
Round Table

Directive 2009/128/EC on the sustainable use of pesticides

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The slide features the European Commission logo at the top center. The background is a solid blue color. The text is centered and reads:

Directive 2009/128/EC Sustainable Use of Pesticides

Lana-March 27, 2012

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Health and Consumers Directorate General

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The slide features the European Commission logo at the top center. The background is white with a blue header bar. The text is centered and reads:

Directive 2009/128/EC Sustainable Use of Pesticides

- **Publication: November 2009**
- **Transposition date: November 2011**
- **Applies to Plant Protection Products only**
- **Biocides will be added at a later date**

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Recital 13

Since Directive **2006/42/EC** of the European parliament and of the Council of 17 May 2006 **on machinery** will provide for **rules on the placing on the market** of pesticide application equipment ensuring that environmental requirements are met, it is appropriate, in order to minimise the adverse impacts of pesticides on human health and the environment caused by such equipment, to **provide systems for regular technical inspection of pesticide application equipment already in use**. Member States should describe in their **National Action** plans how they will ensure the implementation of those requirements

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ARTICLE 1: Subject matter

4. 'pesticide application equipment' means any apparatus specifically intended for the application of pesticides, including accessories that are essential for the effective operation of such equipment, such as nozzles, manometers, filters, strainers and cleaning devices for tanks;

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Article 8: Inspection equipment in use

1. Member States shall ensure that pesticide application equipment **in professional use** shall be subject to inspections at regular intervals. The interval between inspections shall **not exceed five years until 2020** and shall not exceed **three years thereafter**

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Afterthought in Article 8-1

*New equipment shall be inspected **at least once within a period of five years** after purchase.*

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ARTICLE 8-2

*By **14 December 2016** Member States shall ensure that pesticide application equipment has been **inspected at least once**. After this date only pesticide application equipment having **successfully passed inspection shall be in professional use.***

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Article 8-3: derogations possible

Derogations from paragraphs 1 and 2 possible

- **Risk assessment for human health**
- **Risk assessment for environment**
- **Including an assessment of the scale of use**

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Member States may (a):

- Apply different time tables
- Different inspection intervals
- Pesticide application equipment not used for spraying pesticides
- Handheld pesticide application equipment or knapsack sprayers
- Additional pesticide application equipment representing a very low scale of use

To be listed in the national action plans

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No derogation for:

- (i) *spraying equipment mounted on trains or aircraft;*
- (ii) *boom sprayers larger than 3m, including boom sprayers that are mounted on sowing equipment.*

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8-3-b Derogations possible for:

Handheld pesticide application equipment or knapsack sprayers

Member States ensure that operators

- **Are informed on changing accessories**
- **Are informed on risks**
- **Are trained and certified**

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Article 8-4 requirements

- **Satisfy Annex II**
- **New equipment developed according to 98/34/EC presumed to comply with SUD (essential health, safety and environmental requirements)**

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Article 8-5

- **Users to check and calibrate own equipment**
- **Training must prepare for this**

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Article 8-6

- **MS designate inspection bodies**
- **MS to inform COM**
- **MS establish certification systems**
- **MS recognise other MS in this**
- **MS mind inspection intervals**

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