



Notification Number: 2014/48/F

Draft law to improve supervision of the use of plant protection products on French national territory

Date received : 23/01/2014

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Message

Message 002

Communication from the Commission - TRIS/(2014) 00222

Directive 98/34/EC

Translation of the message 001

Notification: 2014/0048/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: 201400222.EN)

1. Structured Information Line

MSG 002 IND 2014 0048 F EN 23-01-2014 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number

2014/0048/F - C40C

5. Title

Draft law to improve supervision of the use of plant protection products on French national territory

6. Products Concerned

The draft law concerns the use of certain plant protection products by public entities in certain public spaces and by non-professional users.

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 ensure that the use of pesticides is minimised or prohibited 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 prohibit public entities from using these products in certain public spaces as from 1 January 2020. 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 this ban. Products used in the context of compulsory pest control measures are also not affected by this interdiction.

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 in private gardens by 2020/2022. Today, synthesised plant protection products are generally used 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 skill in the area nor the relevant protection, are exposed to the effects of these substances environmentally or through direct contact.

Numerous scientific publications have established a link between certain pathologies and exposure to these products, reaching very similar conclusions. The recent INSERM (French Institute of Health and Medical Research) report, *Pesticides et Santé* (Pesticides and Health), published in May 2013, makes 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. It is also expected that the principle of biodiversity will be better respected.

Scheduling the entry into force of these provisions for 2020 onwards is intended to give companies placing products on the market affected by the ban the necessary time to develop new preparations presenting a lower risk to people and the natural environment. These deadlines should also be sufficient to allow public entities and private individuals to adopt these new plant protection practices.

10. Reference Documents - Basic Texts

References to basic texts: • Directive 2009/128/EC of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides: Article 12
• Regulation 1107/2009 of 21 October 2009 concerning the placing of plant protection products on the market
• French Rural and Sea Fisheries Code: Article L253-7

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

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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

Contact point Directive 98/34



EUROPEAN COMMISSION
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