

Remote stakeholder event on the Sustainable Use of Pesticides Directive 2009/128/EC and the impact of its planned revision

Dr Claudia Castell-Exner's intervention

19 January 2021

EurEau appreciates very much the invitation to this important stakeholder event and is happy to contribute with its views. We also look forward to provide input to the public consultation and to the interview that will take place with the consultants on the 21st January 2021.

With regards to the evaluation of the sustainable use of pesticides Directive (2009/128/EC) we like to highlight the principles enshrined in European treaty – article 191.2 in the first place.

It states that the Union policy on the environment shall be based on:

- ~ The precautionary principle
- ~ On the principles that preventive actions should be taken so that the environmental damage should as a priority be rectified at the source
- ~ And that the polluter should pay

These guiding principles should be the basis upon which the European Green Deal and its strategies like the Farm 2 Fork or zero pollution ambition are built.

So, from our point of view it is now time to act.

In order to fulfil water services' mission of safeguarding public health and the environment, the protection of water resources is of utmost importance.

The less a drinking water resource is polluted, less technical water treatment is necessary and drinking water can be delivered as a real natural foodstuff.

To be clear: it is not a question of whether drinking water operators are capable to treat any type of raw water – but the question is: "Do we as a society, as individual citizen, prefer drinking water of a most natural composition or a highly treated and processed product?"



In the context of drinking water resources protection we must conclude that, despite the strict authorisation process for plant protection products (PPP) and the rules governing their application, the contamination of water resources with PPP active substances and their degradation products continues to be one of the most pressing raw water problems encountered by water operators.

The legislative framework for water resources protection is defined in the Water Framework Directive (WFD) and the wording is clear.

The WFD establishes the principles that the polluter has to pay and that the costs of water services should be recovered.

For us it is undisputed that the water consumer should not bear the costs of extra water treatment due to polluting activities (such as industrial or agricultural pollution) and the polluter pays principle should be applied.

With the new Drinking Water Directive, in addition to the active substances and metabolites, attention is also paid to the transformation products of pesticides - just to give you an insight how far-reaching the use of pesticides is on other sectors and has to be dealt with.

Regarding the current implementation of the SUPD we conclude:

- ~ Member States are obliged to adopt and implement National Action Plans (NAPs) to reduce risks and impacts of pesticide use on human health and the environment.
- ~ After over a decade of experience with NAPs in many countries we see that they are weak and inefficient to reduce the risks and impacts of pesticides on water resources.
- ~ The NAP process has been strong in bringing stakeholders from different sectors together and has defined targets and indicators, but it lacks in many Member States the political and legal backing needed for effective implementation.

From our point of view subsidiarity does not work in this piece of legislation. The revision of the SUPD should therefore set at EU level:

- ~ clear targets which can be monitored and evaluated,
- ~ clear timeframes for reaching the targets,
- ~ a systematic approach which allows for a monitoring and evaluation of actions and measures taken
- ~ Obligations for Member States (MS) to enforce and report on the measures undertaken to meet the targets

If the SUPD does not define clear obligations via the NAP, we believe that MS continue to misuse this tool as a "paper tiger".

Beyond the revision of the SUP-Directive, we believe that other actions are necessary to achieve a sustainable and responsible use of pesticides are, such as:

- ~ To withdraw approvals for active substances of pesticides in case of concentrations in water resources exceeding the objectives set by the WFD and

January 2021

Remote stakeholder event on the Sustainable Use of Pesticides Directive 2009/128/EC and the impact of its planned revision

Dr Claudia Castell-Exner's intervention



- its Daughter Directives (article 44 of Plant Protection Regulation 1107/2009)
- ~ to link and adjust requirements for pesticides stemming from the Drinking Water Directive within the upcoming revision of the Groundwater Directive and Environmental Quality Standards Directive (both Daughter Directives of the Water Framework Directive)
- ~ applying extended producer responsibility (EPR) schemes to pesticides and other micropollutants in the aquatic environment from products during their life cycle.



About EurEau

EurEau is the voice of Europe's water sector. We represent drinking water and waste water operators from 29 countries in Europe, from both the private and the public sectors.

Our members are 34 national associations of water services. At EurEau, we bring national water professionals together to agree European water sector positions regarding the management of water quality, resource efficiency and access to water for Europe's citizens and businesses. The EurEau secretariat is based in Brussels.



EurEau

With a direct employment of around 476,000 people, the European water sector makes a significant contribution to the European economy.