Suggestions to amend the DG SANCO proposal to suspend the use of neonicotinoid pesticides on bee attractive crops

At the recent Council of Agricultural Ministers, a large number of Member States expressed a concern about the absence of compelling evidence to support the European Commission's claim that its proposal is proportionate. Member States are equally concerned that the Commission's current proposal is not supported by an impact assessment and far from improving bee health could lead to adverse impact and a return to the more frequent use of older chemistry.

Consequently, a majority of Member States have indicated a preference for the European Commission to reflect on its current proposal and amend it ahead of the Appeals Committee in April. (Procedure requires these amendments to be tabled and accepted in the Appeals Committee as the Commission is obliged to present the same proposal to the Appeals process)

If the European Commission is determined to force through EU-wide restrictions, it could mitigate the adverse impact by amending its proposal to specifically support the use of neonicotinoids by Member States provided certain harmonized rules were adhered to.

These harmonized rules are; reduced seed planting rates, mandated risk mitigation measures such as dust deflectors on pneumatic precision drillers operating by vacuum, make greater use of pollinator strips alongside crops to provide alternative sources of nutrition, and stipulate crop specific monitoring programs in any Member State with ongoing use of neonicotinoids.

In many places in Europe, these rules are already being followed which is why certain Member States have confidence in the continued safety for bees in the use of neonicotinoid pesticides. The proposed reduction in application and seed planting rates may be difficult for the crop protection industry and farmers to accept but as long as they strike the right balance between increased margins of safety and efficacy, this should be manageable.

The specific proposals for the four key crops where EFSA identified a high acute risk to bees from the use of neonicotinoids are as follows:

Corn

Member States may use the following mitigations to enable farmers to continue to use neonicotinoid treated seed on this crop provided the following rules are adhered to:

1. The maximum sowing rate for <u>neonicotinoid treated seeds</u> will be restricted to levels which are commonly used for certified and treated seeds. This needs to be specified per country but will be up to 30% lower than the currently permitted nonspecific sowing rates assumed in EFSA's review. (Higher seeding rates for untreated farm saved seeds would be unaffected).

2. Drilling of neonicotinoid treated seeds with pneumatic precision drillers operating by vacuum will only be allowed with dust deflectors mounted to minimize dust.
3. A representative bee monitoring program will accompany the use of neonicotinoid treated seeds for corn in any Member State with ongoing use.

The Commission should in any case consider taking this crop off the bee attractive list. As this crop is a wind pollinator it is, by definition, unattractive to bees. The use of pollinator strips in the normal field margins around the crop would further reduce the incentive for bees to go into the crop, by providing an alternative source of nutrition.

Oilseed Rape

Member States may use the following mitigations to enable farmers to continue to use neonicotinoid treated seed on this crop provided the following rules are adhered to:

1. The maximum sowing rate for neonicotinoid treated seeds will be restricted to levels which are commonly used for certified and treated seeds. This needs to be specified per country but will be up to 50% lower than the currently permitted nonspecific sowing rates assumed in EFSA's review. (Higher seeding rates for untreated farm saved seeds would be unaffected).
2. Monitoring will accompany the use of the neonicotinoid based products and further analysis will be provided on residues in pollen and nectar from the lower use rate.

The Commission will be aware that Dust is not an issue in this crop because sowing occurs in the autumn when foraging of bees is low. In addition dust levels of seeds delivered by industry are 5 to 10 times lower than the maximum standards defined by key Member States, e.g. Germany.

Sunflowers

Member States may use the following mitigations to enable farmers to continue to use neonicotinoid treated seed on this crop provided the following rules are adhered to:

1. The maximum sowing rate for neonicotinoid treated seeds will be restricted to levels which are commonly used for certified and treated seeds. This needs to be specified per country. (Higher seeding rates for untreated farm saved seeds would be unaffected).
2. Stewardship to accompany the use of certified seeds treated with neonicotinoids will include the use of deflectors on pneumatic precision drillers operating by vacuum and monitoring of bee health for the first four months after drilling.

Cotton

Member States may use the following mitigations to enable farmers to continue to use neonicotinoid treated seed on this crop provided the following rules are adhered to:

1. The maximum sowing rate for neonicotinoid treated seeds will be restricted to levels which are commonly used for certified and treated seeds. This needs to be specified per country but will be up to 30% lower than currently permitted nonspecific sowing rates assumed in EFSA's review. (Higher seeding rates for untreated farm saved seeds would be unaffected).
2. Stewardship to accompany the use of certified seeds treated with neonicotinoids will include the use of deflectors on pneumatic precision drillers operating by vacuum and monitoring of bee health for the first four months after drilling.

Seed Treatment for Export

In order to ensure access to a common platform for the treatment of seed with plant protection products containing neonicotinoids, (including for those Member States that do not feel comfortable using the mitigations set out above), seed treatment for export should be authorized for all crops provided that the following rules shall be adhered to:

1. The seed coating shall only be performed in professional seed treatment facilities. Those facilities must apply the best available techniques in order to ensure that the release of dust during application to the seed, storage, and transport can be minimized.
2. Treated seeds of crops subject to a national suspension may only be exported into
    a. a Member State that has authorized use of treated seeds of such crop or
    b. territories outside of the European Union