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Report Highlights:

On May 20, 2020, the European Commission announced the publication of both the Farm to Fork (F2F) Strategy and the EU Biodiversity Strategy for 2030, which contain roadmaps for enhancing food and agricultural sustainability by 2030 under the EU Green Deal. The Strategies mark the beginning of a process that aims to fundamentally change the way EU agriculture operates and food is produced for, and provided to, EU consumers. The Strategies are not legislative actions, and their objectives will need to be converted into legislative proposals. The European Parliament and Member States will shape and amend these proposals as part of the EU legislative process. This multi-step legislative development process and negotiations between EU institutions typically takes several years to complete. This report focuses on one of the main initiatives of the Strategies - a 50 percent reduction of pesticide use and risk by 2030, which is supported by three key proposals.

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

General Information

On May 20, 2020, the European Commission Executive Vice President for the Green Deal, Frans Timmermans, alongside Health Commissioner Stella Kyriakides and Environment Commissioner Virginijus Sinkevičius, announced the publication of the Farm to Fork Strategy (F2F) and EU Biodiversity Strategy for 2030. These two Strategies are roadmaps that will guide EU legislative initiatives and policy making for the duration of Commission President Ursula von der Leyen's tenure (2019- 2024). Ursula von der Leyen has prioritized her Presidency around greening and transforming the EU economy to become carbon neutral by 2050 through the politically ambitious "EU Green Deal." Throughout 2020, the European Commission is publishing many sectoral strategies that lay out a vision, with proposed measures, to achieve that goal. The F2F and Biodiversity Strategies aim to support the Green Deal by fundamentally changing the way agriculture operates and how food is produced for, and provided to, EU consumers. For more information about the F2F and Biodiversity Strategies and their agricultural and food initiatives, please see EU GAIN Report: *Green Deal Strategies for the EU Agri-Food Sector Present a Politically Ambitious Policy Roadmap*.

A key commitment of the F2F and Biodiversity Strategies is a 50 percent reduction of the use and risk of pesticides by 2030. The Strategies aim to protect and restore biodiversity and make the European agrifood sector more sustainable¹ through pesticide reduction targets and wider adoption of integrated pest management (IPM) practices.

As part of the F2F Strategy, the Commission proposed several initiatives that link to EU pesticide regulations including the <u>European Parliament and Council Regulation 1107/2009</u> that establishes rules for the authorization of plant protection products (PPPs), the <u>European Parliament and Council Regulation 396/2005</u> that sets maximum residue limits (MRLs) and import tolerances, and <u>Directive 2009/128</u> that directs the sustainable use of pesticides and the use of IPM. The pesticide initiatives outlined in the F2F and Biodiversity Strategies will also be supported by recommendations from the recently completed reevaluation of the functioning and effectiveness of the EU legislation on plant protection products and pesticide residues, known as <u>REFIT</u>.

F2F and Pesticides

The F2F Strategy envisions farmers transforming production methods to achieve sustainability, making the best use of different available solutions to deliver better environmental results, increase climate resilience and reduce the use of inputs, such as pesticides and fertilizers. The Commission proposes to take action to reduce the overall use and risk of chemical pesticides by 50 percent and the use of high-risk pesticides² by 50 percent by 2030. These suggested actions include putting forward proposals to

¹ In its introduction to the F2F Strategy, the European Commission's Health and Food Safety Directorate General, <u>explains</u> <u>sustainable food systems</u> as having the following characteristics: "have a neutral or positive environmental impact, help to mitigate climate change and adapt to its impacts, reverse the loss of biodiversity, ensure food security, nutrition and public health, make sure that everyone has access to sufficient, safe, nutritious, sustainable food and preserving affordability of food while generating fairer economic returns, fostering competitiveness of the EU supply sector and promoting fair trade." A longer explanation is found in Section 2 of the Strategy.

²According to the EU, high risk pesticides are plant protection products containing active substances that meet the cut-off criteria set out in points 3.6.2 to 3.6.5 and 3.8.2 of Annex II to Regulation (EC) No. 1107/2009 or are identified as candidates for substitution in accordance with the criteria in point 4 of that annex.

revise the Sustainable Use of Pesticides Directive (SUD), enhancing provisions on integrated pest management (IPM) and promoting the use of alternative ways to protect harvests from pests and diseases. The Strategy also recommends an easier and faster processes to place PPPs on the market that contain biological active substances. Additionally, the Strategy proposes strengthening the environmental risk assessment of pesticides.

The F2F Strategy includes three principle proposals revising: (1) the SUD and enhancing IPM; (2) the relevant implementing regulations to facilitate placing PPPs with biological active substances on the market; and, (3) the pesticides statistics regulation to overcome data gaps and reinforce evidence-based policy making. The Commission's F2F Strategy states that most of the draft proposals will be released between 2021-2023. Once the drafts are released, they will need go through the full legislative process, including discussions with the European Parliament and Council. Additional details of the F2F pesticide proposals are included below.

Revision of the Sustainable Use Directive (SUD)

The F2F Strategy outlines the draft proposal revising the SUD. The revision aims to "significantly reduce use and risk and dependency on pesticides and enhance integrated pest management" and should be available by early 2022.

The goal of introducing these specific pesticide reduction targets is for the Commission and the individual Member States, through their <u>National Action Plans</u>, to promote the sustainable use of PPPs, and to make progress in measuring, as well as reducing, the risks related to PPP use. In this proposal, the recommended development of new Harmonized Risk Indicators (HRI) to measure the reduction of the risks of PPP should consider how, where and when chemical pesticides are used instead of only sales statistics of PPP consumption in the EU.

In order to achieve the pesticide reduction targets, the Commission also plans to present provisions under the SUD to enhance the implementation of IPM. IPM is a means to reduce PPP dependency: farmers will only be able to use chemical PPPs after exhausting preventive, physical, biological or other non-chemical methods of pest control. Although mandatory, the enforcement of IPM to date has been weak since there are no clear criteria on how users should apply the general principles of IPM or how the authorities should assess compliance.

Improve Access to PPP Statistics by 2023

Currently, there is a lack of available PPP statistics to measure and monitor risk and environmental impacts. According to a February 2020 European Court of Auditors' <u>special report on the sustainable</u> <u>use of PPPs</u>, the Commission and the Member States have not sufficiently made progress in reducing the risks of PPP use but the measurement is currently difficult or almost impossible with the existing data gaps.

In order to overcome data caps and reinforce evidence-based policy making, F2F calls for improved collection of pesticide statistics. It is foreseen that the proposal for the revision of the pesticide statistics regulation will be presented in 2023 to achieve these goals.

Improve the Implementation of the PPP Regulation

According to the May 2020 <u>REFIT Report</u>, the number of approved basic and low-risk substances is steadily increasing but currently there is no mechanism to speed-up the approval process for these substances. The availability of PPPs for minor uses is being negatively affected by a lack of implementation of the Regulation. The report goes on to state that overall, alternative methods are insufficiently used as substitutes for plant protection products. As such, the F2F Strategy announced actions towards a faster authorization process to promote more expedient phasing-out of high risk pesticides from the market and faster approval of low-risk pesticides, as well as enhanced environmental and bio-monitoring of pesticide use. The proposal for the revision of the relevant implementing regulations under the PPP framework to facilitate these actions is expected by late 2021.

Better Implementation of the Regulations on PPP and MRLs

The overarching goals of the Green Deal and the Farm to Fork Strategy led to further recommendations under the REFIT report on the evaluation of the EU's pesticides legislation for both the authorization and placing on the market of PPPs and the setting of MRLs. Some of these are recommended legislative changes, while others are just increased/improved application of existing regulations that would not require further legislative action. Any proposed legislative changes will need to go through the EU's regulatory process and will take time. Other European Commission recommendations are non-legislative and may include guidance documents or enhanced application of existing regulations, which can be implemented more quickly. The actions suggested in REFIT include:

- 1. Commission adoption in 2020 of a list of unacceptable co-formulants, followed by the proposal of an Implementing Regulation to set out criteria and procedures to further identify unacceptable co-formulants.
- 2. Possible changes to the renewal process to implement changes to allow a short window for applicants to submit comments and further information to EFSA during the review process.
- 3. Improved implementation of the cut-off criteria to ensure Member States apply them appropriately and systematically
- 4. Simplification of the comparative assessment of candidates for substitution
- 5. Development of a methodology for cumulative risk assessment
- 6. Intensified monitoring of the environmental concentrations and effects of active substances.
- 7. Development of specific environmental protection goals in order to further improve the consideration of biodiversity in the risk assessment process of active substances
- 8. Increased oversight of emergency authorization uses

The REFIT report also addresses how the Commission will approach promoting the Green Deal and F2F initiatives related to PPP internationally. The report outlines that the EU will work to internationally promote the phasing out of pesticides that are no longer approved for use in the EU and encourage the use of low-risk substances and alternatives. Additionally, the Commission plans look at how they can consider environmental concerns when evaluating import tolerances, while still respecting WTO standards and obligations. REFIT outlines that the EU will also work in international fora to encourage third countries to adopt a similar approach to that of the EU when regulating pesticides, and use discussions in the context of Free Trade Agreements to "promote the convergence of approaches in the pesticide area."

Stakeholder Reactions

EU Stakeholder responses to the F2F and Biodiversity Strategies initiatives for strengthening food security and improving the resilience of the EU agricultural system were largely positive. However, the response to specific targets and approaches varied.

Responding to the Commission's F2F Strategy, the European Crop Protection Association (ECPA) <u>emphasized</u> the need to work with all relevant stakeholders when looking at food production. ECPA noted that together stakeholders need to find innovative solutions and ensure that no one is left behind. They also mentioned that the crop protection industry is open to discussing targets, as long as they are realistic and based on scientific evidence. Additionally, ECPA emphasized the need for impact assessments before setting the specific targets to ensure that it is a balanced approach.

Separately, COPA-COGECA, the European Farmers and European Agri-Cooperatives Association, also <u>discussed</u> the importance of impact assessments and appropriate consultations with relevant stakeholders, especially when reviewing the use of plant protection products.

EU environmental NGOs are supportive of the overall aims of the two Strategies. They have emphasized their hope that the Commission will follow up with strict enforcement of any legislative actions.

International Ambitions

In addition to outlining goals within the EU, the Farm to Fork and Biodiversity Strategies also outline the EU's global ambition of these strategies. They aim to set the global standard of "sustainability" and to help facilitate the global transition to a more "sustainable" agri-food system. Related to pesticides, the F2F Strategy states that EU will work to "obtain ambitious commitments from third countries in key areas such as animal welfare, the use of pesticides and the fight against antimicrobial resistance". In addition, the Strategy outlines that the EU aims to "promote international standards in the relevant international bodies and encourage the production of agri-food products complying with high safety and sustainability standards."

As the legislative framework which would enable these actions are already in place, the EU will be able to internally move more quickly on these international goals and strategies.

Next Steps

The announcement of the F2F and Biodiversity Strategies is the first step in a lengthy and politically complicated legislative process. For many of the nearly 40 proposed food and agriculture policy initiatives in both Strategies, the Commission will be asked to conduct impact assessments that can inform but also delay the publication of the draft legislative proposals.

The Commission carries out impact assessments for policy initiatives expected to have significant economic, social or environmental impacts. The Commission announces the launch of these assessments to the public first with an inception impact assessment report that states the objectives of the

forthcoming impact assessment as well as the timeline for completion. Stakeholders are invited to comment on the inception report. Once the actual impact assessment is underway, the Commission seeks additional input through public consultations and expert group meetings. Upon completion of the impact assessment, the Commission publishes the findings along with its draft legislation.

If the draft is a new framework legislative proposal, it will be sent to the two EU co-legislators: the European Parliament and the Council. Then the amendment process, and negotiations among institutions begins. From draft legislation to publication in the official journal, the EU legislative process usually takes around 18 months, however timeline varies greatly depending on the sensitivities and urgencies of the topic. If the initiative is a non-framework legislation proposal it will follow different procedures. Any implementing or delegated act proposals follow the comitology rules, with limited input from the Council and Parliament, which can occur more quickly than framework legislation. For other proposals, such as guidance documents or enhanced implementation of existing regulations, the Commission has sole power and can act more quickly. For more information about the EU legislative process, please see GAIN Report "How the European Union Works."

Attachments:

No Attachments.