



Notification Number: 2014/514/F

Draft Law on energy transition for green growth, National Assembly Text - Article 18 bis - Use of plant protection products on French national territory

Date received : 21/10/2014

End of Standstill : 22/01/2015

Message

Message 002

Communication from the Commission - TRIS/(2014) 03101

Directive 98/34/EC

Translation of the message 001

Notification: 2014/0514/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201403101.EN)

1. Structured Information Line

MSG 002 IND 2014 0514 F EN 21-10-2014 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2014/0514/F - C40A

5. Title

Draft Law on energy transition for green growth, National Assembly Text - Article 18 bis - Use of plant protection products on French national territory

6. Products Concerned

Certain chemical plant protection products

7. Notification Under Another Act

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8. Main Content

Pursuant to Article 12 of Directive 2009/128/EC, and in particular paragraph (a) thereof, which provides that Member States, having due regard for the necessary hygiene and public health requirements, shall minimise or prohibit the use of pesticides in certain specific areas, take appropriate risk management measures and favour the use of low-risk products and biological control measures, this proposed law is intended to restrict the use of certain plant protection products in certain “areas used by the general public”.

These provisions amend those of Law No 2014-110 of 6 February 2014 intended to improve regulation of the use of plant protection products on French national territory, advancing the schedule for their implementation (entry into force on 31 December 2016 of certain provisions previously applicable from 1 January 2020). Therefore, these provisions prohibit public entities from using these products, from 31 December 2016, in certain spaces frequented by the public. It should be noted that this measure will be extended to products available to non-professional gardeners from January 2022.

Particular provisions provide that biocontrol products featuring on a national list, products classified as low-risk within the meaning of Regulation (EC) No 1107/2009, and products authorised for use in organic agriculture (Regulation (EC) No 889/2009) are not affected by these prohibitions. Products used in the context of compulsory pest control measures are not affected by this ban either.

9. Brief Statement of Grounds

These legislative provisions are intended to effect a change in weed killing, plant pest and blight control practices in certain public spaces and private gardens by the end of 2016 and the beginning of 2022 respectively. These days, synthesised plant protection products are generally employed for these practices. Members of the public frequenting these places of leisure and relaxation, as well as amateur gardeners using these products in their gardens or vegetable gardens without any particular competence or protection, are exposed to their effects environmentally or through direct contact.

Numerous scientific publications have established a link between certain pathologies and exposure to these products and their conclusions are convergent. The recent INSERM (French Institute of Health and Medical



Research) report, Pesticides et Santé (Pesticides and Health), published in May 2013, proposes the strong presumption of a link with cancer pathologies and Parkinson's disease in adults. In children, this strong presumption relates to leukaemia, brain disorders and congenital deformities.

The purpose of this Law is therefore to promote alternatives to the use of plant protection products, particularly through the use of more environmentally friendly preparations presenting fewer health risks to users. These provisions will make it possible to reduce contamination in the areas in question and limit environmental exposure for the general public and non-professional users. Benefits are also anticipated for biodiversity.

It was considered that the entry into force of these provisions, initially scheduled for 2020 onwards, should be anticipated and brought forward to 31 December 2016 in the case of use of these products by the authorities. These efforts to encourage a reduction in the use of synthesised plant protection product have been successful and a very large majority of authorities have undertaken to effect a drastic reduction in the quantities that they are using. Only a very few authorities that were less involved in this trend will therefore have to modify their practices significantly. Even for these latter authorities, the deadline of 31 December 2016 gives sufficient time for treatments with preparations of lower risk to the public and the environment to be fully implemented and new supply chains to be established where applicable.

The deadline of 1 January 2022 remains valid for private use, due to the need to raise awareness as well as to effect changes in practice.

10. Reference Documents - Basic Texts

References to basic texts: LAW No 2014-110 of 6 February 2014 intended to improve regulation of the use of plant protection products on French national territory

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.



SPS aspect

No - the draft has no significant impact on international trade.

European Commission

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