

SUMMARY OF IBMA COMMENTS

(Updated after discussions with the IBMA Regulatory Advisory WG on 23rd and 24th June 2022)

IBMA welcomes:

- that the **Directive is being upgraded to a Regulation**, which will certainly give it an implementation force that is quite different to its previous position as a Directive.
- that a **definition of 'biological control'** that encompasses the four categories of biocontrol has been included. What about 'Natural Minerals' and 'components that originate from animal origin'?
- the **coherence with the CAP Strategic Plans** as MSs may apply financial incentives or mitigation to offset some impacts.
- that each MS should include **a positive target for biocontrol in their NAPs**. As a positive indicator it is proposed to use the increase of the % of biological control PPPs used of the total of all PPPs used.
- the **mandatory training** for professional users and advisors on IPM and biocontrol, as well as the incentive for advisors to attend such training through conditional renewal of professional advisory qualification. Annex III TRAININGS SUBJECTS now refers explicitly to the relevant legislation regarding plant protection products and their use and risk. Also the topic of IPM is more elaborated: "Integrated pest management strategies and techniques, integrated crop management strategies and techniques, organic farming principles, **biological pest control methods**, harmful organism control methods, the obligation to apply integrated pest management as set out in Articles 12 and 13 of this Regulation, and the obligation to enter records in the electronic integrated pest management and plant protection product use register, as set out in Article 14 of this Regulation".
- the establishment of **crop-specific rules** that a professional user should follow in relation to the specific crop and region in which the professional user operates. Such rules should convert the requirements of integrated pest management into verifiable criteria that apply to the specific crop.
- the establishment of mandatory IPM advice records through an **electronic IPM register** to justify the treatment programmes used.
- the designation of a competent authority to establish, oversee and monitor the operation of a system of **independent advisors** for professional users.
- that a competent authority designated by a Member State may permit **aerial application** by a professional user.
- the **provisions on IPM** as integrated part of the legal text of the Regulation (and not in an Annex). The text of leaked 'Annex III GENERAL PRINCIPLES OF INTEGRATED PEST MANAGEMENT' is now included in the core text of the Regulation.
- the **revised data requirements for micro-organisms** that are considered crucial to the Farm to Fork initiative and to the delivery of new solutions to the farmers for the transition to sustainable agriculture. However, some improvements e.g. in terms of decision criteria and interpretation of the guidance document on secondary metabolites are considered necessary.

Key messages from IBMA:

- The definition of **Integrated Pest Management (IPM)** has not really been ‘modernised’ and is still considered not strong enough as it should explicitly refer to **placing biology first** and using chemicals only if essential. Only in Article 13(4) it is stated that “Professional users shall use biological controls, physical and other non-chemical methods. Professional users may only use chemical methods if they are necessary to achieve acceptable levels of harmful organism control after all other non-chemical methodshave been exhausted”. To promote the use of biocontrol even more the preferred phrasing would be: ‘...use biological controls, physical and other non-chemical methods’ instead of just mentioning ‘non-chemical methods’.
- Include also the use of **invertebrate macro-organisms** into the definitions of professional users, distributors, advisors, etc. as now in these definitions only reference is made to plant protection products and invertebrate macro-organisms are not covered by the PPP-legislation. E.g. Definition: *“Professional user’ means any person who uses a plant protection product or an invertebrate macro-organism in the course of their professional activities”*. This was not supported to prevent that non-professional users would not be able to use invertebrates.
- The definition of ‘non-chemical active substance/PPP’ has been deleted from the official proposal. Now the following **definition is included: ‘non-chemical methods’** means alternatives to chemical plant protection products. The definition of non-chemical can be expanded to explicitly include biocontrol, e.g. ‘non-chemical methods’ means alternatives to chemical plant protection products like biological controls, physical and other non-chemical methods.
- The Commission committed, in line with the Farm to Fork Strategy, to take action to reduce by 50% the overall use and risk from chemical pesticides by 2030 and reduce by 50% the use of more hazardous pesticides by 2030. Regarding the reduction targets for chemical Plant Protection Products it is now indicated that “In no case may any of the 2030 **national reduction targets** be lower than 35%“. This was 25% resp. 40% in previous versions of the SUR. It is not clear if these targets are ‘volume’ based.
- **Information on national 2030 reduction targets in national action plans.** Information is proposed for the uses (crop and pest) for the 5 chemical active substances that **most strongly influence** the trend of the reduction in the use of chemical PPPs. It is recommended to develop a harmonized procedure and set of criteria how to determine ‘most strongly influence’.
- **Create positive targets for biocontrol.** IBMA advocates a 75% target for biocontrol at EU level to achieve the agro-ecological transition. The NAP in each MS should include a more specific positive target (not only indicative) for biocontrol. In order to identify and measure the increase of the use of biological control PPPs and invertebrate macro-organisms a list with authorised biocontrol products should be established at national level (and EU level).
- A **national indicative target for each “non-chemical method”** is proposed for an increased % of its use by 2030. To measure the increase of use of biological PPPs and macro-organisms should be feasible. How to measure an increase of use of other alternative methods such as agronomic methods (e.g. crop rotation, use of resistant or tolerant cultivars) as well as precision agriculture?
- To ensure that the **crop-specific rules** are in accordance with the requirements of integrated pest management, *“detailed rules should be laid down as to what they should contain and the Commission should verify their development, implementation and enforcement on the ground”*. It is essential to prepare and implement these rules as much as possible in a harmonised way between MS (e.g. harmonized template, crop-profiles, work plan). This will avoid differences

between MS in the implementation of IPM and support a harmonized use of biological control. However, it should be acknowledged that IPM strategies may be different for different regions. These 'crop profiles' should provide an overview of production and pest management practices for a specific crop: (i) information on abiotic factors affecting its growth; (ii) the biology of key disease, insect and mite and weed problems as well as cultural and chemical methods of control; (iii) detailed information on pest occurrence, integrated pest management options, as well as registered pesticides available to growers.

- In the context of the Biodiversity Strategy **indicators for IPM** such as presence of pollinators and beneficial invertebrates should be established.
- The use of low-risk products should have a more prominent place in the **training subjects** for professional users and advisers.
- Create or adapt the **national authorisation database** of products to identify and facilitate searching for biocontrol solutions and make this part of NAPs. This is now facilitated by the definition of 'biological control' in the SUR proposal.
- Distributors should be stimulated to recommend not only low-risk products, but **low-risk and/or biocontrol products**.
- **How will advisers be paid** while maintaining their independence? This may be especially important as most likely these 'extension services' will not be governmental/publicly funded institutions, but people will be trained and paid by private companies. The aforementioned 'crop-profiles' would increase transparency and could partly overcome this problem of 'independency'.
- **Non-professional users:** There should be a specific article for non-professional use as it appears only in Article 22(3) where it is indicated that '*non-professional users may only use low-risk plant protection products*' and Article 24(4) where it is stated that a '*distributor shall provide general information to non-professional users on the risks*'.
- It should remain possible to use Biocontrol PPPs, low-risk PPPs and PPPs compatible with organic farming for non-professional use **if these products are authorised for non-professional use**. It should be précised that invertebrate macro-organisms (which are not PPPs), can be used for non-professional use. Although it is recognized that not all biologicals have the 'low-risk' status all products that are currently authorised for non-professional use should remain available for 'non-professional users'.
- All parties involved in the regulatory process (applicants/biocontrol industry, national regulatory authorities, Commission representatives) have to play their **role in the communication** of the environmental benefits of biocontrol, IPM and other non-chemical alternatives.
- **Drone (UAV) application** should apply both to biocontrol products and to low-risk products.
- **Innovation** and the use of **new technologies** should be more facilitated in the core text of the Regulation.
- If **permits for aerial application and for the use in sensitive areas** are issued by competent authorities, how can harmonization between MSs be guaranteed? There is a difference between a 'human health sensitive area' and an 'ecologically sensitive area'. According to the current text non-professional users are also not allowed to use low-risk PPP in these areas.
- The use of **biocontrol (including invertebrate macro-organisms) as well as low-risk PPPs** should be permitted in **sensitive areas**. As a principle biocontrol products should be allowed to be used in areas used by the general public, such as a public park or garden, recreation or sports grounds, or a public path.
- The contribution from IPM to the **EU Biodiversity Strategy for 2030** and the functioning of ecosystems and ecosystem services should be more emphasized in the core text of the Regulation.

- The use of biocontrol should be used as an **indicator of IPM implementation**. **Applications for biocontrol products** should therefore be **prioritised** in the authorisation process.
- It is recommended that biocontrol and low-risk products should be excluded from the calculation for **Harmonised Risk Indicator 2** (number of emergency authorisations). With effect from 1 January 2027, the methodology of harmonised risk indicator 2 (**based on the number of granted emergency authorisations**) shall be replaced by the methodology of harmonised risk indicator 2a (**based on the number of and areas treated under granted emergency authorisations**). A hazard weightings is applicable for low-risk substances (not for biocontrol).

Key issues for further advocacy (random order):

- An EU **definition of ‘biological control’** that encompasses the four categories of biocontrol has been included in the Regulation. It is suggested to extend the definition with: *“such as natural minerals, peptides”* to provide clarity and to also cover new technologies.
- The definition of **Integrated Pest Management (IPM)** is still considered not strong enough as it should explicitly refer to **placing biology first** and using chemicals only if essential.

However, in some cases a chemical treatment at the start will allow the use of biocontrol products for many seasons. If the IPM-triangle is followed in a strictly manner such a chemical treatment would not be possible at the start of the cropping season. These cases are not reflected in the current text. Topic for training and advisors? An option could be to calculate the total impact of the whole IPM programme/treatment and choose the option with the lowest impact. The total impact can be calculated by given the different cultural measures and types of active substances a different weight (similar to what is done to calculate the harmonised risk indicators) under the assumption that the use of chemical plant protection products should be kept to levels as low as possible.

It is also recommended that the definition of IPM reflects that IPM is ‘an ecosystem-based strategy’ (or similar wording) than just a number of different measures. Such terminology also fits better within the language used in the Farm-to-Fork Strategy.

- The current SUR contains mainly references to ‘low-risk’ products as products that preferably should be used. IBMA advocates that this should be extended to biocontrol products as (i) biocontrol products in general are considered safe; (ii) the majority of biocontrol products not yet have been evaluated for ‘low-risk’; (iii) the current number of low-risk products is insufficient to replace chemical products; and (iv) the current procedure to distinguish between ‘low-risk active substances and ‘low-risk products’ is considered too complicated.
- The use of **biocontrol (including invertebrate macro-organisms) as well as low-risk PPPs** should be permitted in **sensitive areas**. According to the current text non-professional users are also not allowed to use low-risk PPP in these areas.
- In order to identify and measure the increase of the use of biological control PPPs and invertebrate macro-organisms (positive targets) a list with authorised products should be established at national level (and EU level).
- Such lists should already be prepared prior to entry into force of the Regulation to have this information available as **alternatives to ‘the 5 chemical active substances that most strongly influence** the trend of the reduction in the use of chemical PPPs’. It is recommended to develop a harmonized procedure and set of criteria how to determine ‘most strongly influence’.

- **'Crop profiles'** should provide an overview of production and pest management practices for a specific crop: (i) information on abiotic factors affecting its growth; (ii) the biology of key disease, insect and mite and weed problems as well as cultural and chemical methods of control; (iii) detailed information on pest occurrence, integrated pest management options, as well as registered pesticides available to growers. The knowledge and experience that growers have gained on IPM methods need to be communicated more widely. To achieve this appropriate training and communication tools need to be used (e.g. forecasting advice, warning systems). Advisors are the link between growers and research and play a key role in communication and the dissemination of information. 'IPM Profiles' can become important tools to achieve these goals. 'IPM Profiles' should provide baseline information at different level (e.g. EU, zonal, national, regional) on crop production and IPM practices and the issues faced in this respect by growers. These crop profiles (or IPM profiles) can be used to train advisors and this would increase transparency and could partly overcome this problem of 'independency'. Examples are the Canadian Crop Profiles ([Crop profiles - Agriculture and Agri-Food Canada \(AAFC\)](#)) or the IOBC Crop Specific Technical Guidelines for Integrated Production (https://www.iobc-wprs.org/ip_practical_guidelines/index.html)