009, the European Parliament adopted a compromise package which had been agreed with the Council in view of reaching a second reading agreement.

These amendments concern essentially:

- the establishment of risk and use reduction targets in National Action Plans with reporting requirements for the Commission,
- the strengthening of the protection of residents and bystanders,
- requirements for the distribution of pesticides to non-professional users,
- the establishment of systems for gathering information on poisoning incidents among people regularly exposed to pesticides,
- the handling of requests for aerial spraying,
- the use of pesticides in specific areas.

The Commission accepts the compromise package as it is in line with the overall purpose and the general characteristics of the proposal.

3.2 Amended Proposal

Pursuant to Article 250(2) of the EC Treaty, the Commission amends its Proposal as set out above.