



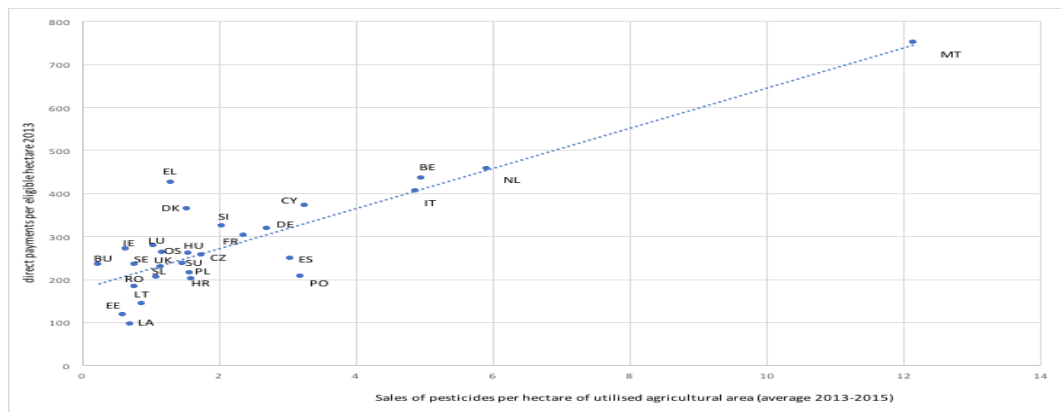
Inspiration note for the development of EU's Common Agricultural Policy: Why the CAP is broken on pesticides?

"The more I learned about the use of pesticides, the more appalled I became... What I discovered was that everything that meant most to me as a naturalist was being threatened, and that nothing I could do would be more important."

Rachel Carson, 1962

This reflection paper is in twelve points shortly questioning the CAP payments relating to pesticide issues. So far there is only a very limited mandatory instrument: pesticide free Ecological Focus Areas and Farm Advisory Systems which could help to encourage the needed transition towards low inputs farming. Time to open up this debate.

Almost 400,000 tons of active substances are sold in the EU to be sprayed on Europe's fields each year. Pesticide Action Network Europe (PAN Europe) has made a simple overview showing the link between pesticide sale and direct payments of the Common Agricultural Policy (1).



PAN Europe and its members dare to question whether it is logical that tax payers' money pays the highest direct payments per hectare to Member States with have the highest sale of pesticides per hectare?

One of the big problems with the current CAP, among others, is that there are only very few mandatory instruments to encourage a transition towards low inputs farming, due to following shortages of relevance to pesticides:

No proper indicators to measure pesticide use in EU farming: already back in 1998 the Agricultural Council of Cardiff decided to set specific objectives for agrochemicals in the Common Agricultural Policy (CAP): *"to reduce the environmental risks of pesticide use (water contamination, deterioration of biodiversity, etc., further measures should be developed for sensitive areas."* and to develop indicators to measure pesticide use. **BUT**, despite pesticide consumption is one of the agri-environmental measure indicators, the EU keeps on using aggregated sale data rather than detailed use data, confusing citizens about pesticide use across EU (2).

No requirement for farmers to have a plan on pesticide reductions: there are no mandatory requirements in the CAP specifying that, in order to receive direct payment, farmers have to make plans to reduce pesticide use, as well as to prove that s/he is applying integrated pest management despite this having been mandatory for farmers to apply since January 2014 according to the EU Directive on Sustainable Use of Pesticides (SUD). In the 2013 CAP reform, Member States agreed to define mandatory rules to ensure uptake of integrated pest management, but so far very little has been done to ensure uptake of this.

The Court of auditors explained this lacking engagement very clearly (3)

Sustainable use of pesticides: two steps forward, one step back

In 2009 the European Parliament and the Council adopted a regulation on the placing of plant protection products on the regulation was to include the sustainable use of pesticides (and in particular integrated pest management) in cross-compliance (through SMR9) from 2014 onwards.

However, in its proposal for a regulation on financing the CAP during in Regulation (EU) No 1306/2013), the Commission explicitly excluded the sustainable use of pesticides and integrated pest management from the scope of cross-compliance by omitting the sentence that specifically referred

As a result, although the sustainable use of pesticides was to be included in cross-compliance from 2014, the current regulation now makes that timeframe uncertain.

Direct payments to farmers despite pesticide derogations: EU Regulation no 1107/2009 on sale of Plant Protection Products is part of the so-called Statutory Mandatory Requirements of the Cross Compliance meaning that, in order to receive direct payments from the CAP, in principle farmers to receive direct payments from the CAP in principles can only use pesticides approved for sale in EU. However, in reality, Member States often ask for 120 day derogations for this regulation to carry on using pesticides which should otherwise be banned, allowing their farmers to keep using banned pesticides (for instance neonicotinoids) while obtaining direct payments at the same time.

Illegal pesticides - burden of proof with Member States (MS) before CAP funding can be cut: national authorities are not allowed to cut direct payments from farms where illegal pesticides have been found in storage. To cut direct payments, national authorities need to be able to prove the pesticides have been used.

Unclear how farmers protect water: to receive direct payments farmers need to comply with Article 55 of Regulation (EC) No 1107/2009 (SMR 10) establishing buffer strips for each pesticide. Member States have to establish buffer strips around the water courses (GAEC 1) and in protecting groundwater by preventing direct discharge and indirect pollution of water (GAEC 3). But while European Food Safety Authority (EFSA) often fixes buffer zones at around 10-50 meters for using pesticides next to water courses, these are rarely integrated into the CAP. Eurostat does recognize that the water pollution from pesticide is not well monitored, and indicators not good (5), so who is monitoring that farmers are actually protecting water from pesticide spraying within the CAP?

Pesticide use in Ecological Focus Areas (EFAs): as a part of the Greening measures of the CAP, farmers have -among others- to encourage biodiversity on the farm by establishing Ecological Focus Areas. So far, pesticides are being widely used in the majority of Member States. The European Commission has, though as something positive, introduced a ban to be applied by farmers as from 2018 by the latest. The pesticide free EFAs is an important concept, which must be used to uptake of nature based solutions, moving from killing to start managing pests, working with (rather than against) pollinators and natural predators.

The Farm Advisory System (FAS) is not visible: the 2003 reform of the CAP made it mandatory for Member States to introduce FAS accompanying farmers to better understand the environment conditions of the CAP. As from 2015, Member States are obliged through the FAS to inform farmers about 'all aspects of integrated pest management' as defined in the EU Directive on sustainable use of pesticides, including monitoring and pest programmes and uptake of alternative techniques. Unfortunately, the visibility of the FAS remains limited with the result that many farmers keep on being informed by chemical companies, setting aside the development of the FAS to become an independent and visible body giving advice on alternatives to chemical pesticides.

Uptake of alternative techniques to pesticides is not directly targeted by the Rural Development Programs (RDP), and the baseline remains questionable: Member States can encourage reductions in pesticide use e.g. by supporting voluntary integrated farming methods (incl. voluntary elements of Integrated Crop Management) through the agri-environment and climate schemes. Some Member States do encourage crop rotation while others encourage uptake of biological control, linked to reduction of certain categories of pesticides.

Unfortunately, the measures in RDPs keep on being weak, often too complex to ensure the needed update while rarely offering farmers complete support packages encouraging the farmers to test new/forgotten nature based solutions. Finally, despite IPM which is mandatory since 2014, it is still unclear how Member States have updated their baseline in the new rural development programmes taking into account the introduction of the general principles of IPM.

The baseline for pesticide use reduction in the regulation on fruit and vegetables remains questionable: MS can encourage reductions in pesticide usage, e.g. under the so-called Integrated Production as part of the environmental actions of the operational programs on fruit and vegetables. Some MS are already doing so, but it remains to be seen how the introduction of the general principles of IPM will influence baselines of such schemes.

Real risk management tools that encourage prevention rather than (posthumous) cure are not being promoted: one of the key arguments against IPM is the higher level of risk taken by the farmer during the transition toward more sustainable systems. While the rural development policy does allow Member States to offer farmers financial support to assist farmers in the move towards real IPM, this potential is not being exploited to the full in the CAP (6).

Bystanders not informed and protected by the CAP: despite that FAS includes all aspects of the SUD, citizens –who for instance have a garden and/or practice urban gardening - are not entitled to get information through the FAS. Maybe even worse, citizens who for instance live next to farms do not have a right to be informed by local production methods , what pesticides are being used, whether or not alternatives to pesticides being promoted and how much funding the farmer is receiving, etc. In case a citizen has a problem with a farmer, it is for him or her to solve the problem by voluntary agreements, there is so far nothing in the CAP which could help to resolve disputes.

Externalities from pesticides are not included: each year around 400.000 tones of active substance of pesticides are sold in the EU, and are spread with water influencing negatively on people's health, the environment, water and biodiversity at large. But the CAP still does not have an input tax mechanism (7) – like a third pillar of the CAP (8)- to correct the many negative externalities linked to use of pesticides, despite pesticide taxations are in place in a few Member States.

Conclusion: PAN Europe and its members encourage one serious long term objective of the CAP: development and maintenance of low impact farming systems. In such an approach, each CAP reform should set clear objectives, time lines and measures for how to help farmers in this conversion within each EU budget period. Doing so, would increase attention towards nature based solutions and make sure that the farming sector over time finally becomes part of the solution not the problem to climate and environmental challenges that the EU is facing.

Joop C. van Lenteren et al, March 2017 (8):

Too often the following reasoning is used to justify the use of synthetic pesticides: agriculture has to feed some ten billion people by the year 2050, so we need to strongly increase food production, which can only be achieved with usage of synthetic pesticides. This reasoning is simplistic, erroneous and misleading.

A more sensible approach to food production is to ask ourselves: (1) how can we create a healthy and well-functioning biosphere in which biodiversity is treasured instead of strongly reduced, both because of its necessity for sustainable food production and maintaining a hospitable biosphere for humans (utilitarian approach), as well as because of our ethical responsibility (ethical approach), (2) how can healthy food best be produced in this well-functioning biosphere, and (3) what kind of pest, disease and weed management fits in such a production system

Footnotes:

(1) The table is based on Eurostat, except estimates for pesticide sale in Cyprus and Luxembourg are classified by the national government as confidential, and therefore numbers appearing in the tables are estimated by PAN Europe.

(2) <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1488974186934&uri=CELEX:52017DC0109>

(3) http://www.eca.europa.eu/Lists/ECADocuments/SR14_04/SR14_04_EN.pdf

(4) <https://www.gov.uk/guidance/guide-to-cross-compliance-in-england-2016/qaec-1-establishment-of-buffer-strips-along-watercourses>

(5) : http://ec.europa.eu/eurostat/statistics-explained/index.php/Agri-environmental_indicator_-_pesticide_pollution_of_water

(6) for more details see: <http://www.pan-europe.info/sites/pan-europe.info/files/public/resources/briefings/pan-e-risk-management-tool.pdf>

(7) http://ec.europa.eu/competition/state_aid/cases/244844/244844_1427943_169_2.pdf

(8) <https://www.living-land.org/blog/2017/3/23/progressive-taxes-on-pesticides-can-save-both-agriculture-and-nature>

(9) <https://link.springer.com/article/10.1007/s10526-017-9801-4>

Pesticide Action Network Europe (PAN Europe) was founded in 1987 and brings together consumer, public health, environmental organisations, and women's groups from across Europe. PAN Europe is part of the global network PAN International working to minimise the negative effects and replace the use of harmful pesticides with ecologically sound alternatives.

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